

115TH CONGRESS
2D SESSION

H. R. 4761

To address the challenges of providing public services to citizens of the Freely Associated States residing in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 10, 2018

Ms. BORDALLO (for herself, Ms. HANABUSA, Ms. GABBARD, and Mr. SABLAN) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Natural Resources, Foreign Affairs, Oversight and Government Reform, Agriculture, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To address the challenges of providing public services to citizens of the Freely Associated States residing in the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Compact Impact Relief Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. FMAP adjustment for affected jurisdictions equivalent to Compact migrant expenditures.
- Sec. 3. Payments relating to elementary and secondary education of citizens of Freely Associated States.
- Sec. 4. Expansion of national service programs.
- Sec. 5. Independent study and assessment of Compacts of Free Association.
- Sec. 6. Census enumeration of Compact migrants in affected jurisdictions.
- Sec. 7. Bureau of economic analysis data regarding affected jurisdictions and Freely Associated States.
- Sec. 8. Native Hawaiian, other Pacific Islander, and Insular Areas health data.
- Sec. 9. Local matching requirements for territories and affected jurisdictions.
- Sec. 10. Local expenditures qualifying as in-kind contributions.
- Sec. 11. Eligibility for Workforce Innovation and Opportunity Act programs.
- Sec. 12. Amendments to Personal Responsibility and Work Opportunity Reconciliation Act.

3 **SEC. 2. FMAP ADJUSTMENT FOR AFFECTED JURISDIC-**
 4 **TIONS EQUIVALENT TO COMPACT MIGRANT**
 5 **EXPENDITURES.**

6 (a) PAYMENT OF INCREASED FMAP.—For calendar
 7 quarters beginning on or after January 1 of the first year
 8 beginning after the date of the enactment of this Act, the
 9 Secretary of Health and Human Services shall increase
 10 the FMAP for each affected jurisdiction (without regard
 11 for any limitation otherwise specified in section 1905(b)
 12 of such Act (42 U.S.C. 1396d(b))) by the number of per-
 13 centage points estimated under subsection (d).

14 (b) ESTIMATION OF AMOUNT OF COMPACT MIGRANT
 15 EXPENDITURES.—For purposes of subsection (a), not
 16 later than 90 days before the beginning of the calendar
 17 quarter involved, the chief executive official of the affected
 18 jurisdiction shall submit to the Secretary of the Interior

1 an estimation of the amount of Compact migrant expendi-
2 tures that will be made by such jurisdiction for such quar-
3 ter.

4 (c) REVIEW BY SECRETARY OF THE INTERIOR.—Not
5 later than 60 days before the beginning of the calendar
6 quarter involved, the Secretary of the Interior shall review
7 the estimation submitted by the chief executive official
8 under subsection (b), make any appropriate adjustments,
9 and submit to the Secretary of Health and Human Serv-
10 ices a final estimated amount of Compact migrant expend-
11 itures for such quarter.

12 (d) ESTIMATION AND NOTIFICATION BY SECRETARY
13 OF HHS.—

14 (1) IN GENERAL.—The Secretary of Health and
15 Human Services shall estimate the number of per-
16 centage points that the FMAP for each affected ju-
17 risdiction would need to be increased for a calendar
18 quarter to result in an increase in the amount of
19 total Federal payments to the affected jurisdiction
20 under title XIX of the Social Security Act for such
21 quarter that is equivalent to the final estimated
22 amount of Compact migrant expenditures submitted
23 under subsection (c) for such quarter.

24 (2) CONTINUED APPLICATION OF LIMITA-
25 TION.—In no case may the increase in the FMAP

1 estimated by the Secretary of Health and Human
2 Services under paragraph (1) result in the payments
3 to an affected jurisdiction under title XIX of the So-
4 cial Security Act that exceed the limitations under
5 subsections (f) and (g) of section 1108 of such Act
6 (42 U.S.C. 1308).

7 (3) NOTIFICATION.—Not later than 30 days be-
8 fore the beginning of the calendar quarter involved,
9 the Secretary of Health and Human Services shall
10 notify each such chief executive official of the in-
11 crease in the FMAP estimated by the Secretary
12 under this subsection for the affected jurisdiction in-
13 volved.

14 (e) RECONCILING AND PAYMENT ADJUSTMENTS.—

15 (1) REPORT BY AFFECTED JURISDICTIONS.—
16 For each calendar quarter in which an increase in
17 the FMAP is made for an affected jurisdiction under
18 subsection (d), the chief executive official for the ju-
19 risdiction shall submit to the Secretary of the Inte-
20 rior an accounting of the total amount of Compact
21 migrant expenditures made by such jurisdiction for
22 such quarter. Such accounting shall be submitted in
23 such form and manner as the Secretary, in consulta-
24 tion with the Secretary of Health and Human Serv-
25 ices, shall specify.

