

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

Resolution No. 141 (LS)

As amended.

Introduced by:

Frank F. Blas, Jr.
Edward J.B. Calvo
B. J.F. Cruz
James V. Espaldon
Mark Forbes
Judith Paulette Guthertz
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
R. J. Respicio
David L.G. Shimizu
Ray Tenorio
J. T. Won Pat, Ed.D

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.

1 **BE IT RESOLVED BY *I MINA'BENTE NUEBI NA LIHESLATURAN***
2 ***GUÅHAN*:**
3 **WHEREAS**, the Compact of Free Association Act implemented in 1986
4 and amended in 1994, established the relationship between the United States

1 and the Federated States of Micronesia (FSM), the Republic of the Marshall
2 Islands (RMI), and the Republic of Belau; and

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

7 **WHEREAS**, in recognition of the adverse impact to Guam's economy of
8 providing health care, Congress promised to appropriate sums to cover costs
9 incurred by the government of Guam resulting from any increased demands
10 placed on health, education, and welfare services by immigrants from the
11 Federated States of Micronesia, the Republic of the Marshall Islands, and the
12 Republic of Belau (collectively known as the Freely Associated States, or FAS);
13 and

14 **WHEREAS**, Guam's Compact Impact Reconciliation Report, attested by
15 an independent accounting firm, was submitted to the Department of the
16 Interior on April 13, 2004. The un-reimbursed Compact Impact cost for the
17 period FY 1987 to FY 2003 totaled Two Hundred Sixty-nine Million Dollars
18 (\$269,000,000). The un-reimbursed costs include One Hundred Seventy-eight
19 Million Dollars (\$178,000,000) for education, Forty-eight Million Dollars
20 (\$48,000,000) for health, welfare, and labor, and Forty-three Million Dollars
21 (\$43,000,000) for public safety. The accounting firm also examined the
22 amount of assistance provided to citizens of the Freely Associated States by
23 Guam for the period FY 2004 through FY 2007, and provided an update to the
24 Compact Impact Reconciliation Report; and

1 **WHEREAS**, the government of Guam found that the current locally
2 funded cost incurred for providing educational and social services to citizens
3 of the Freely Associated States was \$23.95 Million Dollars in FY 2004, \$29.35
4 Million Dollars in FY 2005, \$38.15 Million Dollars in FY 2006, and \$40.42
5 Million Dollars in FY 2007, for a total of \$131.87 Million Dollars for these fiscal
6 years; and

7 **WHEREAS**, the governments of Guam, Hawaii, and the
8 Commonwealth of the Northern Mariana Islands have identified significant
9 Compact migration impact. These island areas have estimated costs to local
10 governments of at least Three Hundred Seventy-one Million Dollars
11 (\$371,000,000) for 1986 through 2000 that are associated with services
12 provided to migrants from the FSM, the RMI, and Belau. All three (3) areas
13 have reported that costs have been concentrated in the areas of health and
14 education, though other costs have also been identified; and

15 **WHEREAS**, the health care systems of the Federated States of
16 Micronesia, the Republic of the Marshall Islands and the Republic of Belau are
17 viewed by the U.S. and island area governments as inadequate to meet the
18 needs of the population, providing incentive to travel *or* move to the United
19 States in order to receive appropriate health care; and

20 **WHEREAS**, the migration has clearly had a significant impact on Guam
21 and has required government services in key areas. Compact migrants have
22 required local expenditures in areas such as health and education and, further,
23 have particularly affected the budgetary resources of the government of
24 Guam; and

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

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

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

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

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

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

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

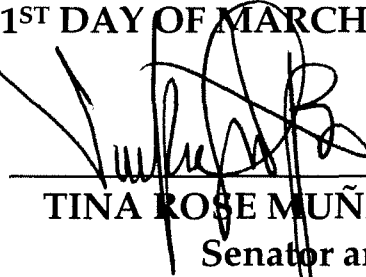
14 **RESOLVED**, that the Speaker certify, and the Secretary of the
15 Legislature attest to, the adoption hereof, and that copies of the same be
16 thereafter transmitted to Dirk Kempthorne, Secretary of the Interior; to the
17 Chairman and Members of the Interagency Group on Insular Areas; to the
18 Chairman and Members of the Senate Appropriations Committee; to the
19 Chairman and Members of the Senate Committee on Energy and Natural
20 Resources; to the Chairman and Members of the House Appropriations
21 Committee; to the Chairman and Members of the House Subcommittee on
22 Insular Affairs; to the Honorable George W. Bush, President of the United
23 States of America; to the Honorable John McCain, United States Senator; to
24 the Honorable Barack Obama, United States Senator; to the Honorable Hillary

- 1 Clinton, United States Senator; to the Honorable Madeleine Z. Bordallo,
- 2 Guam's Congressional Delegate, U. S. House of Representatives; and to the
- 3 Honorable Felix P. Camacho, *I Maga'lahaen Guåhan*.

DULY AND REGULARLY ADOPTED BY I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN ON THE 21ST DAY OF MARCH 2008.



JUDITH T. WON PAT, Ed.D
Speaker



TINA ROSE MUÑA-BARNES
Senator and
Secretary of the Legislature