

United States Senate

WASHINGTON, DC 20510-1104

December 4, 2018

Dear Colleague,

Please join me in supporting H.R. 3398, the Real ID Act Modification for Freely Associated States Act which unanimously passed the House.

Under decades-old defense treaties with the U.S. known as the Compacts of Free Association, Americans and citizens from the Federated States of Micronesia and the Republics of the Marshall Islands and Palau (collectively known as the Freely Associated States or FAS) are able to live and work in each other's country indefinitely as non-immigrants. The Compacts also allow FAS citizens to serve in the U.S. military and FAS citizens enlist at per capita rates higher than most U.S. states with many settling in the U.S. after serving. Upon entry into the U.S., FAS citizens are issued appropriate documentation (I-94s) which are marked with the traveler's citizenship but do not indicate a date when their status ends, as they are granted an unlimited length of stay pursuant to the Compacts.

H.R. 3398 corrects an outdated term used in the 2005 Real ID Act that refers to the now-defunct "Trust Territories of the Pacific Islands" (TTPI) rather than the current FAS. This has resulted in unnecessary hardships placed on citizens of three U.S. allies in the Pacific lawfully residing in our country.

The error has denied these lawful U.S. residents anything more than a temporary ID or driver's license valid for one year and places an undue burden on their ability to maintain stable employment and contribute to their adopted homes like Springdale, Arkansas, one of the largest Marshallese communities outside the Marshall Islands, Hawaii, and elsewhere. The error also adds unnecessary administrative costs on states and local authorities to annually renew and process identification cards and driver's licenses.

The Senate is now in a position fix the problem by passing the Real ID Act Modification for Freely Associated States Act which would simply replace references in the Act to the defunct TTPI with the FAS. Specifically the bill adds a subsection in the Real ID Act under "Evidence of lawful status" that states, "is a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau who has been admitted to the United States as a nonimmigrant pursuant to a Compact of Free Association between the United States and the Republic or Federated States." This update in terms is fully consistent with the original intent of Congress to provide FAS citizens with access to longer-term identification. In addition, language identical to H.R. 3398 has been included in the "Omnibus Territories Act," which has passed the Senate by unanimous consent in the past two Congresses, but has never been acted on by the House.

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Passing this bill will relieve an unnecessary burden, not just on FAS citizens residing in the U.S. but also on their employers and state agencies, and allow valuable time resources to be redirected toward other priorities.

Sincerely,



MAZIE K. HIRONO
U.S. Senator