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**I. STATEMENT OF POLICY**

**B-220-SNAP - PO SNAP NON-CITIZEN OVERVIEW**

A NON-CITIZEN IS AN INDIVIDUAL WHO IS NOT A U.S. CITIZEN BY BIRTH OR NATURALIZATION. NON-CITIZEN IMMIGRATION STATUS MUST BE VERIFIED AT INITIAL APPLICATION, REDETERMINATION, AND WHEN ADDING A NEW HOUSEHOLD MEMBER, OR WHEN THE AGENCY IS NOTIFIED THAT THE STATUS OF A PARTICIPANT HAS CHANGED.

A NON-CITIZEN MAY BE ELIGIBLE FOR BENEFITS IF THEY HAVE A QUALIFIED IMMIGRATION STATUS. CERTAIN QUALIFIED IMMIGRANTS MUST MEET AN ADDITIONAL CONDITION TO BE ELIGIBLE FOR BENEFITS. EACH APPLICANT FOR BENEFITS MUST PROVIDE IMMIGRATION DOCUMENT(S) THAT WILL BE USED TO VERIFY THEIR IMMIGRATION STATUS THROUGH THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE) PROGRAM.

**B-220-1-SNAP - PO IMMIGRATION STATUSES THAT DO NOT REQUIRE ADDITIONAL CONDITIONS TO BE MET**

THE FOLLOWING NON-CITIZENS HAVE QUALIFIED ALIEN IMMIGRATION STATUSES WHICH MAY BE ELIGIBLE FOR BENEFITS WITHOUT HAVING TO MEET ANY ADDITIONAL CONDITION OR WAITING PERIOD:

- CUBAN/HAITIAN ENTRANT
- COMPACTS OF FREE ASSOCIATION (COFA) CITIZENS

**B-220-2-SNAP - PO IMMIGRATION STATUSES THAT MAY REQUIRE AN ADDITIONAL CONDITION TO BE MET**

THE FOLLOWING NON-CITIZENS HAVE QUALIFIED ALIEN IMMIGRATION STATUS AND MAY BE ELIGIBLE FOR BENEFITS, HOWEVER THEY MAY NEED TO MEET AN ADDITIONAL CONDITION TO BE ELIGIBLE FOR BENEFITS:

- LAWFULLY ADMITTED PERMANENT RESIDENT (LPR)

IF THE INDIVIDUAL IS AN LPR, ELIGIBILITY MUST BE DETERMINED BASED ON:

- THE DATE THE QUALIFIED ALIEN OBTAINED LPR STATUS, AND
- WHETHER THE INDIVIDUAL MEETS IS REQUIRED TO MEET AN ADDITIONAL CONDITION OR NOT.

AFTER CONFIRMING LPR STATUS, DETERMINE WHETHER THE INDIVIDUAL IS SUBJECT TO THE FIVE-YEAR WAITING PERIOD OR QUALIFIES FOR AN EXCEPTION.

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**NOTE:** AN INDIVIDUAL IS NOT CONSIDERED AN LPR IF THEY HAVE APPLIED TO ADJUST STATUS AND HAVE NOT YET RECEIVED A DECISION.

### **5 - YEAR WAITING PERIOD**

INDIVIDUALS WHO HAVE LIVED IN THE UNITED STATES AS QUALIFIED ALIENS FOR AT LEAST FIVE YEARS. THESE ALIENS ARE ELIGIBLE FOR AN UNLIMITED PERIOD BEGINNING THE DATE THE REQUISITE IMMIGRATION STATUS IS ACQUIRED. THE FIVE-YEAR PERIOD IN QUALIFIED STATUS MAY BE EITHER CONSECUTIVE OR NON-CONSECUTIVE. TEMPORARY ABSENCES OF LESS THAN SIX MONTHS FROM THE UNITED STATES WITH NO INTENTION OF ABANDONING UNITED STATES RESIDENCY DO NOT TERMINATE OR INTERRUPT THE INDIVIDUAL’S PERIOD OF UNITED STATES RESIDENCY.

EXAMPLE: AN IMMIGRANT WHO ENTERED THE U.S., AS A LAWFUL PERMANENT RESIDENT ON APRIL 20, 1999 WOULD HAVE LIVED IN THE U.S. FOR 5 YEARS ON APRIL 20, 2004. THEREFORE, THE ALIEN WOULD BE ELIGIBLE FOR AN UNLIMITED PERIOD BEGINNING APRIL 21, 2004.

