

How Federal Policy Made Hunger Worse:

*Inequity for Marshallese Migrants
in the Food Safety Net*



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Executive Summary

The Supplemental Nutrition Assistance Program provides a lifeline to hundreds of thousands of Arkansans each year, but the people who may have the state's highest hunger rates are completely left out of this essential service. Arkansans who were born in the Marshall Islands aren't eligible for this benefit, commonly known as SNAP.

These Arkansans – and almost anyone born in the Marshall Islands who lives in the United States – aren't eligible for SNAP because of a decades-old oversight in federal law. Citizens of the Republic of the Marshall Islands live in the United States entirely lawfully through a unique treaty between their government and ours. That agreement exists because Americans owe Marshall Islanders a great debt for our legacy of nuclear testing in their country. Even though that's true, and Marshallese-born Americans have a unique status, that special status has become a hindrance to receiving needed benefits for far too many families who migrate to America.

To make things worse, their rates of food insecurity are, at least anecdotally, some of the highest in our state. While there's not much data available for this relatively small population, [a study of Marshallese Americans](#) found that participants' food insecurity rates



*Arkansas Advocates for
Children and Families
produced this report
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Arkansas Coalition
of Marshallese.*

Photos
by Courtney Boyd



during the COVID-19 pandemic were close to 80%. In comparison, the food insecurity [rate for all Americans](#) during that time was about 15%.

If Marshallese Americans were from almost any other country in the world, they'd have access to SNAP just by living lawfully in the United States and meeting other program criteria. Instead, SNAP benefits are one of many ways our country has overlooked Marshall Islanders, their contributions to the United States and the value they add to our communities.

This is one of many inequities in federal and state hunger benefits, some of which could be addressed through policy change and community outreach. A few suggested solutions include:

- Changing federal law. A similar solution for Medicaid eligibility, passed by Congress in late 2020, had bipartisan support and has made a huge difference in the health of the Marshallese community.
- Outreach to families with children who might be eligible for SNAP because they were born in the United States could help reduce child hunger in this population. Many families don't sign up for the program because they're unaware of their children's eligibility, or they hit snags with the paperwork because of their own status.
- Including a requirement for program eligibility when a treaty between the United States and the Republic of the Marshall Islands is renegotiated.

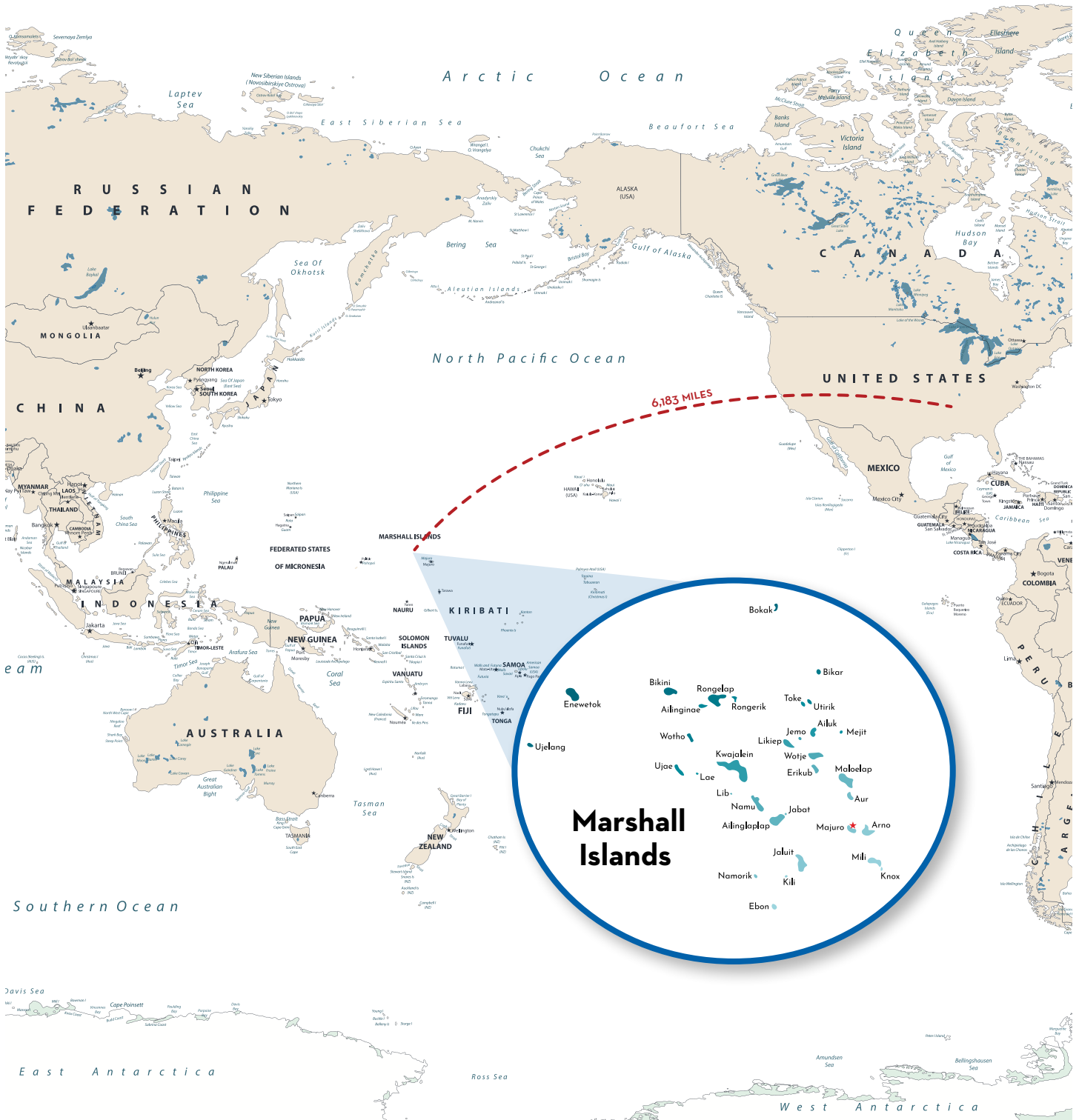
Every family in America should have access to adequate food and a nutritious diet. That's essential to ensure that every child grows up healthy and reaches their full potential. A long-overlooked mistake in federal law has prevented that access for thousands of Marshallese-born Americans. This report by Arkansas Advocates for Children and Families seeks to call attention to this disparity and how we got here.