1 (2) REVIEW BY THE INTERIOR.—The Secretary
2 of the Interior shall review each accounting sub-
3 mitted under paragraph (1) for accuracy, make any
4 appropriate adjustments, and submit a final ac-
5 counting of the amount of Compact migrant expend-
6 itures for such quarter for each affected jurisdiction
7 involved to the Secretary of Health and Human
8 Services.

9 (3) ADJUSTMENT BY HHS.—The Secretary of
10 Health and Human Services shall—

11 (A) review whether the increase in the
12 FMAP for each affected jurisdiction under sub-
13 section (a) for a calendar quarter involved re-
14 sulted in an increase in Federal payments to
15 the affected jurisdiction under title XIX of the
16 Social Security Act for such quarter in an
17 amount that is equivalent to the final account-
18 ing of the amount of Compact migrant expendi-
19 tures submitted under paragraph (2) for such
20 jurisdiction; and

21 (B) subject to the limitations under sub-
22 sections (f) and (g) of section 1108 of such Act
23 (42 U.S.C. 1308), shall make appropriate ad-
24 justments to the FMAP for the affected juris-
25 diction for future quarters to account for any

1 overpayment or underpayment occurring as a
2 result of the increase in such FMAP under this
3 section for the quarter involved for that juris-
4 diction.

5 (f) LIMITATION OF FMAP TO 100 PERCENT.—In no
6 case shall an increase in the FMAP applicable to an af-
7 fected jurisdiction under this section result in an FMAP
8 for that jurisdiction that exceeds 100 percent.

9 (g) RULE OF CONSTRUCTION.—This section shall not
10 be construed as treating Compact migrant expenditures
11 as medical assistance under title XIX of the Social Secu-
12 rity Act.

13 (h) DEFINITIONS.—In this section:

14 (1) AFFECTED JURISDICTION.—The term “af-
15 fected jurisdiction” has the meaning given such term
16 in section 104(e)(2) of the Compact of Free Associa-
17 tion Amendments Act of 2003 (48 U.S.C.
18 1921c(e)(2)).

19 (2) COMPACT MIGRANT EXPENDITURES.—(A)
20 The term “Compact migrant expenditures” means,
21 for a calendar quarter with respect to an affected ju-
22 risdiction, the amount of non-Federal funds ex-
23 pended by such jurisdiction for items and services
24 described in section 1905(a) of the Social Security
25 Act (42 U.S.C. 1396d(a)) for qualified non-

1 immigrants (as defined in section 104(e)(2) of the
2 Compact of Free Association Amendments Act of
3 2003 (48 U.S.C. 1921c(e)(2))) and related adminis-
4 trative costs.

5 (B) Such term includes payments made by an
6 affected jurisdiction to health care providers for
7 health care items and services provided to qualified
8 nonimmigrants described in subparagraph (A), if
9 such payment is not made under a State plan under
10 title XIX of the Social Security Act, and such pay-
11 ment is not made from any other source of Federal
12 funds.

13 (3) FMAP.—The term “FMAP” means the
14 Federal medical assistance percentage, as defined in
15 section 1905(b) of the Social Security Act (42
16 U.S.C. 1396d(b)), as determined without regard to
17 this section.

18 (i) CONFORMING AMENDMENT.—Section 1905(b) of
19 the Social Security Act (42 U.S.C. 1396d(b)) is amended
20 by inserting “subject to section 2 of the Compact Aid Re-
21 lief Act” after “83 per centum, (2)”.

1 **SEC. 3. PAYMENTS RELATING TO ELEMENTARY AND SEC-**
2 **ONDARY EDUCATION OF CITIZENS OF FREE-**
3 **LY ASSOCIATED STATES.**

4 (a) PURPOSE.—Section 8001 of the Elementary and
5 Secondary Education Act of 1965 (20 U.S.C. 7701) is
6 amended—

7 (1) in paragraph (4), by striking “or”;

8 (2) in paragraph (5), by striking the period at
9 the end and inserting “; or”; and

10 (3) by adding at the end the following:

11 “(6) educate alien children admitted to the
12 United States as citizens of one of the Freely Asso-
13 ciated States.”.

14 (b) PAYMENTS FOR ELIGIBLE FEDERALLY CON-
15 NECTED CHILDREN.—Section 8003(a) of such Act (20
16 U.S.C. 7703(a)) is amended—

17 (1) in paragraph (1)—

18 (A) in subparagraph (F), by striking “or”
19 at the end;

20 (B) in subparagraph (G), by striking the
21 period at the end and inserting “; or”; and

22 (C) by adding at the end the following:

23 “(H) resided in the United States pursu-
24 ant to an admission into the United States as
25 a citizen of the Republic of the Marshall Is-

1 lands, the Federated States of Micronesia, or
2 the Republic of Palau.”; and

3 (2) in paragraph (2), by adding at the end the
4 following:

5 “(G) Multiply the number of children de-
6 scribed in paragraph (1)(H) by a factor of
7 1.25.”.

