

**Congress of the United States**  
Washington, DC 20510

June 29, 2021

The Honorable  
Joseph R. Biden, Jr.  
President of the United States  
1600 Pennsylvania Ave, NW  
Washington, DC 20500

Dear Mr. President:

We urge your Administration to prioritize negotiations with the Freely Associated States (FAS) - the Republic of the Marshall Islands, the Federated States of Micronesia and the Republic of Palau – toward renewing our Compacts of Free Association (COFAs) with these countries with whom we share such long histories and critical presents and futures.

The COFAs, their subsidiary agreements and enacting legislation define a decades-old special and mutually beneficial relationship and provide our country with valuable economic and security benefits, including:

- The right to mutual control over an expanse of the Pacific as large as the 48 continental States, from Hawai‘i to Guam, the Philippines, and Indonesia – including shipping lanes coveted by our strategic competitors;
- Basing rights, including facilities on Kwajalein Atoll in the Marshall Islands that the Joint Chiefs of Staff have termed “the world’s premiere range and test site for intercontinental ballistic missiles and space operations support”<sup>1</sup> and the installation of new advance warning U.S. military radar systems in Palau; and
- A say over the interactions of the FAS with other governments and over FAS policies the U.S. deems inconsistent with common defense requirements.

These mutual rights and benefits are possible because of the financial and domestic program assistance that we provide the FAS and the free access to the U.S. that we give their small populations. The geographic position that makes these island nations so strategically important is the same factor that drives the economic and social challenges they face. Thus, the U.S. Department of the Interior provides financial assistance for education, health, infrastructure, public sector capacity building, private sector development and environmental protection, and

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<sup>1</sup> Lisa Fernando, “Dempsey Visits Strategic, Remote Kwajalein Atoll,” Department of Defense News, February 21, 2015, <https://www.defense.gov/Explore/News/Article/Article/604144/dempsey-visits-strategic-remote-kwajalein-atoll/> and <https://www.jcs.mil/Media/News/News-Display/Article/580252/dempsey-visits-strategic-remote-kwajalein-atoll/>.

U.S. programs and services are also provided by a dozen other agencies. Today, over 94,000 FAS citizens live in the United States and its territories due to the free associations, contributing to our economies and the diversity of our communities.<sup>2</sup>

However, in 2019, the Commander of the U.S. Indo-Pacific Command warned Congress of “the pernicious use of Beijing’s economic leverage” in efforts to gain influence in the FAS.<sup>3</sup> Additionally that year, a study for the Secretary of Defense mandated by law cautioned that a failure to continue needed aid “would be a self-inflicted wound that could come at the expense of the foreign policy and defense interests of the United States and its allies and partners.”<sup>4</sup>

Recognizing the strategic importance of our COFAs and that trust funds intended to replace annual financial grants after Fiscal Year 2023 for the Marshall Islands and Micronesia and 2024 for Palau were insufficient to reliably do so, the previous Administration initiated negotiations just over a year ago after discussing them in 2019. This was a widely welcomed action because these talks span wide-ranging issues involving some 14 separate departments and agencies and, in the past, have taken years to complete and ensure the long-term sustainability of our relationships. Although the previous administration hoped to complete the negotiations by the end of 2020,<sup>5</sup> little progress was made.

To effectively restart the negotiations and put them on the right path towards successful completion, we urge you to appoint a special envoy or other dedicated senior appointee based out of the White House to coordinate an interagency effort to renew the COFAs. This would not only address the need for input and coordination of all agencies with jurisdiction but also send a powerful acknowledgement of the importance of these relationships. This model was successfully employed by the presidents of both parties who crafted prior COFAs through Personal Representatives assisted by personnel from the Departments of State, Defense, and Interior, and a diverse interagency group.

We also request that your Administration work with the Congress on the substance of these negotiations to ensure swift approval of the agreements. It is essential that we prevent a repeat of what happened with the previous renewal of the Compact with Palau, in which it took seven years to approve the agreement reached in 2010 due to differences between our executive and legislative branches on the source of funding, with Congress having to appropriate funds based on the previous agreement. Furthermore, we believe that these agreements must be fully funded

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<sup>2</sup> U.S. Government Accountability Office, *Compacts of Free Association: Populations in U.S. Areas Have Grown, with Varying Reported Effects*, June 2020, <https://www.gao.gov/assets/gao-20-491.pdf>.

<sup>3</sup> Statement of Admiral Philip S. Davidson, Commander, U.S. Indo-Pacific Command, Before the Senate and House Armed Services Committees, February 12, 2019 and March 27, 2019, <https://www.congress.gov/116/meeting/house/109234/witnesses/HHRG-116-AS00-Wstate-DavidsonP-20190327.pdf#page=38> and [https://www.armed-services.senate.gov/imo/media/doc/Davidson\\_02-12-19.pdf#page=38](https://www.armed-services.senate.gov/imo/media/doc/Davidson_02-12-19.pdf#page=38)[https://www.armed-services.senate.gov/imo/media/doc/Davidson\\_02-12-19.pdf#page=38](https://www.armed-services.senate.gov/imo/media/doc/Davidson_02-12-19.pdf#page=38).

<sup>4</sup> Derek Grossman et al., *America’s Pacific Island Allies: The Freely Associated States and Chinese Influence*, RAND Corporation, 2019. [https://www.rand.org/pubs/research\\_reports/RR2973.html](https://www.rand.org/pubs/research_reports/RR2973.html).

<sup>5</sup> Anita Hofschneider, “US Says COFA Talks Are On Track To Finish This Year,” *Honolulu Civil Beat*, October 25, 2020, <https://www.civilbeat.org/2020/10/us-says-cofa-talks-are-on-track-to-finish-this-year/>.

through mandatory rather than discretionary spending to ensure that our commitments are fully upheld over the next term of these agreements.

As your Administration works to restart and advance the renegotiation effort, we believe it is essential to fully recognize the importance of our relationships with the FAS and the need to perpetuate these relationships. This means ensuring that continued U.S. assistance for the FAS is enough to sustain and support the economic and social needs of FAS citizens while also working to seriously discuss any concerns arising out of our unique relationships and their futures.

We stand ready to work with you and your Administration in support of the renegotiations and to preserve the critical relationships that we share with our allied nations and peoples of the FAS.

Thank you for your time and consideration.

Sincerely,



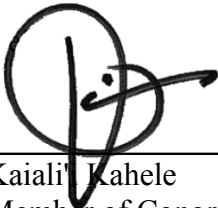
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Ed Case  
Member of Congress



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Brian K. Fitzpatrick  
Member of Congress



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Kaiuli Kahele  
Member of Congress



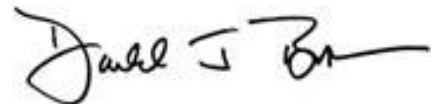
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Aumua Amata Coleman Radewagen  
Member of Congress



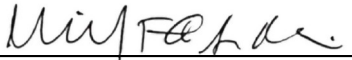
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Gregorio Kilili Camacho Sablan  
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Tim Ryan  
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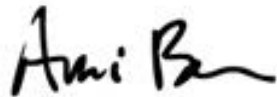
Young Kim  
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Dean Phillips  
Member of Congress



Stephanie Murphy  
Member of Congress



Ami Bera, MD  
Member of Congress

CC: The Honorable Antony J. Blinken, Secretary of State  
The Honorable Lloyd J. Austin III, Secretary of Defense  
The Honorable Debra A. Haaland, Secretary of the Interior  
Mr. Jacob J. Sullivan, Assistant to the President for National Security Affairs