



ADMINISTRATION FOR
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Low Income Home Energy Assistance Program Information Memorandum

IM#: ACF-OCS-LIHEAP-IM-24-03

DATE: June 12, 2024

TO: Low Income Home Energy Assistance Program (LIHEAP) Grant Recipients

SUBJECT: Changes to LIHEAP Eligibility for Citizens of Countries Governed by the Compacts of Free Association (COFA).

ATTACHMENT(S): N/A

PURPOSE

This Information Memorandum (IM) provides guidance on recent changes to non-citizen eligibility for the Low Income Home Energy Assistance Program (LIHEAP) enacted by the [*Consolidated Appropriations Act of 2024 \(Pub. L. 118-42\)*](#), which President Biden signed into law on March 9, 2024. The law included a provision titled “Compact Impact Fairness,” which impacts the eligibility of Compacts of Free Association (COFA) citizens residing in the United States for certain federal benefits, including LIHEAP.

OFFICIAL POLICY

Citizens of COFA countries (the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau) residing in the United States are included in the definition of qualified non-citizens¹ and are eligible as of March 9, 2024, for LIHEAP.

BACKGROUND

The *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* (PRWORA) (Pub. L. 104-193) restricts the access of certain non-citizen populations to specified Federal benefits. PRWORA distinguishes between qualified and not-qualified non-citizens. Non-citizens who are not qualified are ineligible for defined federal public benefits, including LIHEAP. Qualified non-citizens are eligible to receive assistance and services under LIHEAP if they meet all other

¹ The statutory term is “qualified alien.” The meaning of qualified alien and qualified non-citizen is intended to be synonymous.

program requirements. Qualified non-citizens include persons granted permanent residence (green cards), refugees, asylees, persons paroled into the United States for at least a year or more, and certain other categories of non-citizens as specified in section [431 of PRWORA, 8 U.S.C. 1641\(b\)](#).

Effective with the enactment of Public Law 118-42, COFA citizens residing in the United States are now included as qualified non-citizens and are eligible for LIHEAP.

INQUIRIES TO

Please send all inquiries to:

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