8 (c) AUTHORIZATION OF ADDITIONAL FUNDS FOR
9 ELIGIBLE FEDERALLY CONNECTED CHILDREN.—Section
10 8014 of such Act (20 U.S.C. 7714) is amended by adding
11 at the end the following:

12 “(h) ADDITIONAL FUNDING FOR ELIGIBLE FEDER-
13 ALLY CONNECTED CHILDREN.—For the purpose of mak-
14 ing additional payments for federally connected children
15 described in section 8003(a)(1) under this title, there are
16 authorized to be appropriated \$10,000,000 for fiscal year
17 2018 and for each succeeding fiscal year.”.

18 **SEC. 4. EXPANSION OF NATIONAL SERVICE PROGRAMS.**

19 (a) NATIONAL AND COMMUNITY SERVICE PRO-
20 GRAMS.—

21 (1) NONPROFIT CAPACITY BUILDING.—Section
22 198S(a)(4) of the National and Community Service
23 Act of 1990 (42 U.S.C. 12653s(a)(4)) is amended
24 by striking “and the District of Columbia” and in-
25 serting “, the District of Columbia, American

1 Samoa, Guam, the Northern Mariana Islands, Puer-
2 to Rico, and the Virgin Islands of the United
3 States”.

4 (2) COMPACT MIGRANT ELIGIBILITY.—Section
5 137(a)(5) of the National and Community Service
6 Act of 1990 (42 U.S.C. 12591(a)(5)) is amended to
7 read as follows:

8 “(5) is a citizen or national of the United
9 States or lawful permanent resident alien of the
10 United States, or is a citizen of the Republic of the
11 Marshall Islands, the Federated States of Micro-
12 nesia, or the Republic of Palau and admitted to the
13 United States as a nonimmigrant under the terms of
14 the applicable Compact of Free Association with the
15 United States.”.

16 (3) EFFECTIVE DATE.—The amendments made
17 by this subsection shall apply to any participant in
18 a program under the National and Community Serv-
19 ice Act of 1990 (42 U.S.C. 12501 et seq.) selected
20 after the date of enactment of this subsection.

21 (b) YOUTH CONSERVATION CORPS.—The Youth Con-
22 servation Corps Act of 1970 (16 U.S.C. 1701 et seq.) is
23 amended—

24 (1) in section 102(a) (16 U.S.C. 1702(a)), by
25 striking “trust territories” and inserting “citizens of

1 the Republic of the Marshall Islands, the Federated
2 States of Micronesia, or the Republic of Palau and
3 admitted to the United States as nonimmigrants
4 under the terms of the applicable Compact of Free
5 Association with the United States,”; and

6 (2) in section 104 (16 U.S.C. 1704)—

7 (A) in subsection (a), by striking “the
8 Trust Territory of the Pacific Islands,”; and

9 (B) in subsection (b), by striking “, or the
10 Trust Territory of the Pacific Islands” and in-
11 serting “, or citizens of the Republic of the
12 Marshall Islands, the Federated States of Mi-
13 cronesia, or the Republic of Palau and admitted
14 to the United States as nonimmigrants under
15 the terms of the applicable Compact of Free
16 Association with the United States”.

17 **SEC. 5. INDEPENDENT STUDY AND ASSESSMENT OF COM-**
18 **PACTS OF FREE ASSOCIATION.**

19 (a) IN GENERAL.—Not later than 180 days after the
20 date of the enactment of this Act, the Secretary of State
21 shall enter into an agreement with an eligible organization
22 described in subsection (b) to conduct an independent
23 study and assessment of the Compacts of Free Association
24 between the United States and the Freely Associated

1 States of the Republic of the Marshall Islands, the Fed-
2 erated States of Micronesia, and the Republic of Palau.

3 (b) ELIGIBLE ORGANIZATION DESCRIBED.—An eligi-
4 ble organization described in this subsection is—

5 (1) a federally funded research and development
6 center sponsored by a Federal agency;

7 (2) the Government Accountability Office; or

8 (3) an organization described in section 501(c)
9 of the Internal Revenue Code of 1986 and exempt
10 from taxation under section 501(a) of such Code.

11 (c) MATTERS TO BE INCLUDED.—The study and as-
12 sessment required under subsection (a) shall include—

13 (1) an assessment of implementation of the
14 Compacts of Free Association by the United States,
15 including Compact impact funding to affected juris-
16 dictions (as such term is defined in section
17 104(e)(2)(A) of the Compact of Free Association
18 Amendments Act of 2003 (Public Law 108–188; 48
19 U.S.C. 1921c(e)(2)(A)));

20 (2) an assessment of the capabilities, expertise,
21 and shortfalls of effectively administering the Com-
22 pacts of Free Association and providing assistance
23 under such Compacts to affected jurisdictions as de-
24 fined in paragraph (1), including recommendations
25 on improvements to such capabilities and changes to

1 processes or administrative reorganizations that may
2 be necessary;

3 (3) an assessment of the management of trust
4 funds established for each of the Freely Associated
5 States and the United States financial contributions
6 to such trust funds;

7 (4) recommendations regarding renewal and fu-
8 ture administration or cessation of such Compacts;

9 (5) an assessment of any outstanding claims by
10 the Republic of the Marshall Islands, the Federated
11 States of Micronesia, and the Republic of Palau to
12 lands or territorial waters belonging to the United
13 States, including Wake Island (Wake Atoll); and

14 (6) any other matters the Secretary of State or
15 the eligible organization that enters into an agree-
16 ment under this section determines to be appropriate
17 and that do not duplicate unnecessarily the matters
18 addressed in the study required by section 1259D of
19 the National Defense Authorization Act for Fiscal
20 Year 2018 (Public Law 115–91).

