Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RESOLUTION NO. 100

Introduced by:

MINISTER JACK J. ADING

Approved:

SPEAKER KENNETH A. KEDI **SIGNATURE**

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
44TH CONSTITUTION REGULAR SESSION, 2023

Republic of the Marshall Islands
Jepilpilin Ke Ejukaan

RESOLUTION NO.100

A RESOLUTION requesting the Nitijela to approve the Memorandum of Understanding (MOU) on 2023 Amended Compact Agreement between the Government of the United States of America ("United States") and the Government of the Republic of the Marshall Islands ("Marshall Islands").

WHEREAS the Marshall Islands, had entered into negotiations with the United States to provide continued economic assistance and to reaffirm its commitment to a close and mutually beneficial relationship with the United States; and

WHEREAS on January 11, 2023 the Marshall Islands had entered a MOU with the United States while continues to negotiate the new terms of the Amended Compact, it was endorsed by the Cabinet on July 20, 2023, and now brought before the Nitijela for it's approval; and

WHEREAS the MOU, was signed as part of the Compact of Free Association negotiations, which confirms the shared desire to strengthen the special partnership between the two nations, and for the United States to mandatorily appropriate financial assistance to the Marshall Islands; and

WHEREAS the MOU, has been submitted to the United States and may form part of United States Congress approval and enactment into law as Amended Compact of Free Association on behalf of the Government of the United States, with Republic of Palau, the Federated States of Micronesia and the Marshall Islands; and

WHEREAS by virtue of section 12 of Article IV of the Constitution, the Nitijela will dissolve on September 30, 2023, and will not be able to take further action on an Amended Compact, until after a general election and the installation of a new Nitijela in January 2024; and

WHEREAS the financial terms under the MOU will not be known until the United States Congress enact into law the provisions stipulated in the MOU which may occur after the dissolution of the Nitijela; and

WHEREAS, under the foregoing circumstances it is the desire of the People of the Marshall Islands acting through its Nitijela to (i) approve the MOU as an interim measure while negotiating the new terms of the Amended Compact with the United States, (ii) while taking the interim measure, grant to the Cabinet to enter into such agreements as may be required to implement a Amended Compact; now therefore,

BE IT RESOLVED by the People of the Republic of the Marshall Islands, through their Nitijela in its 44th Constitution Regular Session, 2023, that the Nitijela approves, and hereby approves the MOU which is hereby attached, as an interim measure while negotiating the new terms of the Amended Compact with the United States, and grant to the Cabinet the assurance to enter into such agreement terms as may be required to implement a Amended Compact.

NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS
44TH CONSTITUTION REGULAR SESSION, 2023

RESOLUTION NO.___

SIGNATURES

DATE: 9/07/23 INTRODUCED BY David Kabua _____
Print Name *Signature*

DATE: 9/07/23 INTRODUCED BY Jack J. Ading _____
Print Name *Signature*

DATE: 9/7/23 INTRODUCED BY Casten Nemra _____
Print Name *Signature*

DATE: _____ INTRODUCED BY _____ _____
Print Name *Signature*

DATE: _____ INTRODUCED BY _____ _____
Print Name *Signature*

DATE: _____ INTRODUCED BY _____ _____
Print Name *Signature*

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF
THE MARSHALL ISLANDS
AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA

The Government of the Republic of the Marshall Islands ("Marshall Islands") and the Government of the United States of America ("United States") share a desire to strengthen the special and unique free association between their nations.

The Marshall Islands and the United States are negotiating agreements to accomplish this expeditiously and have come to the following understandings:

1. The United States plans to request mandatory appropriations for assistance to the Marshall Islands as follows:

a. Assistance for operations of the Marshall Islands for 20 years beginning in Fiscal Year 2024 of $50 million annually for assistance in sectors to be mutually agreed, adjusted annually for inflation as will be specified in the agreements being negotiated.

b. For additional healthcare needs in the Marshall Islands, $8 million annually for 20 years beginning in Fiscal Year 2024 to be matched by the Marshall Islands, plus an additional one-time payment by the United States of $20 million in Fiscal Year 2024 to implement joint healthcare programs from a newly created joint strategic health dialogue.

c. $20 million in Fiscal Year 2024 for a joint effort to obtain additional assistance and to provide technical assistance and expertise to enable the Marshall Islands to cope with challenges from climate impacts, including sea level rise and other environmental challenges that could threaten the existence of the Marshall Islands.

d. $30 million in Fiscal Year 2024, $20 million of which would be for Marshall Islands environmental feasibility studies and technical assistance and $10 million of which would be for future Marshall Islands environmental programs.

e. $15 million in Fiscal Year 2024, $10 million of which would be to improve the accessibility of documents and information relating to the United States nuclear testing program, including waste disposal, in the Marshall Islands and $5 million of which would be to help the Marshall Islands establish a museum and research facility on the program.

f. $132 million in Fiscal Year 2024 to implement the Kwajalein Atoll Masterplan.

g. $22 million in Fiscal Year 2024, the amount related to the Supplemental Education Grants from Fiscal Year 2005 through Fiscal Year 2023, to be used for education and job-training programs.

h. $200 million in each Fiscal Years 2024, 2025, and 2026, and $100 million in Fiscal Year 2027 to be deposited into the repurposed Trust Fund for priorities determined by the Marshall Islands in accordance with procedures to be mutually agreed.

2. The United States plans to continue to provide programs and services to the Marshall Islands as provided for in current U.S. law, as well as those provided under the Federal Programs and Services Agreement. The Marshall Islands and the United States intend to continue discussions regarding additional Federal programs.

3. The Marshall Islands and the United States plan to include in an agreement a provision to conduct joint reviews of the needs of the Marshall Islands prior to Fiscal Year 2044 and every 20 years thereafter.

4. The Marshall Islands and the United States plan to include in an agreement a provision regarding the continuation of direct economic assistance identified in section 1(a) and federal programs and services beyond Fiscal Year 2044 at the same levels identified above, subject to mutual agreement.

5. The Marshall Islands and the United States plan to continue negotiations on the details of these understandings and other related matters, with the aim of finalizing agreement texts expeditiously.

6. Nothing in this Memorandum of Understanding is intended to give rise to rights or obligations under international or domestic law.

Signed, at Los Angeles, California, United States this 11th day of January 2023, in duplicate.

For the Government of the Republic of the Marshall Islands:

Kitlang Kabua
Chief Free Association Negotiator and Minister of Foreign Affairs and Trade

For the Government of the United States of America:

Joseph Yun
Special Presidential Envoy for Compact Negotiations