### **LPR GROUPS SUBJECT TO THE 5 YEAR WAITING PERIOD**

LAWFUL PERMANENT RESIDENTS ARE SUBJECT TO THE FIVE-YEAR WAITING PERIOD FROM THE DATE THEY OBTAIN LAWFUL PERMANENT RESIDENT STATUS IF THEY HELD THE FOLLOWING IMMIGRATION STATUS BEFORE BECOMING AND LPR:

- CONDITIONAL ENTRANTS
- BATTERED ALIENS, AND
- INDIVIDUALS GRANTED PAROLE FOR A PERIOD OF AT LEAST ONE YEAR

### **LPR GROUPS NOT SUBJECT TO THE 5 YEAR WAITING PERIOD**

LAWFUL PERMANENT RESIDENTS ARE NOT SUBJECT TO THE 5 YEAR WAITING PERIOD IF THEY HELD THE FOLLOWING IMMIGRATION STATUS BEFORE BECOMING AN LPR:

- REFUGEES
- INDIVIDUALS GRANTED ASYLUM
- DEPORTATION WITHHELD
- AMERASIAN IMMIGRANTS
- AMERICAN INDIANS BORN ABROAD
- HMONG AND HIGHLAND LAOTIAN TRIBAL MEMBERS
- IRAQI AND AFGHAN SPECIAL IMMIGRANTS (SIV)
- VICTIMS OF SEVERE TRAFFICKING

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- AFGHAN NATIONALS GRANTED PAROLE BETWEEN JULY 31, 2021, AND SEPTEMBER 30, 2023
- UKRAINIAN NATIONALS GRANTED PAROLE BETWEEN FEBRUARY 24, 2022, AND SEPTEMBER 30, 2024

### ADDITIONAL CONDITIONS ALLOWING LPR ELIGIBILITY

LPRs MAY BE ELIGIBLE WITHOUT WAITING FIVE YEARS IF THEY MEET AT LEAST ONE OF THE FOLLOWING ADDITIONAL CONDITIONS:

- **40 QUALIFYING WORK QUARTERS** – A LAWFUL PERMANENT RESIDENT (LPR) WHO HAS WORKED 40 QUALIFYING QUARTERS OF COVERAGE UNDER TITLE II OF THE SOCIAL SECURITY ACT OR CAN BE CREDITED WITH SUCH QUALIFYING QUARTERS. A QUALIFYING QUARTER INCLUDES ONE WORKED BY A PARENT OF AN ALIEN WHILE THE ALIEN WAS UNDER 18, INCLUDING QUARTERS WORKED PRIOR TO THE BIRTH OF THE CHILD, AND A QUARTER WORKED BY A SPOUSE DURING THEIR MARRIAGE IF THE ALIEN REMAINED MARRIED TO THE SPOUSE OR THE SPOUSE IS DECEASED. QUALIFYING QUARTERS INCLUDE ALL QUARTERS WORKED WHILE THE PERSON WAS LIVING IN THIS COUNTRY REGARDLESS OF THE PERSON'S LEGAL OR ILLEGAL STATUS AT THE TIME THE WORK WAS PERFORMED AND REGARDLESS OF WHETHER A VALID SOCIAL SECURITY NUMBER WAS USED.

NOTE: BEGINNING JANUARY 1, 1997, A QUARTER IN WHICH AN ALIEN RECEIVED FEDERAL MEANS-TESTED ASSISTANCE IS NOT COUNTED AS A QUALIFYING QUARTER.

