




FEMA

April 26, 2024

MEMORANDUM FOR: Regional Administrators

ATTENTION: Regional Recovery Division Directors

FROM: Frank Matranga 
Director
Individual Assistance Division

SUBJECT: Compact of Free Association Citizen Eligibility for the Individuals and Households Program and Amendment to FP 104-009-03, Individual Assistance Program and Policy Guide, Version 1.1

The purpose of this memorandum is to make changes to the *Individual Assistance Program and Policy Guide, Version 1.1* (IAPPG 1.1) to implement statutory amendments to the Individuals and Households Program (IHP).

Title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Welfare Reform Act) provides that only qualified aliens are eligible for federal public benefits, to include any retirement, welfare, health disability, public or assisted housing, post-secondary education, food assistance, unemployment benefits, or any similar benefits for which payments or assistance are provided to an individual, household, or family eligibility unit by a U.S. Agency or by appropriated funds of the United States. On March 9, 2024, President Biden signed the Consolidated Appropriations Act, 2024, into law, which included the Compact of Free Association (COFA) Amendments Act of 2024. Specifically, the COFA Amendments Act of 2024 amended section 402 of the Welfare Reform Act to authorize citizens of the freely associated states, who lawfully live in the United States and are impacted by a declared disaster, to meet the qualified alien status eligibility requirement to receive federal public benefits, which includes FEMA assistance. Under the COFA Amendments Act of 2024, citizens of the Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau may now be eligible for FEMA assistance.

This memorandum makes corresponding edits to the IAPPG 1.1 that are required to conform with and implement the statutory change. The policy changes reflected in this memorandum are effective for disasters declared on or after the date of issuance of this memorandum.

If you have any questions or need any additional information, please contact Monty LeMaire, Branch Chief, Individuals and Households Program Service Delivery Branch.

cc: Colt Hagmaier, Assistant Administrator, Recovery Directorate

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Branch, Individual Assistance Division
Regional Recovery Division Directors, Regions I – X
Individual Assistance Branch Chiefs, Regions I – X

Attachment: *Amendment to FP 104-009-03, Individual Assistance Program and Policy Guide,
Version 1.1*

Amendment to FP 104-009-03, Individual Assistance Program and Policy Guide, Version 1.1

This document outlines the updates necessary to implement the statutory change to the definition of qualified alien as outlined in the *Consolidated Appropriations Act, 2024* and amends sections of FEMA Policy 104-009-03, *Individual Assistance Program and Policy Guide, Version 1.1* (IAPPG 1.1), published on May 26, 2021. Unless noted in this document, all other policy guidance outlined in the IAPPG 1.1; the *Amendment to FP 104-009-03, Individual Assistance Program and Policy Guide, Version 1.1* memorandum issued on September 2, 2021; and the *Reforming Individual Assistance and Amendment to FP-104-009-03, Individual Assistance Program and Policy Guide, Version 1.1* issued on March 22, 2024 remain in effect. This document will be in effect for all disasters declared on or after the issuance of this memorandum.

Individuals and Households Program Eligibility

As noted in Chapter 3, Section II.A. of the IAPPG 1.1, there are general eligibility conditions that an applicant must meet in order to receive Individuals and Households Program (IHP) assistance. These include:

- The applicant must be a U.S. citizen, non-citizen national, or qualified alien.
- FEMA must be able to verify the applicant’s identity.
- The applicant’s insurance, or other forms of disaster assistance received, cannot meet their disaster-caused needs.
- The applicant’s necessary expenses and serious needs are directly caused by a declared disaster.

Through the statutory update, citizens of the freely associated states, who lawfully live in the United States and are impacted by a declared disaster, meet the qualified alien status eligibility requirements to receive federal public benefits, which includes FEMA assistance. Citizens of the Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau may now be eligible for FEMA assistance. The following section of the IAPPG 1.1 replaces Section II.A.1. in its entirety.

Only U.S. citizens, non-citizen nationals, or qualified aliens may be eligible for IHP assistance.

During the disaster assistance registration process or on a *Declaration and Release* form (*FEMA Form 009-0-3*), applicants self-certify their citizenship status and declare, under penalty of perjury, they fit one of the statuses indicated in Figure 1.

Figure 1: U.S. Citizenship and Resident Aliens	
Status	Definitions
U.S. Citizen	A person born in one of the 50 United States, the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, or the Northern Mariana Islands; a person born outside of the U.S. to at least one U.S. parent; or naturalized citizen.
Non-Citizen National	A person born in an outlying possession of the U.S. (e.g., American Samoa or Swain’s Island) on or after the date the U.S. acquired the possession, or a person whose

	parents are U.S. non-citizen nationals. All U.S. citizens are U.S. nationals; however, not every U.S. national is a U.S. citizen.
Qualified Alien	<ul style="list-style-type: none"> • Legal permanent resident (“green card” holder) • An asylee, refugee, or an alien whose deportation is being withheld • Alien paroled into the U.S. for at least one year • Alien granted conditional entry (per law in effect prior to April 1, 1980) • Cuban/Haitian entrant • Aliens in the U.S. who have been abused, subject to battery or extreme cruelty by a spouse or other family/household member, or have been a victim of a severe form of human trafficking • Aliens whose children have been abused and alien children whose parents has been abused who fit certain criteria • Individuals who lawfully reside in the U.S. in accordance with the Compacts of Free Association with the Federated States of Micronesia, Republic of the Marshall Islands, and the Republic of Palau

If an applicant does not meet the criteria identified in Figure 1, the household may still apply for and be considered for IHP assistance if:

- Another adult household member meets the eligibility criteria and certifies their citizenship status during the registration process or signs the *Declaration and Release* form; or
- The parent or guardian of a minor child who is a U.S. citizen, non-citizen national, or a qualified alien applies for assistance on behalf of the child, as long as they live in the same household. The parent or legal guardian must register as the co-applicant, and the minor child must be under age 18 at the time the disaster occurred.

There are several categories of aliens lawfully present in the U.S. who are not eligible for IHP assistance. These include, but are not limited to:

- Temporary tourist visa holders
- Foreign students
- Temporary work visa holders

Regardless of citizenship status, disaster survivors may be eligible for the following programs:

- [Chapter 2: Mass Care/Emergency Assistance](#) (search and rescue, medical care, shelter, food, and water, and reducing threats to life, property, and public health or safety)
- [Chapter 5: Crisis Counseling Assistance and Training Program](#)
- [Chapter 4: Disaster Case Management](#)
- [Chapter 6: Disaster Legal Services](#)

- Disaster Food Stamps (*Disaster Supplemental Nutrition Assistance Program*, or *D-SNAP*), which is administered by the U.S. Department of Agriculture; the State, Tribal, or Territorial government can request the federal government to initiate D-SNAP only after a presidential disaster declaration approving Individual Assistance.