

## **Subchapter II: Disaster Relief Fund**

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Cross-reference: The provisions of the "Disaster Relief Assistance Act of 1989" are codified at chapter 7 of title 41 (Public Health, Safety and Welfare) of this code.

§ 608. Definitions.

As used in this subchapter:

(1) "Disaster" means any hurricane, typhoon, cyclone, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, drought, fire, explosion, civil disturbance, or other catastrophe in any part of the Federated States of Micronesia which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant disaster assistance under this subchapter, above and beyond emergency services by the National Government, to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

(2) "Emergency" means any hurricane, typhoon, cyclone, tornado, storm, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, drought, fire, explosion, civil disturbance, or other catastrophe in any part of the Federated States of Micronesia which requires national emergency assistance to supplement State and local efforts to save lives and protect property, provide for public health and safety, or to avert or lessen the threat of disaster.

Source: PL 2-64 § 2.

Cross-reference: The provisions on Emergency Proclamations are found in chapter 8 of title 11 (Crimes) of this code. The provisions of the "Disaster Relief Assistance Act of 1989" are found in chapter 7 of title 41 (Public Health, Safety & Welfare) of this code. The provision on the Emergency Account is found at section 109 of this title.

§ 609. Establishment.

(1) There is created a Disaster Relief Fund to be used for natural disaster and emergency relief throughout the Federated States of Micronesia.

(2) Moneys for the Disaster Relief Fund shall be derived from appropriations by the Congress of the Federated States of Micronesia and the State legislatures, United States grants, funds designated for such purposes from international organizations and from any and all other appropriate sources.

(3) The Disaster Relief Fund shall be administered in accordance with the provisions of this subchapter.

Source: PL 2-64 § 1.

§ 610. Request - Declaration.

All requests for a determination by the President that an emergency or disaster exists shall be made by the Governor of the affected State. Such request shall be based upon the Governor's finding that the situation is of such severity and magnitude that effective response is beyond the capabilities of the State and the affected local governments and that national assistance is necessary. The Governor's request will furnish information describing State and local efforts and resources which have been or will be used to alleviate the emergency or disaster, and will define the type and extent of national aid required. As a prerequisite to emergency or disaster assistance under this subchapter, the Governor shall take appropriate action under State law and direct execution of any State emergency or disaster plan. Based upon such Governor's request, the President may find and declare that a disaster or an emergency exists.

Source: PL 2-64 § 3.

Cross-reference: The provisions of the "Disaster Relief Assistance Act of 1989" are codified at chapter 7 of title 41 (Public Health, Safety and Welfare) of this code. The statutory provision on the Emergency Account is found at section 109 of this title.

§ 611. Use of Disaster Relief Fund.

(1) Upon declaring that a disaster or emergency exists, the President may authorize such expenditure of moneys from the Disaster Relief Fund as in his opinion are necessary to carry out the purposes of this subchapter, providing that they are consistent with the type and extent of aid requested by the Governor of the affected State.

(2) Expenditures from the Disaster Relief Fund may be used for necessary food, clothing, shelter, medical supplies, compensation for crop damage, transportation, debris clearance, reconstruction and repair of seawalls and other damaged property, building materials, and such other matters as the President determines to be necessary and occasioned by the emergency or disaster.

Source: PL 2-64 § 4.

§ 612. Use of local firms and individuals.

In the expenditure of national funds for debris clearance, distribution of supplies, reconstruction, and other emergency or disaster assistance activities which may be carried out by contract or agreement with private organizations, firms, or individuals, preference shall be given, to the extent feasible and practicable, to those organizations, firms, and individuals residing or doing business primarily in the area affected by such emergency or disaster.

Source: PL 2-64 § 5.

Cross-reference: The provisions of the "Disaster Relief Assistance Act of 1989" are codified at chapter 7 of title 41 (Public Health, Safety and Welfare) of this code. The statutory provision on the Emergency Account is found at section 109 of this title.