



United States Department of State

Washington D.C. 20520

TO WHOM IT MAY CONCERN

STATUS OF CITIZENS OF THE FREELY ASSOCIATED STATE
OF
THE REPUBLIC OF PALAU

DISCLAIMER: THIS IS AN INFORMATION LETTER TO CLARIFY QUESTIONS CONCERNING THE STATUS OF CITIZENS OF THE REPUBLIC OF PALAU VIS-A-VIS TRAVEL TO THE UNITED STATES AND ENTITLEMENT TO U.S. CONSULAR ASSISTANCE ABROAD. THIS LETTER DOES NOT CONSTITUTE PROOF THAT THE BEARER IS A CITIZEN OF PALAU AND IS NOT A SUBSTITUTE FOR A TRAVEL DOCUMENT.

APPLICABLE LAW: THE COMPACT OF FREE ASSOCIATION APPROVAL ACT, P.L. 99-658 (Nov. 14, 1986); [Presidential Proclamation No. 6726, 59 Fed. Reg. 49777 (September 29, 1994), 48 U.S.C. 1681 note.]

CITIZENSHIP STATUS: CITIZENS OF THE REPUBLIC OF PALAU WHO WERE FORMERLY CITIZENS OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS ARE NOW PALAU CITIZENS.

TRAVEL OF PALAU CITIZENS TO THE U.S. : CITIZENS OF THE REPUBLIC OF PALAU {BUT NOT ALIEN SPOUSES OR CHILDREN} HAVE UNRESTRICTED ACCESS TO THE UNITED STATES TO LIVE, WORK, STUDY AND ASSUME "HABITUAL RESIDENCE" WITH NO U.S. VISA REQUIREMENT WITHOUT REGARD TO PARAGRAPHS (5), { 7 (A) } AND (7 (B)) OF SECTION 212 (a) OF THE IMMIGRATION AND NATIONALITY ACT. [INS HQ WIRE- 235-C, 212. 1-P DTD 9/29/94.

NATURALIZED CITIZENS OF PALAU: NOTE: IN ACCORDANCE WITH SECTION 141(A) (3) OF THE COMPACT, THE U.S. IMMIGRATION BENEFITS OF SECTION 141 (A) OF THE COMPACT SHALL APPLY TO NATURALIZED CITIZENS OF PALAU WHO HAVE BEEN ACTUAL RESIDENTS THERE FOR NOT LESS THAN FIVE YEARS AFTER ATTAINING SUCH NATURALIZATION, AND WHO HOLD A CERTIFICATE OF ACTUAL RESIDENCE. NATURALIZED CITIZENS OF PALAU WHO LACK THE REQUISITE FIVE YEARS ACTUAL RESIDENCE MUST APPLY FOR A U.S. VISA TO ENTER THE UNITED STATES AND MUST MEET THE REQUIREMENTS FOR ANY OTHER ALIEN, BOTH FOR IMMIGRANT AND NON-IMMIGRANT PURPOSES. INDIVIDUALS OBTAINING PALAU CITIZENSHIP BY NATURALIZATION THROUGH INVESTMENT OR PURCHASE OF THAT CITIZENSHIP DO NOT ACQUIRE THE U.S. IMMIGRATION BENEFITS OF THE COMPACT.

TRAVEL DOCUMENTATION: IN ORDER TO ENTER THE UNITED STATES FOR THE ABOVE PURPOSES, CITIZENS OF PALAU MUST POSSESS AN APPROPRIATE TRAVEL DOCUMENT: THE REPUBLIC OF PALAU BEGAN

