

IMPACT OF
COMPACT
GUAM

PACIFIC IMMIGRATION IMPACT
Effects of P.L.99-239 on the Island of Guam
FY 1989 to FY 1994

Office of the Governor
Government of Guam
May 1995

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I. EXECUTIVE SUMMARY

The Compact of Free Association Act of 1985 (P.L.99-239), implemented in 1986, establishes the relationship between the United States and the Federated States of Micronesia (FSM) and Republic of the Marshall Islands (RMI). Compact immigration provisions authorize unrestricted immigration into the United States, its territories and possessions, enabling FSM and RMI citizens to enter into, lawfully engage in occupations, and establish residence as nonimmigrant aliens.

The FSM government estimates a negative net migration of about 2,000 persons per year out of the FSM since enactment of the Compact. Most of the out-migrants are thought to travel to Guam, Saipan, Hawaii, and the U.S. mainland. Relatively inexpensive travel between Guam and the FSM permits frequent visits and possibly circular migration. More than 30,000 citizens of the Freely Associated States (FAS) have arrived through Guam's airport stating their intention to reside on Guam, and another 65,000 have entered as visitors. The Government of Guam estimates the habitual resident population to have increased by about 1,000 persons per year since 1986, reaching an estimated 8,000 immigrants and their children by the end of 1994.

In recognition of the possible adverse impact to Guam's economy of providing health care, education, job training and public assistance to the peoples of a foreign nation, Congress promised to appropriate sums to cover costs incurred by Guam resulting from any increased demands placed on educational and social services by immigrants from the Marshall Islands and the Federated States of Micronesia. Annual reports are to be submitted to Congress by the Department of Interior, and are to include Guam's views of impact.

Section 104(e)(1): "STATEMENT OF CONGRESSIONAL INTENT.- In approving the Compact, it is not the intent of the Congress to cause any adverse consequences for the United States territories and commonwealths or the State of Hawaii."

Section 104(e)(2): "ANNUAL REPORTS AND RECOMMENDATIONS.- One year after the date of enactment of this joint resolution and at one year intervals thereafter, the President¹ shall report to the Congress with respect to the impact of the Compact on the United States territories and commonwealths and on the State of Hawaii. Reports submitted pursuant to this paragraph (hereafter is this subsection referred to as "reports") shall identify any adverse consequences resulting from the Compact and shall make recommendations for corrective action to eliminate those consequences. The reports shall pay particular attention to matters relating to trade, taxation, immigration, labor laws, minimum wages, social system and infrastructure, and environmental regulation. With regard to immigration, the reports shall include statistics concerning the number of persons availing themselves of the right to establish habitual residence on Guam as described in section 141(a) of the Compact

¹ Executive Order No. 12569, October 16, 1986: delegates to the Secretary of the Interior the authority to report to the Congress with respect to the impact of the Compact of Free Association on the United States territories and commonwealths and on the State of Hawaii, pursuant to section 104(e)(2) of the Act.

during the year covered by each report."

- Section 104(e)(3): "OTHER VIEWS - In preparing the reports, the President shall request the views of the Government of the State of Hawaii, and the governments of each of the United States territories and commonwealths, the Federated States of Micronesia, the Marshall Islands, and Palau, and shall transmit the full text of any such views to the Congress as part of such reports."
- Section 104(e)(4): "COMMITMENT OF CONGRESS TO REDRESS ADVERSE CONSEQUENCES.-The Congress hereby declares that, if any adverse consequences to United States territories and commonwealths or the State of Hawaii result from implementation of the Compact of Free Association, the Congress will act sympathetically and expeditiously to redress those adverse consequences."
- Section 104(e)(5): "DEFINITION OF U.S. TERRITORIES AND COMMONWEALTHS.-As used in this subsection, the term "United States territories and commonwealths" means the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands."
- Section 104(e)(6): "**IMPACT COSTS.-There are hereby authorized to be appropriated for fiscal years beginning after September 30, 1985, such sums as may be necessary to cover the costs, if any, incurred by the State of Hawaii, the territories of Guam and American Samoa, and the commonwealth of the Northern Mariana Islands resulting from any increased demands placed on educational and social services by immigrants from the Marshall Islands and the Federated States of Micronesia.**"

This report re-examines the amount of assistance provided to FSM and RMI newcomers by the Territory of Guam for the period FY 1989 to FY 1994, and calculates a cost associated with those services. This report is hereby presented to the President and to the Congress as Guam's views of impact. Recommendations for improving cost calculation methodologies made through an audit by the Inspector General were considered. The data was reevaluated and updated to reflect the concerns of the Inspector General and includes additional information uncovered in the process.

The Government of Guam finds that costs incurred for providing educational and social services to citizens of the Freely Associated States is **\$68.4 million** for the period FY 1989 through FY 1994.

**IMPACT OF THE COMPACT OF FREE ASSOCIATION
ON THE TERRITORY OF GUAM -- FY 1986 THROUGH FY 1994**

	FY 1986 to 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
TOTAL FISCAL IMPACT	\$6,646,119	\$6,089,912	\$10,424,793	\$13,466,564	\$18,996,232	\$23,965,447	\$79,599,067
REIMBURSEMENT REQUESTED	6,381,972	5,300,284	8,780,319	11,823,281	17,338,631	21,916,989	71,541,446
REIMBURSEMENT GRANTED	0	0	0	0	0	3,095,000	3,095,000
BALANCE	6,381,972	5,300,284	8,780,319	11,823,281	17,338,631	48,821,989	68,446,446
EDUCATION	5,356,749	3,916,493	5,881,233	7,409,097	10,498,016	12,534,750	45,595,338
1. Department of Education	1,948,363	2,365,872	3,365,938	4,950,330	8,110,400	9,720,640	30,451,543
2. Guam Community College	2,805,103	660,539	1,145,138	1,064,344	1,121,330	1,152,449	7,948,903
3. University of Guam	602,283	890,082	1,380,157	1,394,423	1,266,286	1,661,661	7,194,892
PUBLIC SAFETY	976,231	1,071,049	1,834,502	2,376,782	4,032,577	3,937,012	14,228,153
1. Guam Police Department	458,802	542,438	805,365	878,464	1,289,084	1,332,443	5,306,596
2. Department of Corrections	157,110	83,718	235,771	403,287	972,820	802,122	2,654,828
3. Department of Law	145,496	188,960	329,821	371,665	576,033	493,778	2,105,753
4. Public Defender Services Corp .....	...	...	...	...	219,150	344,390	563,540
5. Superior Court of Guam .....	...	...	...	...	9,652	...	9,652
6. Department of Youth Affairs .....	...	...	...	...	36,571	...	140,135
7. Department of Commerce .....	...	...	40,215	63,349	914,807	...	3,366,585
8. Guam Fire Department	209,273	247,637	411,813	632,430	14,460	950,625	81,084
9. Civil Defense / GESO	5,550	8,296	11,517	27,587	...	13,654	...
HEALTH, WELFARE AND HOUSING	27,351	265,785	1,024,757	1,938,748	2,674,559	5,329,331	11,260,531
1. Dept. of Pub. Hlth. and Soc. Serv. ....	...	226,204	919,225	1,875,762	2,631,369	5,290,007	10,942,557
A. Medicaid Program .....	...	15,125	42,792	376,873	498,154	1,504,220	2,437,164
B. Medically Indigent Program .....	...	73,333	633,313	645,559	444,280	848,932	2,645,417
C. Public Assistance Programs .....	...	137,746	243,120	853,330	1,688,925	2,936,855	5,859,976
2. Mental Hlth. and Substance Abuse	8,655	9,607	15,210	11,750	36,263	...	81,485
3. Guam Memorial Hospital Authority	17,576	23,515	14,522	40,839	319	0	96,771
4. Dept. of Vocational Rehabilitation	1,120	6,459	74,175	5,886	...	20,746	108,386
5. Guam Housing Corporation / GRC .....	...	...	1,625	4,511	6,618	18,578	31,332
EMPLOYMENT	22,641	46,957	39,827	98,654	133,479	115,866	457,424
1. Agency for Human Resources Dev.	6,405	9,725	12,928	65,661	63,428	61,934	220,081
2. Guam Employment Service	16,236	37,232	26,899	32,993	70,051	53,932	237,343
DISPLACEMENT COSTS	264,147	789,628	1,644,474	1,643,283	1,657,601	2,048,488	8,047,621
1. Guam Hous. & Urban Renewal	264,147	789,451	1,581,303	1,419,401	1,423,151	2,048,488	7,474,941
A. Low-Income Public Housing	63,762	408,945	725,249	521,376	460,964	571,906	2,752,202
B. Section 8 Housing	200,385	329,506	856,054	898,025	962,187	1,476,582	4,722,739
2. Guam San Jose Program .....	...	51,177	63,171	223,882	234,450	...	572,680

Note: The Guam Memorial Hospital includes only write offs for self-pay patients listing an FSM or RMI billing address. Reimbursement request is Guam's request for cost recovery for services used by FAS habitual residents. Displacement costs are federal funds now allotted to FAS habitual residents that would otherwise have been available for Guam's permanent residents.

II. HISTORY OF GUAM'S EFFORTS TO SECURE FEDERAL COOPERATION

The Department of Interior has been tasked with calculating and presenting to the Congress the cost of services used by FAS citizens immigrating to Guam, including studying and making recommendations for the alleviation of adverse impact. Little has been done to-date by the Department of Interior, other than offering technical assistance. Guam, on the other hand, continues to provide extensive government services to a growing number of FSM and RMI citizens, with dwindling local resources. The Government of Guam can no longer absorb the brunt of immigration costs, and seeks redress from the federal government.

A. IMPACT REPORTING

The Compact of Free Association requires the executive branch to submit an annual report to the Congress on the impact of the Compact on Guam, with particular attention to matters relating to trade, taxation, immigration, labor laws, minimum wages, social system and infrastructure, and environmental regulation. The Government of Guam may also submit to the President a statement on any adverse consequences to Guam resulting from the implementation of the Compact. The Compact requires the President to transmit the full text of Guam's statement to the Congress.

A study team from the Office of Territorial and International Affairs, Department of the Interior, determined in 1987 that Guam's data and data gathering systems were inadequate to accurately measure 'increased demand' for services. OTIA agreed some time later to develop project plans for measuring Compact migration and for identifying possible adverse consequences.

Although the law has required eight reports to date, the Department of Interior has submitted only one document to the Congress, in 1989². This was more of a status report on efforts to comply with the law than a report on the required information. The lack of information has been used by Administration officials as a justification for not recommending any reimbursement of costs, but Guam does not find this to be an acceptable excuse. During 1994, OTIA provided the Government of Guam with guidelines on data collection in the form of a review of the Territory's May 1994 views of impact³. These guidelines do not specify the best method for calculating costs.

In September 1994, the Department of Justice and the Office of Management and Budget (OMB) commissioned the Urban Institute to audit the fiscal impacts of undocumented aliens on incarceration, educational, and Medicaid costs as reported by seven states (California, Florida, Texas, New York, Illinois, Arizona, and New Jersey)⁴. The study developed several theoretical frameworks for the reporting of fiscal impact: mean costs, marginal costs, and net costs methodologies.

² "A Report on the Impact of the Compact of Free Association on the United States Insular Areas Pursuant to Section 104(e) Public Law 99-239", Territorial and International Affairs, 1989.

³ Letter from Leslie M. Turner, Assistant Secretary, Territorial and International Affairs to Governor Joseph F. Ada, June 10, 1994

⁴ Clark, Rebecca, et al. "Fiscal Impacts of Undocumented Aliens: Selected Estimates for Seven States". The Urban Institute, September 1994.

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Mean costs were defined as total expenditures for a service divided by the number of users. Mean costs are affected by variable costs such as the number of individuals using the service, and by fixed costs such as interest payments on bonds used to finance already existing buildings and certain administrative costs like personnel. **Marginal** costs are the potential cost savings from preventing an individual from using a service. Mean costs may or may not be higher than marginal costs depending on circumstances. For instance, the cost of adding a student to an under-capacity school would be less than the cost of constructing new facilities in a school district unable to absorb any new students. The Urban Institute also concluded that the cost of adding undocumented aliens, who are less likely to speak English fluently and are more likely to be poor than other students, would be more costly than adding an equal number of students who are not economically disadvantaged and/or less than English proficient.

The **net** costs method of cost calculation is the most difficult, requiring a full assessment of fiscal impacts, including detailed analysis of indirect impacts. These include job creation and job loss, revenues, the further effects of spending by these aliens on the economy, trade impacts, and job retention effects. A full assessment might also include the long-term impacts of today's aliens, that is, services these aliens and their children will use in the future, taxes paid by these aliens as they improved their economic positions, and revenue streams generated by their children.

OMB specifically requested the Urban Institute to calculate costs based on the mean cost method, primarily because some of the data necessary for the other methods were partially or entirely lacking. For education costs, the Urban Institute estimated the size of the school age undocumented alien population in each state multiplied by average per pupil costs. For prison costs, the Urban Institute conducted a point-in-time prison census multiplied by the average annual cost of incarceration for each state. For Medicaid, the Urban Institute estimated expenditures by weighting the average per capita Medicaid costs for eligible legalized aliens by the estimated number of undocumented aliens in the State.

In Guam's case, Congress stated that it will cover the costs of increased demand for services, not increased net demand. Therefore, Guam has developed methodologies defined by the Urban Institute as mean and marginal cost computations. Guam obtains data from administrative records from the school district and the prison to determine the number of persons, and applies the mean cost method to calculate costs involved with education and incarceration. The costs of welfare and medical payments, including Medicaid, are based on the marginal costs methodology, that is, actual benefit payments. The amount being spent on welfare, Medicaid, and the Medically Indigent programs do not include administrative or other overhead costs, and would be saved if FAS citizens did not use the services. The actual payment made is downloaded from the financial management database of the Department of Public Health and Social Services. Costs for other government services were not explored by the Urban Institute.

B. COMPETITIVE FISHERIES TRADE ISSUES

There can be little room for doubt that the Federated States of Micronesia's policy of refusing to allow its licensees to freely transship in Guam has an adverse affect on Guam. The volume of tuna transshipped in Guam has declined significantly during the past three years. This is in part due to market conditions such as the strengthening of the yen and the depressed price, and impacts from Typhoon Omar and the earthquake. However, the express intent of the FSM to prevent any fish caught from the FSM's waters from being transshipped outside an FSM port is negatively impacting the business in Guam. In 1990, 12,729 tons were transshipped from Guam representing a gross economic benefit of \$33 million. By 1993, the volume had decreased to 7,120 tons representing a decline of over \$15 million in gross economic benefits (based on statistics published in the Guam Economic Impact from the Longline Fishing Industry by the Guam Department of Commerce). In addition, all fish transshipped from the Federated States of Micronesia must utilize air cargo space in Guam and Saipan. The available air space for Guam operators has been reduced by more than 30 percent to accommodate shipments originating in the FSM.

C. INSPECTOR GENERAL AUDIT REPORT, JUNE 1993

The Inspector General, Department of Interior conducted an audit of Guam's annual views of impact. The audit was highly critical of Guam's impact cost calculation methodology, stating that "Guam (1) did not restrict its calculation to only those costs related to increased demands for services, (2) included costs of programs already financed with Federal funds, and (3) included costs that were not supported. A factor contributing to this condition was that the Office of Territorial and International Affairs had not established and provided guidelines for determining the Compact's impact. As a result, we concluded that Guam's claimed impact costs for fiscal years 1989 through 1991 were overstated by at least \$15.9 million.⁵" The Government of Guam does not concur with most of the findings of the Inspector General.

The report recommends that the Assistant Secretary, Territorial and International Affairs:

1. Develop and disseminate guidelines and procedures for use in determining Guam's Compact impact costs, and
2. Develop and implement policies and procedures to ensure that the annual reports required by Compact Section 104(e) are submitted to the U.S. Congress in a timely manner.

Although OTIA has not developed actual guidelines and procedures for use in determining Guam's impact costs, Interior has reviewed Guam's May 1994 report covering the FY 1989 to FY 1993 period and has provided comments on the contents of that report.

⁵ "Audit Report, Impact of the Compact of Free Association on the Government of Guam, Report No. 93-I-1195", U.S. Department of the Interior, Office of Inspector General, June 1993.

D. CENSUS OF FSM/RMI CITIZENS AND THEIR DEPENDENTS

The University of Guam received financial assistance from OTIA to census FSM and RMI citizens and their dependents residing on Guam in August 1992. The project ran into considerable difficulties because of a super-typhoon that hit the island soon after the start of the project, with four additional typhoons before the project was completed. The storms are thought to have resulted in considerable relocation of persons to other households on-island and off-island, and probably caused hardships such as lost homes, lost jobs, decreased income, and decreased school enrollment (Typhoon Omar struck during the first week of the fall 1992 semester). These difficulties affected the survey enumerators, as well as the survey respondents, slowing enumeration even further. Data collected by the survey may not represent the same 'snapshot' of the FSM and RMI population on Guam as would have resulted without the disasters.

E. CHUUK STATE CONFERENCE

The Governor of Guam hosted a group of legislators from Chuuk State in the FSM to discuss Compact impact and other matters of mutual interest. Specifically, the Chuuk legislators had heard that there were problems involving their citizens residing in Guam and desired to learn first-hand about these potential difficulties.

The thrust of the discussions was to study and make recommendations regarding Compact impact both in Guam and in Chuuk. As a result of these discussions, the Government of Guam instituted an education/orientation program for FSM and RMI citizens immigrating to Guam.

F. COMPACT IMPACT INFORMATION AND EDUCATION PROGRAM

A Technical Assistance Grant in the amount of \$630,000 in three separate increments was approved by OTIA covering the period from August 1991 to April 1995 to develop an education and orientation program for FSM and RMI citizens: \$150,000 was received for the first year, \$301,000 for the second year, and \$179,000 was approved in April 1994.

This program, known as the Compact Impact Information and Education Program (CIIEP), was established by the Government of Guam to develop and implement information, educational and organizational activities to assist FSM and RMI citizens in receiving the support and assistance they require to achieve their maximum potential for maintaining cultural integrity, integration, equity, and productivity.

Under this program, the Sagan Fanasodda'an ("Meeting Place" in the Chamoru language) was established at the University of Guam with the purpose of serving as an information and referral center and as a site for educational training and outreach activities. It is also serving as headquarters and meeting place for the various Mutual Assistance Associations which the Program has helped form. Program activities include:

Development of collaborative referral arrangements negotiated with government, not-for-profit, and private sector service providers;

Development of a Cultural Orientation (CO) curriculum for use by both the FSM and RMI local communities, including local history and geography; housing; employment in Guam; health, medical, social and other community services; education; social roles and behavior; consumerism and finance; and local law and the legal system.

Development of a multi-media public information campaign for initial implementation in the Federated States of Micronesia. Through the use of television and radio announcements and informational literature, the campaign will have the following goals:

1. to increase awareness of specific problems and possible solutions involved in a potential move to Guam,
2. to affect attitudes among FSM and RMI citizens to create support for individual and collective actions to resolve problems that a move to Guam presents, and
3. to reinforce positive knowledge, attitudes, and beliefs among FSM and RMI citizens migrating to Guam that will help in the transition.

