

MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Resolution No. *140(LS)*

Introduced by:

F. F. Blas, Jr. *[Signature]*

2008 MAR 19 PM 2: 21 C.M.

Relative to requesting the United States Congress to properly reimburse the government of Guam its actual costs for services provided as a result of the Compact of Free Association Act.

BE IT RESOLVED BY I MINA'BENTE NUEBI NA LIHESLATURAN:

WHEREAS, the Compact of Free Association Act implemented in 1986 as amended in 1994, established the relationship between the United States and the Federated States of Micronesia (FSM) and Republic of the Marshall Islands (RMI) and the Republic of Palau.

WHEREAS, Compact immigration provisions authorized unrestricted immigration into the United States, its territories and possessions, enabling citizens of these nations to enter into, and to lawfully engage in occupations, and establish residence as non-immigrant aliens; and

WHEREAS, In recognition of the adverse impact to Guam's economy of providing health care, Congress promised to appropriate sums to cover costs incurred by the government of Guam resulting from any increased demands placed on health, educational and welfare services by immigrants from the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau (collectively known as the Freely Associated States, or FAS); and

1 **WHEREAS**, Guam's Compact Impact Reconciliation Report attested by an
2 independent accounting firm was submitted to the Department of the Interior on April
3 13, 2004. The un-reimbursed Compact Impact cost for the period FY 1987 to FY 2003
4 totaled \$269 million. The un-reimbursed cost include \$178 million for education, \$48
5 million for health, welfare and labor, and \$43 million for public safety. The report also
6 examined the amount of assistance provided to citizens of the Freely Associated States
7 by Guam for the period FY 2004 through FY 2007 and provided update to the
8 Compact Impact Reconciliation Report; and

9 **WHEREAS**, The government of Guam found that the current locally funded
10 cost incurred for providing educational and social services to citizens of the Freely
11 Associated States was \$23.95 million in FY 2004, \$29.35 million in FY 2005, \$38.15
12 million in FY 2006, and \$40.42 million in FY 2007 for a total of \$131.87 million for
13 these fiscal years; and

14 **WHEREAS**, the governments of Guam, Hawaii, and the Commonwealth of the
15 Northern Mariana Islands have identified significant Compact migration impact.
16 These island areas have estimated costs to local governments of at least \$371 million
17 for 1986 through 2000 that are associated with services provided to migrants from the
18 FSM, the RMI, and Palau. All three areas have reported that costs have been
19 concentrated in the areas of health and education, though other costs have also been
20 identified; and

21 **WHEREAS**, The health care systems of the Federated States of Micronesia, the
22 Republic of the Marshall Islands and the Republic of Palau are viewed by U.S. and
23 island area governments as inadequate to meet the needs of the population, providing
24 incentive to travel or move to the United States in order to receive appropriate health
25 care; and

26 **WHEREAS**, the migration has clearly had a significant impact on Guam and
27 has required government services in key areas. Compact migrants have required local

1 expenditures in areas such as health and education and, further, have particularly
2 affected the budgetary resources of the government of Guam; and

3 **WHEREAS**, because the Compact allows these citizens who have limited
4 financial means and ability to pay for health care to enter the United States with few
5 restrictions, U.S. island areas are absorbing much of the health care costs of this
6 population; and

7 **WHEREAS**, as the sole governmental, non profit institution for healthcare, the
8 Guam Memorial Hospital cannot deny care and services for reasons of residence or
9 ability to pay. Prior to the Compacts, citizens of what are now the Freely Associated
10 States (FAS) were Trust Territory of the Pacific Islands (TTPI) citizens, and as such,
11 received medical care from Department of Defense at the Naval Regional Medical
12 Center; and

13 **WHEREAS**, to improve the service and the ability to provide adequate
14 healthcare in our hospital, there must be a recognition and proper reimbursement for
15 the costs incurred as a result of the Compact migration; now therefore, be it

16 **RESOLVED**, that *I Mina'Bente Nuebi na Liheslaturan Guåhan* does hereby,
17 on behalf of the people of Guam, express its unequivocal concern that the government
18 of Guam request for appropriate reimbursement for services provided to Compact
19 citizens has been a continuous and annual challenge for the last ten (10) years; and be
20 it further

21 **RESOLVED**, that *I Mina'bente Nuebi Na Liheslaturan Guåhan* does hereby,
22 on behalf of the people of Guam, petition the President of the United States, the
23 Honorable George W. Bush, Dirk Kempthorne, Secretary of the Interior; the
24 Chairman and Members of the Interagency Group on Insular Areas; the Chairman and
25 Members of the Senate Appropriations Committee; the Chairman and Members of the
26 Senate Committee on Energy and Natural Resources; the Chairman and Members of
27 the House Appropriations Committee; the Chairman and Members of the House

1 Subcommittee on Insular Affairs, and Guam's Delegate to the United States Congress;
2 to support the findings and recommendations made by *I Mina'bente Nuebi Na*
3 *Liheslaturan Guåhan* that the government of Guam be reimbursed the amount of Four
4 Hundred Million Dollars (\$400,000,000) for costs directly related to and associated
5 with services provided as a result of the Compact of Free Association; and be it
6 further

7 **RESOLVED**, that if for any reason a timely and immediate reimbursement is
8 not achievable, the people of Guam demand an explanation and suggested course of
9 action of the government of Guam can implement to reduce future Compact Impact
10 costs; and be it further

11 **RESOLVED**, that the Speaker certify, and the Secretary of the Legislature
12 attest to, the adoption hereof, and that copies of the same be thereafter transmitted to
13 Dirk Kempthorne, Secretary of the Interior; to the Chairman and Members of the
14 Interagency Group on Insular Areas; to the Chairman and Members of the Senate
15 Appropriations Committee; to the Chairman and Members of the Senate Committee
16 on Energy and Natural Resources; to the Chairman and Members of the House
17 Appropriations Committee; to the Chairman and Members of the House
18 Subcommittee on Insular Affairs, and to the Honorable George W. Bush, President of
19 the United States of America; the Honorable John McCain, United States Senator; the
20 Honorable Barack Obama, United States Senator; the Honorable Hillary Clinton,
21 United States Senator; to the Honorable Madeleine Z. Bordallo, Member of Congress,
22 U. S. House of Representatives; and to the Honorable Felix P. Camacho, *I Maga'lahren*
23 *Guåhan*.