



SOCIAL SECURITY

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This letter is in response to your August 27, 2024 email about the handling of Supplemental Security Income (SSI) claims for citizens from the Federated States of Micronesia (FSM), the Republic of the Marshall Islands (RMI), or the Republic of Palau.

Per your request, we can provide information about the policy related to citizens from the Compact of Free Association States (CFA) or the Freely Associated States (FAS), which includes FSM, RMI, and the Republic of Palau, and their potential eligibility for SSI benefits and the status to implement payments for eligible individuals.

On March 9, 2024, Title II, Division G, section 209(f) of the Consolidated Appropriations Act, 2024 (P.L. 118-42) amended the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The amended Act permits potential SSI eligibility for:

- certain citizens from the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau; and
- certain spouses and certain children (under age 21) of citizens of the Federated States of Micronesia or the Republic of the Marshall Islands, regardless of the spouse's or child's citizenship or nationality, provided that the Micronesian or Marshallese citizen on which the relationship is based is serving on active duty in any branch of the United States Armed Forces, or in the active reserves.

Section 209(f)(2) of P.L. 118-42 exempts these individuals from the five-year waiting period which means these individuals may be eligible for SSI benefits immediately if they meet all other requirements of the program such as filing an application for benefits, having resources and monthly income below the statutory eligibility limits, and residing within one of the 50 states, the District of Columbia, or the Northern Mariana Islands.

On June 5, 2024, we released interim instructions to our local Social Security offices. Those interim instructions advised technicians to:

- take the application, regardless of whether the individual resides in any of the 50 U.S. States, District of Columbia, or Northern Mariana Islands (NMI) to

establish a protective filing date for determining what months the person can get SSI if they are approved.

- Hold potentially eligible cases until specific processing instructions are developed. While the potentially eligible cases are being held, we continue to develop all other factors of eligibility including sending the case for a medical decision. Technical denials for non-medical reasons such as excess income and excess resources are not held as those individuals would be ineligible regardless of immigration status. If the individual resides in a U.S. territory (other than NMI) or elsewhere outside of the U.S., then we take the application and deny the claim.

We are currently developing system processing instructions that will allow us to fully process cases (awards and denials) using our SSI claims processing system. Along with system processing instructions we are concurrently developing notices that will inform individuals of their award or denial. We are also updating our publications, webpages, and frequently asked questions (FAQs) to provide information on CFA individuals and their potential eligibility for SSI benefits.

We hope you find this information helpful.

Social Security Administration