G. EXECUTIVE ORDER 92-4

Executive Order 92-4, signed on January 17, 1992, established the Compact Impact Information and Education Program (CIIEP) Steering Committee. The first meeting of the committee was held on January 28, 1992. The committee provides oversight to the CIIEP and is comprised of ten (10) board members. In addition, five subcommittees were appointed involving some 65 persons from both the public and private sectors.

H. FIRST REGIONAL COMPACT IMPACT DISCUSSION (June 26-30, 1992)

The Governor of Guam, Joseph F. Ada, invited representatives from the FSM, RMI and the Department of Interior to attend a two-day conference in Guam to develop long-term regional strategies to resolve mutually perceived problems. While the Department of Interior did not attend, the conference was attended by eight participants from the FSM national government and thirteen from state governments within the FSM, four participants from the CNMI, and more than 40 from Guam. This conference covered a variety of areas and culminated in the signing of eight joint resolutions: Public Information and Education Program, Micronesian Meeting Place, Compact Impact Steering Committee, Joint Guam/FSM/CNMI Actions, Identification and Data Collection, Federal Assistance for Compact Impact, FSM Action on Health and Community Organizations, and Cultural Exchange.

I. ARRIVAL DATA

P.L. 99-239, Section 104(e)(2), Annual Reports and Recommendations, mandates the Executive branch to provide Congress with information on the number of persons availing themselves of the

right to immigrate. Because the U.S. Immigration and Naturalization Service has been unable to supply this information, the Government of Guam developed a project to collect data from the Guam Customs and Quarantine Division of the Department of Commerce with technical assistance from OTIA. The Government of Guam project involves a computerized database of the names and country of citizenship of Compact citizens who have entered Guam through the Guam International Airport after 1986.

The arrival database contains 101,436 entries, including 31,875 intended and returning residents; the number of intended and returning residents for FY 1993 was 9,059 persons.

J. GUAM DEPARTMENT OF EDUCATION THREE-YEAR PLAN FOR COMPACT IMPACT

To meet the additional demands of FSM and RMI citizens of mandatory school age, the Guam Department of Education developed a three-year plan to assist non-English speaking children and their families. The plan covers such areas as Head Start/Early Childhood Services, Instructional Support, and Staff Development to provide comprehensive early childhood education programs that will mitigate many of the potential problems children of low income families face. The Office of Territorial and International Affairs provided Technical Assistance in the amount of \$592,440 in FY 1992 and \$594,000 in FY 1993.

K. COMPACT IMPACT REIMBURSEMENT

The Department of Interior granted Guam \$600,000 in technical assistance for the period January 1994 to March 1995. "This grant will provide special funds to the Government of Guam to assist in the mitigation of impacts of the migration of residents of the freely associated states who have relocated to Guam. The FY 1994 funds will be used in accordance with a detailed program plan submitted to OTIA for review and approval."⁶

While the mitigation of impacts is important, the federal government must honor its commitment to cover the costs incurred by increased demands on government services by Compact citizens. As government resources become scarcer, Guam's ability to provide services to all residents of the territory becomes more and more strained; impacts are beginning to affect the entire population. Therefore, Guam used the \$600,000 in technical assistance to partially reimburse expenditures made by the Department of Public Health for the Medicaid Program, the Medically Indigent Program, and Public Assistance Programs on behalf of FSM and RMI citizens, totalling \$2,806,155 in FY 1993⁷.

P.L. 103-332 appropriated \$2,495,000 in Compact reimbursement on September 30, 1994. The funds were transferred to the Governor by the Department of Interior through Memorandum of Understanding. The Territory's reimbursement request has been adjusted by the \$3,095,000 received in reimbursement.

⁶ Application for Technical Assistance Funds, G-78, Office of Territorial and International Affairs, January 11, 1994.

⁷ Letter from Joseph F. Ada, Governor of Guam, to Leslie Turner, Assistant Secretary for Territorial and International Affairs, April 15, 1994.

III. FEDERAL IMMIGRATION REGULATION

Guam is governed by Title 8, Chapter 12 (8 U.S. C. 1101-1525) Immigration and Nationality. Its purpose is to control the entry of aliens into the United States, including Guam, and to provide for the exclusion and expulsion of aliens not authorized to enter or remain in the United States; and to provide for the naturalization of aliens and noncitizen nationals as citizens of the United States, for acquisition of U.S. citizenship or nationality at birth, and for the loss of nationality. The Immigration and Nationality Act applies to Guam and accords to it for the most part the same treatment as it accords to the States⁸.

The Immigration and Naturalization Service has created different legal statuses designating the terms of entry for non-U.S. citizens. The terms designate the length of residence permitted (temporary or permanent), and whether the applicant may work, apply for citizenship, or receive public benefits. Permanent statuses fall into three general types: 1) legal immigration, 2) humanitarian immigration (refugee, asylee, and parolee), and 3) unauthorized, or illegal, immigration. Foreigners can also enter the country temporarily as a nonimmigrant under a broad array of legal categories such as tourist, student, and visitor, or as an illegal alien. The State Department is responsible for issuing visas for permanent, or immigrant, residence, and temporary, or nonimmigrant, residence⁹.

The Federated States of Micronesia and the Marshall Islands are outside the "United States" for the purposes of the Immigrations and Nationality Act. Their citizens are aliens as to the United States and are subject to the Federal laws that restrict alien entry.¹⁰ The Compact of Free Association Act makes special provision for the admission of citizens of the Federates States and the Marshalls to the "the United States and its territories and possessions" in section 141 of the Compact. Such citizens may enter, "lawfully engage in occupations, and establish residence" with out regard to the passport, visa, and work permit requirements of the Immigration and Nationality Act¹¹. Article IV, Section 141 (a) of P.L. 99-239 provides that FSM and RMI citizens:

"... may enter into, lawfully engage in occupations, and establish residence as a nonimmigrant in the United States and its territories and possessions without regard to paragraphs (14), (20), and (26) of section 212(a) of the Immigration and Nationality Act, 8 U.S.C. 1182(a) (14), (20), and (26)."

The Compact waives the visa requirement for the entry of FSM/RMI citizens as nonimmigrants. However, the INS has the authority to prevent certain categories of persons from entering the country based on criteria established in United States immigration law. These criteria include infection with AIDS, a history of criminal activity, or the likelihood of becoming a public charge, i.e. becoming

⁸ Van Cleve, Ruth. The Application of Federal Laws in ... American Samoa, Guam, the Northern Mariana Islands, the U.S. Virgin Islands: Volume 1 - U.S. Code Titles 1-16. Department of the Interior, Office of the Solicitor, October 1993, p. 125.

⁹ Dunlap, Jonathan C. America's Newcomers, A State and Local Policymakers' Guide to Immigration and Immigrant Policy. National Conference of State Legislatures. 1993.

¹⁰ Van Cleve, p.125.

¹¹ Dunlap, p.19.

dependent on government assistance. Thus some immigration restrictions and controls are maintained within the Compact, although they have not been enforced by local INS officials since Compact implementation.

P.L. 99-239 refers to Compact citizens living in the U.S. as establishing 'habitual residence,' possibly in deference to the legal requirement that a nonimmigrant alien must have no intention of abandoning his or her residency in the foreign country from which he or she comes. However, the term "habitual resident" has no legal basis. Upon entry into the United States, FSM and RMI citizens fall into the category of PRUCOL (permanently residing under color of law).

PRUCOL status is a legal term that applies to aliens in the United States under statutory authority and those effectively allowed to remain under administrative discretion. PRUCOL status means that an alien is considered to be legally residing in the country for an indefinite period and is used for the purposes of determining benefit eligibility for public assistance. PRUCOL is not a method of entering the United States and applies only to public benefit eligibility. It is not a legal, or immigration, status like lawful permanent resident or refugee.

One who enters under the special authority as a nonimmigrant under P.L.99-239 cannot achieve the residence necessary for naturalization¹². Section 141(c) reads:

"Section 141(a) does not confer on a citizen of the Marshall Islands or the Federated States of Micronesia the right to establish the residency necessary for naturalization under the Immigration and Nationality Act, or to petition for benefits for alien relatives under that Act. Section 141(a), however, shall not prevent a citizen of the Marshall Islands or the Federated States of Micronesia from otherwise acquiring such rights or lawful permanent resident alien status in the United States."

The adjustment of status from temporary nonimmigrant to permanent resident alien status is available upon application to the Attorney General under several different provisions of the immigration law. According to the INS, a total of 59 persons acquired permanent resident alien status in the United States between 1989 and 1994 (some of these may have occurred on Guam). No FSM and RMI citizens applied for legalization under Section 245A of the Immigration Reform and Control Act of 1986, which provided admission to former illegal aliens who resided in the U.S. since 1982.

¹² Van Cleve, p.125.

IV. FSM AND RMI HABITUAL RESIDENTS ON GUAM

The type of government services available to foreign nationals varies by the alien status of the individual and program regulations. The Compact itself created an 'increased demand' for services by making FSM/RMI citizens eligible for programs for which they were not eligible as Trust Territory of the Pacific Islands (TTPI) citizens. Temporary (visaed) non-immigrant aliens are not eligible for most government entitlement programs. The Compact of Free Association waives the visa requirement and grants FSM/RMI non-immigrant aliens PRUCOL status (Permanently Residing Under Color of Law). PRUCOL non-immigrants aliens are eligible for most federal programs with the exception of the federal Food Stamp Program administered by the U.S. Department of Agriculture.¹³ The Department of Agriculture does not approve PRUCOL status as an eligible alien criteria. TTPI students living on Guam by virtue of student visa became eligible to immediately apply for all health and welfare benefits except Food Stamps when the Compacts were implemented.

TTPI citizens who were immigrant aliens (permanent resident aliens seeking U.S. citizenship) in 1986 were already eligible for services, and would thus not be part of an increased demand. The number of permanent resident aliens should therefore be subtracted from total TTPI citizens living on Guam at the time the Compact was implemented. Data on the exact number of immigrant and non-immigrant FSM and RMI aliens on Guam who were affected by implementation of the Compact in October and November 1986 are not available. Nonetheless, data exist both prior to and after Compact implementation that establish a trend of immigration. Several methods of determining the number of permanent resident aliens have been explored.

The earliest complete count of Trust Territory-born persons living on Guam is the 1980 U.S. Census of Population and Housing. The islands of Chuuk (Truk), Yap, Kosrae, Pohnpei (Ponape), and the Marshalls were listed as the birthplace of the mothers of 637 Guam residents in 1980, barely one-half of one percent of the total population of Guam.

The U.S. Immigration and Naturalization Service is the federal agency responsible for monitoring and enforcing the federal laws regarding the entry of both immigrant and nonimmigrant aliens into Guam. According to the INS, during the 45 year period between 1943 and 1987, a grand total of 5,045 Trust Territory citizens were admitted into the United States as immigrants, or an average of 112 persons per year. The majority of these immigrants were from the Northern Mariana Islands and Palau. In 1988, 66 immigrants were admitted from the TTPI (presumably, immigrants continued to be classified as TTPI citizens after the Compact was implemented because the initial paperwork for immigration was filed before Compact implementation.)

Beginning in 1989, the INS has been able to provide information on immigration separately for the Marshalls, the FSM (Micronesia), and Palau. The average number of entries into the United States between 1989 and 1993 was 3 persons per year from the Marshalls, 9 per year from the FSM, and 51 per year from Palau (these are total U.S. entries). The Northern Mariana Islands is not

¹³The National Immigration Law Center. "Overview of Alien Eligibility for Federal Programs." 1992. Reprinted by the National Conference of State Legislatures in "America's Newcomers, A State and Local Policymakers' Guide to Immigration and Immigrant Policy." 1993.

categorized by INS because U.S. citizenship was granted through the Covenant of the Northern Mariana Islands to those of NMI descent in 1986.

The Compact allows habitual residence, but does not affect an individual's right to seek permanent residence in the U.S. leading to eventual U.S. citizenship. As stated above, INS records show an average of 12 immigrants admitted yearly into the United States from the FSM and RMI between 1988 and 1992. There is no supporting evidence that immigration into the United States for the purpose of gaining U.S. citizenship was any more or less than 12 persons per year prior to Compact implementation.

Table 1. Immigrants Admitted to the United States: 1943 to 1993 /a

Year	Total	Freely Associated States			TTPI/b,c	Palau/b	Yap
		Total	Marshalls/b	FSM/b			
Total	5,383	59	16	43	5,016	255	53
1993	55	13	2	11	...	42	...
1992	62	15	4	11	...	47	...
1991	78	8	2	6	...	70	...
1990	94	10	3	7	22	62	...
1989	49	13	5	8	2	34	...
1988	66	...	...	...	66	...	...
1980-1987 .	1,016	...	...	...	1,016	...	...
1970-1979 .	1,954	...	...	...	1,954	...	...
1960-1969 .	1,478	...	...	...	1,478	...	...
1950-1959 .	484	...	...	...	478	...	6
1943-1949 .	47	...	...	...	0	...	47

... Not applicable

Source: U.S. Immigration and Naturalization Service.

- a Includes legalization; however, none of the persons listed were legalized. (Legalization: former illegal aliens admitted under the provisions of the Immigration Reform and Control Act of 1986. Aliens who continuously resided in the U.S. since 1982 were admitted under Section 245A and aliens who worked at least 90 days with perishable crops in 1986 were admitted under Section 210.)
- b Prior to FY 1989, data for Northern Mariana Islands, Federated States of Micronesia and the Republic of Palau are included in Pacific Island Trust Territories. The immigrants listed after 1988 for Pacific Island Trust Territories were admitted under Section 245 of the Immigration and Control Act of 1986.
- c Prior to FY 1952, data for Bonin Islands, Ryukyu Islands, and Pacific and Pacific Islands is included in Yap. Beginning FY 1952, data for Yap is included in the Pacific Islands.

If all FSM and RMI citizens admitted into the U.S. intended to live in Guam (which is not likely), Guam's immigrant population would be projected to have increased by 12 persons per year throughout the 1980 decade. Recent trends in employment, school enrollment, public assistance rolls, and births, in addition to the findings of censuses and surveys, suggest that rapid population increase occurred during the 1980's.

The 1990 U.S. Census of Population and Housing counted an increase of 2,661 Micronesians between 1980 and 1990, for a total of 3,298 persons, or 10 percent of Guam's population growth during the 1980's. Growth of this population continued to accelerate after 1990. The University of Guam conducted a special study in 1992 to count only those of FSM and RMI ethnic background; a total of 5,615 persons, or 4 percent of Guam's total population, were enumerated¹⁴.

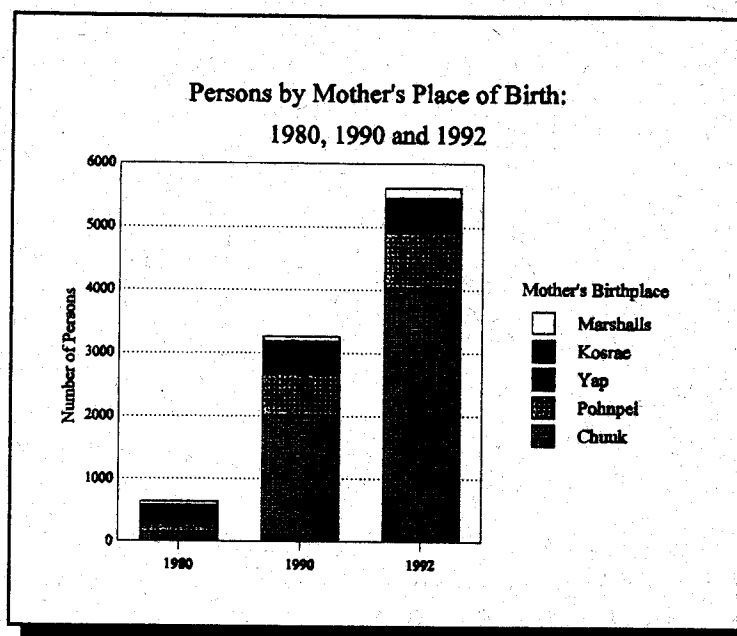
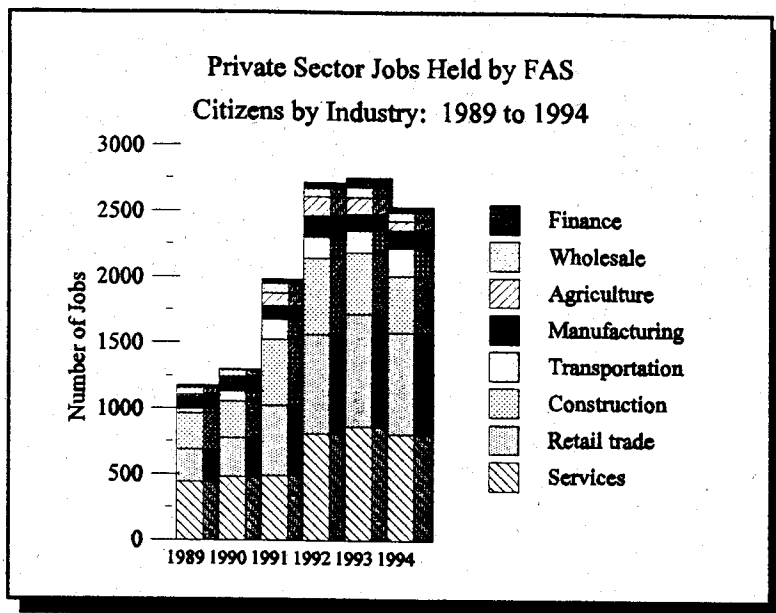


Table 2. Mother's Place of Birth: 1980, 1990 and 1992

Mother's Place of Birth	Number			Percent		
	1980	1990	1992	1980	1990	1992
Total population	105,979	133,152	139,538	100.0	100.0	100.0
Freely Associated States	637	3,298	5,615	0.6	2.5	4.0
Federated States of Micronesia	574	3,220	5,453	0.5	2.4	3.9
Chuuk	140	2,012	4,030	0.1	1.5	2.9
Kosrae	84	176	220	0.1	0.1	0.2
Pohnpei	134	655	872	0.1	0.5	0.6
Yap	216	343	331	0.2	0.3	0.2
Republic of the Marshall Islands	63	78	162	0.1	0.1	0.1

Source: U.S. Bureau of the Census, 1980, Guam, PC-80-1-C/D54, Table 25; U.S. Bureau of the Census, 1990, CPH-6-Guam, Table 20; University of Guam, 1993, "1992 Census of Micronesians on Guam", Table 9; "Atan I Islan Guam", September 1993, Bureau of Planning

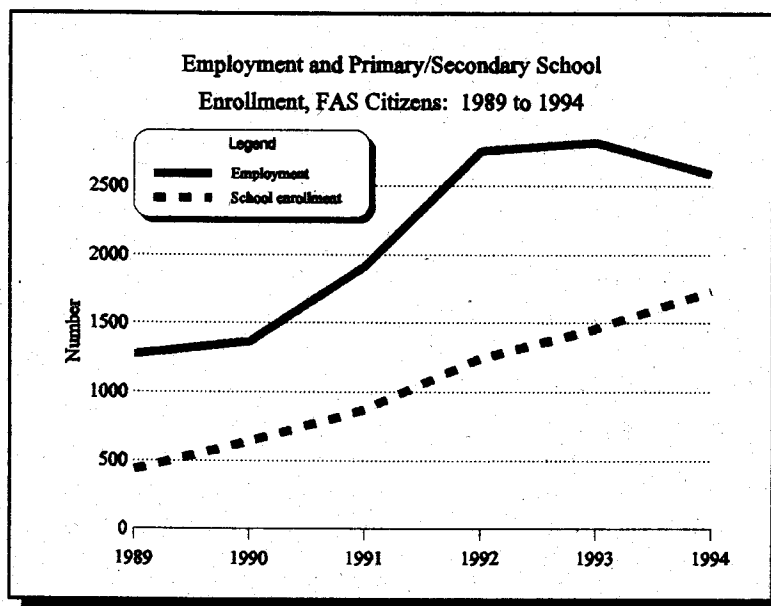
¹⁴ University of Guam, "1992 Census of Micronesians on Guam", 1993, p.9.



