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The Honorable Charles Grassley
Chairman
Senate Finance Committee
219 Dirksen Senate Office Bldg.
Washington, D.C. 20510

The Honorable Ron Wyden
Ranking Member
Senate Finance Committee
219 Dirksen Senate Office Bldg.
Washington, D.C. 20510

The Honorable Frank Pallone
Chairman
House Energy & Commerce Committee
2125 Rayburn House Office Bldg
Washington, D.C. 20515

The Honorable Greg Walden
Ranking Member
House Energy & Commerce Committee
2322 A Rayburn House Office Bldg.
Washington, D.C. 20515

Dear Chairmen Grassley and Pallone and Ranking Members Wyden and Walden:

As organizations, businesses and community groups working to remove barriers to healthy living, we urge Congress to fix a legislative oversight that has led to inequitable access to health care for thousands of Pacific Islanders in the United States. Since the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), people residing in the U.S. under the Compacts of Free Association (COFA) have been categorically ineligible for Medicaid. This has caused thousands of Pacific Islanders in the U.S. to be denied basic access to health care, undermining the U.S. relationship with our COFA allies and causing worse health outcomes for COFA families in the U.S.

The Compacts of Free Association are critical U.S. national security and economic agreements with the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau (collectively referred to as the Freely Associated States or FAS). Under the provisions of these agreements, citizens of the FAS may travel to, live, and work in the U.S. in exchange for the U.S. military's exclusive use of and access to these nation's lands, territorial waters, and airspace in the Pacific.

Before 1996, COFA citizens in the U.S. had access to Medicaid through their designation as legally residing non-citizen nationals. Unfortunately, PRWORA stripped COFA communities living in the U.S. of their eligibility for most means-tested federal benefits, including Medicaid. By all accounts, when passing PRWORA, Congress unintentionally excluded this important population from the category of "qualified immigrants" for purposes of federal benefits eligibility.

As a result, over 61,000 COFA individuals and families living in the U.S. and its Pacific territories have struggled to access essential care, despite paying taxes and serving in the U.S. military at per capita rates higher than most U.S. states. Many face serious chronic conditions and health disparities, due to dependency on the U.S., as well as the effects of military activity in the FAS, including nuclear testing. These conditions, such as elevated rates of cancer and diabetes, grow more severe if left untreated.

In August 2019, Secretary of State Mike Pompeo noted that the COFA nations are “great friends of the United States,” during his visit to the FAS. Given this friendship, it is time for Congress to act to ensure that COFA communities are not excluded from health insurance. We applaud Senators Hirono (D-HI) and Schatz (D-HI), and Representatives Cárdenas (D-CA), Radewagen (R-AS), Gabbard (D-HI), Womack (R-AR), Case (D-HI), and Sablan (D-MP) for introducing S. 2218 and H.R 4821, respectively, the Covering Our FAS Allies (COFA) Act. We also appreciate the actions by some states, including Oregon, Washington, Hawaii, and Arkansas, to use limited state resources to extend health coverage to the community.

To honor the spirit of the Compacts of Free Association and rectify a legislative mistake made nearly 25 years ago, Congress must restore Medicaid eligibility for COFA residents.

Sincerely,

Asian & Pacific Islander American Health Forum
Association of Asian Pacific Community Health Organizations