21 (d) REPORT REQUIRED.—

22 (1) IN GENERAL.—Not later than one year
23 after the date on which the Secretary of State enters
24 into an agreement with an eligible organization
25 under this section, the eligible organization shall

1 submit to the Secretary and the appropriate con-
2 gressional committees a report that includes—

3 (A) the study and assessment required
4 under subsection (a);

5 (B) the matters to be included required
6 under subsection (c); and

7 (C) any other matters the Secretary deter-
8 mines to be appropriate.

9 (2) FORM.—The report required under para-
10 graph (1) shall be submitted in unclassified form,
11 but may contain a classified annex if necessary.

12 (3) AVAILABILITY.—The Secretary shall publish
13 the unclassified portion of the report required under
14 paragraph (1) on a publicly accessible government
15 website.

16 (4) APPROPRIATE CONGRESSIONAL COMMIT-
17 TEES.—In this subsection, the term “appropriate
18 congressional committees” means—

19 (A) the Committee on Foreign Affairs and
20 the Committee on Natural Resources of the
21 House of Representatives; and

22 (B) the Committee on Foreign Relations
23 and the Committee on Energy and Natural Re-
24 sources of the Senate.

1 (e) OBTAINING OFFICIAL DATA.—The eligible orga-
 2 nization that enters into an agreement under this section
 3 may secure directly from any department or agency of the
 4 United States information necessary to enable it to carry
 5 out this section. Upon request of such eligible organiza-
 6 tion, the head of that department or agency shall furnish
 7 that information to the eligible organization.

8 **SEC. 6. CENSUS ENUMERATION OF COMPACT MIGRANTS IN**
 9 **AFFECTED JURISDICTIONS.**

10 (a) DECENNIAL CENSUS.—Section 141 of title 13,
 11 United States Code, is amended—

12 (1) by redesignating subsection (g) as sub-
 13 section (h); and

14 (2) by inserting after subsection (f) the fol-
 15 lowing:

16 “(g)(1) With respect to each decennial census of pop-
 17 ulation conducted under subsection (a), the Secretary shall
 18 conduct an enumeration of qualified nonimmigrants in
 19 each affected jurisdiction.

20 “(2) For purposes of carrying out this subsection, the
 21 terms ‘affected jurisdiction’ and ‘qualified nonimmigrant’
 22 have the meaning given those terms in section
 23 104(e)(2)(A) and (B), respectively, of the Compact of
 24 Free Association Amendments Act of 2003 (Public Law
 25 108–188; 48 U.S.C. 1921c(e)(2)(A) and (B)).”.

1 (b) APPLICATION.—An enumeration conducted pur-
 2 suant to section 141(g) of title 13, United States Code,
 3 as added by subsection (a), shall, for purposes of the year
 4 to which the applicable decennial census applies, satisfy
 5 the requirements of paragraph (4) of section 104(e) of the
 6 Compact of Free Association Amendments Act of 2003
 7 (Public Law 108–188; 48 U.S.C. 1921c(e)(4)). The pre-
 8 ceding sentence shall not be construed to supersede, alter,
 9 or otherwise affect the five-year requirement in subpara-
 10 graph (A) of such paragraph.

11 **SEC. 7. BUREAU OF ECONOMIC ANALYSIS DATA REGARD-**
 12 **ING AFFECTED JURISDICTIONS AND FREELY**
 13 **ASSOCIATED STATES.**

14 (a) ASSESSMENT AND ANALYSIS.—The Director of
 15 the Bureau of Economic Analysis of the Department of
 16 Commerce shall conduct an annual assessment and anal-
 17 ysis of the economies of the following:

18 (1) AFFECTED JURISDICTIONS.—Affected juris-
 19 dictions (as such term is defined under section
 20 104(e)(2)(A) of the Compact of Free Association
 21 Amendments Act of 2003 (48 U.S.C.
 22 1921c(e)(2)(A))).

23 (2) FREELY ASSOCIATED STATES.—The Repub-
 24 lic of the Marshall Islands, the Federated States of
 25 Micronesia, and the Republic of Palau.