- **CHILDREN UNDER 18** – CHILDREN UNDER 18 YEARS OF AGE, WHO ARE LAWFULLY RESIDING IN THE UNITED STATES,
- **BLIND OR DISABLED** - INDIVIDUALS RECEIVING PAYMENTS OR ASSISTANCE FOR BLINDNESS OR DISABILITY, AS DEFINED IN FITAP POLICY,
- **ELDERLY BORN ON OR BEFORE 8-22-31 WHO LAWFULLY RESIDED IN THE UNITED STATES ON 8-22-96,**
- **MILITARY CONNECTION**
  - LAWFULLY RESIDING VETERANS WHO HAVE MET THE MINIMUM ACTIVE DUTY SERVICE REQUIREMENTS OF [SECTION 5303A\(D\) OF TITLE 38, UNITED STATES CODE](#) (24 MONTHS OR THE PERIOD FOR WHICH THE PERSON WAS CALLED TO ACTIVE DUTY) WHO WERE HONORABLY DISCHARGED FOR REASONS OTHER THAN ALIENAGE AND THEIR SPOUSES OR UNMARRIED DEPENDENT CHILDREN,

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NOTE: A DISCHARGE “UNDER HONORABLE CONDITIONS” IS NOT THE SAME AS AN HONORABLE DISCHARGE, THEREFORE, DOES NOT MEET THIS REQUIREMENT.

- LAWFULLY RESIDING ACTIVE DUTY ARMED FORCES PERSONNEL (OTHER THAN ACTIVE DUTY FOR TRAINING) AND THEIR SPOUSES OR UNMARRIED DEPENDENT CHILDREN,
- UNREMARRIED SURVIVING SPOUSE OR UNMARRIED DEPENDENT CHILDREN OF A DECEASED VETERAN OR INDIVIDUAL ON ACTIVE DUTY PROVIDED THE SPOUSE HAS NOT REMARRIED AND THE MARRIAGE WAS ONE YEAR IN DURATION, WAS WITHIN 15 YEARS FOLLOWING THE END OF THE PERIOD OF MILITARY SERVICE IN WHICH THE INJURY OR DISEASE WAS INCURRED OR AGGRAVATED OR MARRIED FOR ANY PERIOD IF A CHILD WAS BORN OF THE MARRIAGE OR WAS BORN BEFORE THE MARRIAGE.

### **B-220-3-SNAP - PO OTHER IMMIGRATION STATUSES**

THE FOLLOWING IMMIGRATION STATUSES, AS DEFINED BELOW, MUST ADJUST TO LPR STATUS IN ORDER TO MEET ELIGIBILITY REQUIREMENTS. INDIVIDUALS IN THESE STATUSES ARE NOT ELIGIBLE BASED SOLELY ON THE STATUS ITSELF. REFER TO POLICY B-220-2-SNAP.

- **AMERASIAN IMMIGRANT** – INDIVIDUALS ADMITTED TO THE UNITED STATES AS AN AMERASIAN IMMIGRANT.
- **AMERICAN INDIAN BORN ABROAD** – AMERICAN INDIANS BORN IN CANADA LIVING IN THE UNITED STATES (U.S.) UNDER §289 OF THE IMMIGRATION AND NATIONALITY ACT (INA) OR ALIEN MEMBERS OF A FEDERALLY RECOGNIZED INDIAN TRIBE UNDER §4(E) OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.
- **CERTAIN HMONG OR HIGHLAND LAOTIAN TRIBAL MEMBERS** - AN INDIVIDUAL LAWFULLY RESIDING IN THE U.S. WHO WAS A MEMBER OF A HMONG OR HIGHLAND LAOTIAN TRIBE THAT RENDERED ASSISTANCE TO U.S. PERSONNEL BY TAKING PART IN A MILITARY OR RESCUE OPERATION DURING THE VIETNAM ERA (AUG. 5, 1964 – MAY 7, 1975). THIS CATEGORY INCLUDES THE SPOUSE (OR UN-REMARRIED SURVIVING SPOUSE) OR UNMARRIED DEPENDENT CHILDREN OF THESE INDIVIDUALS.
- **REFUGEES** – A REFUGEE IS A NON-CITIZEN THAT HAS FLED THEIR COUNTRY TO ESCAPE INVASION, OPPRESSION, OR PERSECUTION.
- **INDIVIDUALS GRANTED ASYLUM** - AN ASYLEE IS A NON-CITIZEN WHO IS GRANTED ASYLUM BY USCIS OR AN IMMIGRATION JUDGE UNDER SECTION 208 OF THE IMMIGRATION AND NATIONALITY ACT (INA).