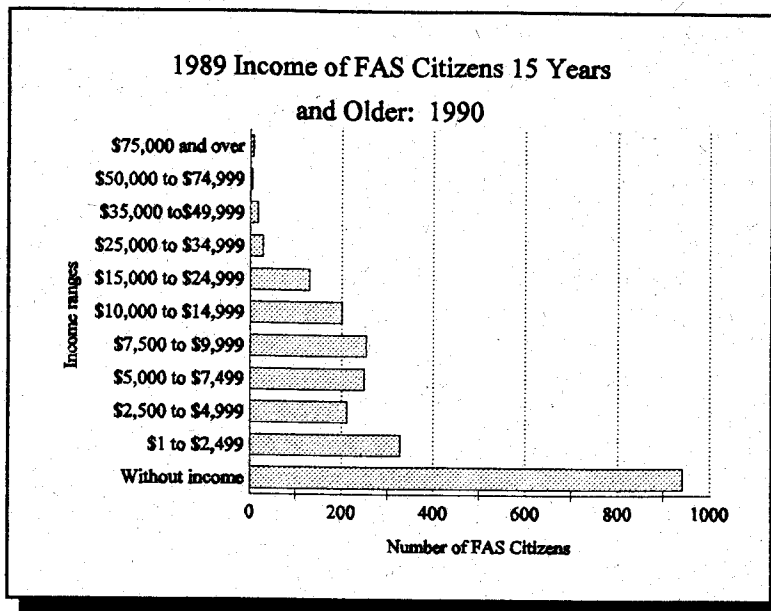
In 1980, 184 FSM- and RMI-born persons were employed on Guam, mostly through participation in college work-study programs. More persons were enrolled in college in 1980 than in primary and secondary schools: 180 versus 106 persons. The number of jobs on the island underwent rapid expansion during the 1980's, peaking at over 69,000 jobs by March 1992. During this period of growth, over 2,700 jobs came to be filled by Micronesians, particularly in the services and retail trade industries.

Jobs held by FAS citizens tend to be in lower paying occupations, particularly dishwashers, waiters, maids, and security guards. A 1992 study by Rubinstein and Levin have noted that this social class will be the most vulnerable to economic downturns¹⁵. An economic downturn did occur in the early 1990's, and the rapid rate of employment increase leveled off. Immigration from the FSM continued, including increasing numbers of dependent school-aged children.

The ability of these immigrants to be self-supporting would be affected by declining employment opportunities. In March 1994, the number of jobs held by FAS citizens dropped to below the level of jobs held in 1992, an event expected to cause further economic distress to an already impoverished population (the 1990 U.S. Census of Population and Housing showed one-half of all FAS citizens below the poverty level; 30 percent were below 50 percent of poverty).



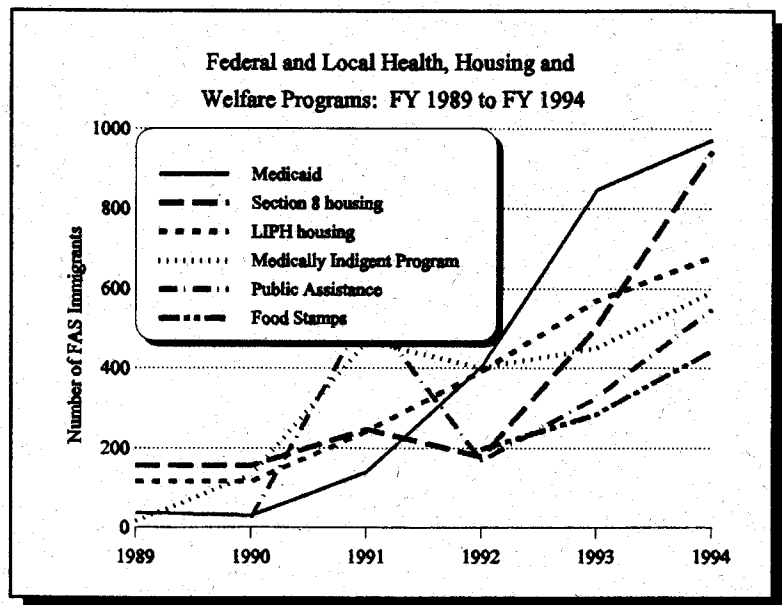
¹⁵ Rubinstein, Donald H. and Michael J. Levin. "Micronesian Migration to Guam: Social and Economic Characteristics." July 1992, p. 32.



The Rubinstein/Levin study¹⁶ makes the observation that "Government officials on Guam have already raised concerns over the impact and cost of Micronesian migrants, although so far the Micronesians are probably more of a boon than burden for the Guam economy, because of their contribution to the labor force and their tax payments to the Guam treasury. As a community, Micronesians who pay taxes pay a higher proportional tax because of their low ratio of non-working dependents to workers."

Immigrants do in fact make a substantial contribution to the labor force. Unfortunately, many of these workers are among the "working poor": half of FAS immigrants with income in 1989 earned less than \$7,000, and barely 3 percent earned more than \$25,000¹⁷. In addition to the large number of working poor, fully 40 percent of all FAS immigrants 15 years old and older had no income whatever in 1989.

The total tax liability of any population where one-half of all persons had poverty level income, and 90 percent of the remaining half earned less than \$25,000, would be expected to be minimal. Declining employment opportunities in recent years and growing numbers of infants and young children needing support are not surprisingly contributing to the rising number of FAS citizens seeking subsidized housing, welfare, Food Stamps, and medical care.



¹⁶ Ibid.

¹⁷ U.S. Bureau of the Census. 1990 Census of Population and Housing, Social, Economic and Housing Characteristics, Guam, 1990, CPH-6-G. February 1992.

Table 3. Employment on Guam: 1980 to 1994

Survey Period	Total Employees	FSM and RMI Citizens Employees	Percent of Total Employees
1980 U.S. Census	32,694	184	0.56
March 1988	47,560	600	1.26
March 1989	51,459	1,271	2.47
March 1990	56,129	1,361	2.42
March 1991	61,726	1,917	3.11
March 1992	69,627	2,751	3.95
March 1993	68,464	2,815	4.11
March 1994 (preliminary)	65,873	2,580	3.92

Source: Annual Census of Establishments, Guam Department of Labor; U.S. Bureau of the Census, P-1-C/D54, 1980, Table 28.

Table 4. Jobs Held by FAS Citizens by FAS State: 1988 to 1994

Citizenship	March 1988	March 1989	March 1990	March 1991	March 1992	March 1993	March 1994/p
Federated States ..	577	1,246	1,318	1,887	2,706	2,738	2,509
Kosrae	59	163	122	90	143	159	175
Pohnpei	87	225	248	396	500	512	539
Chuuk	348	701	800	1,210	1,778	1,780	1,584
Yap	83	157	148	191	295	287	211
Marshall Islands ..	23	25	43	30	45	77	71
Total Jobs	600	1,271	1,361	1,917	2,751	2,815	2,580

p Preliminary

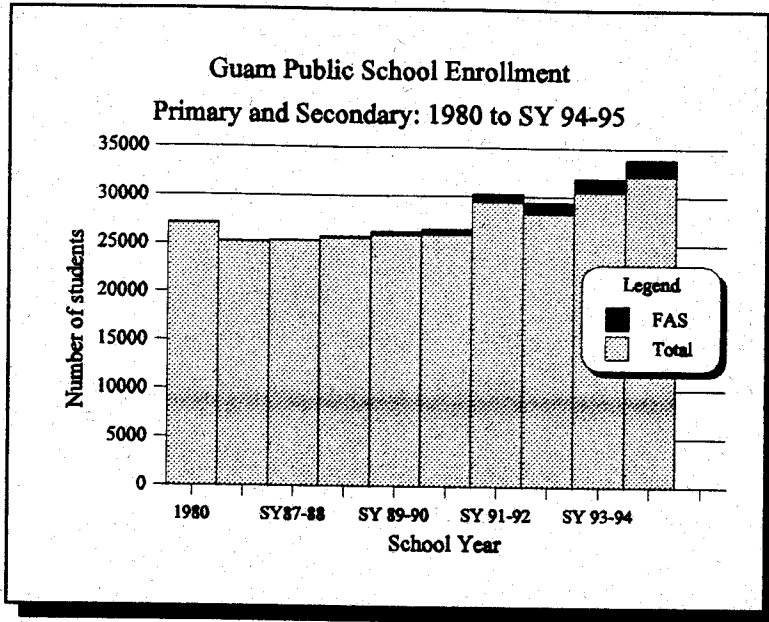
Source: Annual Census of Establishments, Guam Department of Labor

Table 5. Jobs Held by FAS Citizens by Industry (Private Sector): 1989 to 1994

Industry	March 1989	March 1990	March 1991	March 1992	March 1993	March 1994/p
Agriculture, Forestry, Fishing	18	10	95	143	124	69
Construction	273	279	498	576	464	424
Manufacturing	92	101	106	161	128	133
Transportation	31	79	151	163	168	217
Wholesale Trade	54	47	71	66	80	67
Retail Trade	248	295	535	757	858	778
Finance, Insurance, Real Estate	16	6	34	44	71	39
Services	442	480	491	809	864	804
Private Sector Jobs	1,174	1,297	1,881	2,719	2,757	2,531

p Preliminary

Source: Annual Census of Establishments, Guam Department of Labor

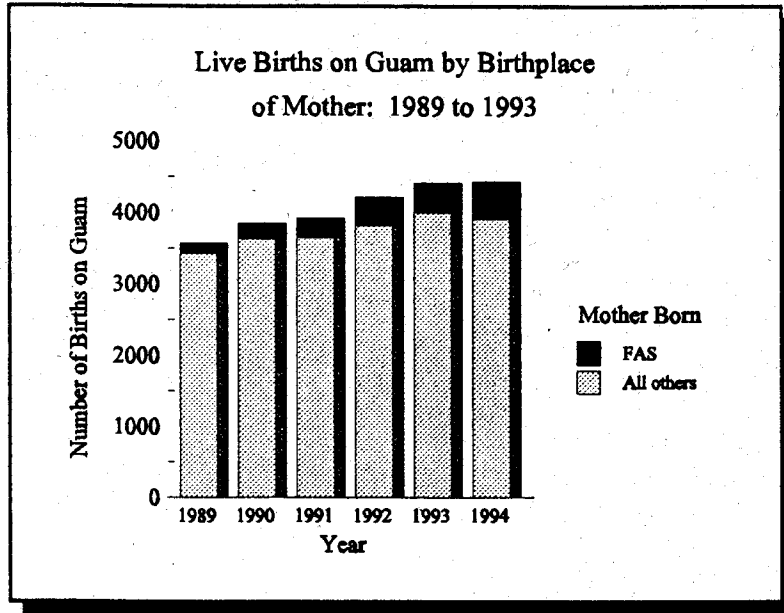


Enrollment within the primary and secondary public schools increased from 87 Trust Territory of the Pacific Islands (TTPI) children counted by the 1980 Census to 1,729 enrolled in SY 1994-95, over 5 percent of total school enrollment district wide.

Table 6. Guam Public School Enrollment, Primary and Secondary: 1980 to 1994

Year	Total Enrollment	FAS Enrollment	Percent FAS
April 1980 Census	27,035	87	0.3
SY 1986-87	25,244	18/a	0.1
SY 1987-88	25,277	74/a	0.3
SY 1988-89	25,551	220/a	0.9
SY 1989-90	25,871	434	1.7
SY 1990-91	25,942	639	2.5
SY 1991-92	29,400	870	3.0
SY 1992-93	28,182	1,242	4.4
SY 1993-94	30,417	1,457	4.8
SY 1994-95	32,157	1,729	5.4

a Children enrolled in SY 1989-90 who were also enrolled in prior years.
 Source: U.S. Bureau of the Census, 1980, P-1-C/D54, Table 27; Guam Department of Education; Shafer, J., "The Compact of Free Association (P.L.99-239): Immigration to Guam and the Impact on Public Education," Micronesian Educator, 1991; Guam Department of Education, Planning and Evaluation Division.



In 1989, Guam's vital statistics records were expanded to include additional categories on mother's race and mother's place of birth. The number of births occurring on Guam among women born in the FSM and RMI increased from 137 in 1989 to 515 in 1994, or from 3.8 percent of births in 1989 to 11.6 percent of all births during 1994. There is no evidence that there were many births to Trust Territory citizen prior to Compact implementation.

Table 7. Live Births on Guam by Birthplace of Mother. 1989 to 1994

Year	Total	Freely Associated States			All Other
		Total	FSM	RMI	
1989	3,565	137	136	1	3,428
1990	3,851	223	216	7	3,628
1991	3,921	273	267	6	3,648
1992	4,214	395	392	3	3,819
1993	4,409	411	402	9	3,998
1994	4,427	515	498	17	3,912
** Percent **					
1989	100.0	3.8	3.8	0.0	96.2
1990	100.0	5.8	5.6	0.2	94.2
1991	100.0	7.0	6.8	0.2	93.0
1992	100.0	9.4	9.3	0.1	90.6
1993	100.0	9.3	9.1	0.2	90.7
1994	100.0	11.6	11.2	0.4	88.4

Source: Department of Public Health, Office of Vital Statistics Annual Vital Statistics Reports, 1989, 1990, 1991, 1992, 1993, 1994.

All available data show a dramatic increase in the number of immigrants from the former TTPI states during the 1980 decade. The Department of Interior has questioned whether this immigration would have occurred anyway, without the immigration provisions of P.L.99-239.

Table 8. Federated States of Micronesia

Federated States of Micronesia	Total	Chuuk	Kosrae	Pohnpei	Yap
Land Area in square miles	270	49	43	132	46
State Census year . . . . .	...	1989	1986	1985	1987
State Census population . . . . .	...	47,871	6,607	28,671	10,139
1990 estimated population	100,520	48,853	7,435	33,346	10,886
1994 estimated population	104,460	50,294	7,834	34,976	11,356
1995 estimated population	105,445	50,654	7,934	35,383	11,474

... Not applicable

Source: Information Handbook, Federated States of Micronesia, Office of Planning and Statistics, National Government, June 1992.

The FSM National Office of Planning and Statistics projects the growth rate in the FSM to be less than 1 percent per year, or about 1,000 persons, despite a high fertility rate. Emigration to Guam, Saipan, Hawaii, and the U.S. mainland beginning since implementation of the Compact is the major reason cited for the low growth rate. The National Planning Office projects a negative net migration of nearly 2,000 persons per year from the FSM between 1986 and the year 2000; about 2 percent of the population of the FSM is leaving each year. Although data are not available to show the intended destination of emigrants, the FSM Planning Office estimates that Guam receives a large percentage of FSM emigrants because of its proximity to the FSM and relatively inexpensive airfare¹⁸. These observations of large amounts of emigration after Compact implementation are in sharp contrast to immigration data for prior years. The U.S. Immigration and Naturalization Service reported fewer than 4,000 TTPI immigrants admitted to the United States between 1943 and 1980, or barely 100 persons per year including immigrants from Saipan and Palau. A collaborative study conducted by the U.S. Census Bureau also concluded that as of 1980 "there has been little population exchange involving the TTPI and the other outlying areas."¹⁹

The Government of Guam believes that, in the absence of other changes or exclusions to U.S. immigration law allowing TTPI/FSM citizens legal entrance to the United States during the 1980 decade, there is a strong suggestion that exclusions from the Immigration and Nationality Act provided for in the Compact enacted toward the end of 1986 created the legal framework for the immigration of FSM citizens into the United States, and that no other underlying cause exists. The Government of Guam also believes that the Department of Interior's concerns about the probability of significant amounts of immigration of TTPI citizens into Guam occurring without Compact implementation are unfounded and unsubstantiated.

¹⁸ Federated States of Micronesia, National Office of Planning and Statistics, "Second National Development Plan: 1992-1996". pp.39-44.

¹⁹ Levin, Michael J. "Demographic Situation in the Pacific Islands, draft". Population Division, U.S. Bureau of the Census, 1980, p. 49.

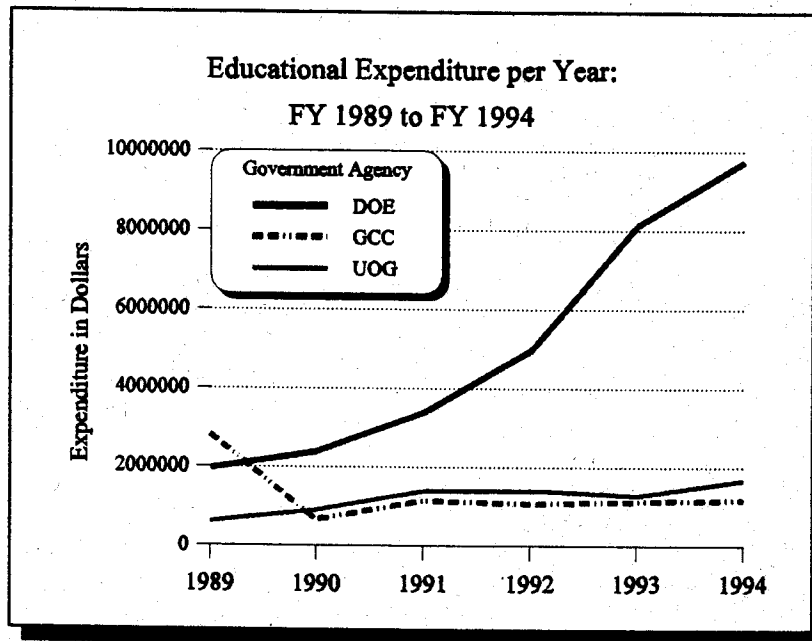
V. IMPACT ON EDUCATIONAL INSTITUTIONS

The Government of Guam operates the primary and secondary public school system through the Department of Education (DOE). In addition, the government operates two institutions of higher education: the University of Guam (UOG) and the Guam Community College (GCC).

