

STANDING COMMITTEE REPORT NO. 15-56

RE: C.R. NO. 15-45/R&D

SUBJECT: NOMINATION OF MR. ROBERT TAULUNG AS THE MEMBER OF THE  
NATIONAL OCEANIC RESOURCE MANAGEMENT AUTHORITY FROM KOSRAE.

NOVEMBER 22, 2007

The Honorable Isaac V. Figir  
Speaker, Fifteenth Congress  
Federated States of Micronesia  
Third Special Session, 2007

Dear Mr. Speaker:

Your Committee on Resources and Development, to which was referred  
C.R. No. 15-45, entitled:

"A RESOLUTION CONFIRMING THE NOMINATION OF MR. ROBERT TAULUNG TO  
BE THE MEMBER OF THE NATIONAL OCEANIC RESOURCE MANAGEMENT  
AUTHORITY (NORMA) BOARD OF DIRECTORS",

begs leave to report as follows:

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

The nomination of Mr. Robert I. Taulung was transmitted to Congress  
via Presidential Communication No. 15-75. This communication outlines  
Mr. Taulung's qualifications to serve as a member of the National  
Oceanic Resource Management Authority as the representative from the  
State of Kosrae and urges Congress to consider this nomination  
favorably.

At the outset it is noted 24 FSMC 201 requires that all nominations  
for membership on NORMA receive the advice and consent of Congress.  
One member from each State must be appointed by the President "in  
consultation with the Governor." Nothing appears in Presidential  
Communication No. 15-75 to indicate what "consultation" has occurred  
and the draft resolution provided by the President recites that the  
Governor of the State of Kosrae has recommended Mr. Robert Taulung.  
Presidential Communication No. 15-75 also recites that a letter from  
Governor Weilbacher was attached but failed to include it.

It is further noted that Presidential Communication No. 15-75  
nominating Mr. Taulung is dated September 20, 2007. Pursuant to  
Section 202 of FSMC Title 24, an appointment as a member of NORMA is  
for a term of two years. It appears this nomination is to replace Mr.  
Nena S. Nena whose term as the member from Kosrae commenced on May 24,  
2004. Although Section 202 provides that the "rights and powers" of  
members continue after expiration of their terms until the first  
meeting of the Authority after Congressional advice and consent on a  
replacement, this Committee is concerned with the period of time

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between the expiration of Mr. Nena's term and the submission of a new nomination for approval. Sixteen months is far too long.

The written information provided to your Committee with Presidential Communication 15-75 reveals that Mr. Taulung has a bachelor of science degree in the relevant field of biology and also that he has a wide and varied background in education and in government service. Since 1995 he has been the Administrator of the Kosrae State Department of Resources and Economic Affairs Division of Fisheries & Marine Resources.

Your Committee held a public hearing on Tuesday, November 20, 2007 for the purpose of reviewing and discussing three of the President's nominations to NORMA, of which Mr. Taulung's nomination was one. According to the Executive Director of NORMA, Bernard Thoulag, Mr. Taulung's background with the Kosrae Division of Fisheries and Marine Resources should enable the nominee to perform the responsibilities of NORMA membership well. He expressed his belief that the nominee can make a positive and enlightened contribution to the work of the Authority and expressed his support for the nomination.

Deputy Director Eugene Pangelinan agreed with the assessment of Mr. Thoulag. He knows the nominee well by virtue of having worked with him in the past on fisheries related matters. Mr. Pangelinan characterized the nominee as "very dependable and knowledgeable of the fisheries industry." He expressed his belief the nominee would be a very welcome addition to the authority.

The witness was asked whether the nominee's candidacy for a seat on the Kosrae legislature would present any conflict or problem if elected. Both Director Thoulag and Deputy Director Pangelinan expressed their view that it would not. They pointed to the absence of any prohibition in the Kosrae law and that the only conflict appearing in Title 24 of the FSM Code relates to membership on the NFC Board.

Your Committee agrees that Mr. Taulung's working experiences with the Kosrae Division of Fisheries & Marine Resources will make him an asset to the National Oceanic Resource Management Authority.

The proposed Resolution approving this nomination, as submitted and introduced, repeatedly refers to the nomination as being to the NORMA "Board of Directors." Since no such "Board" is created by Title 24 of

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the Code and it is presumed Mr. Taulung is being nominated as a member of the Authority, C.R. No. 15-45, C.D.1 is attached hereto as the form of the resolution recommended by this Committee.

Your Committee on Resources and Development is in accord with the intent and purpose of C.R. No. 15-45 and recommends its adoption in the form attached hereto as C.R. No. 15-45, C.D.1.

Respectfully submitted,

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

/s/ Setiro Paul  
Setiro Paul, vice chairman

/s/ Resio S. Moses  
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