ISSUING REGULAR, OFFICIAL AND DIPLOMATIC PASSPORTS ON DECEMBER 9, 1994. THE GOVERNMENT OF PALAU BEGAN ISSUING REPUBLIC OF PALAU PASSPORTS DECEMBER 8, 1994. PENDING ISSUANCE BY THE GOVERNMENT OF PALAU OF TRAVEL DOCUMENTS TO ALL ELIGIBLE CITIZENS, FOR UP TO A PERIOD OF TWO YEARS FROM THE DATE OF ENTRY INTO FORCE OF THE COMPACT [THAT IS UP TO OCTOBER 1, 1996], TRUST TERRITORY OF THE PACIFIC ISLANDS TRAVEL DOCUMENTS WILL CONTINUE TO BE ACCEPTED FOR PURPOSES OF IDENTIFICATION AND TO ESTABLISH ELIGIBILITY FOR ADMISSION INTO THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS. CERTIFIED COPIES OF PALAU BIRTH CERTIFICATES OR PALAU CARDS OF IDENTITY WILL ALSO BE ACCEPTED. BETWEEN OCTOBER 1, 1994 - DECEMBER 8, 1994, PRIOR TO THE ISSUANCE OF **REPUBLIC OF PALAU PASSPORTS**, THE GOVERNMENT OF PALAU ISSUED TRUST TERRITORY OF THE PACIFIC ISLANDS PASSPORTS TO PALAU CITIZENS, WITH A SPECIFIC ENDORSEMENT IN THE TTPI PASSPORT REFLECTING THAT THE GOVERNMENT OF PALAU IS SATISFIED THAT THE INDIVIDUAL IS A CITIZEN OF PALAU.

THE SPECIFIC ENDORSEMENT IN THE TTPI PASSPORT CONTAINED THE FOLLOWING LANGUAGE:

COVER: NO CHANGE;
PAGE 1: HAND WRITTEN NOTATION: "SEE PAGE 7";
PAGE 2: THE WORDS "IMMIGRATION OFFICER" WOULD BE WRITTEN IN THE FIRST BLANK;
PAGE 3: NO CHANGE;
PAGE 4: IMPRESSION SEAL OVER PHOTO WOULD BE THAT OF THE REPUBLIC OF PALAU INSTEAD OF THE TRUST TERRITORY OF THE PACIFIC ISLANDS. CURRENTLY PALAU IMMIGRATION HAS AN IMPRESSION SEAL WHICH READS "DIVISION OF IMMIGRATION, REPUBLIC OF PALAU".

ENTRY PERMIT FORM I - 94, EMPLOYMENT AUTHORIZATION CARD: AT U.S. PORT OF ENTRY, PALAU CITIZENS WILL BE ISSUED INS FORM I-94 {ARRIVAL/DEPARTURE CARD} ON WHICH INS WILL ADD A NOTATION [/CFA/PAL] REFLECTING THAT THE PERSON IS FROM THE REPUBLIC OF PALAU. NO EMPLOYMENT AUTHORIZATION STAMP WILL BE ANNOTATED TO THE FORM I-94. THE PALAU CITIZEN MUST THEN COMPLETE INS-FORM I-765 IN ORDER TO BE ISSUED INS FORM I-688B (EMPLOYMENT AUTHORIZATION DOCUMENT). THERE IS NO FEE FOR THE I-765 OR I-688B WHICH IS VALID FOR ONE YEAR. PALAU CITIZENS MAY APPLY FOR RENEWAL OF THE I-688B AT THE INS OFFICE WITH JURISDICTION OVER THEIR PLACE OF RESIDENCE IN THE U.S. THERE IS NO RENEWAL FEE. IF THE I - 6 8 8 B IS LOST, HOWEVER, THERE IS A SEVENTY DOLLAR REPLACEMENT FEE .

SOCIAL SECURITY CARD: IN ORDER TO WORK IN THE UNITED STATES, A PALAU CITIZEN MUST OBTAIN A U.S. SOCIAL SECURITY CARD FROM THE NEAREST U.S. SOCIAL SECURITY OFFICE. SINCE, PALAU CITIZENS DO NOT HAVE IMMIGRANT VISAS OR LABOR CERTIFICATIONS, THEY MUST PRESENT EVIDENCE OF AGE, IDENTITY AND CITIZENSHIP IN A COMPACT OF FREE ASSOCIATION STATE [E. G., EVIDENCE OF CITIZENSHIP OF PALAU (TTPI. OR PALAU PASSPORT) OR AN I-94 WITH APPROPRIATE INS

ANNOTATION [CFA/PAL]]. [SSA: RM 00203.420 A & B; BASIC (TN 16) 6/91 AMENDED; SSA REMINDER TO ALL SSA OFFICES PER SSA NEWS DTD 2/14/95; SEE ALSO SSA NEWS DTD 10/17/94; GN 00303.400 AND SI 00501_ 420.] ON THE SSN APPLICATION (SS-5) ITEM 3 (CITIZENSHIP) SHOULD BE CHECKED "LEGAL ALIEN ALLOWED TO WORK". EMPLOYERS MAY REQUIRE PRESENTATION OF THE SOCIAL SECURITY CARD AND THE I-688B.