Table 9. Educational Institution Expenditures: FY 1989 to FY 1994

Educational Institution	FY 1989/a	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Department of Education . . .	\$1,948,363	\$2,365,872	\$3,355,938	\$4,950,330	\$8,110,400	\$9,720,640	\$30,451,543
Guam Community College	2,805,103	660,539	1,145,138	1,064,344	1,121,330	1,152,449	\$7,948,903
University of Guam	602,283	890,082	1,380,157	1,394,423	1,266,286	1,661,661	\$7,194,892
Total	\$5,355,749	\$3,916,493	\$5,881,233	\$7,409,097	\$10,498,016	\$12,534,750	\$45,595,338

a Includes FY 1986 to FY 1989



1. DEPARTMENT OF EDUCATION

The Department of Education provides a free public education for all of Guam's children. Under Guam law (17 GCA 6102), it is the duty of any parent, guardian or other persons having control or charge of any child between the ages of five and sixteen years to send the child to a public or private full-time day school for the full-time for which such schools are in session. The Compact of Free Association affords FAS citizens the right to attend school on Guam without special permit. No period of residency is required.

The Department of Education has three goals with regard to non-immigrant alien students²⁰:

1. provide a free and appropriate education for all students;
2. assist families relocating to Guam from the FAS and other areas make a successful transition to Guam through education, and services designed to ease the transition; and,
3. provide information to migrating families about Guam's requirements with respect to school entry, health records, compulsory attendance laws, policies, and procedures.

The largest enrollment of FAS students continues to be at Price Elementary School (Mangilao) and F.Q. San Miguel Elementary School (Mongmong-Toto-Maite), L.P. Untalan Middle School (Barrigada) and J.F. Kennedy High School (Tamuning).

Table 10. Department of Education Expenditure for Immigrant FAS Students: 1980 to 1994

School Year	Total Enrollment	Number FAS Students Enrolled	Percent FAS Enrollment	DOD Per Pupil Cost	FAS Students Minus Baseline	General Fund Expenditure
1980 Census	27,035	87/a	0.3%	...	...	...
SY 1986-87	25,291	18/b	...	...	0	0
SY 1987-88	25,551	74/b	...	4,017	0	0
SY 1988-89	25,675	220/b	...	3,908	133	519,764
SY 1989-90	26,130	434	1.66%	4,117	347	1,428,599
SY 1990-91	26,011	639	2.46%	4,286	552	2,365,872
SY 1991-92	27,863	870	3.12%	4,286	783	3,355,938
SY 1992-93	29,342	1,242	4.23%	4,286	1,155	4,950,330
SY 1993-94	30,417	1,457	4.79%	5,920	1,370	8,110,400
SY 1994-95	32,157	1,729	5.38%	5,920	1,642	9,720,640
Total expenditure						\$30,451,543

a Baseline derived from 1980 Census.

b Estimates based on survey of students enrolled in SY 1989-90.

Source: 1980 Census of Population and Housing; Guam Department of Education.

The Guam Department of Education does not have data on students from the FAS prior to SY 1989-90. Prior to SY 1989-90, all TTPI students and Pacific Island students were categorized as "Micronesian." For school years after SY 1989-90, DOE modified its admission forms to collect more detailed information on those from the FSM, RMI, CNMI, and Palau. Enrollment reached 1,729 FSM and RMI students during the fall of 1994.

²⁰ E. Cruz et al., "1994 Department of Education Compact Report", January 12, 1994, p.1.

In order to obtain information on school enrollment prior to 1990, a special national origins survey²¹ was conducted at the schools. The survey was conducted to identify FAS students who were enrolled in the public school system during that year and requested information on when the child entered the school system. The survey found 434 FAS students enrolled in Guam's schools during the 1989-90 school year, including 220 who were also enrolled in SY 1988-89, 74 who were also enrolled in SY 1987-88, and 18 who were also enrolled in SY 1986-87.

The only data available pre-Compact is the 1980 Census. The 1980 Census counted 87 public school students born in the area that would become the future Freely Associated States. These students represent a baseline of students who were enrolled without benefit of Compact "habitual resident" provisions. Trust Territory citizens were treated as aliens by the Immigration and Naturalization Service, and therefore it is unlikely, even impossible, that the number of students from these areas would have changed significantly without changes to U.S. immigration law.

Table 11. FAS Public School Enrollment by Grade: 1990, 1992, 1993 and 1994

Grade Level	February 1990		February 1992		September 1992		September 1993		September 1994	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total FAS Students	434	100.00	926	100.00	1,242	100.00	1,457	100.00	1,729	100.00
Elementary School	224	51.61	496	53.56	689	55.48	760	52.16	988	57.14
Special Education	3	0.69	3	0.32	2	0.16	...	...	...	...
Kindergarten	41	9.45	88	9.5	122	9.82	...	...	...	...
First Grade	39	8.99	87	9.4	121	9.74	...	...	...	...
Second Grade	45	10.37	81	8.75	113	9.1	...	...	...	...
Third Grade	29	6.68	88	9.5	122	9.82	...	...	...	...
Fourth Grade	31	7.14	86	9.29	119	9.58	...	...	...	...
Fifth Grade	36	8.29	63	6.8	90	7.25	...	...	...	...
Middle School	73	16.82	195	21.06	270	21.74	367	25.19	376	21.75
Sixth Grade	21	4.84	68	7.34	94	7.57	...	...	...	...
Seventh Grade	28	6.45	73	7.88	101	8.13	...	...	...	...
Eight Grade	24	5.53	54	5.83	75	6.04	...	...	...	...
High School	130	29.95	235	25.38	283	22.79	330	22.65	365	21.11
Ninth Grade	57	13.13	107	11.56	128	10.31	...	...	...	...
Tenth Grade	47	10.83	56	6.05	67	5.39	...	...	...	...
Eleventh Grade	14	3.23	55	5.94	68	5.48	...	...	...	...
Twelfth Grade	12	2.76	17	1.84	20	1.61	...	...	...	...
Special Education	2	0.46	0	0	0	0	0	0	0	0
Unknown	5	1.15	0	0	0	0	0	0	0	0

... Not available

Source: Department of Education

²¹ J. Shafer, "The Compact of Free Association (P.L. 99-239): Immigration to Guam and the Impact on Public Education," *Micronesian Educator*, Journal of the College of Education, University of Guam, 1991.

Table 12. Participation in Language-Other-Than-English (LOTE) Program: SY 1992-93

LOTE Program	Total	FAS	Other	Total Percent	Percent FAS	Percent Other
Total enrollment	29,372	1,242	28,100	100.00	4.23	95.67
Speak English Only	12,942	13	12,899	100.00	0.10	99.67
Speak Other-than-English/a	16,430	1,229	15,201	100.00	7.48	92.52
LAS Tested/b	14,237	1,201	13,036	100.00	8.44	91.56
LAS 3 or Less	6,306	1,009	5,297	100.00	16.00	84.00
In LOTE Program	2,172	677	1,495	100.00	31.17	68.83
In LOTE and Sp.Ed.	142	14	128	100.00	9.86	90.14

a One or more languages spoken at home other than English

b Language Assessment Scales (LAS) tests (0 to 2: Non-speaker; 3: Limited speaker; 4 and 5: Fluent (proficient) speaker)

Source: Coulter, P., "Impacts of Migration from the Compact of Free Association States on Public and Private Agencies of Guam", Micronesian Language Institute, University of Guam, 1993

Although the number of students per school is not high for the majority of schools, these children usually require considerable extra attention from the teacher. It may often take several years to determine whether a child is learning disabled or merely does not speak or understand English fluently enough to respond appropriately to written or verbal instructions. Also teachers are often not able to contact parents about the child's progress in class because they cannot be located at the residence listed on the admission forms.

In 1990, the development of the Language-Other-Than-English or LOTE program (equivalent to English-As-A-Second-Language (ESL)) was put on the fast track precisely because of FAS students²². During the initial planning and implementation of the program, the rapid influx of students overtook the school district's pace. The number of students multiplied, the need for space, materials, and teachers escalated. Of the total number of FAS students enrolled in SY 1992-93, 54.5 percent were under the LOTE program. FAS students were only 4.2 percent of the total public school enrollment while representing 31.2 percent of those in the LOTE program.

LOTE identifies students who need assistance in overcoming the language barrier and provides them with appropriate instruction. Basic communication skills must be taught to non-English speaking students so that they feel comfortable in the school environment and develop positive peer relationships. Those with some English proficiency are in "sheltered" courses that rely on demonstration, hands-on activities, charts and graphs to promote understanding.

²² Cruz et al., p.2.

Table 13. Guam Department of Education/U.S. Department of Defense Per Pupil Cost: SY 1993-94

Per Pupil Cost (PPC): December 1, 1992	
1. Number of students of School Year 1991-92 ACTUAL ADA/a	25,330
2. (A) FY '92 Actual Obligations - Operations	\$132,382,712.18
(B) FY '92 Actual Obligations - Textbooks and Library	\$7,579,182.00
(Elementary, Secondary and Special Education)	
(C) FY '92 Bus Operations	\$9,999,121.77
3. Local FY '92 Actual Obligations	\$142,961,015.95
Per Pupil Cost	\$5,920.22

a Average Daily Attendance

Source: Tainatongo, R., "Per Pupil Cost: December 1, 1992", January 22, 1994.

The Department of Education measures the mean cost to the local government for the education of FAS students enrolled. A methodology has been agreed upon between DOE and the Department of Defense (DoD) for computing the per pupil cost for Guam's military dependent children²³. Per pupil cost is determined by summing all expenditures for the fiscal year for elementary and secondary education in the regular day session, and dividing this sum by the average daily membership. The total per pupil cost excludes expenditures for programs other than the regular day session and for federal grants-in-aid, but includes Department of Public Works school bus operations.

The per pupil cost agreed upon with the Department of Defense for military dependent children is also being used to calculate the cost to educate FAS students. The cost to the Department of Education for the education of students from the Freely Associated States is calculated by multiplying the number of FAS students enrolled in Guam's public school system by the per pupil cost, or the mean cost methodology.

$$\text{Number of FAS Students Enrolled} \times \text{Per Pupil Cost} = \text{Cost of Education}$$

The above methodology provides conservative estimates of the cost to educate FAS students. DOE officials point out that children who come from FAS families demand more of their teachers and the school system in general than do other students²⁴. Factors such as limited English proficiency, socio-economic status, grade level completion, lack of records, and adjustment problems are not incorporated in the per pupil cost since these limitations are not experienced by military dependent children for whom the average per pupil cost was developed.

²³ U.S. Fleet & Industrial Supply Center, Guam, "Public Education Services for DoD Dependents Residing on U.S. Military Installations on Guam from 01 Oct 93 thru 30 Sep 94", Contract No. N61119-93-C-0064, September 30, 1993.

²⁴ Cruz et al., p.3.

2. GUAM COMMUNITY COLLEGE

The Guam Community College (GCC) provides vocational education and training activities. The primary purposes of the College are to help individuals develop job skills for employability, to help individuals increase skills for career advancement, and to assist employers and agencies through manpower development in the community. The College operates two major programs: the Vocational High School, and the Adult and Post-Secondary programs.

The College offers over 80 post-secondary courses of study which are job related, including preparation for a wide range of occupations requiring less than a bachelor's degree. The College also offers courses of study to prepare students for transfer to four-year colleges and universities with advanced standing in professional and technical degree programs. A variety of community service and special programs, including English-as-a-Second Language, Adult Basic Education, General Education Development preparation and testing, and an Adult High School Diploma program are offered at the College. The school is open to any 10th grader or person 16 years of age and over who may profit from the College's instructional programs. The vocational high school program provides regular high school academic courses for vocational high school day students. GCC also provides vocational programs to students enrolled in Guam's public schools through its Satellite Programs.

The College has developed resources that specifically address the needs of Compact persons. These include:

1. cross-cultural counseling techniques which enable counselors to help Compact persons adjust to living on Guam and attending college;
2. tutoring, counseling, peer counseling, and help with study skills (reading, writing, mathematics) through Project AIM;
3. access to technical support services and tutorial services as well as a learning laboratory through Project PALACE;
4. fostering the growth of Micronesian student organizations at the College;
5. assisting students with any problems related to their physical, mental, and emotional health through Student Health Services. Health services include referral to local community health services; and
6. scholarship, grant, and college work-study programs through Financial Aid Services.

In addition to the above services, the College has identified workshops for Compact immigrants that focus on problems of adjustment to living on Guam.

Table 14. Guam Community College Fall Semester Enrollment: SY 1982-83 to SY 1994-95

Fall Semester	Vocational High School		Adult Education					
	FAS	Total	Adult High School		Post-Secondary		Total	
			FAS	Total	FAS	Total	FAS	Total
SY 1982-83	...	1,072	...	127	...	1,879	...	2,741
SY 1983-84	...	...	...	...	...	...	...	...
SY 1984-85	1	774	...	...	102	1,740	102	1,740
SY 1985-86	0	917	...	...	104	1,922	104	1,922
SY 1986-87	0	899	...	...	149	2,072	149	2,072
SY 1987-88	4	1,025	9	161	279	1,879	288	2,040
SY 1988-89	7	1,073	17	150	238	1,818	255	1,968
SY 1989-90	12	1,092	20	134	221	1,970	241	2,104
SY 1990-91	10	1,102	15	217	226	2,163	241	2,380
SY 1991-92	15	1,044	22	204	181	2,178	203	2,382
SY 1992-93	13	948	25	232	181	2,001	206	2,233
SY 1993-94	14	701	24	283	168	2,018	192	2,301
SY 1994-95	15	714	42	384	172	2,217	214	2,601

... Not available

Source: Guam Community College.

Estimates of expenditures for Compact students was computed by multiplying total College costs by the proportion of student credit hours granted to FAS students. Expenditures includes faculty and staff salaries, supplies, utilities, and all other costs of operations. Total expenditure was adjusted by subtracting the amount of tuition paid by FAS students per credit hour. This cost includes all expenses covered out of Federal funding, as these expenditures to the benefit of FAS students would otherwise have been to the benefit of students from the resident population.

Table 15. Guam Community College Expenditure for Post-secondary Education: SY 1986-87 to SY 1994-95

School Year	Total Cost of Operation	FAS Credit Hours	Total Credit Hours	Total FAS Cost	Tuition per Credit Hour	Adjustment Factor (credit hours X tuition per credit hour)	Cost to General Fund (FAS cost less adjustment factor)
SY 1986-87	\$8,460,520	4,691	53,499	\$741,851	\$ 5.00	\$23,455	\$718,396
SY 1987-88	9,652,506	4,758	51,837	885,982	5.00	23,790	862,192
SY 1988-89	12,257,483	4,692	45,234	1,271,435	10.00	46,920	1,224,515
SY 1989-90	9,332,298	3,789	50,628	698,429	10.00	37,890	660,539
SY 1990-91	16,973,873	3,699	53,113	1,182,128	10.00	36,990	1,145,138
SY 1991-92	19,805,557	3,141	56,773	1,095,754	10.00	31,410	1,064,344
SY 1992-93	17,868,373	3,297	51,037	1,154,300	10.00	32,970	1,121,330
SY 1993-94	17,164,365	3,771	54,385	1,190,159	10.00	37,710	1,152,449
SY 1994-95 .....	...	...	...	...	...	...	...
Total	\$111,514,975	31,838	416,506	\$8,524,280	...	...	\$7,948,904

... Not available

Source: Guam Community College.

$$\frac{\text{FAS Student Credit Hours}}{\text{Total Student Credit Hours}} = \text{Proportion of FAS Credit Hours}$$

$$\text{Proportion of FAS Student Credit Hours} \times \text{Total College Costs} = \text{Expenditure for FAS Students}$$

$$\text{Tuition per Credit Hour} \times \text{FAS Credit Hours Paid} = \text{Adjustment Factor}$$

$$\text{Expenditure for FAS Students} - \text{Adjustment Factor} = \text{Reimbursement}$$

3. UNIVERSITY OF GUAM

The University of Guam (UOG) is authorized to grant associate, baccalaureate, and master's degrees. An applicant seeking admission as a Regular Student must have successfully completed 12 years of formal education or have passed the General Education Development Test. If an applicant does not meet the regular requirements for admission, the applicant may still be admitted to the University as a Special Student. Admission tests are not given. All entering freshmen are instead given placement tests in English (reading, writing, speech, and listening comprehension) and mathematics to determine the level of proficiency and need for placement in remedial classes.

Table 16. University of Guam Expenditure: SY 1988-89 to SY 1992-93

University Expenditures	SY 1988-89	SY 1989-90	SY 1990-91	SY 1991-92	SY 1992-93	SY 1993-94
Total cost of operation	\$13,865,465	\$24,605,834	\$40,232,005	\$48,293,372	\$51,658,042	\$50,684,794
Income and fees received	\$2,656,446	\$2,938,758	\$3,345,273	\$4,196,896	\$4,743,166	\$5,548,042
Adjusted total cost of operations	\$11,209,019	\$21,667,076	\$36,886,732	\$44,096,476	\$46,914,876	\$45,136,752
Total number of students	2,096	2,385	2,591	2,986	3,191	3,793
Total credit hours	22,340	60,466	63,621	75,497	79,665	84,260
Cost per credit hour	\$501.75	\$358.00	\$579.79	\$584.08	\$588.90	\$536.00
Total number of FAS students	156	162	123	108	89	149
FAS credit hours	1,876	3,506	2,872	2,901	2,912	3,531
FAS education costs	\$941,283	\$1,255,148	\$1,665,157	\$1,694,423	\$1,714,883	\$1,891,501
Federal reimbursement	\$339,000	\$365,066	\$285,000	\$300,000	\$448,597	\$229,840
Annual impact cost	\$602,283	\$890,082	\$1,380,157	\$1,394,423	\$1,266,286	\$1,661,661
Total						\$7,194,892

The expenditures for FAS students was computed by subtracting tuition income from the total University costs. The overall cost of operating the University includes faculty and staff salaries, supplies, utilities, and all other costs of operations. This cost excludes the four research facilities of the University (the College of Agriculture and Life Sciences, the Marine Lab, the Micronesian Area Research Center, and the Water and Energy Research Institute). All other costs that are covered by federal funding are included, as these expenditures to the benefit of FAS students would otherwise have been to the benefit of students from the permanent resident population.

University costs were divided by the number of student credit hours for the year to determine the cost per credit hour of instruction. The cost per credit hour was multiplied by the number of student credit hours granted to FAS students. Lastly, the amount of federal 1204-C funds (reimbursement for the education of former Trust Territory students) and indirect costs recovered from the federal government was subtracted to determine the total financial burden to the Government of Guam.

