

STANDING COMMITTEE REPORT NO. 16-123

RE: C.B. NO. 16-78

SUBJECT: CLARIFYING ADVICE AND CONSENT REQUIREMENTS

JANUARY 11, 2011

The Honorable Isaac V. Figir
Speaker, Sixteenth Congress
Federated States of Micronesia
Sixth Regular Session, 2011

Dear Mr. Speaker:

Your Committee on External Affairs to which was referred C.B. 16-78
entitled:

"TO FURTHER AMEND SECTION 207 OF TITLE 2 OF THE CODE OF THE
FEDERATED STATES OF MICRONESIA, AS AMENDED, TO CLARIFY THAT
AMBASSADORS MUST RESIGN AFTER A NEW PRESIDENT TAKES OFFICE, AND
FOR OTHER PURPOSES.",

begs leave to report as follows:

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

Your Committee understands that currently ambassadors are required to
resign when a new President takes office. The new President is
allowed to nominate a new person, or if he so chooses, renominate the
same person to serve as ambassador, subject to the advice and consent
of Congress. This is the current understanding. This Bill merely
clarifies the language, and your Committee is in agreement with it.

While researching this Bill your Committee found an unrelated apparent
clerical mistake. Your Committee's staff, in support of the
Committee's deliberations on the Bill, did considerable research into
previous legislation on this matter. During this research it was
discovered that the word "ambassador" is missing from section 207(1)
of title 2 of the Code of the Federated States of Micronesia, as
amended by P.L. No. 15-23. Additional research determined that the
word was dropped by what appears to be a clerical error. Your
Committee believes it very important that there be no ambiguity in
this matter and therefore recommends the following amendments to
correct the error:

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1. Page 1, title, line 2, following "ambassadors" insert "are appointed by the President with the advice and consent of Congress and".
2. Page 1, line 3, following "15-23" insert ",is".
3. Page 1, lines 8 and 9, insert "ambassadors," before "the secretaries".

Your Committee on External Affairs is in accord with the intent and purpose of C.B. 16-78, as amended hereby, and recommends its passage on First Reading, and that it be placed on the calendar for Second and Final Reading in the form attached hereto as C.B. No. 16-78, C.D.1.

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

Dohsis Halbert, member

Peter M. Christian, member

/s/ Joe N. Suka
Joe N. Suka, member

/s/ Setiro Paul
Setiro Paul, member