PERMANENT RESIDENCE/ADJUSTMENT OF STATUS: "HABITUAL RESIDENCE" STATUS IS NOT RESIDENCE FOR THE PURPOSES OF NATURALIZATION AS A U.S. CITIZEN. CITIZENS OF PALAU WILL NEED A U.S. IMMIGRANT VISA TO GAIN PERMANENT RESIDENCE IN THE UNITED STATES FOR THE PURPOSES OF IMMIGRATION. IF ALREADY IN THE UNITED STATES, CITIZENS OF PALAU, IF MARRIED TO A U.S. CITIZEN OR PERMANENT RESIDENT ALIEN OR OTHERWISE QUALIFYING UNDER CONDITIONS FOR ANY OTHER IMMIGRANT STATUS, MAY APPLY FOR ADJUSTMENT OF STATUS AT THE INS OFFICE WITH JURISDICTION OVER THEIR PLACE OF RESIDENCE. AS NOTED, PERMANENT RESIDENCE STATUS IS NOT REQUIRED FOR PALAU CITIZENS TO LIVE, WORK, STUDY OR ASSUME HABITUAL RESIDENCE IN THE U.S. LAWFUL PERMANENT RESIDENCE, REQUIRING A U.S. IMMIGRANT VISA, IS NECESSARY SHOULD THE PALAU CITIZEN EVENTUALLY WISH TO APPLY FOR NATURALIZATION AS A U.S. CITIZEN.

U.S. IMMIGRATION REQUIREMENTS FOR PALAU DIPLOMATS: IN ORDER TO ENSURE THAT ACCREDITED DIPLOMATS ARE PROPERLY IDENTIFIED, DESPITE THE GENERAL U.S. IMMIGRATION BENEFITS OF THE COMPACT, REPUBLIC OF PALAU DIPLOMATS SHOULD CONTINUE TO BE ADMITTED IN THE CLASSIFICATION TO WHICH THEY WOULD BE ENTITLED WERE THEY IN POSSESSION OF A DIPLOMATIC VISA, E.G., A-1, A-2. THE IMMIGRATION BENEFIT OF THE COMPACT APPLIES REGARDLESS OF WHETHER THE BEARER HAS A DIPLOMATIC, OFFICIAL OR REGULAR PALAU PASSPORT. [INS WIRE CO DTD 12/19/86, SUPPLEMENTED TO REFLECT APPLICABILITY TO PALAU.]

U.S. CONSULAR ASSISTANCE ABROAD: SECTION 128 OF THE COMPACT PROVIDES THAT AT THE REQUEST OF THE GOVERNMENT OF PALAU AND SUBJECT TO THE CONSENT OF THE FOREIGN COUNTRY, THE UNITED STATES SHALL EXTEND CONSULAR ASSISTANCE ON THE SAME BASIS AS FOR U.S. CITIZENS TO CITIZENS OF PALAU. A FORMAL REQUEST FROM PALAU TO THE SECRETARY OF STATE WAS MADE FOR ASSISTANCE TO BE PROVIDED ON A WORLD-WIDE BASIS. ALL FOREIGN EMBASSIES IN WASHINGTON, D.C. WERE NOTIFIED OF THIS OBLIGATION ON IN A DIPLOMATIC NOTE' FROM THE' SECRETARY OF STATE, IN ACCORDANCE: WITH ARTICLE 8 OF THE VIENNA CONVENTION ON CONSULAR RELATIONS. U.S. CONSULAR OFFICERS ALSO PROVIDE ASSISTANCE TO PALAU CITIZENS IN CONNECTION WITH EXTENSION AND RENEWAL OF TTPi PASSPORTS [AND PALAU PASSPORTS, ONCE SUCH DOCUMENT'S ARE ISSUED BY THE GOVERNMENT OF PALAU]. THESE SERVICES ARE AVAILABLE WHEN THE REPUBLIC OF PALAU HAS NO DIPLOMATIC OR CONSULAR REPRESENTATION IN A FOREIGN COUNTRY. [94 STATE 264932 ALDAC DTD 9/29/94.]