If Marshallese Americans were from almost any other country in the world, they'd have access to SNAP.

How the Marshallese Became Arkansans

People born in the Marshall Islands have lived in the United States for decades, and some much longer. But in recent years, the numbers have grown for several reasons, including the fact that some of their South Pacific islands have become uninhabitable due to our own nation's nuclear testing.



When The Powder Fell

In the years after World War II, the United States tested 67 nuclear weapons off the coast of the Republic of the Marshall Islands. Some Marshallese Arkansans and their family members recall witnessing the tests and their aftermath. Neisen Laukon, for example, remembers the time after “the powder fell” with the detonation of the bomb called Castle Bravo. That bomb was the largest thermonuclear device the United States ever detonated and was 1,000 times larger than those the United States dropped on Japan at the end of the war.¹ The nuclear fallout that rained down from just that one bomb — the radioactive powder Neisen refers to — made her island of Rongelap uninhabitable.

As a result of those tests, evacuations and the ongoing military use of the islands by the United States, our country signed treaties called Compacts of Free Association (COFA) with the Republic of the Marshall Islands, the Republic of Palau, and the Federated States of Micronesia. (First signed in the early 1980s, the treaties have been changed several times and are up for renegotiation this year.) Among other provisions of the Compacts, citizens of these countries, known as the Freely Associated States, are able to come and go from the United States, to live and work here lawfully without a visa as long as they want to.²

After the nuclear tests, Neisen Laukon and many other Marshallese people migrated to the United States looking for opportunities, for education, and for a place to work and live and raise their children. Thousands have

settled in Arkansas since the 1980s, mostly in the northwest part of the state, with many finding work in poultry and other food processing operations. It’s hard to know exactly how many, because the population seems frequently to be undercounted in the U.S. Census and other surveys. While the Census’s American Community Survey estimated the Pacific Islander population in Arkansas to be close to 10,000 people in 2021, most in the Marshallese community consider that to be a gross underestimate. In Washington County alone, about 3,000 public school students speak Marshallese at home. Most of those are in Springdale, where students who speak Marshallese at home made up about 14% of the student population last academic year.³

Many of those students’ families have low incomes, working in entry-level and tough jobs essential to our state’s economy. The same is true in other states where Marshallese migrants have settled, including Iowa.⁴



Nuclear fallout from just one bomb test made my island of Rongelap uninhabitable.

