

STANDING COMMITTEE REPORT NO. 15-181

RE: C.R. NO. 15-203/R&D

SUBJECT: MR. FRANCIS I. ITIMAI TO SERVE AS A MEMBER ON THE BOARD OF DIRECTORS OF NORMA

MARCH 23, 2009

The Honorable Isaac V. Figir
Speaker, Fifteenth Congress
Federated States of Micronesia
Seventh Special Session, 2009

Dear Mr. Speaker:

Your Committee on Resources and Development, to which was referred Presidential Communication No. 15-359, containing C.R. No. 15-203, entitled:

"A RESOLUTION TO CONFIRM THE NOMINATION OF MR. FRANCIS I. ITIMAI TO SERVE AS A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL OCEANIC RESOURCES MANAGEMENT AUTHORITY (NORMA) REPRESENTING THE FSM NATIONAL GOVERNMENT."

begs leave to report as follows:

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

Mr. Itimai, if confirmed will be the National Government Representative to the National Oceanic Resources Management Authority (NORMA) under (Public Law No. 12-34, section 201 and Public Law No. 15-38).

Presidential Communication 15-359 provides a curriculum vitae detailing the nominee's professional background.

On Wednesday, March 18, 2009 your Committee held a public hearing to hear testimony from the nominee and other representatives. In attendance at the hearing were: Francis I. Itimai, nominee (Secretary of the Department of Transportation, Communication and Infrastructure); Dion G. Neth, chairman of the committee; Dohsis Halbert, committee member; Joseph J. Urusemal, committee member; Joe N. Suka, committee member; Peter Sitan, committee member; Pelsesar Pedrus, Special Assistant to the President; Patricia Jack from NORMA; Bernard Thoulag from NORMA; Steve George from the Department of Justice and Staff Attorney Marsha R. Kennedy.

The committee inquired into the nominee's abilities to show that he was capable of performing the duties required under this position. Mr. Thoulag testified that although he did not know the nominee personally he can state that the nominee, Mr. Itimai, is articulate, has a high-level mind and has government experience. Mr. Pedrus stated that Mr. Itimai's prior

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experience with the fisheries made him an able and very impressive candidate.

Mr. Thoulag stated that the President's Office considered candidates for the post with the following qualifications: people who are representatives of the government and companies that NORMA normally deals with, people with knowledge of fisheries and people who can work with individuals of different interests. Mr. Thoulag stated that it was very difficult to find someone with knowledge of the fisheries because of the restrictive laws dealing with them.

Senator Halbert expressed concern that Mr. Itimai might be assigned too many duties by serving as the government representative to NORMA in addition to his present duties.

Mr. Itimai stated that he believed that the President nominated him to serve as the government's representative to the board of NORMA because of his prior experience with the board and because of his prior experience with fisheries. Mr. Itimai stated that he previously had served on the Board of NORMA as Vice Chairman of the Board for a four-year term.

Senator Urusemal also raised the Committee's concerns regarding this and previous nominations where members of the President's Cabinet served as members of the Board given the President's own policy that cabinet member's not serve on the Board. Senator Urusemal made clear that he was not in any way trying to question Mr. Itimai's ability but that he wished to relay Congress's concern about having cabinet members on the Board. Mr. Itimai stated that he believed that the President's main concern was who was familiar with NORMA and who would be able to move the program forward.

Senator Urusemal also questioned whether or not someone from Foreign Affairs had been considered for the position since up to now someone from Foreign Affairs has served as the government representative. Mr. Pedrus indicated that two people from Foreign Affairs were considered for this nomination.

Chairman Neth asked how the President's Office decided on their nominee. Mr. Thoulag stated that they were asked to submit names to the President. Mr. Thoulag stated that generally Foreign Affairs takes the lead in the meetings. Due to their dealings with foreign companies and government, Mr. Thoulag thought that it was beneficial to be represented by Foreign Affairs. Chairman Neth also relayed Congress's concern that if the board member is already a member of Foreign Affairs that the government may lose leverage during negotiations.

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Senator Suka also questioned the nominee regarding whether or not he has any reservations about accepting this nomination given the issues raised at the hearing. Mr. Itimai stated that he had no reservations, and is ready and willing to take on the goal to serve as the National Government Representative to the National Oceanic Resources Management Authority (NORMA).

Your Committee on Resources and Development is in accord with the intent and purpose of C.R. No. 15-203 and recommends its adoption in the form attached hereto as C.R. No. 15-203.

Respectfully submitted,

/s/ Dion G. Neth
Dion G. Neth, chairman

/s/ Tesime Kofot
Tesime Kofot, vice chairman

Resio S. Moses, member

/s/ Peter Sitan
Peter Sitan, member

Joe N. Suka, member

/s/ Joseph J. Urusemal
Joseph J. Urusemal, member

/s/ Paliknoa K. Welly
Paliknoa K. Welly, member