Pacific Immigration Impact
Effects of P.L.99-239 on the Island of Guam
FY 1989 to FY 1994

FAS Student Credit Hours
----- = Proportion of FAS Student Credit Hours
Total Student Credit Hours

Total UOG Costs - Tuition Income and Fees = Adjusted Cost

Adjusted Cost
----- = Cost per Credit Hour
Total Student Credit Hours

Cost per Credit Hours X Number of FAS Student Credit Hours = FAS Costs

Cost for Federal Reimbursement
education of Government - Reimbursement
FAS students = to Guam

Table 17: University of Guam Fall Semester Enrollment by Origin: 1979 to 1993

Origin	Fall Semester						
	1979	1981	1982	1983	1984	1985	1986
Total	2,474	2,476	2,360	2,774	2,557	2,671	2,656
Guam	991	1,027	975	1,126	1,015	1,063	980
U.S. Mainland	895	522	518	491	406	369	397
CNMI	72	167	66	67	68	71	59
Freely Associated States ..	166	177	219	316	321	379	410
FSM	157	174	214	310	314	369	396
Kosrae	45	27	27	51	53	57	53
Pohnpei	31	42	44	56	52	64	73
Chuuk	66	82	118	171	185	214	244
Yap	15	23	25	32	24	34	26
Marshall Islands	9	3	5	6	7	10	14
Palau	65	70	60	84	91	101	108
Philippines	172	335	327	466	436	453	460
Other	113	178	195	224	220	235	242

Table 17 (continued): University of Guam Fall Semester Enrollment by Origin: 1979 to 1993

Origin	Fall Semester						
	1987	1988	1989	1990	1991	1992	1993
Total	2,210	2,096	2,385	2,591	2,979	3,192	3,793
Guam	903	928	1,278	1,191	1,418	1,519	1,840
U.S. Mainland	345	301	464	405	461	523	630
CNMI	43	32	33	50	40	36	45
Freely Associated States	230	156	162	123	108	118	150
FSM	217	147	148	109	100	103	138
Kosrae	23	20	24	18	12	18	21
Pohnpei	43	38	43	38	37	29	34
Chuuk	135	79	62	44	42	46	60
Yap	16	10	19	9	9	10	23
Marshall Islands	13	9	14	14	8	15	12
Palau	81	88	110	126	133	129	131
Philippines	390	362	195	435	514	538	613
Other	218	229	143	261	305	329	384

Source: University of Guam, Annual Report.

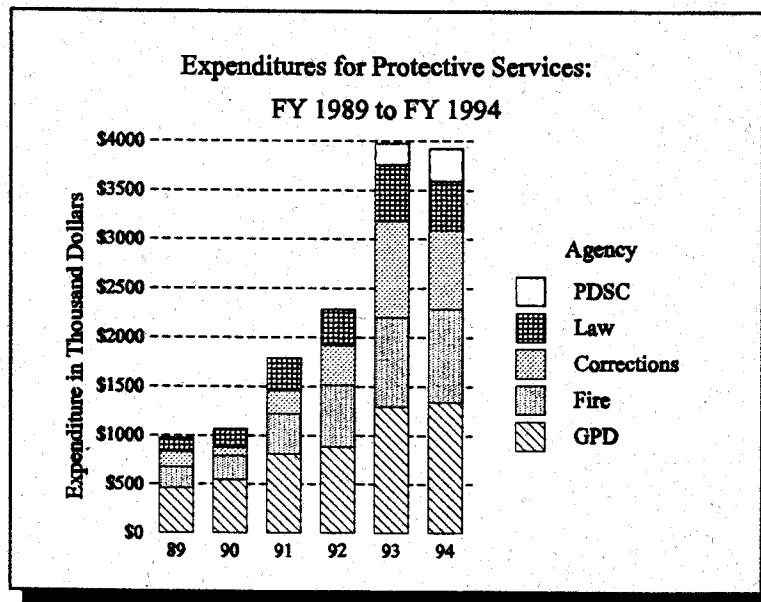
VI. IMPACT ON PUBLIC SAFETY AGENCIES

Public safety is the responsibility of nine Government of Guam agencies: Guam Police Department; Department of Corrections; Department of Law; Public Defender Service Corporation; Superior Court of Guam; Department of Youth Affairs; Department of Commerce, Division of Customs and Quarantine; Guam Fire Department; and Civil Defense/Guam Emergency Services Office.

Table 18. Protective Services Expenditures: FY 1989 to FY 1994

Public Safety Agencies	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Guam Police Department	\$458,802	\$542,438	\$805,365	\$878,464	\$1,289,084	\$1,332,443	\$5,306,596
Department of Corrections . . .	157,110	83,718	235,771	403,287	972,820	802,122	2,654,828
Department of Law	145,496	188,960	329,821	371,665	576,033	493,778	2,105,753
Public Defender Service Corp. . .	...	...	...	...	219,150	344,390	563,540
Superior Court of Guam . . . . .	...	...	...	...	9,652	...	9,652
Department of Youth Affairs . . .	...	...	...	...	...	...	...
Department of Commerce . . . . .	...	...	40,215	63,349	36,571	...	140,135
Guam Fire Department	209,273	247,637	411,813	632,430	914,807	950,625	3,366,585
Civil Defense/GESO	5,550	8,296	11,517	27,587	14,460	13,654	81,064
Total	\$976,231	\$1,071,049	\$1,834,502	\$2,376,782	\$4,032,577	\$3,937,012	\$14,228,153

... Not available



1. GUAM POLICE DEPARTMENT

The Guam Police Department (GPD) serves to preserve the peace, protect life and property, and enforce the laws. Police protection is provided uniformly to each person on Guam, including visitors and military personnel and dependents while they are on civilian lands.

Expenditures for general police protection services to FAS citizens is determined by apportioning GPD's fiscal year expenditures by the percent of FAS citizens living on Guam to the de facto population of Guam. The expenditure for confinement/detention of FAS citizens was based on the percent FAS detention days in FY 1989 and percent of FAS detainees to the total number of detainees in FY 1990. In FY 1992, confinement/detention responsibilities were transferred to the Department of Corrections.

$$\begin{array}{l} \text{FY Expenditures} \\ \text{for General Police} \\ \text{Services} \end{array} \times \frac{\text{FAS Inhabitants}}{\text{De facto Population}} = \text{Cost of General Police Protection}$$

Table 19. Guam Police Department Expenditures: FY 1989 to FY 1994

Guam Police Department Cost Computations	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
Total GPD FY expenditures	\$15,940,157	\$18,839,393	\$24,536,382	\$22,956,976	\$27,630,958	\$25,550,593
General protection services	\$15,454,503	\$17,969,942	\$24,536,382	\$22,956,976	\$27,630,958	\$25,550,593
De facto population of Guam	136,434	140,373	143,191	147,652	150,042	153,406
FAS population on Guam	3,150	3,298	4,700	5,650	7,000	8,000
Percent of total population	2.31%	2.35%	3.28%	3.83%	4.67%	5.21%
Cost of general protection of FAS citizens	\$356,815	\$469,185	\$805,365	\$878,464	\$1,289,084	\$1,332,443
Territorial Detention Center/a	\$485,654	\$869,451	...	...	...	...
Cost per confinement day	N/R	N/R	...	...	...	...
Total number of detainees	N/R	3,264	...	...	...	...
Total FAS detainees	N/R	275	...	...	...	...
Percent FAS detainee	N/R	8.43%	...	...	...	...
Total detention days	N/R	N/R	...	...	...	...
Total FAS detention days	N/R	N/R	...	...	...	...
Percent FAS detention days	21%	N/R	...	...	...	...
Total expenditures for FAS detention	\$101,987	\$73,253	...	...	...	...
Cost of Services for FAS citizens	\$458,802	\$542,438	\$805,365	\$878,464	\$1,289,084	\$1,332,443
Total						\$5,306,596

N/R Not reported

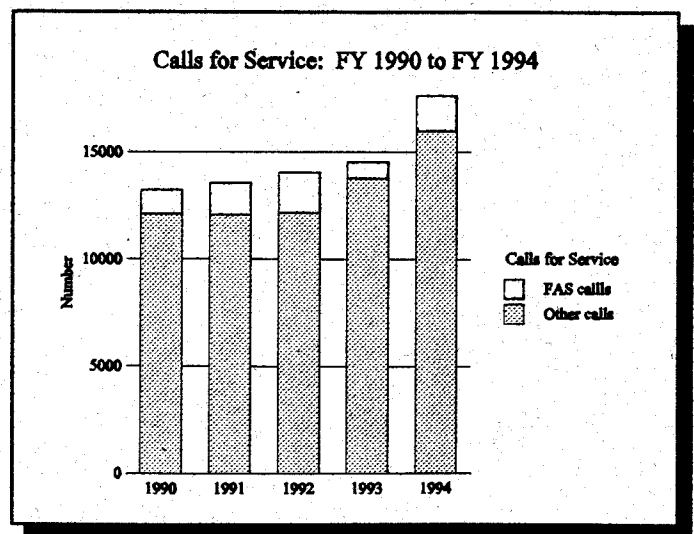
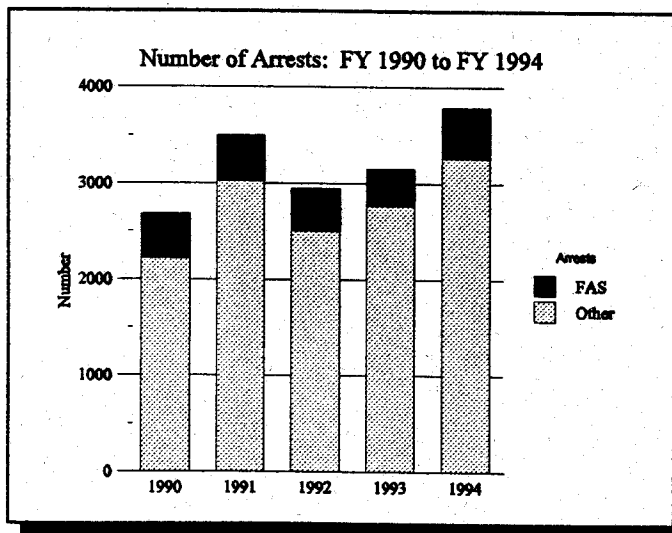
a Territorial Detention Center transferred to Department of Corrections in FY 1991

... No longer applicable

Table 20. Guam Police Department - Arrests and Calls for Service: FY 1989 to FY 1994

Calls for Service	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
Part I and Part II offenses						
Island-wide calls for service	16,914	13,261	13,568	14,051	14,559	17,632
FAS calls for service	719	1,165	1,513	1,890	791	1,678
Percent FAS calls	4.3%	8.8%	11.2%	13.5%	5.4%	9.5%
Total arrests	...	2,682	3,510/b	2,943	3,151	3,790
FAS arrests	332	466	471	444	386	528
Percent FAS arrests	...	17.4%	13.4%	15.1%	12.3%	13.9%
Juvenile cases						
Calls for service	...	...	5,114	5,572	6,229	4,919
FAS juvenile calls for service	...	...	577	692	548	515
Percent FAS calls	...	...	11.3%	12.4%	8.8%	10.5%
Total juvenile arrests	547	...	745	702	1,066	985
FAS juvenile arrests	14	...	65	26	62	73
Percent FAS arrests	2.6%	...	8.7%	3.7%	5.8%	7.4%
Traffic						
Island-wide calls for service	...	...	9,327	8,672	8,267	9,180
FAS calls for service	413	...	873	721	579	739
Percent FAS calls	...	...	9.4%	8.3%	7.0%	8.1%
Total injuries	...	...	1,959	2,538	1,969	1,817
FAS injuries	85	...	189	218	117	166
Percent FAS injuries	...	...	9.7%	8.6%	5.9%	8.1%
Total fatalities	...	...	42	32	36	26
FAS fatalities	2	...	5	4	1	6
Percent FAS fatalities	...	...	11.9%	12.5%	2.8%	23.1%
Total property damage/all accidents	...	...	\$10,213,065	\$10,406,400	\$11,160,450	\$13,081,500
Property damage/FAS involvement	\$559,100	...	\$955,935	\$865,200	\$781,650	\$1,053,075
Percent FAS involvement	...	...	9.4%	8.3%	7.0%	8.1%
Total arrests for DUI	...	...	604	957	924	933
FAS arrests for DUI	...	...	179	218	210	289
Percent FAS	...	...	29.6%	22.8%	22.7%	31.0%
Total arrest for DUI involving accidents	...	...	...	258	211	205
FAS arrests for DUI involving accidents	...	...	...	78	60	69
Percent FAS	...	...	...	30.2%	28.4%	33.7%
Calls for service						
Island-wide calls for service	...	...	7,486	7,870	8,732	9,199
FAS calls for service	...	...	639	656	593	665
Percent FAS calls	...	...	8.5%	8.3%	6.8%	7.2%

Source: Guam Police Department.



2. DEPARTMENT OF CORRECTIONS

The goal of the Department of Corrections is to protect the public from the destructive action of law offenders through care, custody, control, rehabilitation, and reintegration. The Department consists of an administrative support division and four major operational divisions: Adult Correctional Facility (Prison); the Territorial Detention Center; Casework and Counseling Services Division; and Parole Services Division.

The Adult Correctional Facility is responsible for providing custodial and group care services for public offenders sentenced by the courts. The Territorial Detention Center is responsible for the custody and security of detainees; processing of arrestees pursuant to department regulations; transporting of detainees to court, medical clinics, and other authorized places; and the discharge of detainees. The Casework and Counseling Services Division provides evaluation services geared toward treatment of causative factors and addressing emotional and psychological barriers of both clients and their families. The Parole Services Division provides services by which parolees are given controls and guidance necessary to serve the remainder of their sentences in the free community.

Beginning in FY 1993, the Bureau of Planning developed a data base of DOC inmates. The data base includes inmate name, date of birth, country of citizenship, date of incarceration, date of release, and number of days the inmate was incarcerated for the fiscal year. FAS inmates are identified as non-immigrant aliens with FSM or Marshall Islands citizenship.

Operating costs of the Department of Corrections includes all four divisions since all inmates receive services from all divisions. The cost per confinement day was computed by dividing the total operating costs by the average daily census of inmates multiplied by 365 days per year. The total FAS cost of confinement is equal to the average daily operating cost multiplied by the total FAS inmate days. The average daily operating cost is the same for the Adult Correctional Facility and the Territorial Detention Center. Between November 1993 and January 1995, Executive Order 93-15 directed the Department to administer the Youth Correctional Facility of the Department of Youth Affairs, but the costs are not included.

$$\begin{array}{l} \text{Total Operating Costs} \\ \hline \text{Average Daily Census X 365 Days per Year} \end{array} = \text{Average Daily Operating Cost}$$
$$\text{Average Daily Operating Cost} \times \text{Total FAS Inmate Days} = \text{Total FAS Cost}$$

Table 21. Department of Corrections Expenditures: FY 1989 to FY 1994

Department of Corrections	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
Total operating expenditures	\$7,388,007	\$8,895,800	\$10,927,142	\$11,913,636	\$15,075,542	\$13,951,186
Personnel	\$5,868,293	\$6,829,473	\$8,581,430	\$8,700,281	\$11,946,070	\$10,775,044
Operations	\$1,519,714	\$1,963,562	\$2,345,712	\$3,213,355	\$3,129,472	\$3,176,142
Average daily census (ACF and TDC) ...	189	200	265	315	300	348
Average daily cost	\$107.10	\$121.86	\$112.97	\$103.62	\$137.68	\$109.83
Total number of FAS inmates	7	3	8	18	39	29
Total number of FAS inmate days	1,392	687	2,087	2,931	6,991	5,294
Total Adult Correctional Facility costs ...	\$149,077	\$83,718	\$235,771	\$303,708	\$962,494	\$581,464
Total number of FAS detainees	74	...	...	11	5	44
Total number of FAS days	75	...	...	961	75	2,009
Total Territorial Detention Center costs ...	\$8,032	...	...	\$99,578	\$10,326	\$220,658
Expenditures by year	\$157,110	\$83,718	\$235,771	\$403,287	\$972,820	\$802,122

... Not available

Table 22. FAS Inmates, Adult Correctional Facility, Department of Corrections: FY 1989 to FY 1994

Ethnicity	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
FAS total	7	3	8	18	39	29
Chuukese	5	0	2	4	29	18
Pohnpeian	0	1	4	4	7	5
Yapese	1	2	2	5	3	2
Kosraean	0	0	0	2	0	0
Marshallese	1	0	0	3	0	0
Not stated	0	0	0	0	0	4

Table 23. Service Days, Adult Correctional Facility, Department of Corrections: FY 1989 to FY 1994

Citizenship	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
FAS total	1,392	687	2,087	2,931	6,991	5,294
Chuukese	662	0	336	110	5,354	3,362
Pohnpeian	0	16	1,021	1,103	1,532	956
Yapese	365	671	730	616	105	341
Kosraean	0	0	0	10	0	0
Marshallese	365	0	0	1,092	0	0
Not stated	0	0	0	0	0	635

Table 24. FAS Inmates, Territorial Detention Center, Department of Corrections: FY 1989 to FY 1994

Ethnicity	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
FAS total	74	...	...	11	5	44
Chuukese	3	4	25
Pohnpeian	3	1	3
Yapese	0	0	5
Kosraean	3	0	1
Marshallese	2	0	0
Not stated	10

... Not available

Table 25. FAS Service Days, Territorial Detention Center, Department of Corrections: FY 1989 to FY 1994

Ethnicity	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
FAS total	75	...	...	961	75	2,009
Chuukese	532	64	805
Pohnpeian	107	11	214
Yapese	0	0	278
Kosraean	159	0	1
Marshallese	163	0	0
Not stated	711

... Not available

3. DEPARTMENT OF LAW

The Department of Law, headed by the Attorney General, serves as the legal arm of the Executive Branch. In that capacity it renders legal opinions to the various agencies, participates in litigation involving governmental agencies and interests, collects and enforces the Child Support Laws, and prosecutes all criminal cases brought by the people of Guam.

The costs of the Department of Law that are associated with citizens of the Freely Associated States can be broken into four categories:

1. the cost incurred by the Child Support Enforcement Division (this program was transferred from the Department of Public Health and Social Services to the Department of Law in FY 1990),
2. the costs of attorneys in the Civil Litigation Division involved in actions against the Government of Guam,

3. the costs of attorneys in the Solicitor's Division involved in advising Government of Guam agencies regarding the eligibility of FAS citizens for various social welfare programs and other related matters, and
4. the costs incurred by the Prosecution Division in cases involving alleged criminals who are FAS citizens.

Table 26. Department of Law Expenditures: FY 1989 to FY 1994

Department of Law	1989	1990	1991	1992	1993	1994
Family Division/a	...	\$2,315	...	...	\$28,305	\$62,295
Civil Litigation	-0-	-0-	-0-	-0-	-0-	-0-
Civil Solicitor's	-0-	-0-	-0-	-0-	-0-	-0-
Prosecution Division	\$145,496	\$186,645	\$329,821	\$371,665	\$547,728	\$431,483
Total	\$145,496	\$188,960	\$329,821	\$371,665	\$576,033	\$493,778

Table 27. Prosecution Division, Department of Law, Expenditures: FY 1989 to FY 1994

Prosecution Division, Department of Law	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
Total expenditures (salaries)	...	...	\$1,766,899	\$2,080,532	\$2,166,344	\$2,397,129
Number of cases referred for prosecution	- 0 -	- 0 -	2,979	3,206	3,608	3,798
Number of FAS cases referred	...	...	...	...	...	...
Number of cases filed or declined	...	...	1,950	3,146	1,499	2,786
Number of FAS cases filed or declined	358	430	364	562	379	463
Percentage of total caseload	12%/e	13%/e	18.67%	17.86%	25.28%	17.00%
Prosecution Services	\$145,496	\$186,645	\$329,821	\$371,665	\$547,728	\$431,483

e Estimate
 ... Not available

The cost to the Prosecution Division has been calculated as a percentage of the total operating cost based on the percentage of FAS filed/declined cases to the total number of filed/declined cases¹. The costs of advising the Government of Guam agencies are determined by applying the proportion of the efforts of the attorneys involved that are devoted to matters involving FAS citizens to their respective salaries and benefits, however neither the Civil Litigation Division nor the Civil Solicitor's Division have reported any significant costs. The administrative costs are based upon the relation of the costs detailed above to the overall operating costs (excluding administrative costs) of the Department, and applying this proportion to the administrative and overhead costs of the agency.