– Neisen Laukon

There were promises made and obligations for destroying one country for the sake of mankind.

– Philmar
Mendoza Kabua

A ‘Reform’ That Ignored the Marshallese

The reason Marshallese Arkansans are left out of SNAP goes back to 1996. It came with the passage that year of the Personal Responsibility and Work Opportunity Reconciliation Act, sometimes referred to as “welfare reform.” In trying to keep undocumented immigrants from having access to government benefit programs, lawmakers defined those who were eligible for services as “qualified aliens.” That term, a very specific one in immigration law, turned out to be too narrow to include the Marshallese. Though migrants from the Freely Associated States like the Marshall Islands are lawfully residing in the United States, they’re not defined as “qualified aliens” because they’re not actually immigrants. They can come and go with a passport.

Here’s an illustration of how unfair this qualification is to the Marshallese. Those living in the United States who *do have access* to SNAP include:

- U.S. citizens
- Lawfully admitted permanent residents
- Refugees
- Asylees
- Cuban and Haitian immigrants
- Noncitizens who have been battered or subjected to extreme cruelty while residing in the United States
- Amerasian immigrants, among others

All those categories of Americans *should* have access to SNAP when they meet the eligibility criteria. But it’s unfair that Marshallese and other COFA migrants, while living here lawfully, don’t have that same access even though we have a special treaty with them to make up for our nation’s nuclear legacy. Because of their special treaty status, it is more difficult for COFA migrants to create a path to citizenship — and to become lawful permanent residents — no matter how long they live here. Migrants and immigrants from almost any other place in the world would have that opportunity, though it usually takes considerable time.

That unfairness hit Philmar Mendoza Kabua particularly hard when her family’s SNAP application was rejected. Her husband served



in the military and is a U.S. citizen because of that service. But Philmar and her mother are ineligible for SNAP because they were born in the Marshall Islands and aren’t U.S. citizens. “We’ve suffered a lot for this country. For their peace, for their freedom, for everything that they have now... We believe in justice. But where is this justice that we’re talking about?” she asked in a recent interview. “You take a lot from me, and yet I don’t count.”

Kabua is a nurse, but she’s a full-time student right now. Because their income is temporarily reduced, her family has trouble securing all the nutritious food they need. They turn to family for help as well as food pantries, such as the one operated by the Arkansas Coalition of Marshallese. Although Marshallese-born mothers are not eligible for SNAP, they are eligible for WIC, the federal Women, Infant and Children program operated by the Arkansas Department of Health. For now she has access to supplemental food for her and her baby through WIC, but only until her child turns 5.

She described her favorite foods to prepare as, “Anything that is healthy. But healthy food is expensive.”

Kabua said she became disheartened when she started researching more about the nuclear legacy in the Marshall Islands. She learned about the agreements the two nations made decades ago, and how the United States hasn’t lived up to its commitment.

“Those were the promises that were made, and those were obligations,” she said. “They were obligations for destroying a country for the sake of mankind.”

Fruit of a Poisoned Soil

Marshallese people, like so many who made a home on Pacific islands, lived for many centuries on the fresh food they could grow and catch. Breadfruit, cooked to a texture similar to a potato, is one of the main staples of the island diet. But on many Marshallese islands, tests have indicated that the trees and fruit are dangerously contaminated by what remains in the soil six decades after nuclear testing.

Fressena Lawin, originally from the island of Utrik, lives in Springdale now. She went back to Utrik in 2005 and noticed that the breadfruit trees were wrapped with warnings that they were contaminated.

“What are we going to eat?” she said her family and friends were asking. “They say, ‘Don’t eat it,’ but we still have to eat it.”

Now living in Arkansas for more than 20 years, Fressena has struggled to find enough food at times. She was rejected when she applied for SNAP because she was born in the Marshall Islands.

Food Producers are Food Insecure

Because so many Marshallese migrants are working to produce our nation’s food in processing jobs, it’s a tragic irony that they’re left out of federal safety net programs like SNAP, which are designed specifically to help families keep food on the table.

Food insecurity rates are typically how we measure hunger in America. Food insecurity is defined as having limited access to enough food to lead a healthy and active lifestyle. It is associated with poor health outcomes and chronic disease, including diabetes, heart disease and obesity.

