

Congress of the United States
House of Representatives
Washington, DC 20515-5301

November 8, 2023

Honorable Carmen Cantor
Assistant Secretary for Insular Affairs
1849 C Street, NW
Washington, D.C. 20240

Re: DOI Programs to assist COFA Host Community's with Public Safety

Dear Secretary Cantor;

As Congress discusses a 20-year reauthorization of the Compacts of Free Association (COFA), I want to highlight my concerns regarding the potentially adverse impacts of these agreements on Guam. In my view, and that of local officials in Guam; public safety concerns, burdens on the educational system, and various economic impacts on my district are not adequately addressed in the current text of these agreements. As such, I request the support of the Office of Insular Affairs in identifying financial resources which would assist in addressing these concerns.

I have stated publicly on numerous occasions that I do support the Company Impact Fairness Act (CIFA), as it would assist in reducing some of the burdens placed on our healthcare system, however, it is not a one size fit all solution.

Some statistics to consider, which were provided by Guam's law enforcement entities are as follows:

- As of today, 58 of the 349 confined inmates at the Guam Department of Corrections are COFA migrants.
- Of these convicted felons, nearly 50% are sex offenders, and 39, or 67% are repeat offenders.
- Of the 474 detainees awaiting trial, 121, or 26%, are COFA migrants.
- Arrest records from the Guam Police Department show that 34.1% of all arrests made in Guam in 2022 were COFA migrants, in 2021, 1,212 COFA migrants were arrested and 1,577 COFA migrants were arrested in 2022, an increase of 365 arrests. We are awaiting the 2023 statistics and are informed that they are trending in comparison to last year's statistics.

For an island with a little over 175,000 inhabitants, over 15% of which are COFA migrants, these statistics are very alarming. While DOI has indicated a shift in COFA migration towards the contiguous states, considering the size of my district, and our limited resources, a few hundred new migrants relocating to Guam each year creates a greater adverse impact, versus a few thousand shifting to Oregon, Arkansas, or Washington.

Please understand, Guam is an island which embraces the virtues of hospitality, and welcomes all visitors with open arms, including our fellow Pacific Islander brothers and sisters from the FAS Nations. However, we are also an island of respect, and when federal agreements allow for free migration, without consideration of the drain it would place on our government's limited resources, we must ensure that relevant authorities are made aware of our concerns.

The statistics being shared above clearly show a serious strain on the resources of various subagencies within our local government, and this includes the Guam Police Department, the Guam Department of Corrections, and the Superior Court of Guam. With the COFA agreements set to be renewed for another twenty years, we will continue to experience these unaccounted-for consequences with rising rates of incarceration and arrests, which is why I ask for the Department of Interior to assist in identifying resources to help offset these concerns.

Unless CIFA provides funding for our law enforcement and judiciary entities, we must seek alternate funding options which would assist our agencies in accomplishing their core missions. Just as other jurisdictions throughout the nation are experiencing, we have our share of existing problems with drugs and other illicit activity. However, the COFA agreements expand and further drain our existing departments by including criminal activity being conducted by non-U.S. Citizens, entering the island through binding agreements, and as the statistics clearly display, greatly impact our crime and conviction statistics.

Considering that Department of Interior has the authority to assist U.S. territories such as Guam, I implore your office for assistance in providing or identifying resources to support our law enforcement and judiciary entities. As always, my doors are open for a conversation on this discussion, and I look forward to a timely response.

Respectfully,



James C. Moylan
Member of Congress