1 (b) REQUIREMENTS.—In conducting the economic
2 assessment and analysis required by subsection (a), the
3 Director shall—

4 (1) consult with—

5 (A) the Secretary of the Interior;

6 (B) the Director of the Bureau of the Cen-
7 sus;

8 (C) the Commissioner of the Bureau of
9 Labor Statistics of the Department of Labor;

10 (D) other Federal agencies as the Director
11 considers appropriate; and

12 (E) local government agencies in the af-
13 fected jurisdictions described in subsection
14 (a)(1); and

15 (2) consider the following:

16 (A) The gross domestic product of each of
17 the affected jurisdictions and Freely Associated
18 States described in subsection (a).

19 (B) Remittance transfers from citizens of
20 the Freely Associated States described in sub-
21 section (a)(2), the recipient of which is located
22 in any country other than the United States.

23 (C) Government or similar public services
24 consumed by citizens of the Freely Associated

1 States described in subsection (a)(2) residing in
2 the United States.

3 (D) Refundable tax credits, tax deductions,
4 or similar advantageous tax code provisions for
5 low-income households, including the earned in-
6 come tax credit under section 32 of the Internal
7 Revenue Code of 1986 and the child tax credit
8 under section 24 of the Internal Revenue Code
9 of 1986 claimed by citizens of the Freely Asso-
10 ciated States described in subsection (a)(2) in
11 Federal tax returns filed in the United States.

12 (E) Impact of citizens of the Freely Asso-
13 ciated States described in subsection (a)(2) who
14 are residing in the affected jurisdictions de-
15 scribed in subsection (a)(1) on the local labor
16 market, wages, and unemployment rate in such
17 affected jurisdictions.

18 (F) Foreign direct investment by industrial
19 sectors, by country of investor, and by type of
20 transaction.

21 (G) Other contributing components of the
22 economies of such affected jurisdictions and
23 Freely Association States described in sub-
24 section (a) as the Director considers appro-
25 priate.

1 (c) ANNUAL REPORT.—Not later than 1 year after
 2 the date of the enactment of this Act and each year there-
 3 after, the Director shall make available to the Congress
 4 and the public on a government website an annual report
 5 on the findings of the Director with respect to the eco-
 6 nomic assessment and analysis conducted under this sec-
 7 tion.

8 **SEC. 8. NATIVE HAWAIIAN, OTHER PACIFIC ISLANDER, AND**
 9 **INSULAR AREAS HEALTH DATA.**

10 Part B of title III of the Public Health Service Act
 11 (42 U.S.C. 243 et seq.) is amended by inserting after sec-
 12 tion 317T the following:

13 **“SEC. 317U. NATIVE HAWAIIAN, OTHER PACIFIC ISLANDER,**
 14 **AND INSULAR AREAS HEALTH DATA.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) NATIVE HAWAIIANS AND OTHER PACIFIC
 17 ISLANDERS (NHOPI).—The term ‘Native Hawaiians
 18 and other Pacific Islanders’ or ‘NHOPI’ means peo-
 19 ple having origins in any of the original peoples of
 20 Hawai’i, American Samoa, Guam, the Northern
 21 Mariana Islands, the Republic of the Marshall Is-
 22 lands, the Federated States of Micronesia, the Re-
 23 public of Palau, or any other Pacific Island.

24 “(2) COMMUNITY GROUP.—The term ‘commu-
 25 nity group’ means a group of NHOPI who are orga-

1 nized at the community level, and may include a
2 church group, social service group, national advocacy
3 organization, or cultural group.

4 “(3) NONPROFIT, NONGOVERNMENTAL ORGANI-
5 ZATION.—The term ‘nonprofit, nongovernmental or-
6 ganization’ means a group of NHOPI with a dem-
7 onstrated history of addressing NHOPI issues, in-
8 cluding a NHOPI coalition.

9 “(4) DESIGNATED ORGANIZATION.—The term
10 ‘designated organization’ means an entity estab-
11 lished to represent NHOPI populations and which
12 has statutory responsibilities to provide, or has com-
13 munity support for providing, health care.

14 “(5) GOVERNMENT REPRESENTATIVES.—The
15 term ‘government representatives’ means representa-
16 tives from Hawai’i, American Samoa, Guam, the
17 Northern Mariana Islands, the Republic of the Mar-
18 shall Islands, the Federated States of Micronesia,
19 and the Republic of Palau.

20 “(6) INSULAR AREA.—The term ‘Insular Area’
21 means American Samoa, Guam, the Northern Mar-
22 iana Islands, the Virgin Islands of the United
23 States, the Republic of the Marshall Islands, the
24 Federated States of Micronesia, and the Republic of
25 Palau.

1 “(b) NATIONAL STRATEGY.—

2 “(1) IN GENERAL.—The Secretary, acting
3 through the Director of the National Center for
4 Health Statistics (referred to in this section as
5 ‘NCHS’) of the Centers for Disease Control and
6 Prevention, and other agencies within the Depart-
7 ment of Health and Human Services as the Sec-
8 retary determines appropriate, shall develop and im-
9 plement an ongoing and sustainable national strat-
10 egy for identifying and evaluating the health status
11 and health care needs for each NHOPi population,
12 by ethnicity or nationality, living in the continental
13 United States, Hawai’i, American Samoa, Guam, the
14 Northern Mariana Islands, the Republic of the Mar-
15 shall Islands, the Federated States of Micronesia,
16 and the Republic of Palau.

