



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. 50-BOD-04, CD1

“Relative to strongly urging the United States Department of the Interior and the United States Congress to provide additional federal aid to American Samoa, Guam, the Commonwealth of the Northern Marianas Islands, and the State of Hawaii for the provision of essential services to citizens from the Compact of Free Association (COFA) nations; to form a task force of members from DOI and each of the jurisdictions affected by COFA citizens; to develop a uniform methodology and to properly fund an information system to calculate and address full reimbursements for provision of services as required by the Compact agreements and to deem migrants eligible to receive federally funded financial and medical assistance.”

1 **WHEREAS**, as enacted, the Compacts of Free Association (COFA) allow for the free migration
2 of citizens of Micronesia and the Freely Associated States throughout the United States and its
3 Territories and Commonwealths; and

4 **WHEREAS**, in enacting the Compacts, the United States government recognized that this free
5 migration would have a financial impact on the jurisdictions where COFA citizens are able to reside; and

6 **WHEREAS**, in 48 United States Code (USC) § 1904(e)(1), the United States Congress asserted
7 that, when enacting the Compacts, it did not intend “to cause any adverse consequences for the United
8 States Territories and Commonwealths or the State of Hawaii,” and in subdivision (2) of the same
9 subsection of the USC, the United States Congress declared that, “if any adverse consequences to the
10 United States Territories and Commonwealths or the State of Hawaii result from implementation of the
11 Compacts of Free Association, the Congress will act sympathetically and expeditiously to redress those
12 adverse consequences”, and

13 **WHEREAS**, to fulfill its obligations set by 48 USC § 1904(e)(2), in Public Law 108-188,
14 enacted on December 18, 2008, the United States Congress authorized and appropriated Thirty Million
15 Dollars (\$30,000,000) for each fiscal year from 2004 to 2023 for grants to American Samoa, Guam, the
16 Commonwealth of the Northern Marianas Islands, and the State of Hawaii “to aid in defraying costs
17 incurred by affected jurisdictions as a result of increased demands placed on health, educational, social,
18 or public safety services or infrastructure related to such services” due to the residence of COFA citizens
19 in those jurisdictions; and

1 **WHEREAS**, although helpful, these funds have been insufficient to cover costs incurred by
2 these affected jurisdictions in their efforts to cover services for COFA citizens residing in their
3 jurisdictions; and

4 **WHEREAS**, APIL requests that the Department of the Interior form a task force of members
5 from DOI and each of the jurisdictions affected by COFA citizens in order to develop a uniform
6 methodology to properly calculate and address full reimbursements for the provision of services as
7 required by the Compact agreements, and

8 **WHEREAS**, APIL finds that each affected jurisdiction currently follows divergent techniques
9 to track, collect and analyze data, and

10 **WHEREAS**, APIL requests that the Department of the Interior fund the design and
11 implementation of a uniform information system to properly capture, track and analyze data relative to
12 services provided to COFA citizens in the affected jurisdictions; and

13 **WHEREAS**, COFA citizens who reside in affected jurisdictions are productive members of
14 their communities who volunteer for enlistment in the U.S. military, contribute to the economic growth,
15 financially support their governments through remitting taxes, and give of themselves to the general
16 good; now, therefore,

17 **BE IT RESOLVED**, by the Board of Directors of the Association of Pacific Island Legislatures,
18 50th Board Meeting, December 2-3, 2009, State of Hawaii, that the Board of Directors on behalf of the
19 Association of Pacific Island Legislatures hereby support the passage of this Resolution; and

20 **BE IT FURTHER RESOLVED**, that the APIL Board of Directors, on behalf of the
21 Association of Pacific Island Legislatures, supports the formation of a task force of members from DOI
22 and each of the jurisdictions affected by COFA citizens to develop a uniform methodology to properly
23 calculate and address full reimbursements for provision of services as required by the Compact
24 agreements; and

25 **BE IT FURTHER RESOLVED**, that the APIL Board of Directors, on behalf of the
26 Association of Pacific Island Legislatures, requests that the Department of the Interior fund the design
27 and implementation of an information system to properly capture, track and analyze data relative to
28 services provided to COFA citizens in the affected jurisdictions; and

29 **BE IT FURTHER RESOLVED**, by passage of this resolution, the APIL Board of Directors, on
30 behalf of the Association of Pacific Island Legislatures, hereby respectfully requests that the United
31 States Government provide more equitable reimbursement to the governments of American Samoa,

Guam, the Commonwealth of the Northern Marianas Islands, and the State of Hawaii, which is more in line with the declarations encoded in 48 U.S.C. § 1904(e)(1) and (2); and

BE IT FURTHER RESOLVED, that the President of the Association of Pacific Island Legislatures shall certify, and the Secretary of the Association of Pacific Island Legislatures shall attest to the adoption hereof; and that copies of the same shall be thereafter transmitted to the Honorable Jeff Bingamen, Chairman of the Senate Committee on Energy and Natural Resources; to the Honorable Daniel K. Inouye, Chairman of the Senate Appropriations Committee; to the Honorable Daniel Akaka, Chairman of the Senate Veterans Committee; to the Honorable Nick Rayhall, Chairman of the Committee on Energy and Natural Resources; to the Honorable Neil Abercrombie, Subcommittee of Air and Land; to the Honorable Maize K. Hirono; to the Honorable Madeleine Z. Bordallo, Chairperson, and members of the House Subcommittee on Insular Affairs, Oceans and Wildlife; to the Honorable Gregorio Kilili Sablan, CNMI Delegate; to the Honorable Eni F. H. Faleomavaega, American Samoa Delegate; to the Honorable Dave Obey, Chairperson, House Committee on Appropriations; to the Honorable Ken Salazar, Secretary of the Department of Interior; to His Excellency Emmanuel Mori, President, Federated States of Micronesia; to His Excellency Juraleng Zedkaia, President of the Republic of the Marshall Islands; to His Excellency Johnson Toribiong, President of the Republic of Palau and to the Presiding Legislative Officers and Chief Executives of each of the APIL member jurisdictions.

DULY AND REGULARLY ADOPTED ON THE 3RD DAY OF DECEMBER 2009


J. KALANI ENGLISH
PRESIDENT


JUDITH T. WONPAT, ED.D.
SECRETARY