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- **DEPORTATION WITHHELD** - A NON-CITIZEN WHOSE DEPORATION IS WITHHELD AND WHOSE CONTINUED PRESENCE IN THE U.S. IS REQUIRED BY THE U.S. GOVERNMENT.
- **IRAQI AND AFGHAN SPECIAL IMMIGRANTS (SIV)** - AFGHAN OR IRAQI NATIONALS GRANTED A SPECIAL IMMIGRANT VISA (SIV) OR SPECIAL IMMIGRANT (SQ OR SI) PAROLE BY THE U.S. DEPARTMENT OF HOMELAND SECURITY FOR SERVICE TO THE U.S. GOVERNMENT.
- **VICTIMS OF SEVERE TRAFFICKING** - A VICTIM OF TRAFFICKING IS A NON-CITIZEN OR IMMEDIATE FAMILY MEMBER OF A NON- CITIZEN THAT HAS BEEN A VICTIM OF SEVERE TRAFFICKING AND HAS BEEN CERTIFIED BY THE OFFICE OF REFUGEE RESETTLEMENT (ORR) TO HAVE BEEN SUBJECTED TO COMMERCIAL SEX ACTS, DEBT BONDAGE, INVOLUNTARY SERVITUDE, PEONAGE, OR SLAVERY.
- **AFGHAN NATIONALS** - CITIZENS, OR THOSE WHO LAST HABITALLY LIVED IN AFGHANASTAIN WHO ARE GRANTED PAROLE BETWEEN JULY 31, 2021, AND SEPTEMBER 30, 2023
- **UKRAINIAN NATIONALS** - A UKRAINIAN NATIONAL, CITIZEN, OR SOMEONE WHO LAST HABITUALLY LIVED IN UKRAINE WHO IS GRANTED PAROLE BETWEEN FEBRUARY 24,2022, AND SEPTEMBER 30, 2024
- **CONDITIONAL ENTRANT** - A CONDITIONAL ENTRANT IS A NON-CITIZEN THAT IS GRANTED CONDITIONAL ENTRY UNDER SEC 203(A)(7) OF THE INA AS IN EFFECT BEFORE 4/1/1980.
- **BATTERED ALIENS** - A BATTERED NON-CITIZEN IS A NON-CITIZEN, NON-CITIZEN CHILD OF A BATTERED PARENT, OR THE NON-CITIZEN PARENT OF A CHILD WHO HAS BEEN BATTERED OR SUBJECTED TO EXTREME CRUELTY IN THE UNITED STATES BY A SPOUSE OR PARENT OR BY A MEMBER OF THE SPOUSE'S OR PARENT'S FAMILY RESIDING IN THE SAME HOUSEHOLD AS THE ALIEN AND/OR CHILD. THE WORKER, WITH SUPERVISORY APPROVAL, DETERMINES THERE IS A SUBSTANTIVE CONNECTION BETWEEN THE BATTERY OR CRUELTY AND THE NEED FOR ASSISTANCE AND HAS BEEN APPROVED OR HAS A PETITION PENDING.
- **INDIVIDUALS GRANTED PAROLE FOR AT LEAST ONE YEAR** - A PAROLEE IS A NON-CITIZEN THAT IS PAROLED UNDER SECTION 212(d)(5) OF THE INA FOR AT LEAST ONE YEAR.

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## B-220-4-SNAP - PO IMMIGRATION STATUSES AND ACCEPTABLE DOCUMENTATION

### 1) CUBAN OR HAITIAN ENTRANT

A CUBAN AND HAITIAN ENTRANT IS DEFINED IN SECTION 501(E) OF THE REFUGEE EDUCATION ASSISTANCE ACT OF 1980, 8 U.S.C. SEC 1522 NOTE, AS: \*\*\*

- AN INDIVIDUAL GRANTED PAROLE STATUS AS A CUBAN OR HAITIAN ENTRANT (STATUS PENDING) OR GRANTED ANY OTHER SPECIAL STATUS ESTABLISHED UNDER THE IMMIGRATION LAWS FOR NATIONALS OF CUBA OR HAITI, OR,
- ANY OTHER NATIONAL OF CUBA OR HAITI WHO:
  - WAS PAROLED INTO THE U.S. AND HAS NOT ACQUIRED ANY OTHER STATUS UNDER THE IMMIGRATION AND NATIONALITY ACT (INA),
  - IS THE SUBJECT OF REMOVAL PROCEEDINGS UNDER THE INA, OR,
  - HAS AN APPLICATION FOR ASYLUM PENDING WITH THE U.S. IMMIGRATION AND NATURALIZATION SERVICES (INS).