17 “(2) CONSULTATION.—In developing and imple-
18 menting a national strategy, as described in para-
19 graph (1), not later than 180 days after the date of
20 the enactment of the Compact Impact Relief Act,
21 the Secretary—

22 “(A) shall consult with representatives of
23 community groups, designated organizations,
24 and nonprofit, nongovernmental organizations

1 and with government representatives of NHOPI
2 populations; and

3 “(B) may solicit the participation of rep-
4 resentatives from other Federal departments
5 and agencies.

6 “(c) PRELIMINARY HEALTH SURVEY.—

7 “(1) IN GENERAL.—The Secretary, acting
8 through the Director of NCHS, shall conduct a pre-
9 liminary health survey in order to identify the major
10 areas and regions in the continental United States,
11 Hawai’i, American Samoa, Guam, the Northern
12 Mariana Islands, the Republic of the Marshall Is-
13 lands, the Federated States of Micronesia, and the
14 Republic of Palau in which NHOPI people reside.

15 “(2) CONTENTS.—The health survey described
16 in paragraph (1) shall include health data and any
17 other data the Secretary determines to be—

18 “(A) useful in determining the health sta-
19 tus and health care needs for each NHOPI pop-
20 ulation, by ethnicity or nationality, to the great-
21 est extent practicable; or

22 “(B) required for developing or imple-
23 menting a national strategy.

24 “(3) METHODOLOGY.—Methodology for the
25 health survey described in paragraph (1), including

1 plans for designing questions, implementation, sam-
2 pling, and analysis, shall be developed in consulta-
3 tion with community groups, designated organiza-
4 tions, nonprofit, nongovernmental organizations, and
5 government representatives of NHOPI populations,
6 as determined by the Secretary.

7 “(4) TIMEFRAME.—The survey required under
8 this subsection shall be completed not later than 18
9 months after the date of the enactment of the Com-
10 pact Impact Relief Act.

11 “(d) PROGRESS REPORT.—Not later than 2 years
12 after the date of the enactment of the Compact Impact
13 Relief Act, the Secretary shall submit to the Congress a
14 progress report, which shall include the national strategy
15 described in subsection (b)(1), and make such report avail-
16 able on the public website of the Department of Health
17 and Human Services.

18 “(e) HMD STUDY AND REPORT.—

19 “(1) IN GENERAL.—The Secretary shall enter
20 into an agreement with the Health and Medicine Di-
21 vision of the National Academies of Sciences, Engi-
22 neering, and Medicine to conduct a study, with input
23 from stakeholders in Insular Areas, on the following:

24 “(A) The standards and definitions of
25 health care applied to health care systems in

1 Insular Areas and the appropriateness of such
2 standards and definitions.

3 “(B) The status and performance of health
4 care systems in Insular Areas, evaluated based
5 upon standards and definitions, as the Sec-
6 retary determines.

7 “(C) The effectiveness of donor aid in ad-
8 dressing health care needs and priorities in In-
9 sular Areas.

10 “(D) The progress toward implementation
11 of recommendations of the Committee on
12 Health Care Services in the United States—As-
13 sociated Pacific Basin of the National Academy
14 of Medicine, including recommendations that
15 were set forth in the 1998 report, ‘Pacific Part-
16 nerships for Health: Charting a New Course for
17 the 21st Century’, as applicable to all Insular
18 Areas except the Virgin Islands of the United
19 States.

20 “(2) REPORT.—An agreement described in
21 paragraph (1) shall require the Health and Medicine
22 Division to submit to the Secretary and to the Con-
23 gress, and make readily available on a public
24 website, not later than 2 years after the date of the
25 enactment of the Compact Impact Relief Act, a re-

1 port containing a description of the results of the
2 study conducted under paragraph (1), including the
3 conclusions and recommendations of the Health and
4 Medicine Division for each of the items described in
5 subparagraphs (A) through (D) of such paragraph.

6 “(f) AUTHORIZATION OF APPROPRIATIONS.—To
7 carry out this section, there are authorized to be appro-
8 priated such sums as may be necessary for fiscal years
9 2018 through 2022.”.

10 **SEC. 9. LOCAL MATCHING REQUIREMENTS FOR TERRI-**
11 **TORIES AND AFFECTED JURISDICTIONS.**

12 (a) EXPANDED WAIVER.—Section 501 of Public Law
13 95–134, approved October 15, 1977 (48 U.S.C. 1469a),
14 is amended as follows:

15 (1) In subsection (d), by striking “by law” in
16 the last sentence.

