

109TH CONGRESS
1ST SESSION

S. 2051

To extend eligibility for certain Federal benefits to citizens of the Freely
Associated States.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2005

Mr. AKAKA (for himself and Mr. INOUE) introduced the following bill; which
was read twice and referred to the Committee on Finance

A BILL

To extend eligibility for certain Federal benefits to citizens
of the Freely Associated States.

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

3 **SECTION 1. EXCEPTION FOR CITIZENS OF FREELY ASSOCI-**
4 **ATED STATES.**

5 (a) IN GENERAL.—Section 402(a)(2) of the Personal
6 Responsibility and Work Opportunity Reconciliation Act
7 of 1996 (8 U.S.C. 1612(a)(2)) is amended by adding at
8 the end the following:

9 “(M) EXCEPTION FOR CITIZENS OF FREE-
10 LY ASSOCIATED STATES.—With respect to eligi-

1 bility for benefits for the specified Federal pro-
2 grams described in paragraph (3), paragraph
3 (1) shall not apply to any individual who law-
4 fully resides in the United States (including ter-
5 ritories and possessions of the United States) in
6 accordance with—

7 “(i) section 141 of the Compact of
8 Free Association between the Government
9 of the United States and the Government
10 of the Federated States of Micronesia, ap-
11 proved by Congress in the Compact of
12 Free Association Amendments Act of
13 2003;

14 “(ii) section 141 of the Compact of
15 Free Association between the Government
16 of the United States and the Government
17 of the Republic of the Marshall Islands,
18 approved by Congress in the Compact of
19 Free Association Amendments Act of
20 2003; or

21 “(iii) section 141 of the Compact of
22 Free Association between the Government
23 of the United States and the Government
24 of Palau, approved by Congress in Public
25 Law 99–658 (100 Stat. 3672).”.

1 (b) MEDICAID AND TANF EXCEPTIONS.—Section
 2 402(b)(2) of the Personal Responsibility and Work Oppor-
 3 tunity Reconciliation Act of 1996 (8 U.S.C. 1612(b)(2))
 4 is amended by adding at the end the following:

5 “(G) MEDICAID AND TANF EXCEPTIONS
 6 FOR CITIZENS OF FREELY ASSOCIATED
 7 STATES.—With respect to eligibility for benefits
 8 for the programs defined in subparagraphs (A)
 9 and (C) of paragraph (3) (relating to temporary
 10 assistance for needy families and medicaid),
 11 paragraph (1) shall not apply to any individual
 12 who lawfully resides in the United States (in-
 13 cluding territories and possessions of the
 14 United States) in accordance with a Compact of
 15 Free Association referred to in subsection
 16 (a)(2)(M).”.

17 (c) QUALIFIED ALIEN.—Section 431(b) of the Per-
 18 sonal Responsibility and Work Opportunity Reconciliation
 19 Act of 1996 (8 U.S.C. 1641(b)) is amended—

20 (1) in paragraph (6), by striking “or” at the
 21 end;

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

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

1 “(8) an individual who lawfully resides in the
2 United States (including territories and possessions
3 of the United States) in accordance with a Compact
4 of Free Association referred to in section
5 402(a)(2)(M).”.

6 (d) CONFORMING AMENDMENT.—Section 1108 of the
7 Social Security Act (42 U.S.C. 1308) is amended—

8 (1) in subsection (f), in the matter preceding
9 paragraph (1), by striking “subsection (g)” and in-
10 serting “subsections (g) and (h)”; and

11 (2) by adding at the end the following:

12 “(h) The limitations of subsections (f) and (g) shall
13 not apply with respect to medical assistance provided to
14 an individual described in section 431(b)(8) of the Per-
15 sonal Responsibility and Work Opportunity Reconciliation
16 Act of 1996.”.

17 (e) EFFECTIVE DATE.—The amendments made by
18 this Act take effect on the date of enactment of this Act
19 and apply to benefits and assistance provided on or after
20 that date.

○