

STANDING COMMITTEE REPORT NO. 16-93

RE: C.R. NO. 16-103/R&D

SUBJECT: NOMINATION OF MR. RICKY CARL AS THE MEMBER OF THE NATIONAL OCEANIC RESOURCE MANAGEMENT AUTHORITY FROM POHNPEI

JULY 31, 2010

The Honorable Isaac V. Figir
Speaker, Sixteenth Congress
Federated States of Micronesia
Fourth Special Session, 2010

Dear Mr. Speaker:

Your Committee on Resources and Development, to which was referred C.R. No. 16-103, entitled:

"A RESOLUTION TO CONFIRM THE NOMINATION OF MR. RICKY CARL TO SERVE AS A MEMBER ON THE BOARD OF DIRECTORS OF THE NATIONAL OCEANIC RESOURCE MANAGEMENT AUTHORITY (NORMA).",

begs leave to report as follows:

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

The subject resolution is a nomination of Mr. Ricky Carl to continue to serve as a member on the Board representing Pohnpei State. The nomination was transmitted to Congress on July 27, 2010 by Presidential Communication No. 16-247. Biographical information concerning Mr. Carl's qualifications was not provided to this Committee.

A public hearing was held on the nomination on July 30, 2010, and the Committee had asked the Presidential emissary Mr. Peltasar Petrus why there is no biographical information about the nominee and no supporting letter from the Governor of Pohnpei State attached with Presidential Communication No. 16-247. After the hearing, the supplemental information about the nomination was made available to the Committee.

Presidential Communication 16-247 revealed that Mr. Carl had previously served on the NORMA Board, and his active participation and

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contribution as a member of the board has acquired the support and recommendation of the Governor of Pohnpei State. This was substantiated in a letter from the Governor to President Mori where the Governor again recommended Mr. Carl to continue serving on the Board as Pohnpei's representative. Thus, the President urges Congress to favorably consider this nomination as a member of the NORMA "Board of Directors." The resume outlines Mr. Carl's qualifications.

The written information provided to your Committee subsequent to Presidential Communication 16-247 reveals that Mr. Carl has an associate of science degree from the College of Micronesia in accounting and a Bachelor of Science degree in the field of political science from the University of Hawaii at Manoa. In addition, he completed training in the law of the sea at the University of Wollongong, Center for Maritime Policy and in foreign policy affecting international, regional and national security and cooperation.

Other relevant training includes conferences on illegal, unregulated and unreported fishing activities; environment conservation and sustainable financing; Micronesian Challenge planning; and participation as a member of the FSM delegations to the United Nations Convention on climate change. He is a member of the Micronesian Island conservation organization and the Pohnpei Invasive Species Task Force.

Mr. Carl's employment experience includes work as Assistant Clerk of Court with the Pohnpei State Supreme Court, as Special Assistant to the Pohnpei Attorney General and most recently as the Finance and Policy Advisor-Asia Pacific for the Nature Conservancy, Micronesia Program. It is specifically noted that Mr. Carl's duties with the Pohnpei Attorney General's Office included management of the Marine Conservation/Enforcement Unit which included the prosecution of fishing violations and oversight of Pohnpei conservation and enforcement operations.

Your Committee held a public hearing on, July 30, 2010 for the purpose of reviewing and discussing Mr. Carl's nomination, among others. During the hearing, Pelsesar Petrus indicated that the term of the nominee will expire on August 28, 2010 because the nominee already served on the Board for two years pursuant to section 201 of title 24 of the FSM Code. Based on a letter from the Governor to President Manny Mori dated June 3, 2010, Pohnpei State re-submitted the

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nomination again because the nominee has been an excellent source of information regarding NORMA activities for the past year of service.

Patricia Jack from NORMA commented that the nominee is very instrumental in the negotiation of fishing agreements with Distance Water Fishing Nations and very active in participation in the management of NORMA. Furthermore, the nominee is currently the Vice Chairman of the NORMA board. At one time during a negotiation with a Taiwanese company, the nominee really assisted the Executive Director on the negotiation when he intervened and raise questions during the negotiation with the Taiwanese fishing company. She fully supports the nomination of Ricky Carl.

A concern that was discussed during the hearing is on the terms of the Board members. The Committee wishes to know why the terms are not staggered. What happens to the board when all members' terms expired at the same time. Another concern that the committee raised during the discussion on the nomination is overfishing of fish stocks in the FSM. The committee inquired with the witnesses whether the nominee is aware of this overfishing concern. Patricia indicated that sustainability and conservations vs. revenue generation are factors to be considered. Patricia indicated that the nominee's strong interest in conservation is a plus.

Your Committee agrees that Mr. Carl's educational and working and experiences together with his strong interest in conservation and environmental issues make him an asset to the National Oceanic Resource Management Authority.

Your Committee on Resources and Development is in accord with the intent and purpose of C.R. No. 16-103 and recommends its adoption.

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Respectfully submitted,

/s/ Roger S. Mori
Roger S. Mori, chairman

/s/ Tony H. Otto
Tony H. Otto, vice chairman

/s/ Peter M. Christian
Peter M. Christian, member

Dion G. Neth, member

/s/ Peter Sitan
Peter Sitan, member

/s/ Joseph J. Urusemal
Joseph J. Urusemal, member

/s/ Paliknoa K. Welly
Paliknoa K. Welly, member