¹ D. Paillette, "Report on the Impact of the Compact of Free Association for FY 90", Department of Law, February 5, 1991.

4. PUBLIC DEFENDER SERVICE CORPORATION

The Public Defender Service Corporation (PDSC) is a public corporation affiliated with the judicial branch of the Territory of Guam. Services are provided to indigent persons residing in the territory in keeping with the provisions of 12 G.C.A. Sections 11101 et seq. The Corporations' duties are:

1. To defend indigent persons charged in criminal cases before the courts of Guam (this includes adults charged with felonies, misdemeanors, and violations, and minors charged under the Family Court Act, as well as certain traffic offenders);
2. To provide legal aid and assistance to persons in Guam who are indigent and are in need of legal assistance and representation; and
3. To provide assistance in connection with certain Land Claims Awards.

The legal aid provided consists of many different types of matters: divorces, legal separations, child support actions, adoption, guardianships, probates (limited by the size of the estate), tenant/landlord difficulties, civil restraining orders, immigration, bankruptcy, availability of public assistance programs, debtor/creditor matters, defense of civil claims and related matters. The availability of services for certain matters may be limited by the PDSC Board of Trustees in accordance with the availability of resources. In fact, the Board of Trustees imposed a temporary moratorium in domestic (without threat of violence) and civil cases during FY 1994, resulting in a decline in the total caseload of the PSDC between FY 1993 and FY 1994.

In criminal cases, the Corporation defends indigent persons charged with committing either Territorial or federal offenses. While the determination of whether a defendant is indigent is left to the discretion of the judge, the Corporation assists in ruling on cases of indigence and in establishing criteria for determining when the Corporation's services are appropriate.

In civil matters, the Corporation assists those individuals who need legal assistance and representation but who can not afford an attorney in private practice. Fee-generating civil matters when the party is seeking financial recovery/remedy are generally not accepted because attorneys in private practice may be able to collect a percentage of the financial recovery/remedy as payment of their legal fees.

A recurring problem reported by PDSC in providing assistance to FAS clients involves the failure of FAS clients to inform PDSC attorneys when changing residential addresses, employers, and/or telephone contact numbers. This results in an inability to contact these clients to inform them of or discuss developments in their cases. PDSC utilizes process officers and investigators in an attempt to locate clients; however, the amount of time and manpower exerted for this purpose has been significantly high and more often fruitless. PDSC ceases their efforts after a limited number of attempts. In criminal and civil matters, PDSC must withdraw as attorneys-of-record for "unlocatable clients"; warrants of arrest for these clients may be issued by the courts in some cases, thereby compounding the problem(s). All PDSC clients sign notices informing them of the importance of updating their records with PDSC whenever a change in address, employer or phone number occurs; however, this has not proven successful in all instances.

A further problem is the need for interpreters to deal with clients. The PDSC reports that it is very difficult to obtain an interpreter for persons from Pohnpei, Kosrae and Yap, in particular. The PDSC obtains its interpreters through the Superior Court of Guam, which maintains lists of what persons are so certified; however, neither PDSC nor the court can hire interpreters on a full-time basis.

The compilation of statistical data on the impact for FAS immigration upon the PDSC commenced with FY 1993. The Public Defender Service Corporation has determined an estimated average cost per case by the type of case. The cost of providing assistance to FAS citizens is calculated by multiplying the appropriate average cost per case by the number of FAS case for each type of case.

Average cost per type of case X Number of FAS cases = Total cost for assistance

Table 28. Public Defender Service Corporation Expenditures: FY 1993

Type of Assistance	Total Caseload	Cost per case/a	Number of FAS cases	Percent FAS cases	Total FAS cost for services
Criminal cases .....	...	\$800	252	...	\$201,600
Civil cases:					
Domestic .....	...	\$350	32	...	\$11,200
Legal Guardianship .....	...	\$200	15	...	\$3,000
Juvenile (JD,JP) .....	...	\$200	10	...	\$2,000
Affidavit .....	...	\$75	18	...	\$1,350
Total	18,155	...	327	1.8%	\$219,150

a Public Defender Service Corporation estimate of the average cost by type of case
 ... Not available
 Source: Public Defender Service Corporation.

Table 29. Public Defender Service Corporation Expenditures: FY 1994

Type of Assistance	Total Caseload	Cost per case/a	Number of FAS cases	Percent FAS cases	Total FAS cost for services
Criminal cases	10,547	\$850	366	3.5	\$311,100
Civil cases:					
Domestic	3,407	\$370	12	0.4	\$4,440
Legal Guardianship	2,047	\$225	60	2.9	\$13,500
Juvenile (JD,JP)	1,362	\$225	6	0.4	\$1,350
Affidavit	259	\$100	40	15.4	\$4,000
Total	17,622	...	484	2.7%	\$344,390

a Public Defender Service Corporation estimate of the average cost by type of case
 Source: Public Defender Service Corporation.

5. SUPERIOR COURT OF GUAM

The Superior Court of Guam is vested with original jurisdiction in all cases arising under the laws of Guam, civil or criminal, in law or equity, regardless of the amount in controversy. Exceptions to the jurisdiction of the Superior Court are causes arising under the Constitution, treaties, laws of the United States, and any matter involving the Guam Territorial income tax.

Because the Court does not presently track clients by ethnicity, complete data on cases involving FAS citizens is not available at this time. However, the Court identified 71 cases involving citizens from the Federated States of Micronesia which an interpreter was required. The total cost of interpreters was \$9,652 for FY 1993.

According to the Clerk of the Court, each of the 71 cases listed for interpreters had a court-appointed counsel who will handle the case at the cost of the local taxpayer. The services of Marshals, counselors and probation officers will add to the total cost for the case. The Court has recently implemented a policy to track FAS citizens to identify expenses related to recent immigrants from the Compact nations.

6. DEPARTMENT OF YOUTH AFFAIRS

The Department of Youth Affairs (DYA) operates the only Youth Correctional Facility (YCF) on Guam. It is a rehabilitative extension of the Juvenile Justice System, with a mandate to offer care and custody services to those youths remanded to the facility by the Family Court. Youth can also be detained after apprehension by the Guam Police Department for either an arrest or pick-up order. Additionally, there are on-going efforts in youth rehabilitation services, in vocational education, and in employment related endeavors. The Department of Youth Affairs has three service divisions: Division of Special Services (Youth Corrections), Division of Youth Development, and the Division of Vocational Rehabilitation and Support Services.

The Division of Youth Corrections is the largest and most critical section within the Department of Youth Affairs. This division is in charged with the 24-hour care and custody of "at risk" youth referred by the Juvenile Court of Guam, as mandated by Public Law 14-110, as amended. "At risk" youth can be defined as status offenders, charged with offenses that would not be illegal if the youth were adults; and non- status offenders, charged with criminal offenses.

The Division of Youth Development is separated into two distinct sections: Casework Section and Special Projects Section, which also includes the Office of Juvenile Justice and Delinquency Prevention. The Casework Section is responsible for the provision of social service casework and supportive services to adjudicated clients who have been remanded to the custody of the Department of Youth Affairs. The Special Projects Section develops programs and plans events in such a manner that the various youths have direct involvement and participation at every level from initial planning to implementation.

The Division of Vocational Rehabilitation and Support Service's mission is to provide the youth in custody with vocational skills. Support services under this division include custodial services and the operation of a cafeteria which prepares all meals for the clients at the Juvenile Hall.

Youth service worker employees provide the basic care and custody to the youth, in addition to transporting them to various locations daily, including court hearings, community based schools, outside work placements, and medical, dental and psychological appointments. In addition to the youth service worker staff, which accounts for more than half of the total DYA employees, the department's psychologist and various social workers with the Casework Section and the cooks within the Culinary Unit provide specific direct services. The remaining DYA staff all provide technical and or support services for care and custody.

During most of FY 1994 (November 1993 onward), the male non-status offenders population was under the control of the Department of Corrections, as per Executive Order No. 93-15. For this reason, the Department of Youth Affairs had few clients during FY 1994: Cases included one youth from Chuuk, who spent 3 days at DYA. DYA has not provided data during the FY 1989 to FY 1994 period to demonstrate more than minimal fiscal impact on its operations.

7. DEPARTMENT OF COMMERCE, DIVISION OF CUSTOMS AND QUARANTINE

The Guam Department of Commerce, Division of Customs and Quarantine, provides protection to the health and welfare of the people of Guam through enforcement of plant quarantine laws and laws pertaining to narcotics, firearms, and other U.S. Customs Service rules and regulations applicable to Guam. The Division's activities center around the inspection of air and surface vessels, persons, baggage, cargo and mail.

Table 30. FAS Passenger Arrivals by Citizenship and Residence: FY 1990 to FY 1994

Residence	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
Federated States of Micronesia citizens	7,607	24,087	31,371	24,510	...
FSM	5,791	20,066	26,421	15,089	...
Chuuk	3,028	11,581	14,769	7,307	...
Kosrae	189	693	909	293	...
Pohnpei	1,331	4,618	5,636	2,477	...
Yap	713	2,661	4,059	1,603	...
FSM, not stated	530	513	1,048	3,409	...
Guam	696	2,542	3,211	4,904	...
Palau	44	76	92	2,364	...
CNMI	239	1,039	1,279	1,039	...
RMI	4	38	30	283	...
USA	0	186	231	210	...
Elsewhere	833	140	105	34	...
Not Stated	0	0	2	587	...
Republic of the Marshall Islands citizens	334	1,025	1,145	969	...
RMI	181	832	780	199	...
Guam	26	134	223	243	...
FSM	1	31	21	328	...
Chuuk	0	28	2	146	...
Kosrae	1	0	0	26	...
Pohnpei	0	3	12	57	...
Yap	0	0	2	22	...
FSM, not stated	0	0	5	77	...
Palau	0	0	2	137	...
CNMI	11	24	108	29	...
USA	0	0	4	9	...
Not Stated	115	4	7	5	...
Not Stated	0	0	0	19	...
Total FAS Passengers Arrivals	7,941	25,112	32,516	25,479	...

... Not available

Each airline passenger is required to provide Customs agents with a written declaration of the contents of their luggage. The Baggage Declaration form also contains the arriving passenger's name, country of citizenship, place of residence, address on Guam, and names of accompanying family members. All passengers are processed through the Customs area, including citizens of the Freely Associated States. Primary inspections average approximately 30 seconds each, while secondary inspections average approximately 10 minutes each. Secondary inspections are more time consuming because they involve baggage search.

The cost of FAS inspections is computed by first determining the total time spent on primary inspections (Eq. 1) and secondary inspections (Eq. 2). The total passenger inspection expenditures for the fiscal year is then divided by the total time spent on primary plus secondary inspections to obtain an average cost per minute for inspection (Eq. 3). The cost per minute of inspection is used to determine the total cost of primary inspections (Eq. 4) and total cost of secondary inspections (Eq. 5) for FAS arrivals. The total cost for FAS arrival inspections (Eq. 6) is the sum of the total cost for primary and secondary inspections. The cost includes the time spent by Customs officers in other passenger inspection-related activities, such as documentation and training, and also in idle time between incoming flights. Nevertheless, it accurately reflects the costs of passenger inspection within the limits of the estimations.

$$\begin{array}{l} \text{Number of} \\ \text{Primary} \\ \text{Inspections} \end{array} \times \begin{array}{l} 0.5 \text{ minutes} \\ (30 \text{ seconds}) \\ \text{per Inspection} \end{array} = \begin{array}{l} \text{Time Spent} \\ \text{on Primary} \\ \text{Inspections} \end{array} \quad (\text{Eq. 1})$$

$$\begin{array}{l} 10 \text{ Minutes} \\ \text{Secondary} \\ \text{Inspections} \end{array} \times \begin{array}{l} \text{Time Spent} \\ \text{per} \\ \text{Inspection} \end{array} = \begin{array}{l} \text{on Secondary} \\ \text{Inspections} \end{array} \quad (\text{Eq. 2})$$

$$\frac{\text{Total Passenger Inspection Expenditures}}{\text{Time Spent on Primary and Secondary Inspections}} = \begin{array}{l} \text{Cost per} \\ \text{Minute of} \\ \text{Inspection} \end{array} \quad (\text{Eq. 3})$$

$$\begin{array}{l} \text{Average Cost} \\ \text{per Primary} \\ \text{Inspection} \end{array} \times \begin{array}{l} \text{Number of FAS} \\ \text{Passengers in} \\ \text{Primary Inspection} \end{array} = \begin{array}{l} \text{Total Cost} \\ \text{of FAS Primary} \\ \text{Inspections} \end{array} \quad (\text{Eq. 4})$$

$$\begin{array}{l} \text{Average Cost} \\ \text{per Secondary} \\ \text{Inspection} \end{array} \times \begin{array}{l} \text{Number of FAS} \\ \text{Passengers in} \\ \text{Secondary Inspection} \end{array} = \begin{array}{l} \text{Total Cost of} \\ \text{FAS Secondary} \\ \text{Inspections} \end{array} \quad (\text{Eq. 5})$$

$$\text{Primary Cost} + \text{Secondary Cost} = \text{Total Cost of FAS Inspections} \quad (\text{Eq. 6})$$

Table 31. Department of Commerce, Customs and Quarantine Division Expenditures: FY / 1990 to FY 1994

Customs Inspections	FY 1990/a	FY 1991	FY 1992	FY 1993	FY 1994
Number of primary inspections .....	...	1,145,330	1,383,270	1,361,476	...
Time spent on primary inspections (minutes) .....	...	572,665	691,635	680,738	...
Number of secondary inspections .....	...	114,533	138,327	136,148	...
Time spent on secondary inspections (minutes) .....	...	1,145,330	1,383,270	1,361,480	...
Total passenger inspection expenditure .....	...	\$1,591,703	\$1,747,249	1,749,510	...
Cost per minute of inspection .....	...	\$0.93	\$0.84	\$0.86	...
Average cost per primary inspection/b .....	...	\$0.46	\$0.42	\$0.43	...
Average cost per secondary inspection/c .....	...	\$9.26	\$8.42	\$8.57	...
Number of FAS passengers in primary inspection	7,941	25,112	32,516	25,479	...
Visitors	4,141	14,237	23,761	16,029	...
Returning or intended residents	3,800	6,607	8,733	9,059	...
Unknown	0	4,268	22	391	...
Primary inspection cost for FAS passengers .....	...	\$11,633	\$13,691	\$10,914	...
Number of FAS passengers in secondary inspections ..	2,036	3,085	5,877	2,995	...
Visitors	930	1,916	4,051	1,694	...
Returning or intended residents	1,106	1,168	1,826	1,259	...
Unknown	0	1	20	42	...
Secondary inspection cost for FAS passengers .....	...	\$28,582	\$49,658	\$25,657	...
Cost for inspection of FAS passengers .....	...	\$40,215	\$63,349	\$36,571	...
Total .....	...				\$140,135

- ... Not available
- a For January to September 1990
- b Primary inspections: 0.5 minutes
- c Secondary inspections: 10 minutes

8. GUAM FIRE DEPARTMENT

The Guam Fire Department functions to protect Guam's residents from injury and property loss caused by fires, and also operates Guam's ambulance and search/rescue services. As the Fire Department services are provided to all residents of Guam, irrespective of citizenship or residency status, the cost of providing services to the FAS population was calculated by dividing GFD's total FY expenditures by the de facto population of Guam, and multiplying the result by the percentage of FAS citizens residing on Guam.

$$\begin{array}{l}
 \text{GFD FY Expenditures} \\
 \hline
 \text{De facto Population}
 \end{array}
 \times
 \text{FAS Population}
 =
 \begin{array}{l}
 \text{Cost of Fire} \\
 \text{Protection and} \\
 \text{Other Services}
 \end{array}$$

Table 32. Guam Fire Department Expenditures for Fire Protective Services: FY 1989 to FY 1994

Guam Fire Department	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994
Operating expenditures	\$9,064,100	\$10,540,179	\$12,546,353	\$16,527,343	\$19,608,494	\$18,228,954
De facto population of Guam ...	136,434	140,737	143,191	147,652	150,042	153,406
Number of FAS inhabitants ..	3,150	3,298	4,700	5,650	7,000	8,000
Percent FAS population ...	2.31%	2.35%	3.28%	3.83%	4.67%	5.21%
Cost services	\$209,273	\$247,637	\$411,813	\$632,430	\$914,807	\$950,625
Total						\$3,366,585

9. CIVIL DEFENSE/GUAM EMERGENCY SERVICES OFFICE

The Civil Defense/Guam Emergency Services Office (CD/GESO) is responsible for the preparation and implementation of policies, plans, and activities that are related to emergency preparedness and disaster response. Inherent in this mission are the coordination and construction of warning systems throughout the Territory.

As emergency services are provided to all residents and visitors of Guam, irrespective of citizenship status, the cost of providing services to the FAS population was calculated by dividing CD/GESO's total locally funded FY expenditures by the de facto population of Guam, and multiplying the result by the number of FAS citizens on the island.

$$\frac{\text{CD/GESO FY Expenditures}}{\text{De facto Population}} \times \text{FAS Population} = \text{Cost of Emergency Protection}$$

Table 33. Civil Defense/Guam Emergency Services Office Expenditures for Disaster Preparedness Services: FY 1989 to FY 1994

Civil Defense/GESO	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Operating expenditures a/	\$240,396	\$353,043	\$350,879	\$720,927	\$309,974	\$261,828	\$2,237,047
De facto population of Guam ...	136,434	140,343	143,191	147,652	150,052	153,406	...
Number of FAS inhabitants ..	3,150	3,298	4,700	5,650	7,000	8,000	...
Percent FAS population ...	2.31%	2.35%	3.28%	3.83%	4.67%	5.21%	...
Cost of emergency services	\$5,550	\$8,296	\$11,517	\$27,587	\$14,460	\$13,654	\$81,065

a/ Local funds only

VII. IMPACT ON HEALTH, WELFARE AND HOUSING SERVICES

The health and welfare of Guam's residents is the responsibility of four Government of Guam agencies: Department of Public Health and Social Services, Department of Mental Health and Substance Abuse, Guam Memorial Hospital Authority, and the Department of Vocational Rehabilitation. Housing programs for low- to medium-income individuals and families are provided through the Guam Housing Corporation/Guam Rental Corporation and the Guam Housing and Urban Renewal Authority.