WWACSEAP 12/2
CA/OCS, 9/30/1994); amended 2/6/95; amended 6/20/96

DRAFTER : CA/OCS/CCS/EAP: MAGaw
CLEAR ANCES: CA/OCS/CCS: CADIPLacido
INS/CO :MShaul
Interior: JMcDermott
EAP/PIA: Jnay/PSavitz
L/EAP: Jkovar
SSA: KBernstein



United States Department of State

Washington, D.C. 20520

April 15, 2004

To Whom it May Concern:

I am writing to explain the unique immigration privileges enjoyed by citizens of the Freely Associated States (FAS) - the Republic of the Marshall Islands (RMI), the Federated States of Micronesia (FSM) and Palau.

The Government of Palau has advised us that some of its citizens are having difficulty obtaining a drivers licenses. Another concern is that if/when licenses are issued to FAS citizens, including Palauans, they are sometimes limited to one year of duration and annotated with "Temporary INS Status." We understand that such annotations regarding immigration status on the licenses have caused misunderstandings among FAS citizens' employers and state agencies.

Pursuant to the Compacts of Free Association ("Compacts") between the FAS and the United States that have been incorporated into United States law, most citizens of the FAS states (but not alien spouses and children who are not also FAS citizens) enjoy unique immigration privileges in the United States. They may work, study and assume residence as nonimmigrants with no U.S. visa requirement. There is no specified time constraint in the law. The status of citizens of the FSM, the RMI and Palau is clarified in Public Law 99-239 (FSM and RMI) and Public Laws 99-658 and 101-219 (Palau). While not all FAS citizens are eligible for, or are admitted to the United States under these Compact privileges, most such aliens with whom your agency is likely to come into contact have been.

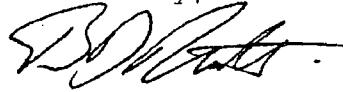
FAS citizens arriving in the United States are required to possess an appropriate travel document, such as a passport, and are issued I-94s at U.S. Ports upon admission under the Compacts. These I-94s are marked with the traveler's citizenship, but do not indicate a date when his or her immigration status ends, as their status is of indefinite duration. FAS citizens working in the United States must be registered with the Social Security Administration and, therefore, should also be able to

produce a Social Security Card. However, unlike other visiting workers, U.S. law does not require the issuance of Employment Authorization Documents (EADS) to Palauans and other FAS citizens who wish to work in the United States.

We recognize that it is entirely up to your State Authorities to determine which forms of identification are acceptable for applicants for drivers licenses. However, you may wish to consider the establishment of a rule requiring FAS applicants to produce valid passports, I-94s (as noted above), and Social Security Cards, in addition to proof of residence in your State. Further, I am certain FAS citizens would appreciate the issuance of multi-year drivers licenses without the annotation regarding the holder's immigration status.

I would welcome the opportunity to discuss the matter further, and would appreciate a copy of any notices or rule changes regarding FAS citizens residing in your state.

Sincerely,



Brett Mattei
Country Officer
United States Department of State
EAP/ANP, Room 4206
2201 C Street NW
Washington, D.C. 20520



United States Department of State

Washington, D.C. 20520

October 17, 2001

TO WHOM IT MAY CONCERN:

Pursuant to the authority of the Secretary of State and the Attorney General under Section 212(d)(4) of the Immigration and Nationality Act, nonimmigrant visa requirements are waived for citizens of Palau traveling to the United States. Evidence of Palauan citizenship, such as a valid Palauan passport, is required for travel to the United States under this section of law.

A handwritten signature in black ink, appearing to read "TAB" with a stylized flourish.

Terry A. Breese
Director
Office for Australia,
New Zealand & Pacific
Islands Affairs



United States Department of State

Washington, D.C. 20520

September 7, 1999

Kenneth S. Apfel
Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Mr. Apfel:

At the request of the Embassies of the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau, I would like to ask that officials in your district offices review the special status of the citizens of these three countries, which is indicated in the attached statements.

On occasion, applicants from the Federated States of Micronesia, the Republic of the Marshall Islands and the Republic of Palau have been denied social security numbers. In deciding not to issue a number, the refusing officer should fully understand the special rights of these applicants to travel, reside and work in the United States under the Compact of Free Association Approval Act.

Thank you for your attention to this matter.

Sincerely,

Theodore S. Pierce
Foreign Service Officer
Office of Australia, New Zealand and Pacific Islands Affairs

CC: Samson E. Pretrick, First Secretary, Embassy of the Federated States of Micronesia

CC: Mattlan Zackhras, Deputy Chief of Mission, Embassy of the Republic of the Marshall Islands

CC: David Orrukem, Deputy Chief of Mission, Embassy of the Republic of Palau