

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

July 30, 2021

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

Dear President Biden:

We write to request a meeting with you to discuss the nearly 4 million Americans living in the U.S. Territories of American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. Most of these people are racial or ethnic minorities. Our values are centered on the basic principle that all Americans should have equal treatment, wherever they live.

Our nation was founded upon the idea that governments “deriv[e] their just powers from the consent of the governed.” Yet, even as we celebrate hard-won achievements in diversity and inclusion in our political institutions, we continue to exclude Americans living in U.S. Territories from legal protections equal to their fellow Americans living in the several States and the District of Columbia. We would like to meet with you in order to discuss what can be done to address the millions of Americans residing in U.S. territory who are denied many of the rights and protections that most Americans are able to take for granted. Some topics we would like to briefly meet you about are as follows.

Supplemental Security Income. The Supplemental Security Income (SSI) program supports disabled, blind, and low-income adults and children throughout the fifty states, the District of Columbia, and the Northern Mariana Islands. But otherwise-eligible Americans living in Puerto Rico, Guam, the Virgin Islands, and American Samoa are arbitrarily precluded from receiving SSI. That is not just unfair, it has been found to be unconstitutional in the federal courts. In *United States v. Vaello Madero*, the First Circuit recently struck down this statutory discrimination as a violation of equal protection, concluding that “[t]he categorical exclusion of otherwise eligible . . . residents from SSI is not rationally related to a legitimate government interest.” The United States has sought review of the First Circuit’s landmark decision before the U.S. Supreme Court. We urge your administration to stop defending the arbitrary denial of federal benefits in U.S. Territories. We also urge your administration to affirmatively support legislation to include Puerto Rico, Guam, the Virgin Islands, and American Samoa in the SSI program, as proposed in the Supplemental Security Income Equality Act (H.R. 537).

Medicaid and Other Federal Safety Net Programs. Medicaid funding is typically available to States based on enrollment of eligible individuals and the per-capita income of residents. But in U.S. Territories, Medicaid funding has long been arbitrarily capped well below the Territories' actual local needs. This inequitable treatment has resulted in a lack of access to medical care for many Americans, including children, for no other reason than where they reside in the United States. If no action is taken before October 1, 2021, the Territories face a Medicaid "cliff" when additional Medicaid block grants to the Territories expire, placing the health coverage of tens of thousands of Americans at risk. We therefore urge your administration to support legislation to eliminate the federal Medicaid funding limitations for the territories before October 1, as proposed in the Territories Health Equity Act of 2021 (H.R. 3434) and supported in the President's Budget for FY 2022. We also call on your administration to end the exclusion of U.S. Territories from other federal safety net programs, such as the Supplemental Nutrition Assistance Program, the Low-Income Subsidy for the Medicare Prescription Drug Benefit, and the Disproportionate Share Hospital program.

Climate Change. In 2017, Puerto Rico and the U.S. Virgin Islands were hit hard by Hurricanes Irma and Maria. These disasters caused thousands of deaths and sweeping destruction to local infrastructure. In 2018, Tropical Cyclone Gita struck American Samoa, and Typhoon Yutu struck the Northern Mariana Islands and Guam, causing numerous deaths and destroying thousands of homes on these U.S. Territories. The already serious impacts of climate change for those living in the insular areas of the United States are made worse by the deleterious fiscal impacts of unequal access to federal programs, an over-reliance on petroleum, and existing infrastructure that fails to meet new hazard mitigation codes. Based in part on these experiences, local governments, climate change experts, organizations, and communities contributed to the development of the Insular Area Climate Change Act (H.R. 2780). The Insular Area Climate Change Act provides for climate change planning, mitigation, adaptation, and resilience in U.S. Territories.

Thank you for considering the millions of Americans who live in the U.S. Territories. As Members of Congress who represent those Territories, we look forward to partnering with your administration and working with Secretaries Xavier Becerra, Deb Haaland, and other administration officials to achieve equitable federal rights and benefits for all Americans, wherever they live. We would request a meeting with you at your earliest convenience to discuss these issues.

Sincerely,



STACEY E. PLASKETT
Member of Congress



GREGORIO KILILI CAMACHO SABLAN
Member of Congress



JENNIFFER GONZÁLEZ-COLÓN
Member of Congress



MICHAEL SAN NICOLAS
Member of Congress



AUMUA AMATA COLEMAN RADEWAGEN
Member of Congress