Table 34. Expenditures for Health, Welfare and Housing: FY 1989 to FY 1994

Health, Welfare and Housing	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Total cost of services/a	291,498	1,055,413	2,669,231	3,582,031	4,332,160	7,377,820	19,308,153
Reimbursement request	27,351	265,785	1,024,757	1,938,748	2,674,559	5,329,332	11,260,532
Department of Public Health and Social Services	0	226,204	919,225	1,875,762	2,631,359	5,290,008	10,942,558
Medicaid Program	...	15,125	42,792	376,873	498,154	1,504,220	2,437,164
Medically Indigent Program	...	73,333	633,313	645,559	444,280	848,933	2,645,418
Public Assistance Programs (AFDC, ATPD, GA, OAA, AB)	...	137,746	243,120	853,330	1,688,925	2,936,855	5,859,976
Department of Mental Health and Substance Abuse	8,655	9,607	15,210	11,750	36,263	...	81,485
Guam Memorial Hospital	17,576	23,515	14,522	40,839	319	...	96,771
Department of Vocational Rehabilitation	1,120	6,459	74,175	5,886	0	20,746	108,386
Guam Housing Corporation/ Guam Rental Corporation	0	0	1,625	4,511	6,618	18,578	31,332
Displacement factor	264,147	789,628	1,644,474	1,643,283	1,657,601	2,048,488	8,047,621
Guam Housing and Urban Renewal Authority	264,147	738,451	1,581,303	1,419,401	1,423,151	2,048,488	7,474,941
Low-income Public Housing	63,762	408,945	725,249	521,376	460,964	571,906	2,752,202
Section 8 Housing	200,385	329,506	856,054	898,025	962,187	1,476,582	4,722,739
Department of Public Health and Social Services	...	51,177	63,171	223,882	234,450	...	572,680
Guma San Jose (Homeless Project)	...	51,177	63,171	223,882	234,450	...	572,680

a Total reimbursement and displacement costs

1. DEPARTMENT OF PUBLIC HEALTH AND SOCIAL SERVICES

The Department of Public Health and Social Services (DPHSS) consists of four divisions which fall under two broad functional areas of services. The Public Health and Environmental Health divisions fall under the Department's health function, whereas the Public Welfare and Senior Citizen divisions fall under its social service function.

The overall responsibility of the Department in the provision of health services is to promote, protect, and maintain the health of Guam's residents by providing a variety of programs which stress the prevention of disease and disability, and by meeting the needs of the medically under-served population.

The overall responsibility of the Department in its provision of social services is to remove social barriers which prevent persons from obtaining and maintaining the basic necessities of life, including medical care, nutrition, and employment, and to strengthen family life.

FAS citizens qualify for all locally and federally funded programs other than the U.S. Department of Agriculture's Food Stamp Program. FAS citizens are eligible to apply for Food Stamps for their U.S. born dependent children, however. No cost coverage is sought from the federal government for 100 percent federally funded programs, including the Food Stamp program. Cost reimbursement is requested for the local portion of Medicaid and Public Assistance, and for the 100 percent locally funded Medically Indigent Program.

Medicaid is a locally matched federal health care program that provides medical care for persons receiving welfare benefits. In FY 1994, the federal share for the program, including administrative costs, was \$2.5 million with a local match total of \$5.3 million. The Medicaid Program has been particularly impacted by immigration from the Compact states. Compact persons represented about 14 percent of the entire average monthly caseload of the Medicaid Program in FY 1994; and over 80 percent of the growth of the Medicaid caseload between FY 1989 and FY 1994 is attributable to the Compact population. Medicaid benefits paid to Compact immigrants for the FY 1990 to FY 1994 period was \$2,437,164 in local funds.

Public Assistance programs are locally matched federal welfare programs, including Aid to Families with Dependent Children, Aid to the Blind, General Assistance, Aid to the Totally and Permanently Disabled, and Old Age Assistance. In FY 1994, about 15 percent of the average monthly caseload for Public Assistance Programs was made up of Compact persons. Public Assistance expenditures on Compact citizens and their children for FY 1990 to FY 1994 was \$5,859,976 in local funds.

The Medically Indigent Program is 100 percent locally funded and is administered by the Bureau of Health Care Financing under P.L. 18-31. MIP provides assistance to low income families and to individuals who have tuberculosis, Parkinson's dementia, diabetes or irreversible kidney failure. In FY 1994, Compact persons comprised over 9 percent of the monthly average client caseload for MIP. Compact expenditures for the MIP program was \$2,645,417 in local funds for FY 1990 to FY 1994.

The total local cost of the Medicaid, Medically Indigent, and Public Assistance Programs is \$11,126,674 for the FY 1990 to FY 1994 period.

Table 35. Department of Public Health and Social Services Expenditures: FY 1989 to FY 1994

Program	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Reimbursement request	226,204	919,225	1,875,762	2,631,359	5,290,007	10,942,557
Bureau of Health Care Financing	88,458	676,105	1,022,432	942,434	2,353,152	5,082,581
Medicaid Program	15,125	42,792	376,873	498,154	1,504,220	2,437,164
Medically Indigent Program	73,333	633,313	645,559	444,280	848,932	2,645,417
Bureau of Economic Security	137,746	243,120	853,330	1,688,925	2,936,855	5,859,976
Displacement factor	\$51,177	\$63,171	\$223,882	\$234,450	...	\$572,680
Bureau of Social Services Administration - Guma San Jose	\$51,177	\$63,171	\$223,882	\$234,458	...	\$572,688

Source: Department of Public Health and Social Services.
 ... Not available

Table 36. Average Monthly Service Utilization Levels at the Major Housing, Welfare and Public Assistance Programs, Department of Public Health and Social Services: FY 1989 to FY 1994

Program	Monthly Average FY 1989		Monthly Average FY 1990		Monthly Average FY 1991		Monthly Average FY 1992		Monthly Average FY 1993		Monthly Average FY 1994	
	Total cases	FAS cases	Total Cases	FAS cases	Total Cases	FAS cases	Total Cases	FAS cases	Total Cases	FAS cases	Total Cases	FAS cases
Bureau of Health Care Financing												
Medicaid Program	5,757	36	5,488	29	5,779	140	5,672	403	4,732	427	6,911	972
Medically Indigent Program	1,952	14	4,939	131	5,989	467	4,780	400	4,422	233	6,133	589
Bureau of Economic Security												
Public Assistance Programs	2,198	...	2,176	24	2,222	543	2,499	173	2,868	331	3,630	547
Food Stamp Program	3,233	...	3,370	...	3,358	...	3,579	201	3,969	288	4,783	442
Bureau of Social Services												
Administration - Guma San Jose .....	...	...	...	62	...	80	...	...	...	150	...	...

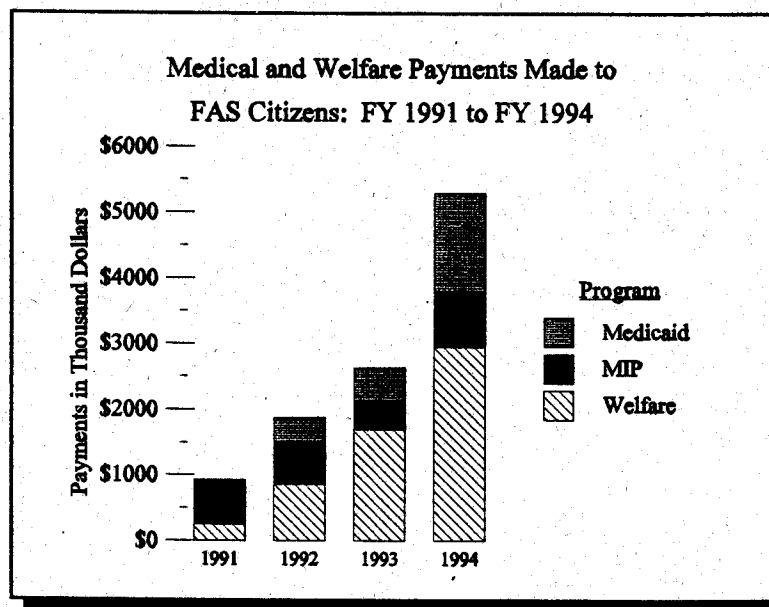
Source: Department of Public Health and Social Services.

Table 37. Department of Public Health and Social Services Expenditures: FY 1991 to FY 1994

Program	FY 1991	FY 1992	FY 1993	FY 1994
Medicaid Program				
Total appropriations	5,083,090	5,497,883	7,266,299	7,766,165
Federal funds	2,500,000	2,505,121	2,500,000	2,499,999
Local funds	2,583,090	2,992,762	4,766,299	5,266,166
Local over-match funds	83,090	487,641	2,266,299	2,766,167
Expenditure for Compact citizens	42,792	376,873	498,154	1,504,220
Percent of total	0.8	6.9	6.9	19.4
Medically Indigent Program				
Total appropriations (100% local)	9,280,722	12,796,865	11,658,463	15,810,124
Expenditure for Compact citizens	633,313	645,559	444,280	848,933
Percent of total	6.8	5.0	3.8	5.4
Public Welfare Programs				
Total appropriations	6,472,770	6,134,682	14,574,411	19,137,092
Federal funds	3,800,000	3,800,000	3,800,000	3,800,000
Local funds	2,672,770	2,334,682	10,774,411	15,337,092
Local over-match funds	1,044,199	706,111	9,145,840	13,669,511
Expenditure for Compact citizens	243,120	853,330	1,688,925	2,936,855
Percent of total	3.8	13.9	11.6	15.3
Total Appropriations	20,836,582	24,429,430	33,499,173	42,713,381
Federal funds	6,300,000	6,305,121	6,300,000	6,299,999
Local funds	14,536,582	18,124,309	27,199,173	36,413,382
Local over-match funds	1,127,296	1,193,757	11,412,143	16,435,683
Expenditure for Compact citizens	919,225	1,875,762	2,631,359	5,290,008
Percent of total	4.4	7.7	7.9	12.4

Note: Appropriations include costs for administration and for benefits. Expenditures include only costs of benefits.

Source: Appropriations - Bureau of Budget and Management Research;
 Expenditures - Department of Public Health and Social Services.



2. DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE

The Department of Mental Health and Substance Abuse is the sole agency authorized to provide mental health and substance abuse services to the people of Guam. The services include the following programs: Counseling; Drug and Alcohol Outpatient; Case Management; Medication Clinic; Medical Services; Day Treatment; Intake; Drug and Alcohol Residential; and Inpatient.

Very few Compact citizens have visited the Department of Mental Health over the years. Public health officials believe that new immigrants face major problems as alcoholism and suicide, but cultural attitudes and beliefs may prevent Compact immigrants from utilizing available mental health programs.

Table 38. Service Utilization Levels, Department of Mental Health and Substance Abuse: FY 1989 to FY 1994

Program	FY 1989	FY 1990	FY 1991		FY 1992		FY 1993		FY 1994	
	FAS Patients	FAS Patients	Total Patients	FAS Patients	Total Patients	FAS Patients	Total Patients	FAS Patients	Total Patients	FAS Patients
Out-Patient	8	3	...	...	...	..	...	...	...	...
Counseling .....	...	...	310	4	232	2	263	4	...	...
Drug and Alcohol Outpatient .....	...	...	155	4	141	9	216	11	...	...
Case Management .....	...	...	27	3	34	3	29	1	...	...
Medication Clinic .....	...	...	7	0	5	0	3	0	...	...
Medical Services .....	...	...	49	2	55	1	77	2	...	...
Day Treatment .....	...	...	0	0	4	0	1	0	...	...
Intake .....	...	...	31	1	9	1	2	0	...	...
Drug and Alcohol Residential .....	...	...	1	0	1	0	59	2	...	...
In-patient	3	12	34	1	0	0	19	2	...	...
Not stated	0	0	18	0	14	0	0	0	...	...

... Not available

Source: Department of Mental Health and Substance Abuse.

Table 39. Department of Mental Health and Substance Abuse Expenditures: FY 1989 to FY 1994

Program	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Expenditures, Compact citizens ..	\$8,655	\$9,607	\$15,210	\$11,750	\$36,263	...	\$81,485
Counseling	1750	900	1980	...	4,630
Drug and Alcohol Outpatient	3425	8100	10890	...	22,415
Case Management	2075	2250	825	...	5,150
Medication Clinic	0	0	0	...	0
Medical Services	720	375	825	...	1,920
Day Treatment	0	0	0	...	0
Intake	115	125	0	...	240
Drug and Alcohol Residential	0	0	4500	...	4,500
In-patient	7125	0	17243	...	24,368
Not stated (No Record)	0	0	0	...	0

... Not available

Source: Department of Mental Health and Substance Abuse.

3. GUAM MEMORIAL HOSPITAL AUTHORITY

Guam Memorial Hospital Authority (GMHA) is a governmental, non-profit institution serving the people of Guam. As the sole hospital on the island, no patient is denied hospital care and services by reason of place of residence or ability to pay. Prior to the Compact, citizens of the FSM and RMI were Trust Territory citizens, and as such, received medical care from Department of Defense at the Naval Regional Medical Center.

Under Compact immigration provisions, FAS citizens are not eligible for care at the Naval Hospital, and instead use the services of GMH, regardless of intention to establish habitual residence on Guam. Data supplied by the hospital include only FSM residents, that is, patients with a billing address in the FSM. Between FY 1989 and FY 1994, a total of 932 FSM residents received care at GMH, and most of those were FSM government referrals. GMH does not have information on FSM citizens who have established habitual residence on Guam.

The FSM state governments have pledged to honor the bills of patients referred to Guam Memorial Hospital (GMH) by the state governments, and the FSM national government has pledged to make payment for patients under the FSM Government Employee Insurance Plan. However, the hospital must bill FAS citizens directly if they receive treatment as walk-in, self-paying patients (those with no referral and no health insurance).

At the end of FY 1994, the FSM state governments owed GMHA a total balance of \$1,001,169 for referrals to GMH since FY 1987. The largest balance was owed by the Chuuk state government, \$982,420, or 98.1 percent of the outstanding balance. In addition, the FSM Government Employees Insurance Plan had an outstanding balance of \$111,602. Overall, the FSM national and state governments owe GMHA a total in excess of \$1.11 million for the FY 1987 through FY 1994 period. The Government of Guam is seeking payment for these bills directly from the FSM national and state governments.

Table 40. Outstanding Balance Owed by FSM State Governments for Referrals to Guam Memorial Hospital: 1987 to 1994

FSM State	FY 1989 and prior	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Total	\$24,488	\$16,360	\$56,812	\$223,876	\$420,696	\$258,937	\$1,001,169
Chuuk	\$24,488	\$16,360	\$56,812	\$223,876	\$420,696	240,188	982,420
Pohnpei	0	0	0	0	0	5,786	5,786
Yap	0	0	0	0	0	12,962	12,962
Kosrae .....	...	...	...	...	...	...	...

... Not available

Source: Guam Memorial Hospital Authority

Table 41. Outstanding Balance Owed by FSM Government Employee Insurance Plan to Guam Memorial Hospital: FY 1987 to FY 1994

Employee Insurance Plan	FY 1989 + prior	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
FSM Government	\$15,052	\$32,876	\$63,674	\$0	\$0	\$0	\$111,602

Source: Guam Memorial Hospital Authority

Table 42. Guam Memorial Hospital Patient Discharge Statistics: FY 1992 to FY 1994

Discharges	Acute In-Patient Discharges	Out-Patient Discharges
FY 1992		
Total discharges	13,636	35,000
FSM discharges	1,300	2,563
Percent FSM	9.5	7.3
FY 1993		
Total discharges	14,590	36,886
FSM discharges	1,460	2,697
Percent FSM	10.0	7.3
FY 1994		
Total discharges .....	...	...
FSM discharges .....	...	...
Percent FSM .....	...	...

... Not available

Source: Guam Memorial Hospital Authority

Approximately 10 percent of acute (in-patient) discharges from GMH were Compact persons in 1992 and 1993; and about 7.3 percent of out-patient discharges were Compact persons. Discharge data includes habitual residents, referrals from the FAS state and national governments, and self-paying persons who list an FSM or RMI billing address. Cost recovery is requested only for write-offs for self-paying patients listing an FSM or RMI billing address.

Table 43. Outstanding Balance Owed to GMH by Self-Paying FAS Patients Residing Off-Island:
 FY 1987 to FY 1994

Hospital charges	FY 1987	FY 1988	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Total charges	15,467	16,086	22,789	59,350	34,790	103,956	35,921	14,459	302,818
Total paid to date	10,923	9,602	16,241	33,445	17,717	50,001	25,261	5,734	168,924
Percent paid	70.6%	59.7%	71.3%	56.4%	50.9%	48.1%	70.3%	39.7%	55.8%
Write-off	4,544	6,485	6,547	23,515	14,522	40,839	319	0	96,771

Source: Guam Memorial Hospital

4. DEPARTMENT OF VOCATIONAL REHABILITATION

The Vocational Rehabilitation program is a joint effort of the federal and state governments to assist persons with disabilities, as a function of the Rehabilitation Act amendments of 1986. The federal agency administering the program is the Rehabilitation Services Administration, Department of Education. The Guam Department of Vocational Rehabilitation (DVR) administers the program locally.

DVR's mission is to:

1. provide appropriate services to qualified individuals with disabilities to assist them to regain, preserve, or develop their ability to pursue gainful employment;
2. conduct programs and activities to remove social and environmental barriers and to ameliorate physical conditions which may prevent persons with disabilities from living as independently as possible or participating in government and community activities;
3. provide coordination, technical assistance and related services to other public and private entities serving persons with disabilities; and
4. make accurate, expeditious disability determinations for social security disability applicants.

Persons who have a physical or mental handicap that interferes substantially with their ability to work and who can reasonably be expected to benefit from DVR services are eligible for vocational rehabilitation services. Medical examinations to determine eligibility, counseling and job placement are free.

It has been reported to the Department of Vocational Rehabilitation that federally funded vocational rehabilitation and related programs have been phased out in the FAS after implementation of the Compacts. DVR was initially concerned that it would experience a large number of referrals from the FAS because of this. However, so far, the number of referral from the FAS has not significantly impacted DVR programs. The annual number of Compact clients range from none in FY 1993 to 10 in FY 1994, with a total of 24 clients over the FY 1989 to FY 1994 period.

Table 44. Department of Vocational Rehabilitation Expenditures: FY 1989 to FY 1994

Cost to Vocational Rehabilitation	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Number of Compact clients	2	3	6	3	0	10	24
Expenditure	\$1,120	\$6,459	\$74,175	\$5,886	\$0.00	\$20,746	108,386

5. GUAM HOUSING CORPORATION/GUAM RENTAL CORPORATION

The Corporation operates two separate housing programs, the Guam Housing Corporation and the Guam Rental Corporation.

The Guam Housing Corporation (GHC) is a locally funded autonomous agency of the Government of Guam. It provides financing for the purchase and/or construction of homes for first time low- to moderate-income homeowners who are unable to meet the loan qualification criteria of commercial lending institutions. Applicants for GHC and GRC programs must be U.S. citizens or possess permanent residency status. Habitual resident FAS citizens are considered by GHC and GRC to meet the permanent resident criteria. For GHC's loan programs, a preliminary interview is conducted to determine the applicant's eligibility. If the applicant is determined eligible, guidance is provided to complete the application package for approval. If the applicant is found ineligible, referral is made to other financial institutions or housing services providers, and homebuyers counseling is provided. The GHC makes its loan programs known to FAS immigrants through the Compact Impact Information and Education Program, however GHC had no inquiries from FAS immigrants relative to the loan program between FY 1989 and FY 1994.

