



June 11, 2007

David B. Cohen
Deputy Assistant Secretary
Office of Insular Affairs
U.S. Department of the Interior
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Washington, DC 20240

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Dear Mr. Cohen:

Thank you for your letter of June 1, 2007, regarding the interpretation of the Compacts of Free Association between the United States and the Federated States of Micronesia and the Marshall Islands and between the United States and Palau as it relates to the eligibility of residents of those countries (hereinafter "FAS citizens") for service from Legal Services Corporation ("LSC") grant recipients, and for taking the time to provide your thoughts and opinion on this matter.

We appreciate your suggestion that LSC consider taking action to extend eligibility to FAS citizens legally resident in the United States. As I believe you are aware, LSC's concern in this area has been over the operative language in the Compact of Free Association Act, as amended, ("CFA Act") implementing the Compact. Specifically, LSC has read that section 105(h)(1)(A) of the CFA Act, which states that ". . . the programs and services of the following agencies shall be made available to the Federated States of Micronesia and to the Marshall Islands . . . (A) the Legal Services Corporation . . .", as providing authority for the provision of services within the FAS countries, but not as conferring individual eligibility for services to the FAS citizens regardless of where the service was to be provided. This is because the language quoted above expressly refers to the availability of service *to* the FAS *countries*, rather than to the eligibility *of* FAS *citizens* for legal assistance from LSC recipients.

We trust that you can understand LSC's interest in being sure that any actions LSC takes are fully within the scope of its authority under Federal law. To that end, I have asked LSC's General Counsel, Victor M. Fortuno, to call you to set up a meeting at your earliest convenience to discuss this matter further. The LSC Board is scheduled to discuss this matter at its next Board meeting the end of July. I hope you will be available to further explore the scope of LSC's authority under Federal law.

Sincerely,

Helaine M. Barnett
President