



American Association of Motor Vehicle Administrators

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### Changes to Real ID Act Expands Lawful Presence Eligibility

As previously reported in the [December 17, 2018 Week in Review](#), Congress has modified the Real ID Act so that citizens of the Freely Associated States (Republic of the Marshall Islands, Federated States of Micronesia, Republic of Palau) now meet the identification requirements of Real ID. The new law, ([P.L. No. 115-323](#)), effective on December 17, 2018, means those individuals who provide valid documentary evidence that they have been admitted to the United States as a nonimmigrant pursuant to the Compact of Free Association between the United States and the Republic or Federated States, are required to be treated the same as other U.S. citizens for the purposes of obtaining a full term Real ID compliant credential. These individuals are issued an I-94 that does not expire and if that I-94 was issued prior to April 2013, the I-94 is a card only and does not have an online record that can be printed.

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### Government Affairs Questions

For questions about AAMVA's Government Affairs, please contact Cian Cashin at [ccashin@aamva.org](mailto:ccashin@aamva.org)

### Summary of the Compact of Free Association

The United States Compact of Free Association (COFA) is an international agreement establishing and governing the relationships of jurisdictional entities exhibiting a degree of statehood or nation-ship (such as a protectorate) with another independent entity. In this instance, the COFA establishes the relationship of the United States and three Pacific Island nations of the Federated States of Micronesia, the Marshall Islands, and Palau. Along with the Commonwealth of the Northern Mariana Islands, these nations were formerly referred to collectively as the "Trust Territory of the Pacific Islands," which was a United Nations Trusteeship administered by the United States Navy from 1947 to 1951 and then by the U.S. Department of the Interior from 1951 to 1986.

In 1983, the Compact of Free Association was established as an extension of the U.S./U.N. territorial trustee agreement which obligated the United States to "promote the development of the people of the Trust Territory toward self-government or independence as appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the people concerned." Under COFA, the United States provided guaranteed financial assistance of a 15 year period in exchange for full international defense authority and responsibilities.

A fact sheet with additional COFA background can be found [here](#).



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