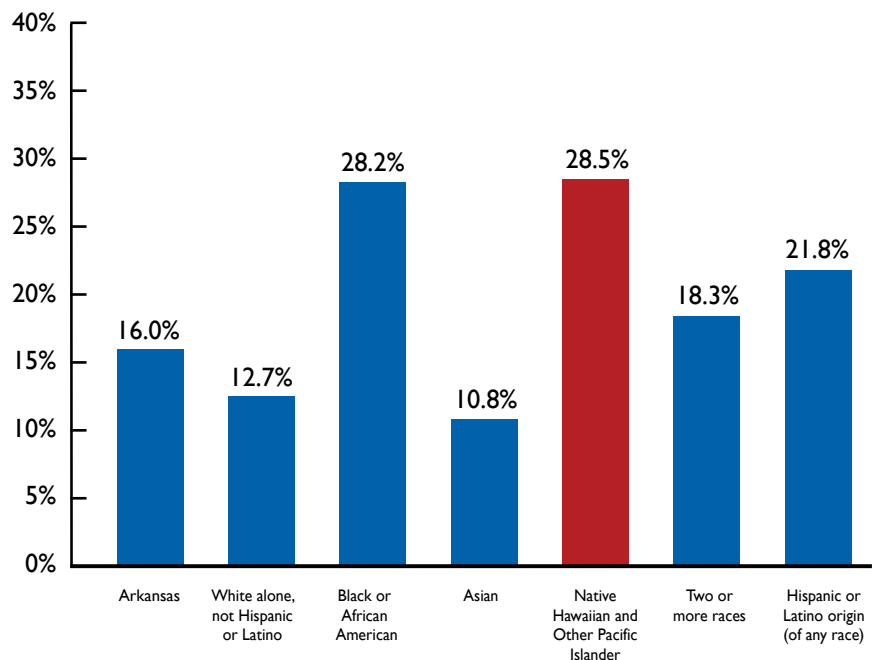
Pacific Islanders’ population numbers are relatively small in the United States, so their hunger rates are often obscured in data including the overall category of Asian American and Pacific Islanders, or AAPI. But in separating that data for a report based on an analysis of 2016-2020 Current Population Survey data, Feeding America’s Health Equity Action League reported that 1 in 5 – or 19% – of Pacific Islanders experienced food insecurity. That’s compared to 1 in 17 – or 6% – of Asian Americans.⁵ The COFA migrant population is typically not reported (the population numbers are too small), but their numbers are reflected in the food insecurity rates of Pacific Islanders.

Separately, the United States Department of Agriculture reported that in 2021, 10.2% of American households overall experienced food insecurity. The rate for White households was 7%, compared to 19.8% for Black households and 16.2% for Hispanic households.⁶

Food insecurity is closely tied to poverty rates, so it’s no surprise that Pacific Islanders have some of the nation’s highest poverty rates. In Arkansas, the Pacific Islander population had the state’s highest poverty rate, as reported in American Community Survey data released last year.

Pacific Islanders Have Arkansas’s Highest Poverty Rates

Arkansas Poverty By Race and Ethnicity, 2017-2021



Source: U.S. Census American Community Survey, 5-year data for Arkansas for 2017-2021. Table S1701.

In Arkansas, 467,550 people were food insecure in 2021, meaning that their access to adequate food was limited by a lack of money and other resources. That's 15.5% of the population, the second-highest food insecurity rate in the country that year.⁷ Arkansas had the highest rate of "very low food security," with 6.3% of households reporting that their eating patterns were disrupted, such as skipping meals or reducing food intake, because their households couldn't afford enough food.⁸

Philanthropy plays a huge role in meeting families' nutritional needs, but the most important and effective anti-hunger program is SNAP. In Arkansas, 281,100 residents received SNAP benefits in 2022, or about 9% of the population overall — far less than the overall population that is food insecure.⁹ Nationally,

12% of the population participated in SNAP during that same time. Since Arkansas has one of the nation's highest poverty rates, it would stand to reason that a higher percentage of our population would be eligible and enrolled in SNAP. But our state has created a gauntlet of unnecessary barriers that make SNAP eligibility more difficult in Arkansas.¹⁰

The federal exclusion of Marshallese Americans contributes to that lower eligibility and enrollment rate in Arkansas.

