
SENATE RESOLUTION

STRONGLY URGING THE UNITED STATES DEPARTMENT OF THE INTERIOR AND THE UNITED STATES CONGRESS TO PROVIDE ADDITIONAL FEDERAL AID TO THE STATE OF HAWAI'I FOR THE PROVISION OF VARIOUS STATE SERVICES TO MIGRANTS FROM THE COMPACT OF FREE ASSOCIATION NATIONS.

1 WHEREAS, migrants from the Federated States of Micronesia,
2 Republic of the Marshall Islands, and Republic of Palau, are
3 allowed to enter the State of Hawai'i under the Compact of Free
4 Association; and

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6 WHEREAS, many state agencies provide a broad range of
7 health and social services to migrants from the Compact of Free
8 Association who have moved to Hawai'i; and

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10 WHEREAS, the cost to the State to provide various state
11 services to the Compact of Free Association migrants continues
12 to increase each year; and

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14 WHEREAS, for example, in 2006 and 2007, respectively, the
15 State spent \$91,443,066 and \$101,163,113 to provide services for
16 these migrants; and

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18 WHEREAS, the \$101,163,113 expended in 2007 consisted of the
19 following:

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21 (1) Department of Human Services -- \$37,116,012 to provide
22 services including, among other things, financial
23 assistance, medical assistance, and emergency housing
24 and outreach for homeless persons;

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26 (2) Department of Labor and Industrial Relations, Office
27 of Community Services -- \$717,360 to provide social
28 services, including employment readiness training and
29 cultural awareness education, to five hundred three
30 Compact of Free Association migrants;

- 1 (3) Department of Health -- \$6,829,020 to provide a
2 variety of community-based and direct health care and
3 health-related education, most notably related to
4 tuberculosis, Hansen's disease, and other communicable
5 diseases, which are over represented within the
6 populations making up the Compact of Free Association;
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- 8 (4) Department of Defense -- \$21,130 to provide educational
9 and intervention services directed at children and young
10 adults who are considered at risk for becoming juvenile
11 offenders, who come from needy families, or who receive
12 services from the State's Department of Human Services;
13
- 14 (5) Department of Education -- \$53,586,418 to educate
15 students from the Compact of Free Association nations
16 who typically require specialized language services that
17 utilize extra resources of the Department of Education;
18
- 19 (6) The University of Hawaii -- \$1,958,627 in foregone
20 revenue due to the practice of allowing all students
21 from the Compact of Free Association nations to pay the
22 lower state resident tuition, regardless of the date of
23 their initial residence in Hawai'i (discontinued
24 beginning with the 2008 fall semester due to budget
25 restrictions);
26
- 27 (7) Department of Public Safety -- \$839,500 for the costs of
28 1,425 arrests on 2,509 charges resulting in 613
29 convictions and 224 incarcerations of Compact of Free
30 Association migrants. Costs are exacerbated by a
31 shortage of qualified and reliable interpreters that
32 can result in delayed hearings and additional cost;
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- 34 (8) Judiciary -- \$82,796 for interpreter services; and
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- 36 (9) Office of the Public Defender -- \$12,250 for
37 interpretation services necessary to provide legal
38 defense; and
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40 WHEREAS, migrants from the Compact of Free Association
41 nations are proportionally over represented in the population of
42 persons who receive various state social services in Hawai'i; and
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1 WHEREAS, the Personal Responsibility and Work Opportunity
2 Reconciliation Act of 1996 prevents needy persons from the
3 Compact of Free Association nations from receiving federally
4 funded financial and medical assistance; and
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6 WHEREAS, when that law went into effect in 1997, Hawai'i
7 continued to provide equivalent services for the Compact of Free
8 Association migrants using state funds; and
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10 WHEREAS, if the Personal Responsibility and Work
11 Opportunity Reconciliation Act of 1996 is amended to allow the
12 Compact of Free Association migrants to receive federally funded
13 financial and medical assistance, the State would not have to
14 expend state funds to provide the equivalent services, thus
15 allowing more of the State's general funds to be used for
16 services and programs for which federal funding is not
17 available; and
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19 WHEREAS, the federal government must address the issue of
20 additional federal support for the State to continue providing
21 state services arising from the unique federally created
22 relationship the United States has with the Compact of Free
23 Association nations; now, therefore,
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25 BE IT RESOLVED by the Senate of the Twenty-fifth
26 Legislature of the State of Hawaii, Regular Session of 2009,
27 that the United States Department of the Interior and the
28 Congress of the United States are strongly urged to provide
29 additional federal aid to the State of Hawai'i for the provision
30 of various state services to migrants from the Compact of Free
31 Association nations; and
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33 BE IT FURTHER RESOLVED that the United States Department of
34 the Interior, Office of Insular Affairs, is strongly urged to
35 review the funding of the Compact Impact Assistance grant and to
36 make every effort to increase the amount of direct assistance
37 available to Hawai'i to offset costs incurred by the State; and
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39 BE IT FURTHER RESOLVED that the United States Congress is
40 strongly urged to support federal legislation to amend the
41 Personal Responsibility and Work Opportunity Reconciliation Act
42 of 1996 to allow the Compact of Free Association migrants to

1 once again receive federally funded financial and medical
2 assistance; and
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4 BE IT FURTHER RESOLVED that the United States Department of
5 the Interior is strongly urged to identify and secure other
6 forms of direct assistance to the State and the Compact of Free
7 Association population in the United States, including grants
8 from other sources and federal programs; and
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10 BE IT FURTHER RESOLVED that certified copies of this
11 Resolution be transmitted to the President of the United States,
12 the United States Secretary of the Interior, the Director of the
13 Office of Insular Affairs, the Majority Leader of the United
14 States Senate, the Speaker of the United States House of
15 Representatives, the members of Hawai'i's congressional
16 delegation, the Chairperson of the Board of Education, the
17 Chairperson of the Board of Regents of the University of Hawaii,
18 the Adjutant General, and the Directors of Human Services, Labor
19 and Industrial Relations, Health, and Public Safety, the Chief
20 Justice of the Hawaii Supreme Court, and the Public Defender.