

STANDING COMMITTEE REPORT NO. 15-105

RE: C.R. NO. 15-120/EXAFF

SUBJECT: CONFIRMING THE NOMINATION OF MR. GERSON JACKSON FOR THE  
POSITION OF CONSUL GENERAL IN GUAM

APRIL \_\_\_\_\_, 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. 15-120, entitled:

"A RESOLUTION CONFIRMING THE NOMINATION OF MR. GERSON JACKSON TO BE THE CONSUL GENERAL FOR THE GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA AT THE OFFICE OF THE CONSUL GENERAL IN GUAM.",

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 were offered jobs and accepted them before the effective date of the law were to 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 Personnel testified that Mr. Gerson Jackson was offered the consul-general position and has accepted the job prior to the effective date of the law of February 23, 2008, but the personnel action was not processed. The representative from the AG's office, Mr. Johnson Asher, testified that his hiring was therefore incomplete and his nomination will need to be voted on.

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Mr. Jackson is well known to your committee, which has previously reviewed and reported favorably on his nomination for Deputy Secretary of Foreign Affairs. Your committee is also mindful of the need to fill quickly the consul-general position in Guam due to the large number of FSM citizens there in need of consular services. Your committee therefore recommends that Congress confirm the nominee.

Your Committee on External Affairs is in accord with the intent and purpose of C.R. No. 15-120, 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