



United States Department of the Interior

OFFICE OF INSULAR AFFAIRS
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Washington, DC 20240



Deputy Assistant Secretary

July 11, 2007

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By facsimile to 337-6519

Dear Mattie:

I would like to thank you, Stephanie Edelstein and Vic Fortuno for coming to the Office of Insular Affairs to meet with me on June 28 to discuss whether citizens of the freely associated states (FAS) residing in the U.S. are eligible for services from the Legal Services Corporation (LSC). This letter recaps some of the discussion that occurred at our meeting.

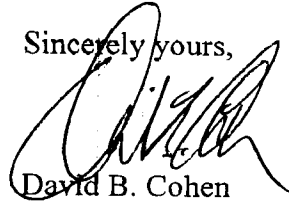
As we stated, the Compacts of Free Association between the United States and the FAS and the Compact Act provide that services offered by certain Federal or Federally sponsored entities, including LSC, be available to the FAS. Pursuant to the Compact Act, LSC funds the Micronesian Legal Services Corporation, a program which provides FAS citizens free legal assistance throughout the FAS. There are, as we noted, FAS citizens lawfully resident in the United States whom LSC prior to 1996 deemed eligible to receive legal aid through LSC-funded programs but whom LSC has treated as ineligible since that time.

From my position of oversight and responsibility, I expressed the view that it was consistent with Federal policy under the Compacts to allow FAS citizens lawfully resident in the United States to receive LSC services. As I noted in our meeting, there are Federal programs which the Compacts or related legislation have extended to the FAS countries but which, in application, have actually benefited FAS citizens legally resident in the United States. Here are two examples. First, Compact-related legislation makes Pell Grants available to the FAS, but by their very nature, Pell Grants directly benefit FAS citizens attending colleges and universities in the United States. Although Pell Grants directly benefit citizens of the FAS who reside in the U.S., the governments of the FAS would clearly consider this benefit to be an important part of the package of Compact-related benefits that the U.S. provides to the nations themselves. The same logic would apply to LSC services. Second, the Compact made FAS citizens eligible in

the United States for the Federal Work Study Program (Title 48 U.S. Code, section 2751-2756(b)). Under Section 105(f)(1)(B)(iii) of the Compact Amendments Act of 2003 this program was cashed out as part of the U.S. Department of Education's Supplemental Education Grant to the Marshall Islands and the Federated States of Micronesia (FSM). However, that development was purely financial and does not alter the fact that the Compact, as part of the overall financial assistance provided to the Marshall Islands and the FSM, had bestowed upon Marshall Islands and FSM citizens the benefits of this program in the United States.

Thank you for your consideration of this important issue, and please let me know if I can be of further assistance.

Sincerely yours,



David B. Cohen