

STANDING COMMITTEE REPORT NO. 16-33

RE: C.R. NO. 16-04/EXAFF

SUBJECT: CONFIRMING FABIAN NIMEA FOR THE JOINT
TRUST FUND COMMITTEE

SEPTEMBER 30, 2009

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

Dear Mr. Speaker:

Your Committee on External Affairs ("EXAFF"), to which was jointly referred C.R. No. 16-04, entitled:

"A RESOLUTION TO CONFIRM THE NOMINATION OF FABIAN NIMEA TO BE A MEMBER OF THE JOINT TRUST FUND COMMITTEE CREATED AND IN EXISTENCE PURSUANT TO THE TRUST FUND AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERATED STATES OF MICRONESIA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA FOR THE IMPLEMENTATION OF SECTIONS 215 AND 216 OF THE COMPACT OF FREE ASSOCIATION, AS AMENDED."

begs leave to report as follows:

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

Sections 215 of the amended Compact require the adoption of a Trust Fund Agreement between the governments of the FSM and the United States. The Trust Fund Agreement adopted provides at Part III, Article 7, that there shall be two representatives for the FSM Government on the Joint Trust Fund Committee. Public Law No. 15-70 provides that one of these positions shall be filled by appointment of the President from the private sector with at least five years of working experience in financial management and investment. Mr. Nimea is this nominee.

The National representatives to the Committee shall serve a term of three years and may be reappointed for not more than two consecutive terms. The representatives must be citizens of the FSM.

Your Committee held a hearing on July 30, 2009 in the State of Yap regarding this nomination (along with a number of other matters). The hearing was attended by Governor Anefal, Senators Henry Falan, Clement Mululap and other representatives of Yap State government.

The leadership of Yap State raised a concern whether the individual would have enough time to undertake this responsibility given his

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already busy schedule and responsibilities. Your Committee noted that the question from the Yap leadership is a pertinent one. Generally the leadership of Yap was in support of the nominee.

Furthermore, your Committee held a hearing on August 7, 2009 in the State of Kosrae regarding this nomination (along with a number of other matters). The hearing was attended by Governor Weilbacher, Senators Ilai Abraham, Carson Sigrah and other representatives of Kosrae State government.

Again, the leadership of Kosrae raised the same concern that was raised with the Yap leadership whether the individual has the ability to juggle all his responsibilities given his current duties and responsibilities. Again, the leadership of Kosrae was in support of the nominee.

Additionally, on July 22, 2009, your Committee on Ways and Means, to which the resolution was jointly assigned, sent letters to the Governors and Presiding Officers of each State's Legislature, requesting comments concerning the nominee. Written responses were received only from Pohnpei State, and are attached to this report.

Your Committee has attached the nominee's CV to this report. The CV is summarized below.

The nominee was a graduate of Xavier and has a bachelor degree in business management of Creighton University in Nebraska, and an MA in International Relations from the same institution. His MA thesis was The Economic Viability of the Federated States of Micronesia. He testified that in his thesis he argued that the FSM was economically viable provided certain barriers were removed.

The nominee has extensive banking experience, serving as Executive Vice President and Chief Lending Officer of the Bank of the FSM. More recently, the nominee was Chief Executive Officer of a consulting firm. The nominee is also the court-appointed trustee in the bankruptcy of MLFC. His role as a trustee was to come up with a reorganization plan.

Based on his credentials, your Committee is of the opinion that the nominee is a good choice serve as a member of the Joint Trust Fund Committee, and recommends his confirmation.

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Respectfully submitted,

/s/
Paliknoa K. Welly, chairman

/s/
Tiwiter Aritos, vice chairman

/s/
Isaac V. Figir, member

Dion G. Neth, member

/s/
Setiro Paul, member

/s/
Joe N. Suka, member