

August 21, 2024

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 24-61**

The purpose of this letter is to provide policy guidance on CalFresh eligibility for Compacts of Free Association (COFA) citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.



KIM JOHNSON  
DIRECTOR

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**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

August 21, 2024

ALL COUNTY LETTER NO. 24-61

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CALFRESH PROGRAM SPECIALISTS  
ALL CALWORKS PROGRAM SPECIALISTS  
ALL CONSORTIA PROJECT MANAGERS  
ALL QUALITY CONTROL PROGRAM COORDINATORS

SUBJECT: CALFRESH ELIGIBILITY FOR COMPACTS OF FREE ASSOCIATION  
(COFA) CITIZENS OF THE FEDERATED STATES OF MICRONESIA,  
THE REPUBLIC OF THE MARSHALL ISLANDS, AND THE  
REPUBLIC OF PALAU

REFERENCE: [CONSOLIDATED APPROPRIATIONS ACT, 2024, PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 \(PRWORA\), 7 CODE OF FEDERAL REGULATIONS \(CFR\) 273.15, UNITED STATES DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE MEMO - SNAP PROVISION IN THE CONSOLIDATED APPROPRIATIONS ACT, 2024 DATED JULY 12, 2024](#)

This All County Letter (ACL) provides guidance to County Welfare Departments (CWDs) regarding CalFresh eligibility for Compacts of Free Association (COFA) citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

### **Background**

On March 9, 2024, President Joseph R. Biden signed into law the Consolidated Appropriations Act, 2024 (CAA) ([P.L. 118-42](#)). Division G, Title II, Section 209(f) of the CAA amends Section 402 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) ([P.L. 104-193](#)) and provides that COFA citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau who lawfully reside in the United States are eligible for certain Federal public benefit programs, including CalFresh.

### **COFA Citizens and CalFresh**

COFA citizens are not subject to a waiting period and are immediately eligible for federal CalFresh benefits if they meet all other CalFresh income and eligibility requirements.

CWDs must verify the immigration status of COFA citizens through the Systematic Alien Verification for Entitlements (SAVE) program. For SAVE resources related to COFA migrants, please reference the U.S. Citizenship and Immigration Services (USCIS) webpage titled "[Federated States of Micronesia, Republic of the Marshall Islands, and Palau](#)" and the USCIS "[Guide to Understanding SAVE Verification Responses](#)."

COFA citizens who applied on or after March 9, 2024, and were denied for CalFresh prior to issuance of this letter may reapply for CalFresh to be determined eligible under the provisions of the CAA from the date of reapplication. In addition, those individuals who applied on or after March 9, 2024 and were denied may request a fair hearing within 90 days of the date of denial according to [7 CFR 273.15](#). If the CWD determines the household was eligible for CalFresh at the time of application, the CWD must issue retroactive benefits from the date of application.

In summary, when the date of denial is:

- Within 30 days, the CWD must reopen the application and process according to this new policy.
- Over 30 days but within 90 days, the household may request a fair hearing.
- Over 90 days, the household must reapply.

As a best practice, the California Department of Social Services encourages CWDs to reconnect with COFA citizens denied under regular CalFresh rules between March 9, 2024, and the date of this guidance as these individuals may be newly eligible based on this updated policy.

Lastly, CalWORKs guidance regarding eligibility for COFA citizens will be released under separate cover.

If you have any questions or need additional guidance regarding the information in this letter, contact the CalFresh Policy and Employment Bureau at [CalFreshPolicy@dss.ca.gov](mailto:CalFreshPolicy@dss.ca.gov).

Sincerely,

***Original Document Signed By***

ALEXIS FERNÁNDEZ GARCIA  
Deputy Director  
Family Engagement and Empowerment Division