17 (2) By adding after subsection (d) the fol-
18 lowing:

19 “(e) Notwithstanding any other provision of law, in
20 the case of American Samoa, Guam, the Virgin Islands,
21 and the Northern Mariana Islands, any Federal depart-
22 ment or agency shall waive any requirement for local
23 matching funds (including in-kind contributions) required
24 to be provided by American Samoa, Guam, the Virgin Is-
25 lands, the Northern Mariana Islands, or an eligible non-

1 governmental recipient in the aforementioned United
2 States territories for any grant as follows:

3 “(1) For a grant requiring matching funds (in-
4 cluding in-kind contributions) of \$400,000 or less,
5 the entire matching requirement shall be waived.

6 “(2) For a grant requiring matching funds (in-
7 cluding in-kind contributions) of more than
8 \$400,000, \$400,000 of the matching requirement
9 shall be waived.

10 “(3) For a grant requiring matching funds (in-
11 cluding in-kind contributions) of \$600,000 or less to
12 be paid by an affected jurisdiction as defined by sec-
13 tion 104(e)(2) of the Compact of Free Association
14 Amendments Act of 2003 (48 U.S.C. 1921c(e)(2)),
15 the entire matching requirement shall be waived for
16 unreimbursed impact expenses.

17 “(4) For a grant requiring matching funds (in-
18 cluding in-kind contributions) of more than
19 \$600,000 to be paid by an affected jurisdiction as
20 defined by section 104(e)(2) of the Compact of Free
21 Association Amendments Act of 2003 (48 U.S.C.
22 1921c(e)(2)), \$600,000 of the matching requirement
23 shall be waived for unreimbursed impact expenses.”.

24 (b) CONFORMING AMENDMENT.—Section 601 of
25 Public Law 96–205, approved March 12, 1980 (48 U.S.C.

1 1469a note; 94 Stat. 90), is amended by striking “(d),
2 and adding the following sentence” and all that follows
3 through the final period and inserting “(d).”.

4 **SEC. 10. LOCAL EXPENDITURES QUALIFYING AS IN-KIND**
5 **CONTRIBUTIONS.**

6 (a) IN GENERAL.—Except as provided under sub-
7 section (c), local matching requirements required of an af-
8 fected jurisdiction for Federal programs may be paid in
9 cash or in-kind services provided by the affected jurisdic-
10 tion pursuant to the following:

11 (1) Section 104 of the Compact of Free Asso-
12 ciation between the Government of the United
13 States and the Government of the Republic of the
14 Marshall Islands, approved in the Compact of Free
15 Association Amendments Act of 2003 (Public Law
16 108–188; 117 Stat. 2781).

17 (2) Section 104 of the Compact of Free Asso-
18 ciation between the Government of the United
19 States and the Government of the Federated States
20 of Micronesia, approved in the Compact of Free As-
21 sociation Amendments Act of 2003 (Public Law
22 108–188; 117 Stat. 2781).

23 (3) The Compact of Free Association between
24 the Government of the United States and the Gov-
25 ernment of the Republic of Palau, approved in the

1 Palau Compact of Free Association Act (Public Law
2 99–658; 100 Stat. 3672).

3 (b) DETERMINATION OF AMOUNTS TO BE CONSID-
4 ERED IN-KIND CONTRIBUTIONS.—The Secretary of the
5 Interior shall determine the amounts that may be consid-
6 ered in-kind contributions for an affected jurisdiction
7 under this section based on a reasonable estimate of the
8 amount of impact expenditures for the Freely Associated
9 States divided by a reasonable estimate of the number of
10 citizens from the Freely Associated States residing in that
11 affected jurisdiction.

12 (c) AFFECTED JURISDICTIONS.—The term “affected
13 jurisdiction” shall have the meaning given that term in
14 section 104(e) of Public Law 108–188 (117 Stat. 2739).

15 **SEC. 11. ELIGIBILITY FOR WORKFORCE INNOVATION AND**
16 **OPPORTUNITY ACT PROGRAMS.**

17 (a) JOB CORPS CENTERS.—Section 147(a) of the
18 Workforce Innovation and Opportunity Act (29 U.S.C.
19 3197(a)) is amended—

20 (1) in paragraph (1)(A), by inserting “or simi-
21 lar agency of an outlying area,” after “local agen-
22 cy”; and

23 (2) in paragraph (2)(B)(i)(III), by inserting
24 “(or outlying area)” after “State”.

1 (b) COMPACT MIGRANT ELIGIBILITY.—Section
 2 188(a)(5) of the Workforce Innovation and Opportunity
 3 Act (29 U.S.C. 3248(a)(5)) is amended by inserting before
 4 the period at the end the following: “, and citizens of the
 5 Republic of the Marshall Islands, the Federated States of
 6 Micronesia, or the Republic of Palau, who were admitted
 7 to the United States as nonimmigrants under the terms
 8 of the applicable Compact of Free Association with the
 9 United States”.

