WHEREAS, in 1986, the United States (U.S.) entered into a Compact of Free Association (COFA or Compact) with the Federated States of Micronesia and the Republic of the Marshall Islands that created a unique relationship between the U.S. and the COFA states; and

WHEREAS, the terms of the Compact set out mutually beneficial rights and obligations in several areas, including economic development and defense, and created the right of citizens from the COFA states to freely travel to, and work and reside in, the U.S. without durational limit; and

WHEREAS, a significant number of COFA citizens travel to and reside in the State of Hawaii because of the geographic location and cultural similarity; and

WHEREAS, many COFA migrants find it difficult to adjust to Hawaii's high cost of living and as a result, require state assistance; and

WHEREAS, in the amended Compact of 2003, Congress recognized there could be a significant effect on the resources of the places to which COFA citizens migrated and explicitly stated that, "it is not the intent of Congress to cause any adverse consequences for an affected jurisdiction" P.L. 108-188, section 104(e)(1)(emphasis added); and

WHEREAS, in support of the intent to ease the burden on areas defined as an "affected jurisdiction," including Hawaii, Congress set aside $30,000,000 in grant funds; however, those funds are not nearly enough to cover the additional costs to all affected jurisdictions; and
WHEREAS, in 1997, Congress passed the Personal Responsibility Work Opportunities Reconciliation Act (PRWORA), which provided that most non-citizens in the U.S., with limited exceptions, became ineligible for federally-funded welfare programs including Temporary Assistance for Needy Families, Medicaid, Food Stamps, and Supplemental Security Income, thereby exacerbating an already tenuous fiscal situation for the states; and

WHEREAS, COFA migrants were among the non-citizen groups that became ineligible for federally-funded public assistance programs under PRWORA despite the fact that they are legal residents in the U.S., and are more like citizens than immigrants or other legally-residing non-citizens in terms of their ability to reside, work, and attend school in the U.S.; and

WHEREAS, despite losing access to federal funds for services to COFA migrants because of PRWORA, the State of Hawaii has continued to make the services available through equivalent state-funded services to address the needs of COFA citizens who legally reside in the state, just as it provides them to other legal residents; and

WHEREAS, the State has consistently reported increasing costs each year for the services provided to COFA migrants, the majority of which are not reimbursed by the federal government; and

WHEREAS, the federal government created the relationship with the COFA states that allows their citizens to freely reside in the U.S. with few limitations; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, that this body hereby urges the U.S. Government to seek reimbursement from the Federated States of Micronesia for services provided in Hawaii to migrants under COFA; and

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BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the President of the United States, Hawaii's Congressional delegation, Governor, Director of Human Services, Director of Health, Superintendent of Education, Director of Labor and Industrial Relations, and Chairperson of the Hawaii Public Housing Authority Board.