Arkansas SNAP Facts:¹¹

- *More than 71% of SNAP participants in Arkansas are in families with children (65% nationally).*
- *More than 41% are in families with members who are older adults or disabled (36% nationally).*

Who is eligible for SNAP?

- *Income limits: \$32,318 for a family of 3 (130% of Federal Poverty Guidelines, lower than most states).*
- *Other limits: household assets, work and training requirements, and time limits (strictest in the nation, with few exceptions).*

What do SNAP participants receive?

- *\$170 a month per household member on average.*
- *\$5.59 per household member, per day on average.*

Other SNAP facts

- *\$1 in SNAP benefits generates \$1.50 in economic activity in a community.*
- *\$766 million in SNAP benefits were redeemed at 2,600 retail locations in 2021.*

SNAP doesn't reach the total population in need:

- *^ 66% of eligible Arkansans participated in SNAP in 2018. Nationally, 82% of eligible individuals participate in the program.*

With rising sea levels, Marshallese migrants are some of the world's first climate refugees.

Conclusion

We all want every American to have access to the adequate and nutritious diet that is essential to get and stay healthy, but we're unfairly making it too hard for COFA migrants like those Arkansans who were born in the Marshall Islands. They should have access to SNAP benefits if their families meet qualifications, including income restrictions and other eligibility criteria.

We could make this unfair situation right at any time with any act of Congress. There is precedent for this approach. In late 2020, Congress passed the Coronavirus Response and Relief Supplemental Appropriations Act, which addressed a long list of COVID-relief needs. Included in that legislation was a long-needed fix to allow Marshallese-born Americans — and other COFA migrants — to become eligible for Medicaid health insurance coverage for the first time since 1996. It was transformational for many Marshallese migrants in Arkansas, who were finally able to receive preventative and often life-saving health care services.

Senator John Boozman and Arkansas Congressman Steve Womack, both from the Northwest Arkansas city of Rogers, have pointed out the unfairness of the current law and emphasized how important Marshallese people are to our state.

“Marshallese families are an integral part of Arkansas. Across the nation, COFA citizens support U.S. defense efforts, pay taxes, and are core elements of our economy and communities,” Womack said in a statement earlier this year.¹² “It has long been a priority of mine to address the host of unintended barriers these lawful residents face under the law.”

Senator Boozman also pointed out how much Marshallese Arkansans pay in taxes.¹³ “Arkansas is home to thousands of Marshallese citizens who have contributed to Natural State communities. Since 1996, COFA citizens have paid taxes as lawful permanent residents without receiving the benefits they are entitled to under this agreement,” Boozman said in a statement.

Senator Mazie Hirono of Hawaii has led the effort to restore benefits, including SNAP.

She helped ensure that federal COVID-relief legislation included a restoration of Medicaid benefits for COFA migrants in 2020 and 2021.

“COFA citizens have been important, contributing members of our communities for decades, and have served on the front lines of our nation's armed services and in response to the COVID-19 pandemic. While they pay federal taxes, COFA citizens do not currently have the same access to federal benefits and assistance as other legal residents of the United States,” she said in a statement.¹⁴

Urgency Compounded

With a lack of good jobs, some islands unsafe to inhabit and a partially contaminated food supply, there's already ample reason for Marshallese citizens to migrate to the United States to work and raise a family. But we'll likely see more migration in the coming years. The reason: climate change. With rising sea levels, Marshallese migrants are some of the world's first climate refugees.¹⁵

'I Would Ask Them to Help Us'

Raratu Nantara is 73 years old — old enough to remember the nuclear testing on the Marshall Islands. He and his wife and daughter live in Springdale now. They often struggle to put food on the table and look for cheap options like ramen noodles and inexpensive meat where they can find it. They reach out to churches, food pantries and other sources to help supplement their food supply. He said his rent is not very high, but everything else is.

Nantara applied for SNAP but was denied. The eligibility worker told him it was because he wasn't a lawful permanent resident. Though he's lawfully allowed to reside in the U.S. permanently, that's not the same under the law as being a Lawful Permanent Resident. That's a very important distinction in immigration law that Marshallese migrants typically are barred from achieving because they come to the United States through a different door — the one opened specially for COFA migrants.

Asked if he had any suggestions or advice for policymakers who are considering this issue, Nantara, said indeed he did. “I would ask them to help us. We are in need of their help.”

*I would ask
[policymakers]
to help us.
We are in need
of their help.*

– Raratu Nantara

Endnotes

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