10 **SEC. 12. AMENDMENTS TO PERSONAL RESPONSIBILITY**
 11 **AND WORK OPPORTUNITY RECONCILIATION**
 12 **ACT.**

13 (a) SNAP ELIGIBILITY.—Section 402(a)(2) of the
 14 Personal Responsibility and Work Opportunity Reconcili-
 15 ation Act of 1996 (8 U.S.C. 1612(a)(2)) is amended by
 16 adding at the end the following:

17 “(N) EXCEPTION FOR CITIZENS OF THE
 18 FREELY ASSOCIATED STATES RESIDING IN THE
 19 UNITED STATES.—With respect to eligibility for
 20 benefits for the specified Federal program de-
 21 fined in paragraph (3)(B) section 401(a) and
 22 paragraph (1) shall not apply—

23 “(i) to any citizen of the Republic of
 24 the Marshall Islands, the Federated States
 25 of Micronesia, or the Republic of Palau

1 who lawfully resides in one of the several
2 States or the District of Columbia as a
3 nonimmigrant under the terms of the ap-
4 plicable Compact of Free Association with
5 the United States; or

6 “(ii) at the request of the governors of
7 Guam, the Northern Mariana Islands,
8 American Samoa, Puerto Rico, or the Vir-
9 gin Islands, to any citizen of the Republic
10 of the Marshall Islands, the Federated
11 States of Micronesia, or the Republic of
12 Palau who lawfully resides in the respec-
13 tive United States territory as a non-
14 immigrant under the terms of the applica-
15 ble Compact of Free Association with the
16 United States.”.

17 (b) TANF AND SSBG ELIGIBILITY.—Section
18 402(b)(2) of the Personal Responsibility and Work Oppor-
19 tunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(2))
20 is amended by adding at the end the following:

21 “(G) EXCEPTION FOR CITIZENS OF THE
22 FREELY ASSOCIATED STATES RESIDING IN THE
23 UNITED STATES.—With respect to eligibility for
24 benefits for the designated Federal program de-
25 fined in subparagraphs (A) and (B) of para-

graph (3), section 401(a) and paragraph (1)
shall not apply—

“(i) to any citizen of the Republic of
the Marshall Islands, the Federated States
of Micronesia, or the Republic of Palau
who lawfully resides in one of the several
States or the District of Columbia as a
nonimmigrant under the terms of the ap-
plicable Compact of Free Association with
the United States; or

“(ii) at the request of the governors of
Guam, the Northern Mariana Islands,
American Samoa, Puerto Rico, or the Vir-
gin Islands, to any citizen of the Republic
of the Marshall Islands, the Federated
States of Micronesia, or the Republic of
Palau who lawfully resides in the respec-
tive United States territory as a non-
immigrant under the terms of the applica-
ble Compact of Free Association with the
United States.”.

(c) CLARIFICATION ON AMOUNTS PROVIDED TO AF-
FECTED JURISDICTIONS.—

(1) SUPPLEMENT, NOT SUPPLANT.—Any
amounts provided to an affected jurisdiction for ben-

1 efits to qualified nonimmigrants for the specified
2 Federal program defined in section 402(a)(3)(A) of
3 the Personal Responsibility and Work Opportunity
4 Reconciliation Act of 1996 (8 U.S.C.
5 1612(a)(3)(A)), or for the designated Federal pro-
6 gram defined in section 402(b)(3)(C) of such Act (8
7 U.S.C. 1612(b)(3)(C)), shall be used to supplement
8 and not supplant, other Federal, State, and local
9 funds, including under—

10 (A) the supplemental nutrition assistance
11 program as defined in section 3 of the Food
12 and Nutrition Act of 2008 (7 U.S.C. 2012);

13 (B) the program of block grants to States
14 for temporary assistance for needy families
15 under part A of title IV of the Social Security
16 Act (42 U.S.C. 601 et seq.); and

17 (C) the program of block grants to States
18 for social services under title XX of the Social
19 Security Act (42 U.S.C. 1397 et seq.).

20 (2) DEFINITIONS.—In this subsection, the
21 terms “affected jurisdiction” and “qualified non-
22 immigrant” have the meaning given such terms, re-
23 spectively, in section 104(e)(2) of the Compact of
24 Free Association Amendments Act of 2003 (48
25 U.S.C. 1921c(e)(2)).

1 (d) CLARIFICATION OF QUALIFIED ALIEN.—Section
2 431(b) of the Personal Responsibility and Work Oppor-
3 tunity Reconciliation Act of 1996 (8 U.S.C. 1641(b)) is
4 amended—

5 (1) in paragraph (6), by striking “; or” and in-
6 serting a comma;

7 (2) in paragraph (7), by striking the period at
8 the end and inserting “, or”; and

9 (3) by adding at the end the following:

10 “(8) an alien who is a citizen of the Republic
11 of the Marshall Islands, the Federated States of Mi-
12 cronesia, or the Republic of Palau and admitted to
13 the United States as a nonimmigrant under the
14 terms of the applicable Compact of Free Association
15 with the United States.”.

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