

LOURDES A. LEON GUERRERO  
GOVERNOR



JOSHUA F. TENORIO  
LT. GOVERNOR

UFISINAN I MAGA'HÅGAN GUÅHAN  
OFFICE OF THE GOVERNOR OF GUAM

October 18, 2023

The Honorable Harriet Hageman  
Chair, Subcommittee on Indian and Insular Affairs  
House Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, D.C. 20515

**RE: Testimony for the Draft House Joint Resolution on COFA Amendments Act of 2023**

Dear Chair Hageman and Committee Members:

I submit this testimony to comment on the discussion draft on the House Joint Resolution relative to the "*Compact of Free Association Amendments Act of 2023*." While the Compacts of Free Association (COFA) have played a vital role in fostering a strong partnership between the United States and the Freely Associated States (FAS), Guam has concerns with specific proposals included in the draft Joint Resolution, namely the Compact Impact Fairness Act (CIFA). CIFA alone cannot adequately reduce the cost that COFA migrants have on our host communities. While participation in more federal programs reduces the strain on our local public service systems, this does not directly compensate host governments for the costs we incur in ensuring FAS migrants are welcomed into a safe society that can address their needs. There are several local services and projects that rely on Compact Impact funding that CIFA just cannot cover.

Moreover, CIFA will create disparities in the provision of benefits for U.S. citizens residing in the U.S. Territories by denying eligibility from certain federal programs while extending eligibility to non-U.S. citizens from the FAS. This situation will adversely impact our community, creating inequities that are discriminatory, which should be deeply concerning for this Committee. It is imperative that Congress work to *truly* uphold the principles of fairness. Guam's governors, legislators, and congressional delegates, from both Republican and Democratic parties, have advocated for equitable treatment in federal programs for Guam's residents, including eligibility under the Supplemental Security Income program. Thus, on behalf of the people of Guam, I ask the Congress to amend the proposed COFAs to provide equitable access to critical federal programs for all U.S. citizens, regardless of their geographical location.

Another concern that must be noted and addressed is the absence of an authorization in the current draft of the proposed COFAs for annual appropriations of \$30 million and \$6 million in discretionary funds for host communities, which were included in the prior 2003 COFA Agreements. While these negotiations are geared toward the FAS, it is vital that Congress and the Biden Administration work to ensure host states and territories are fairly compensated for the public services they provide for FAS migrants through Compact Impact funding.

From: Acting Governor Tenorio  
To: Chair Hageman  
October 18, 2023  
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Historically, Guam received up to \$16 million out of the annual \$30 million appropriation split amongst the affected jurisdictions for defraying costs incurred by increased demands placed on educational, public safety, and social infrastructure services from FAS citizens migrating to the island. In 2017, the last year for which the government of Guam submitted Compact Impact costs to the U.S. Department of Interior, the total costs for services to FAS citizens was \$147 million.

If Compact Impact funds were to be removed, Guam would be at the biggest disadvantage, being home to the largest per capita number of FAS migrants and receiving the greatest share of Compact Impact funding. While the \$30 million in mandatory spending and \$6 million in discretionary spending is nowhere near the real amount host states and territories spend on FAS migrants, it is a source of funding that host governments heavily rely on. Compact Impact funding is used in several programs that support our FAS brothers and sisters.

Guam has been relying on nearly \$6 million annually to pay for the financing and maintenance of several public schools constructed in villages with the highest populations of FAS migrants. If these funds were to be taken away, Guam may not be able to provide the quality and level of services we already provide to FAS migrants; any local service that relies on the Compact Impact funds would then become a burden to our local government. The federal Compact Impact money we receive is beneficial and makes a difference in how our local government operates. Without Compact Impact funding, I fear that Guam will not be able to provide the necessary resources to migrants they have relied on for a long time.

As you can see, the amount received by Guam was severely deficient in helping our government cover Compact Impact costs. I must express my disappointment in the U.S. Department of Interior that it did not provide the funds for these needs in the executive budget. This is a departure from prior practice. I must now rely on the U.S. Congress to provide equity for the People of Guam. While we certainly welcome our regional brothers and sisters from the FAS, promises from the federal government to help host communities cover Compact Impact costs have gone unfulfilled.

For the above reasons, I ask Congress to identify, authorize, and include a dedicated funding source for Compact Impact funding in the amended agreements to help reduce the financial burden on the government of Guam. I also ask Congress to support Congressman Moylan's amendment to H.R. 4821 to provide critical Compact Impact funding for Guam to cover costs for this fiscal year until a viable and acceptable solution is provided.

  
**JOSHUA F. TENORIO**  
*Åkto Maga'låhen Guåhan*  
Acting Governor of Guam

cc: The Honorable James C. Moylan, Congressman, U.S. House of Representatives