

STANDING COMMITTEE REPORT NO. 14-82

RE: C.R. 14-60/T&C

SUBJECT: NOMINATION OF MR. JOLDEN JOHNNYBOY
TO FSM TELECOMMUNICATIONS BOARD

MARCH 01, 2006

The Honorable Peter M. Christian
Speaker, Fourteenth Congress
Federated States of Micronesia
Second Special Session, 2006

Dear Mr. Speaker:

Your Committee on Transportation and Communications to which was referred C.R. No. 14-60, entitled:

"A RESOLUTION CONFIRMING THE NOMINATION OF MR. JOLDEN JOHNNYBOY TO BE A MEMBER ON THE BOARD OF DIRECTORS OF THE FSM TELECOMMUNICATIONS CORPORATION.",

begs leave to report as follows:

The intent and purpose of the resolution are expressed in its title.

The nomination of Mr. Jolden Johnnyboy was transmitted to Congress via Presidential Communication No. 14-145 during the Third Regular Session of the Fourteenth Congress. This communication outlines Mr. Johnnyboy's qualifications to serve as a member of the Board of Directors of the FSM Telecommunication Corporation (hereinafter called the "Board") and seeks Congress's advice and consent on the nominee.

The written information provided to your Committee in Presidential Communication No. 14-145, which included a copy of Mr. Johnnyboy's resume, reveals that Mr. Johnnyboy has served as the Deputy Chief Clerk of the FSM Congress for six months, as Kosrae State Senior Land Commissioner for two years, as Kosrae State Realty Specialist for five years, as a Classroom Teacher for Kosrae High School for four years, and currently, as the Assistant Secretary for the Department of Transportation, Communications and Infrastructure for the past fourteen years.

Mr. Johnnyboy started his education at Malem Elementary School in the State of Kosrae. He attended Kosrae High School from 1969 to 1973. He did his undergraduate studies at the United States International University, San Diego, California where he received a Bachelor of Arts degree in International Relations. Mr. Johnnyboy has been a public servant over twenty years, serving in various positions beginning with the Kosrae State Government and currently with the FSM National Government. Through his many years serving under the Communication

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Division, he has attended various telecommunication conferences and training, which qualifies him to be a member of the Board.

Your Committee held a public hearing on the nomination in Kosrae on Tuesday, February 28, 2006. During the hearing on the nomination, the main concern that was fully discussed is whether there exists a conflict of interest in regards to the nominee being the Assistant Secretary for the Division of Communication under the Department of Transportation, Communications and Infrastructure (TC&I), and for him to serve on the Board. According to the Secretary, FSM Department of Justice, there is no legal problem with the nomination. Your Committee was informed that the nominee has no regulatory function over the Corporation. Currently, in title 21 of the FSM Code, the Telecom Board administers the Corporation. As an Assistant Secretary for Division of Communication, the nominee assigns radio frequencies and is responsible for the issuance of licenses. Therefore, there is no potential conflict of interest for the nominee to serve on the Telecom Board. Importantly, the new amendment to title 21 regarding the "holdover" of members should be considered along with the nomination. Your Committee was informed that the Board could not transact business because of the current problem with the terms of the Board members.

Based upon the information and comments received, your Committee on Transportation and Communications is in accord with the intent and purpose of C.R. No. 14-60 and recommends its adoption.

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Respectfully submitted,

/s/ Moses A. Nelson
Moses A. Nelson, chairman

Dion G. Neth, vice chairman

/s/ Resio S. Moses
Resio S. Moses, member

/s/ Ramon Peyal
Ramon Peyal, member

/s/ Claude H. Phillip
Claude H. Phillip, member

/s/ Simiram Sipenuk
Simiram Sipenuk, member

Peter Sitan, member