



Association of Pacific Island Legislatures

American Samoa
Commonwealth of the Northern Mariana Islands
FSM, State of Chuuk
FSM, State of Kosrae
FSM, State of Pohnpei
FSM, State of Yap
Island of Guam
Republic of Kiribati
Republic of the Marshall Islands
Republic of Nauru
Republic of Palau
State of Hawaii

A RESOLUTION

Resolution No. 32-GA-09

“Commending U.S. Senator Mazie Hirono for her courage and for her perseverance in stepping forward in the Senate of the U. S. Congress, with the support of her colleague in the Senate from Hawaii, Senator Brian Schatz, to fight for the restoration of the eligibility of FAS citizens legally residing in the United States to the essential safety net of federal programs, especially in the area of health services and especially for those FAS citizens who reside in the State of Hawaii, the Island of Guam and the Commonwealth of the Northern Mariana Islands, and further encouraging the Pacific Island Representatives in the House of Representatives of the U.S. Congress to join in the efforts of the Hawaiian Senators in the U.S. Congress so that there will be a swift enactment of this very important legislative initiative into law.”

1 **WHEREAS**, the United States Government, having administered the islands of
2 Micronesia, the Marshalls and Palau as a United Nations Trust Territory ever since the end of
3 World War II, entered into three innovative and far reaching partnership agreements with the
4 newly constituted island governments formed out of the old Trust Territory, which agreements
5 were put to the vote in the islands of the Trust Territory and ratified by the people; and

6 **WHEREAS**, these agreements with Micronesia, the Marshalls, and Palau, which were
7 negotiated and completed approximately twenty-five years ago, have come to be known as the
8 Compacts of Free Association through which the former Trust Territory islands are now referred
9 to in the U.S. Congress and by U.S. federal agencies as the Freely Associated States; and

10 **WHEREAS**, in recognition of the highly valuable rights and assets in international
11 affairs, security and defense that the islanders willingly extended to the United States
12 Government with respect to their islands and their extensive ocean zones, the United States in
13 turn extended the hand of friendship to the islanders through granting the citizens of the Freely
14 Associated States the rights and privileges of freely living, working and educating themselves in
15 the United States and its territories and possessions; and

1 **WHEREAS**, for the first ten years of the Compacts, these arrangements worked very
2 well for both the U. S. Government and the islanders alike; but

3 **WHEREAS**, in 1996, all this changed when the United States Congress enacted the
4 Personal Responsibility Work Opportunities Reconciliation Act (PRWORA) which resulted in
5 most non-immigrants residing in America, with few exceptions, losing their eligibility for
6 federally funded programs, including Temporary Assistance for Needy Families, Medicaid, Food
7 Stamps and Supplemental Security Income; and

8 **WHEREAS**, despite the provisions of the Compacts granting the citizens of the Freely
9 Associated States the rights and privileges of freely living, working and educating themselves in
10 the United States and its territories and possessions, the citizens of these entities residing in
11 America were among the classes of people excluded by PRWORA from eligibility for these
12 important federal programs; and

13 **WHEREAS**, faced with the plight of the FAS citizens who are no longer within the
14 safety net of federal protection for their most basic medical needs because of the unfortunate
15 wording of PRWORA and despite the fact that the Federal Government has been remiss in not
16 adequately compensating the neighboring U. S. island jurisdictions of the State of Hawaii, the
17 Territory of Guam and the Commonwealth of the Northern Mariana Islands for the services these
18 small island jurisdictions must provide to meet their Federal Government's commitments to the
19 Associated States under the Compacts of Free Association, as required of the Federal
20 Government by the U.S. enabling laws which brought the Compacts of Free Association into
21 existence, the State of Hawaii, the Territory of Guam and the Commonwealth of the Northern
22 Mariana Islands have continued to welcome FAS citizens to live, study and work in their islands;
23 and

24 **WHEREAS**, these three U.S. jurisdictions have struggled and continue to struggle to
25 find sufficient means to locally provide the essential public services that are necessary to ensure
26 the most basic levels of health and welfare of their neighbor FAS peoples who have legally come
27 to their islands under the Compacts of Free Association; and

1 **WHEREAS**, the Association of Pacific Island Legislatures, (APIL), was established in
2 1981 as a regional organization of legislative assemblies through which the elected
3 representatives of the Pacific Island peoples have joined together to address the critical issues
4 facing the emerging Pacific governments; and

5 **WHEREAS**, the General Assemblies of the APIL, which are convened annually, have
6 been continuously focusing the attention of the island leaders on the adverse impacts of the
7 change in federal policies with respect to FAS citizens residing in the United States, especially in
8 the APIL member jurisdictions of the State of Hawaii, the Territory of Guam and the
9 Commonwealth of the Northern Mariana Islands; and

