



CONGRESSWOMAN JENNIFFER GONZÁLEZ-COLÓN

PUERTO RICO - AT LARGE

Opening Statement

Oversight Hearing on the *President's FY22 Budget Priority for the Territories: Medicaid, SSI, and SNAP Parity*

House Committee on Natural Resources
Rep. Jenniffer González-Colón of Puerto Rico
Ranking Member for Insular Affairs
Wednesday, July 28, 2021 - 1:00 PM

Thank you, Mr. Chairman.

Territories are treated unequally under federal programs when compared to the States. This has effects beyond the mere fiscal burden to the territories; it directly impacts the well-being of the Americans living there.

For instance, under Medicaid, Puerto Rico's Federal Matching Assistance Percentage, or FMAP, is set to 55% and its current level of funding is merely \$390 million. I have filed H.R. 2217 that would remove the statutory FMAP for Puerto Rico and the rest of the territories, and I have joined my colleagues in legislation that would eliminate the funding limitations we have in federal financing.

Unfortunately, none of these bills have moved, yet Puerto Rico and the rest of the territories will face a Medicaid cliff on September 30th.

Instead, together with the leadership in the Energy and Commerce Committee, we are working to address the cliff through HR 4406, the Supporting Medicaid in the U.S. Territories Act. This bill embodies the bipartisan agreement to extend for 5 years the current funding levels at 76% FMAP and \$3 billion.

This agreement will not solve the systemic underfunding of our Medicaid program, nor will it provide the residents of Puerto Rico with all the benefits that Congress has mandated. Only equality would give us that. However, a consensus agreement would allow the 1.5 million Medicaid recipients to maintain their benefits and to avoid cutting provider payments.

Another program in which we are treated differently is the Supplemental Security Income, or SSI. I have introduced H.R. 537 to provide Puerto Rico and the rest of the excluded territories equal access under this program.

The justification for denying SSI benefits to the Americans living in Puerto Rico dates to 1935, when Congress excluded us from all titles of the original Social Security Act, reasoning that the Island had its own tax law and did not pay any federal taxes.

Both the federal district court in Puerto Rico and the First Circuit have held what is more than evident: that the justification for the exclusion from the SSI program of poor elderly, disabled, and blind individuals residing in Puerto Rico has long ceased to be valid.

Puerto Rico residents not only make substantial contributions to the federal treasury, but have consistently made them in higher amounts than taxpayers in at least six States.

We cannot continue to logically insist on the lack of payment of federal taxes as a valid excuse to deny the application of a program which, almost by definition, requires its beneficiaries to earn too little to pay federal taxes. We cannot justify the exclusion of a class of people from benefits when the reason for their exclusion is based, precisely, on meeting the requirements for the program.

Federal nutrition assistance is another area under which Puerto Rico receives inequitable treatment. Our Nutrition Assistance Program, or NAP, is capped by a block grant, that receives \$1.9 billion a year, and has over 1.5 million beneficiaries. Because NAP cannot expand based on demand, Congress has had to allocate additional funding in the aftermath of emergencies such as Hurricane Maria, the earthquakes, and most recently the pandemic. This is unsustainable as it does not guarantee that we will get the necessary funding in time, and leaves families in limbo waiting to properly recover. I therefore support a transition to SNAP and am working with relevant agencies and stakeholders towards this goal.

President Biden promised during his campaign to champion the removal of these arbitrary limitations and included support for these 3 programs in his budget request. Unfortunately, it is also true that under his administration DOJ has decided to continue defending the law that excludes Puerto Rico's residents from SSI.

Since coming to Congress, I have worked towards ending the arbitrary constraints in these programs that treat Puerto Rico differently, with Republicans and Democrats alike, and I will continue to do so. But let me be clear, as long as Puerto Rico is a territory, our access and treatment under federal programs will never be safe. Just as Congress can provide equal treatment today, it could take it away tomorrow.

Parity is not a permanent solution. Only statehood guarantees equal access to these vital federal programs for the 3.3 million Americans in Puerto Rico.

Thank you.