
Temporary Assistance for Needy Families Program Instruction

U.S. Department of Health and Human Services
Administration for Children and Families
Office of Family Assistance
Washington, DC 20201

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Date: May 29, 2024

TO: State and territorial agencies (hereafter, states) administering the Temporary Assistance for Needy Families (TANF) Program.

SUBJECT: Changes to TANF law in treating citizens of countries governed by the Compacts of Free Association (COFA).

REFERENCES: Public Law 118-42, the Consolidated Appropriations Act of 2024, Division G, Title II, Section 209(f); 8 U.S.C. §§1612, 1613(b)(3) and 1641(b)(8).

PURPOSE: To outline the changes made by the Consolidated Appropriations Act of 2024 permitting citizens of the freely associated states to receive TANF assistance.

BACKGROUND:

On March 9, 2024, President Biden signed the Consolidated Appropriations Act of 2024, Public Law 118-42. The law included a provision titled “Compact Impact Fairness,” which revised the eligibility of citizens of freely associated states (i.e., Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau) lawfully residing in the United States in accordance with the Compacts of Free Association (COFA) with the freely associated states for certain federal benefits, including TANF.

Historically, federal law did not permit COFA citizens residing in the United States to receive TANF. The change in law now allows a state to use federal TANF funds to assist eligible COFA citizens residing in the state by making them “qualified aliens” pursuant to 8 U.S.C. 1641¹ and lifting other restrictions. In addition, the law exempts COFA citizens from the restriction on receiving TANF-funded assistance until they have lived in the country for five years, which does apply to many qualified immigrants.

POLICY:

Effective with the enactment of Public Law 118-42, individuals who reside lawfully in the United States in accordance with section 141 of the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau are included in the definition of “qualified immigrants” and are eligible to receive TANF-funded assistance.

¹ 8 U.S.C. 1641 refers to “qualified alien.” Hereafter we use the term “qualified immigrant” to have the same meaning.

Under the change in law, COFA citizens may receive TANF once they reside in the United States and are **not** barred from receiving TANF for five years after entry in the United States as many qualified immigrants are.

INQUIRIES: Please direct inquiries to the TANF Program Manager in your region.

/s/

Ann Flagg
Director
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