



March 20, 2007

To Whom It May Concern:

I am writing to explain the unique immigration privileges enjoyed by citizens of the Federated States of Micronesia (FSM). The FSM is a sovereign state in the western Pacific Ocean, located between Guam and the Philippines. In 1986, President Reagan signed Presidential Proclamation 5564, ending the United States' administration of the Trust Territory of the Pacific Islands and making effective Public Law 99-239, the Compact of Free Association between the United States and the FSM.

Under the Compact, most citizens of the FSM (but not alien spouses or children who are not Micronesian citizens) enjoy unique immigration privileges. They may work, study and reside in the United States in non-immigrant status without a U.S. visa. Micronesian citizens may remain in the United States indefinitely, and should be afforded all privileges – including access to a drivers license or employment – usually granted to other foreign citizens in the United States in status.

Citizens of the FSM arriving in the United States are required to possess an appropriate travel document, which could be a birth certificate or a passport, and are issued I-94s at the U.S. port of entry. These I-94s are marked with the traveler's citizenship but do not indicate a date when their status ends, because their status is indefinite. Micronesians working in the United States must be registered with the Social Security Administration and, therefore, should possess and be able to produce a Social Security Card. In order to satisfy employers' documentation requirements of the I-9 form, most Micronesians will seek an Employment Authorization Document (EAD) from the Department of Homeland Security. The EAD is not strictly required for employment, however, Micronesians must have sufficient documentation to allow their employer to fully and accurately complete the I-9 form.

The State Department recognizes that individual State authorities will determine which forms of identification are acceptable for various privileges. However, you may wish to consider establishing separate rules for Micronesian citizens in recognition of the unique relationship the United States enjoys with the FSM.

I would welcome the opportunity to discuss any of this information further. Please do not hesitate to contact my office if you have any questions or concerns.

Sincerely,

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