

STANDING COMMITTEE REPORT NO. 15-101

RE: C.R. NO. 15-118/EXAFF

SUBJECT: CONFIRMING THE NOMINATION OF MR. CARL APIS TO BE THE DEPUTY  
CHIEF OF MISSION IN BEIJING

APRIL 01, 2008

The Honorable Isaac V. Figir  
Speaker, Fifteenth Congress  
Federated States of Micronesia  
Fourth Special Session, 2008

Dear Mr. Speaker:

Your Committee on External Affairs, to which was referred C.R. No. 15-118, entitled:

"A RESOLUTION CONFIRMING THE NOMINATION OF MR. CARL APIS TO BE THE DEPUTY CHIEF OF MISSION OF THE FEDERATED STATES OF MICRONESIA EMBASSY TO THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.",

begs leave to report as follows:

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

Your committee is reviewing this nomination with mixed feelings, not about the nominee but about the need in the first place for a presidential nomination for advice and consent in this case. It is this committee's belief that the advice and consent process was not needed in this case, but given the Attorney General's opinion regarding this matter, your committee feels that Congress must comply with that opinion and proceed with a vote.

Congress had passed Public Law No. 15-23 to institute the requirement for advice and consent for consul-generals and deputy chiefs of mission. Congress was surprised nevertheless to learn that the AG's Office has opined that the law has retroactive application, and that therefore even individuals who are continuing in their current job must undergo advice and consent.

Your committee held a hearing on March 27, 2008 with the Department of Foreign Affairs, the Department of Justice and the Personnel Office. At the hearing the Secretary of Foreign Affairs testified that Carl Apis is continuing with his current job as Deputy Chief of Mission in Beijing. The representative from the AG's office, Mr. Johnson Asher, testified that the nomination will need to be voted on.

Mr. Apis is well known to your committee, which has no problem with his current job performance. Your committee therefore recommends that Congress confirm the nominee.

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Your Committee on External Affairs is in accord with the intent and  
purpose of C.R. No. 15-118, and recommends its adoption.

Respectfully submitted,

/s/ Paliknoa K. Welly  
Paliknoa K. Welly, chairman

/s/ Tiwiter Aritos  
Tiwiter Aritos, vice chairman

/s/ Isaac V. Figir  
Isaac V. Figir, member

Roosevelt D. Kansou, member

/s/ Dion G. Neth  
Dion G. Neth, member

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

/s/ Setiro Paul  
Setiro Paul, member