10 **WHEREAS**, during the 27th General Assembly of the APIL convened on the Island of
11 Guam from May 5-7, 2008, the Assembly adopted Res. No. 27-GA-13, CD1 in which the APIL
12 began to track the legislation introduced by all four of Hawaii's Senators and Representatives in
13 the U.S. Congress, supported by the Congressional Representatives from Guam and the
14 Commonwealth of the Northern Mariana Islands, which would restore the eligibility of FAS
15 citizens legally residing in the United States to a number of essential federal programs and
16 through which the APIL urged the U.S. Congress to enact these measures into law; and

17 **WHEREAS**, despite the best efforts of the Hawaiian Senators and Representatives in the
18 U.S. Congress and despite the support of their colleagues in the U.S. Congress from the Territory
19 of Guam and the Commonwealth of the Northern Mariana Islands and the Territory of American
20 Samoa, five years have elapsed since the APIL adopted Res. No. 27-GA-13, CD1, without any
21 significant federal relief being extended to the FAS citizens residing in these jurisdictions; and

22 **WHEREAS**, on June 24, 2013, in a video conference held at the Hawaii State Capitol
23 and at the U.S. Senate Office Building in Washington D.C., the delegates to the 32nd General
24 Assembly of the Association of Pacific Island Legislatures were informed by the Office of U.S.
25 Senator Mazie Hirono that an amendment has been offered to S. 744, the pending legislation for
26 comprehensive immigration reform in the Senate of the 113th Congress by Senator Hirono with
27 the support of her Hawaiian colleague Senator Brian Schatz, to achieve the requisite relief for the
28 FAS citizens residing in the United States, the passage of which has been the goal of the Pacific
29 Island Senators and Representatives that have been seated in the U.S. Congress for over a
30 decade; and

1 **WHEREAS**, S. 744 is now awaiting final action in the Senate, with the amendment
2 offered by Senator Hirono included, and will soon be transmitted to the House of Representatives
3 if it does receive the affirmative vote of the Senate; now, therefore,

4 **BE IT RESOLVED** by the Association of Pacific Island Legislatures, 32nd General
5 Assembly, Honolulu, Hawaii, June 25-27, 2013, that the Association of Pacific Island Legislature
6 hereby commends U.S. Senator Mazie Hirono, for her courage and for her perseverance in
7 stepping forward in the U. S. Congress, with the support of her colleague in the Senate from
8 Hawaii, Senator Brian Schatz, to fight for the restoration of the eligibility of FAS citizens legally
9 residing in the United States to the essential safety net of federal programs, especially in the area
10 of health services and especially for those FAS citizens who reside in the State of Hawaii, the
11 Territory of Guam and the Commonwealth of the Northern Mariana Islands; and

12 **BE IT FURTHER RESOLVED** that the Association of Pacific Island Legislatures
13 respectfully requests that the Congresswoman Tulsi Gabbard of Hawaii, Congresswoman
14 Colleen Hanabusa of Hawaii, Congresswoman Madeleine Bordallo of Guam, Congressman
15 Gregorio Sablan of the Commonwealth of the Northern Mariana Islands and Congressman Eni
16 Faleomavaega of American Samoa to take up the challenge in the House of Representatives to
17 ensure that the amendment to S. 744 added by Senator Hirono remains as an integral component
18 of the bill as it moves through the committees of the House and appears on the floor of the House
19 for final passage; and

20 **BE IT FURTHER RESOLVED** that the Association of Pacific Island Legislatures
21 respectfully requests all Members of the U.S. Congress and humbly beseeches the President of
22 the United States of America to recognize and embrace the just cause that Senator Hirono and
23 her colleagues have brought to the forefront of national attention on behalf of the Pacific Island
24 peoples of the former U.S. administered Trust Territory and to enact and sign S. 744, with
25 Senator Hirono's amendment included, into law; and

1 **BE IT FURTHER RESOLVED** that the President of the Association of Pacific Island
2 Legislatures certifies and the Secretary of the Association of Pacific Island Legislatures attests to
3 the adoption hereof and that copies be transmitted to the President of the United States, each
4 Member of the United States Congress and the Presiding Legislative Officers and Chief
5 Executives of each of the APIL member jurisdictions.

DULY AND REGULARLY ADOPTED ON THE 27th DAY OF JUNE, 2013.



**JUDITH T. WON PAT ED.D.
PRESIDENT**



**CHANG B. WILLIAM
SECRETARY**

