

STANDING COMMITTEE REPORT NO. 17-109

RE: C.R. NO. 17-105/J&GO

SUBJECT: CONFIRMATION OF MS. JUDY DIANE LEE TO THE
POSITION OF SECRETARY OF THE DEPARTMENT OF
JUSTICE OF THE FSM

MARCH 28, 2012

The Honorable Isaac V. Figir
Speaker, Seventeenth Congress
Federated States of Micronesia
Third Special Session, 2012

Dear Mr. Speaker:

Your Committee on Judiciary and Governmental Operations ("J&GO"), to which was referred C.R. No. 17-105, entitled:

"A RESOLUTION TO CONFIRM THE NOMINATION OF MS. JUDY
DIANE LEE TO THE POSITION OF SECRETARY OF THE
DEPARTMENT OF JUSTICE OF THE FEDERATED STATES OF
MICRONESIA.",

begs leave to report as follows:

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

Judy Diane Lee has been nominated by the President for the position of Secretary, Department of Justice, Federated States of Micronesia. This nomination is subject to the advice and consent of Congress pursuant to article X, section 2(d), of the Constitution and title 2, section 207(1) of the Code of the Federated States of Micronesia.

Your Committee is satisfied with the qualifications, experience, and dedication of the nominee. Ms. Lee has a Bachelor of Science degree from the University of Southern Mississippi and a juris doctor degree from the University of Mississippi School of Law, and served as

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Attorney General for the State of Kosrae from June 2005 to February 2011.

Although the nominee was unable to attend a formal hearing, members of your Committee had an opportunity to interview her via Skype on January 31, 2012. In the course of this interview, the nominee stated that she was currently employed as a public guardian by county government in Mississippi. She stated that she had served as Attorney General in Kosrae under three administrations, and had enjoyed contributing to the building of the legal system in the FSM.

In response to members' questions, the nominee stated that she did not anticipate a problem of divided loyalties in the position as a United States citizen because it would be her professional duty to advocate for the FSM as her client. She said that she had been disappointed by the lack of aggressiveness in dealing with the US in the past, and that she believed she could give strong advice. She acknowledged she had never managed an entity comparable to the FSM Department of Justice in terms of number of personnel or size of budget, but felt that her organizational skills and her selection of dedicated and capable key staff would enable her to do so effectively. She also acknowledged that she had no experience with enforcing maritime or international violations and that her experience had been primarily with petty crimes, but believed that this would not be an obstacle as there were staff in the Department of Justice trained and able to deal with such matters.

In reply to further questions, the nominee said that she would seek to be responsive to the legal needs of other government agencies by trying to ensure that multiple members of staff are trained and able to take care of each agency. She stated that a high priority would be to follow up on reports filed by the National Auditor's Office, and noted that she had had a good relationship with the state public auditor's office in Kosrae.

The nominee also spoke at some length on the cultural issues she had faced when working in Kosrae. She described herself as a "modern

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woman" and stated that some people had disagreed with both the positions she had adopted and with her behavior, because she did not act like a Kosraean woman. She stated that she had not allowed personal issues to affect her professionalism, and she would not do so in the position of the Secretary of the Department of Justice. She further stated that in a position of authority it was inevitable that there would be conflict, but that she had attempted to handle things in a culturally sensitive way while staying within the bounds of the law.

Asked if she had been able to carry out any tasks that she did not personally agree with, the nominee responded that as someone committed to law enforcement she had advised against the granting of parole or pardons in various cases but had followed direction and prepared the paperwork in such cases if it was legal and that was what the Governor requested.

CONCLUSION

Your Committee would like to offer the following amendments to C.R. No. 17-105 as follows:

1. Page 1, line 13, delete "Regular" and insert "Special" in lieu thereof.

Your Committee on Judiciary and Governmental Operations is in accord with the intent and purpose of C.R. No. 17-105, and recommends its adoption in the form attached hereto as C.R. No. 17-105, C.D.1.

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Respectfully submitted,

/s/ David W. Panuelo
David W. Panuelo, chairman

/s/ Bonsiano F. Nethon
Bonsiano F. Nethon, vice chairman

/s/ Tiwiter Aritos
Tiwiter Aritos, member

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

Yosiwo P. George, member

/s/ Dohsis Halbert
Dohsis Halbert, member
w/ Joy

Roger S. Mori, member