



Office of Temporary and Disability Assistance

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General Information System (GIS) Message

Section 1

Transmittal:	26DC009 Upstate and New York City
Date:	February 11, 2026
To:	Subscribers
Suggested Distribution:	Commissioners, TA and SNAP Directors, HEAP Coordinators, WMS Coordinators, Staff Development Coordinators, Employment Coordinators, Fair Hearing Officers
From:	Paula Cook, Acting Deputy Commissioner Employment and Income Support Programs
Subject:	Change to Federal Law that Allows Citizens of the Freely Associated States to Receive TANF, SNAP and HEAP Benefits
Effective Date:	Immediately
Contact Information:	PA Bureau at: 518-474-9344 or tabureau@otda.ny.gov SNAP Bureau at: 518-473-1469 or snapbureau@otda.ny.gov HEAP Bureau at: 518 473-0332 or NYSHEAP@otda.ny.gov
Attachments:	Attachment 1 - Information for SAVE Users: How to Verify Citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau

Section 2

Purpose

The purpose of this GIS message is to inform social services districts (districts) of a change to federal law that allows citizens of the Freely Associated States (FAS) (i.e. the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau), who are lawfully residing in the United States (U.S.) in accordance with the Compacts of Free Association (COFA) to receive Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and Home Energy Assistance Program (HEAP) benefits if they otherwise meet program eligibility requirements. This population is exempt from the five-year waiting period for TANF and SNAP benefit eligibility and is also immediately eligible for HEAP.

Background

The Consolidated Appropriations Act of 2024, Public Law 118-42 included the [Compact of Free Association Amendments Act of 2024](#), (P.L. 118-42, Division G, Title II). Section §209(f) of the Act expanded the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) definition of qualified non-citizens¹ to include citizens of the FAS, and extended eligibility for federal benefit programs. Historically, federal law did not permit citizens of the FAS residing in the U.S. to receive TANF, SNAP, or HEAP benefits.

Previously, the Office of Temporary and Disability Assistance (OTDA) recognized citizens of the FAS as Permanently Residing Under Color of Law (PRUCOL) and eligible for Safety Net Assistance (SNA), if they otherwise met program eligibility requirements.

Program Implications

Effective immediately, citizens of the FAS who are lawfully residing in the U.S. may receive TANF, SNAP, and HEAP benefits, if they otherwise meet program eligibility requirements. Citizens of the FAS are exempt from the five-year waiting period and are immediately eligible for TANF, SNAP and HEAP benefits after entry into the U.S, if otherwise eligible.

When determining Public Assistance (PA), SNAP, and/or HEAP eligibility, these non-citizens will be coded in the Welfare Management System (WMS) with Citizenship (CIT) code “R,” and if otherwise eligible, may receive PA (Family Assistance or SNA), SNAP, and/or HEAP benefits.

The following is a list of immigration documents that may be presented to districts by citizens of the FAS to verify they are non-citizens lawfully residing in the U.S. in accordance with the COFA:

- Electronic or Printed Form I-94, Arrival/Departure Record, stamped/coded with a class of admission (COA) of “CFA/FSM” (Compact of Free Association/Federated States of Micronesia), or “CFA/MIS” or “CFA/RMI” (Compact of Free Association/Republic of Marshall Islands), or “CFA/PAL” (Compact of Free Association/Palau). Form I-94 obtained from the U.S. Customs and Border Protection (CBP) website will show an “admitted until” date of “D/S” (Duration of Status), or
- FSM, RMI, or Palauan passport with an admission stamp that states “CFA/FSM,” “CFA/MIS,” or “CFA/RMI,” or “CFA/PAL,” or
- Form I-766, Employment Authorization Document (EAD) with a category code of A08, or
- Form I-797, Notice of Action, that shows the approval of an EAD with a category code of A08, or
- Any other authoritative documentation from a federal immigration agency indicating the citizen of the FAS is lawfully residing in the U.S. in accordance with the COFA.

These non-citizens can obtain a copy of their electronic Form I-94, Arrival/Departure Record, from the CBP website at: [I-94/I-95 Website - Official Site for Travelers Visiting the United States](#).

¹ The term “qualified non-citizen” means a person who is a “qualified alien” as that term is defined in 8 U.S.C. §1641.

SAVE System Verification

Based on information included on documentation from a citizen of the FAS, the Systematic Alien Verification for Entitlements (SAVE) system can provide an initial verification response of Non-Immigrant - Employment Authorized Indefinitely. The initial verification response may also include employment authorization information if the citizen of the FAS has a Form I-766, EAD. For further information please see [Attachment 1](#).

SAVE users must follow SAVE system verification procedures found in the [SAVE User Reference Guide](#), on the [USCIS SAVE website](#) and on the [SAVE system](#), which includes, but is not limited to, performing all additional verification when prompted/required by the SAVE system to receive a final system response.

After users submit an initial verification request, the SAVE system may return a response of “Institute Additional Verification”, “Resubmit Doc”, or otherwise indicate that additional verification is required. When the SAVE system returns any of these responses, users must promptly institute additional verification and follow all verification steps to complete the verification process. Users may also conduct additional verification if they receive an unexpected SAVE system response or have questions about the response.

As a reminder, in accordance with [13-ADM-07](#), when determining PA and/or SNAP eligibility, districts must use the SAVE system to verify the documented immigration category or status of the non-citizen applicant or recipient using the immigration documentation presented by the non-citizen applicant or recipient. Benefits must not be delayed, denied, reduced or terminated while awaiting verification of a non-citizen’s documentation through the SAVE system. If all other factors of eligibility have been met and the non-citizen is otherwise eligible, benefits must be granted pending the SAVE system response.

Districts are also reminded that the SAVE system verifies the validity of the specific immigration document provided by the non-citizen applicant or recipient. It does not determine immigration status or benefit eligibility. Districts must determine benefit eligibility based on the underlying immigration category or status, as well as PA and/or SNAP eligibility rules as detailed on the [LDSS-4579](#) and in accordance with OTDA policy directives and guidance.

Additional Information

Further information on citizens of the FAS can be found by visiting: [Status of Citizens of the Freely Associated States of the Federated States of Micronesia and the Republic of the Marshall Islands Fact Sheet | USCIS](#) and [Status of Citizens of the Republic of Palau Fact Sheet | USCIS](#).

OTDA is revising the [LDSS-4579](#): “Non-Citizen Eligibility Desk Aid” to include citizens of the FAS under Citizenship code “R”; it will be released in the future.

For questions or further information on determining PA eligibility for citizens of the FAS or other non-citizen questions, please contact the OTDA PA Bureau for assistance by calling: 518-474-9344 or emailing: tabureau@otda.ny.gov.

For questions or further information on determining SNAP eligibility for citizens of the FAS or other non-citizen questions, please contact the OTDA SNAP Bureau by calling: 518-473-1469 or emailing: snapbureau@otda.ny.gov.

For questions or further information on determining HEAP eligibility for citizens of the FAS or other non-citizen questions, please contact the OTDA HEAP Bureau by calling: 518-473-0332 or emailing: nysheap@otda.ny.gov.