Guam Rental Corporation (GRC), a subsidiary of GHC, engages in low cost housing activities by operating a 115-unit public housing project and one separate unit in the municipality of Dededo. The cost of renting a unit is determined by formula. If families have financial problems, GRC offers financial counseling when requested or when needed. GRC reports little housing turnover from year-to-year, resulting in lengthy waiting periods for all applicants. For example, at the end of FY 1991, there were 125 families on the waiting list, and during the next three years, there was only 56 turnovers. In order to remain on the waiting list, applicants must notify GRC of their intentions on a monthly basis. In addition to the lengthy waiting period, GRC's one-family per housing unit rule may discourage FAS citizens from participating in the program to a greater degree.

Table 45. Expenditures, Guam Rental Corporation: FY 1989 to FY 1994

Housing Assistance	Fiscal Year						Total
	1989	1990	1981	1992	1993	1994	
Number of housing units	115	115	115	116	116	115	...
Cost of operation per unit	\$3,112	...	...	\$4,511	\$3,854	\$4,737	...
Cost of administration per unit .....	...	...	\$341	\$911	\$467	\$1,202	...
Number of vacancies /a	2	...	...	0	2	1	...
Number of turnovers	12	...	...	11	22	23	68
Total number of families on waiting list /a ..	...	...	125	127	51	61	...
Number of FAS families on waiting list /a ..	...	...	21	18	8	14	...
Number of FAS families housed .....	...	...	1	1	2	4	...
Cost of rent subsidies to FAS families .....	...	...	\$1,284	\$3,600	\$5,685	\$13,770	\$24,339
Administrative costs .....	...	...	\$341	\$911	\$933	\$4,808	\$6,993
Cost of assistance .....	...	...	\$1,625	\$4,511	\$6,618	\$18,578	\$31,332

6. GUAM HOUSING AND URBAN RENEWAL AUTHORITY

The Guam Housing and Urban Renewal Authority was established under Public Law 6-135 in 1962. The Authority was created as a public housing agency within the meaning of the United States Housing Act of 1937, as amended, and as a local public housing agency within the meaning of Title I of the Housing Act of 1949, as amended. It is tasked to manage and operate projects established for low-income families with the purpose of providing safe, decent, and sanitary housing for families of low income. Because qualifications for housing do not include citizenship or origin requirements, persons and families from the FSM and RMI may apply for subsidized housing. GHURA is 100 percent federally funded.

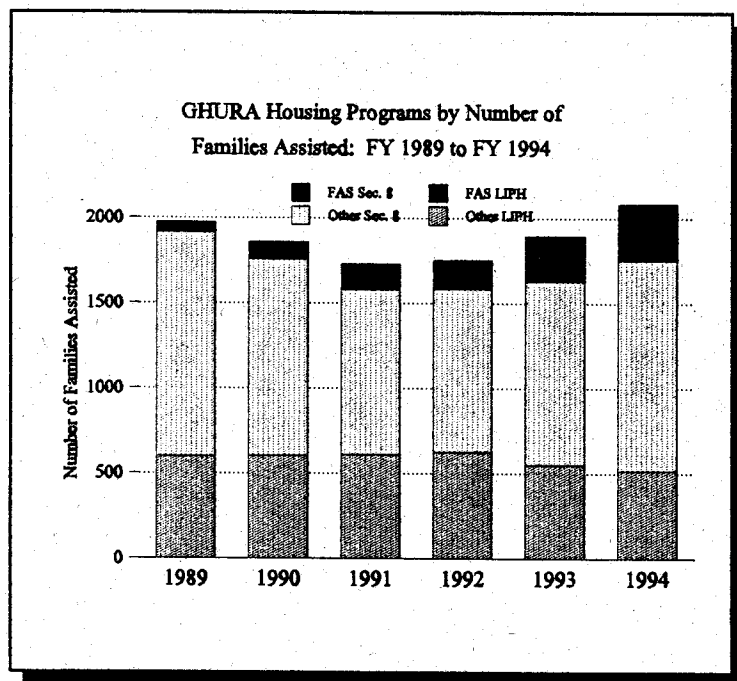
Table 46. Guam Housing and Urban Renewal Authority Expenditures: FY 1989 to FY 1994

Program	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Total	\$264,147	\$738,451	\$1,581,303	\$1,419,401	\$1,423,151	\$2,048,488	\$7,474,941
LOW-INCOME PUBLIC HOUSING							
Number of housing units .....	...	...	751	751	751	751	...
Number of units occupied .....	...	...	692	723	677	653	...
Total number of families assisted	623	651	692	723	677	653	...
Total number of persons assisted	2,941	...	1,270	1,915	3,234	3,107	...
Total cost of assistance	\$1,597,013	\$2,554,872	\$3,051,272	\$2,641,074	\$2,683,587	\$2,723,362	\$15,251,180
Subsidy .....	...	\$910,814	\$732,822	\$278,859	\$375,219	\$409,595	\$2,707,309
Administration .....	...	\$1,644,058	\$2,318,450	\$2,362,215	\$2,308,368	\$2,313,767	\$10,946,858
Number of FAS families assisted	25	49	83	101	129	139	...
Percent of total	4.01	7.53	11.99	13.97	19.05	21.29	...
Number of FAS citizens assisted	115	...	240	391	569	680	...
Total cost of assistance to FAS families ..	\$63,762	\$408,945	\$725,249	\$521,376	\$460,964	\$571,906	\$2,752,202
Percent of total	3.99	16.01	23.77	19.74	17.18	21.00	...
Subsidy .....	...	\$182,394	\$287,117	\$39,012	\$64,459	\$86,015	\$658,997
Administration .....	...	\$226,551	\$438,132	\$482,364	\$396,505	\$485,891	\$2,029,443
SECTION 8 HOUSING ASSISTANCE							
Number of housing units .....	...	...	1,439	1,439	1,486	1,461	...
Number of units occupied .....	...	...	1,038	1,027	1,217	1,430	...
Total number of families assisted	1,350	1,205	1,038	1,027	1,217	1,430	...
Total number of persons assisted	5,206	...	2,210	1,630	4,615	5,171	...
Total cost of assistance	\$7,199,675	\$6,526,691	\$5,905,171	\$6,358,435	\$7,941,079	\$11,358,326	\$45,289,377
Subsidy .....	...	\$5,865,797	\$5,133,731	\$5,415,239	\$7,048,604	\$10,255,277	\$33,718,648
Administration .....	...	\$660,894	\$771,440	\$943,196	\$892,475	\$1,103,049	\$4,371,054
Number of FAS families assisted	36	54	71	69	140	193	...
Percent of total	2.67	4.48	6.84	6.72	11.50	13.50	...
Number of FAS citizens assisted	156	...	247	177	504	942	...
Total cost of assistance to FAS families ..	\$200,385	\$329,506	\$856,054	\$898,025	\$962,187	\$1,476,582	\$4,722,739
Percent of total	2.78	5.05	14.50	14.12	12.12	13.00	...
Subsidy .....	...	\$295,339	\$769,835	\$745,500	\$831,320	\$1,333,186	\$3,975,180
Administration .....	...	\$34,167	\$86,219	\$102,525	\$130,867	\$143,396	\$497,174

Source: Guam Housing and Urban Renewal Authority.
 ... Not available

The Guam Housing and Urban Renewal Authority manages three assisted housing programs: Low-Income Public Housing, Section 8, and the Tumon Elderly Project. In 1994, GHURA owned 751 Low Income Public Housing (LIPH) units. As of September 1994, 653 families were housed by LIPH and 927 families were on the waiting list. The Section 8 program consists of private housing units registered with the program through certificates/vouchers (housing allocations). Under the Section 8 programs, GHURA administers 1,404 allocations for certificates and vouchers. This program is a "finders-keepers" type program where the qualified applicant seeks a rental unit in the private rental market. The Tumon Elderly Project consists of 49 one-bedroom units designed for the elderly and persons with disabilities.

All of GHURA's programs use the HUD-established income limits to determine initial eligibility. A family that is selected for participation in the programs normally pays either 30 percent of their monthly adjusted income, 10 percent of the monthly unadjusted income, or welfare rent as their monthly rent, whichever is highest.



Prior to 1986 GHURA estimates that virtually no LIPH or Section 8 units were occupied by citizens of the Trust Territory of the Pacific Islands. In 1989, FAS immigrants occupied 4 percent of LIPH units and 2.7 percent of Section 8 rentals. By 1994, the percentage of subsidized housing occupied by FAS immigrants had surged to 21.3 percent of LIPH units and 13.5 percent of Section 8 rentals.

Waiting list statistics for LIPH indicate that a constant 27 percent to total applicants since 1991 were FAS citizens. Statistics for the Section 8 waiting list show 15 percent of applicants were FAS applicants in 1991. As of March 31, 1995, FAS citizens represented 23 percent of the

total 1,377 applicants.

The Government of Guam does not seek reimbursement through Compact provisions for the use of GHURA's housing programs by FAS immigrants because they are 100 percent federally funded. However, because the number of assisted housing units has not changed significantly despite the continuous immigration of low-income families from the FAS, local families with housing needs will continue to be displaced.

Table 47. Displacement of Local Families Awaiting GHURA Housing Assistance
 September 1991 to September 1994

Families	Total				Low Income Public Housing				Section 8			
	1994	1993	1992	1991	1994	1993	1992	1991	1994	1993	1992	1991
Total families	4,793	3,855	3,545	3,198	1,580	1,851	1,915	1,270	3,213	2,004	1,630	1,928
Housed	2,083	1,897	1,750	1,730	653	680	723	692	1,430	1,217	1,027	1,038
Issued certificates	494	67	...	...	...	...	...	...	494	67	...	...
Waiting list	2,216	1,891	1,795	1,468	927	1,171	1,192	578	1,289	720	603	890
FAS families	994	744	568	449	408	447	391	240	586	297	177	209
Housed	332	269	170	154	139	129	101	83	193	140	69	71
Issued certificates	83	14	...	...	...	...	...	...	83	14	...	...
Waiting list	579	461	398	295	269	318	290	157	310	143	108	138
All others	3,799	3,111	2,977	2,749	1,172	1,404	1,524	1,030	2,627	1,707	1,453	1,719
Housed	1,751	1,628	1,580	1,576	514	551	622	609	1,237	1,077	958	967
Issued certificates	411	53	0	0	...	...	...	...	411	53	...	...
Waiting list	1,637	1,430	1,397	1,173	658	853	902	421	979	577	495	752

... Not available

Source: Guam Housing and Urban Renewal Authority

VIII. IMPACT ON EMPLOYMENT SERVICE AGENCIES

Total payroll employment on Guam expanded from 41,850 employees in September 1986, just prior to the Compact implementation, to a high of 69,627 in March 1992. During this period of economic expansion, FAS citizen employees increased both in number and in percent of work force participation and held nearly 4 percent of Guam's jobs in 1992. A survey conducted in 1992 showed about 55.6 percent of Compact persons 16 years were employed².

As the growth of the economy slowed in response to natural disasters and a decline in tourist arrivals to Guam, employment dipped to 68,464. Despite the loss of total jobs, FAS employment increased slightly. Total employment continued to decline through March 1994, to 64,082 employees. FAS employment, of which about 60 percent is in the retail trade and services sectors of the economy, was hit hard by the job loss in the tourism industry. By March 1994, FAS citizens had lost nearly 400 jobs, declining from 4.11 percent of the work force in 1993 to 3.8 percent in 1994³.

The Government of Guam assists job seekers by offering job skills training through the Agency for Human Resources Development and operates a job placement service through the Department of Labor's Guam Employment Service.

Table 48. Employment Services Expenditures: FY 1989 to FY 1994

Employment Service Agencies	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
Expenditures for Compact citizens ...	\$22,641	\$46,957	\$26,899	\$98,654	\$135,765	\$99,642	\$430,558
Agency for Human Resources Development	\$6,405	\$9,725	\$12,928	\$65,661	\$63,428	\$61,934	\$220,081
Department of Labor - Guam Employment Service	\$16,236	\$37,232	\$26,899	\$32,993	\$70,051	\$53,932	\$237,343

Source: Agency for Human Resources Development; Department of Labor, Guam Employment Service.

² University of Guam, "1992 Census of Micronesians on Guam", 1993.

³ Guam Department of Labor, "Annual Census of Establishments, March 1993."

1. AGENCY FOR HUMAN RESOURCES DEVELOPMENT

The Job Training Partnership Act (JTPA) programs administered by the Agency for Human Resources Development (AHRD) are funded under two titles, Title II-A and Title II-B. Title II-A activities are for Training Services for the Economically Disadvantaged and Individuals Having Barriers to Employment, i.e. school dropouts and handicapped. Title II-B activities are for Summer Youth Employment and Training Program services for economically disadvantaged youth, ages 14 to 21.

JTPA programs and activities involve job training, classroom training in remedial or occupational skills, On-the-Job Training, Entry Employment Experience (Tryout Employment), and Work Experience. Upon completion of the participants' training, the trainees are placed in private sector occupations whenever possible. The training can involve a minimum of 160 hours (4 weeks) to a maximum of 1,040 hours (6 months), with the exception of classroom training in which the training period can be up to one year.

Table 49. Agency for Human Resources Development, Expenditures: FY 1989 to FY 1994

AHRD Programs	FY 1989	FY 1990	FY 1991	FY 1992	FY 1993	FY 1994	Total
TITLE II-A Regular Youth/Adult							
Total expenditures	\$1,347,925	\$1,604,012	\$1,626,916	\$1,931,840	\$1,867,175	\$2,470,243	\$10,848,111
Federal funds	\$1,231,479	\$1,337,690	\$1,423,869	\$1,472,216	\$1,423,178	\$1,994,858	\$8,883,290
Local funds	\$116,446	\$266,322	\$203,047	\$459,624	\$443,997	\$475,385	\$1,964,821
Total participants	400	356	267	294	308	284	1,909
FAS participants	22	13	17	42	44	37	175
Local expenditures	\$6,405	\$9,725	\$12,928	\$65,661	\$63,428	\$61,934	\$220,081
Federal expenditures	\$67,731	\$48,848	\$90,658	\$210,317	\$203,311	\$259,893	\$880,758
TITLE II-B Summer Youth							
Total expenditures	\$664,813	\$656,835	\$647,895	\$1,002,595	\$786,439	\$827,232	\$4,585,809
Federal funds	\$664,813	\$656,835	\$647,895	\$1,002,595	\$786,439	\$827,232	\$4,585,809
Local funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total participants	432	449	402	487	594	731	3,095
FAS participants	1	19	16	17	73	63	189
Local expenditures	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Federal expenditures	\$1,539	\$27,795	\$25,787	\$34,998	\$96,650	\$71,294	\$258,063
Local expenditures FAS citizens	\$6,405	\$9,725	\$12,928	\$65,661	\$63,428	\$61,934	\$220,081

... Not available
 Source: Agency for Human Resources Development.

Impact expenditures were estimated as the percentage of FAS participation in locally funded portions of JTPA programs.

JTPA operates on a program year, July to June, while the Government of Guam operates on an October to September fiscal year. Federal funds are received on a program year basis, and local funds are received by fiscal year. Data were extracted from two program years to compile a fiscal year report that coincides with the Government of Guam fiscal year reporting.

FAS participation Title II-A		-----		=	Percentage FAS Participants
Total participation Title II-A					
Total Title II-A Expenditures (Locally Funded)	X	Percentage FAS Citizens (Participants)	=	FAS Expenditure	
FAS participation Title II-B		-----		=	Percentage FAS Participants
Total participation Title II-B					
Total Title II-B Expenditures (Locally Funded)	X	Percentage FAS Citizens (Participants)	=	FAS Expenditure	

2. DEPARTMENT OF LABOR, GUAM EMPLOYMENT SERVICE

The Guam Employment Service (GES), a division of the Department of Labor is part of a nationwide federal-state system of public employment service offices established by the Wagner-Peyser Act of 1933. The primary mission of the Guam Employment Service is to maintain and provide free labor exchange services to match employers' needs with qualified workers. However, because of today's labor market situations and socio-economic conditions and the Guam Employment Service's involvement in several employment and training programs, the Employment Service must also provide services and direct its efforts in areas other than strictly labor exchange for the job ready. To assist the citizens of the Compact states, GES provides those individuals who have never worked before and those who have little job skills or limited work experiences, job search workshops and job search counseling services. Referrals to other support agencies are also provided.

The recent need to revitalize the employment service takes into consideration the need to enhance services to specialized target groups. Installation of the Automated Labor Exchange (ALEX) will generate computer reports to meet Compact expenditure reporting requirements; however, GES continues to input data to update information since installation in September 1994.

In April of 1994, GES was invited to attend the Federated States of Micronesia's 2nd Annual Labor Convention held in Chuuk State. Among the major issues and topics discussed were the employment of non-immigrant workers in the FSM states, the nonexistence of the minimum wage act in the private sector in some of the FSM states, and the impact on Guam as a result of the Compact of Free Association. It was agreed that only by working closely with each other can FSM citizens be assisted in transitioning upon relocation to Guam. Toward this end, an information booklet developed by the Government of Guam's Compact Impact Information and Education Program was distributed to participants. The Joint Communiqué of the Second Conference of States and National Labor Officials anticipate to elevate this conference to a

regional one to include Palau, Guam, the Commonwealth of the Northern Mariana Islands and the Marshalls in a resolution to be presented before Congress. Palau will host the labor convention in 1995.

The citizens of Palau are also provided the same services as those of the FSM. Additional coordinated efforts continue; however, statistics indicate that the total Palauan individuals are minimal as compared to those of the FSM.

The cost for employment services to FAS citizens by the Department of Labor, Guam Employment Service is computed by multiplying the average cost per service visit by the number of FAS client visits. Reimbursement is sought only for the local portion of the cost for employment services.

$$\frac{\text{Total GES Program Expenditures}}{\text{Total Client Visits}} = \text{Average Cost per Service Visit}$$

$$\text{Average Cost per Service Visit} \times \text{Total FAS Citizen Visits} = \text{Total Cost of Services for FAS Citizens}$$

$$\text{Total Cost of Services for FAS Citizens} \times \text{Percentage of Expenditures Locally Funded} = \text{Reimbursement}$$

Table 50. Department of Labor, Guam Employment Service, Expenditures: FY 1989 to FY 1994

Guam Employment Service	FY 1989/a	FY 1990/b	FY 1991/c	FY 1992	FY 1993	FY 1994
Total services provided	4,268	7,529	4,731	8,240	8,864	5,622
Total services to FAS citizens	775	1,123	558	812	1,772	990
Total program expenditures	\$436,293	\$560,281	\$407,462	\$667,130	\$706,346	\$680,591
Cost per client visit/d	\$75.72	\$74.42	\$114.66	\$99.41	\$79.69	\$121.06
Total cost of services to FAS citizens ...	\$57,169	\$83,574	\$59,773	\$73,317	\$141,211	\$119,849
Percent of expenditures locally funded ..	28.4%	44.55%	45.0%	45.0%	47.0%	45.0%
Cost of FAS services locally funded	\$16,236	\$37,232	\$26,899	\$32,993	\$70,051	\$53,932
Total						\$237,343

- a FY 1989 - April 1989 to January 1990
- b FY 1990 - January 1990 to December 1990
- c FY 1991 - January 1991 to September 1991
- d Average of Program Years

NOTE: Guam Employment Services Program Year is from July to June.

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