



Dear Ambassador Susaia:

We are writing to provide documentation of important information about the immigration status in the United States of citizens of the Federated States of Micronesia (FSM). The purpose of this letter, and the appended fact sheet, is to ensure eligible FSM citizens and relevant U.S. government agencies and officials at the federal, state, and local levels have appropriate information about the special immigration privileges enjoyed by citizens of the FSM.

In 1986, President Reagan signed Presidential Proclamation 5564, announcing the entry into force of the Compact of Free Association between the United States and the FSM. This international agreement was incorporated into U.S. law by Public Law 99-239, which, after subsequent amendments to the Compact, was superseded by Public Law 108-188.

Under the Compact, eligible FSM citizens enjoy special immigration privileges. They may work, study, and reside in the United States in nonimmigrant status without a U.S. visa. Eligible FSM citizens may remain in the United States indefinitely.

Citizens of the FSM arriving in the United States are required to possess appropriate travel documentation, and are given passport stamps at the U.S. port of entry. These stamps do not indicate an end date, as FSM citizens are currently granted an unlimited length of stay. For citizens of the FSM admitted under the Compact, U.S. Customs and Border Protection issues the Form I-94, but this is now an automated process rather than a paper form provided at the port of entry (a copy of the Form I-94 can be accessed online). Citizens of the FSM working in the United States must obtain a Social Security number and, therefore, should possess and be able to produce a Social Security card. Citizens of the FSM admitted under the Compact may present a valid passport and Form I-94 as evidence of identity and work authorization for employment eligibility verification purposes (the Form I-9), or other acceptable Form I-9 documentation if available (a full list of acceptable documentation is available online). Additionally, citizens of the FSM admitted under the Compact are not required to obtain a Form I-20 should they choose to enroll in a U.S. institution of higher education.

As lawful nonimmigrants, FSM citizens admitted under the Compact are eligible (if otherwise qualified under state law) to be issued state drivers' licenses compliant with the REAL ID Act of 2005. The Department of Homeland Security (DHS) has provided guidance to state motor vehicle authorities advising them that an FSM citizen presenting a U.S. Citizenship and Immigration Services Employment Authorization Document (EAD) may be issued a REAL ID-compliant driver's license valid until the expiration date of the EAD, rather than limiting the validity period of the driver's license to one year for nonimmigrants with no defined end of authorized stay.

Please do not hesitate to contact DHS or the U.S. Department of State with further questions.

Sincerely,



Matthew King
Office of International Engagement
U.S. Department of Homeland Security



Nicholas Dean
Bureau of East Asian and Pacific Affairs
U.S. Department of State

Enclosure: Department of Homeland Security Factsheet