NON-CITIZENS CLASSIFIED AS CUBAN OR HAITIAN ENTRANTS ARE CONSIDERED QUALIFIED NONCITIZENS AND ARE NOT SUBJECT TO ADDITIONAL CONDITIONS. EVEN AFTER A CUBAN/HAITIAN ENTRANT BECOMES A PERMANENT RESIDENT, THEY TECHNICALLY RETAIN THE STATUS OF CUBAN/HAITIAN ENTRANT.

### ACCEPTABLE DOCUMENTATION

- PAROLE OR OTHER SPECIAL STATUS
  - FORM I-94 – (ARRIVAL/DEPARTURE RECORD) WITH A STAMP NOTING “CUBAN-HAITIAN ENTRANT” OR “PAROLED INTO THE U.S. ON OR AFTER 4/21/1980, UNDER 212(d)(5).” THE I-94 MAY BE EXPIRED
  - FORM I-551 – PERMANENT RESIDENT CARD WITH A CATEGORY CODE CH6. THE I-551 MAY BE EXPIRED
  - CUBAN OR HAITIAN PASSPORT WITH SEC 212(d)(5) STAMP DATED AFTER 10/10/1980

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- FORM I-766 EMPLOYMENT AUTHORIZATION DOCUMENT WITH CODE “A04” OR “C11”
- AN INDIVIDUAL WHO IS THE SUBJECT OF REMOVAL, DEPORTATION, OR EXCLUSION PROCEEDINGS:
  - DHS FORM I-862 – NOTICE TO APPEAR
  - DHS FORM I-220A – ORDER OF RELEASE ON RECOGNIZANCE
- AN INDIVIDUAL WHO HAS AN APPLICATION FOR ASYLUM PENDING:
  - FORM I-797C, NOTICE OF ACTION CONFIRMING USCIS RECEIPT FOR FILING FORM I-589 – APPLICATION FOR ASYLUM AND WITHHOLDING OF REMOVAL
  - FORM I-766 EMPLOYMENT AUTHORIZATION DOCUMENT WITH THE CODE “C08”

## 2) LAWFULLY ADMITTED PERMANENT RESIDENT (LPR)

AN LPR IS A NON-CITIZEN THAT WAS GIVEN PERMISSION TO PERMANENTLY LIVE AND WORK IN THE U.S. MOST LPRs COME TO THE U.S. ON TEMPORARY STATUS. A NON-CITIZEN THAT DOES NOT ENTER THE U.S. IN A TEMPORARY STATUS AND ENTERS THE U.S. AS AN LPR IS OFTEN SPONSORED.

AN LPR MUST MEET AN ADDITIONAL CONDITION OUTLINED IN B-220-2-SNAP-PO TO BE ELIGIBLE FOR BENEFITS. IF THE LPR PREVIOUSLY HELD ONE OF THE IMMIGRATION STATUSES IDENTIFIED IN B-220-1 SNAP PO, THE LPR IS NOT REQUIRED TO MEET AN ADDITIONAL CONDITION.

PRIOR TO COMPLETING THE ELIGIBILITY DETERMINATION FOR AN LPR, IT MUST BE DETERMINED IF THE LPR HAS A SPONSOR AND IF THE INCOME AND RESOURCES OF THE SPONSOR NEED TO BE DEEMED FOR THE HOUSEHOLD. FOR SPONSORED ALIENS, SEE [E-110-FITAP/SNAP](#).

### ACCEPTABLE DOCUMENTATION

- INS FORM I-551, (PERMANENT RESIDENT CARD, COMMONLY KNOWN AS A “GREEN CARD”); OR;
- UNEXPIRED TEMPORARY I-551 STAMP IN FOREIGN PASSPORT OR ON INS FORM I-94 (ARRIVAL/DEPARTURE RECORD) OR
- FORM I-327, REENTRY PERMIT

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### 3) COFA CITIZENS

THE CONSOLIDATED APPROPRIATIONS ACT, 2024 (CAA) 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 U.S. ARE ELIGIBLE FOR BENEFITS WITHOUT A WAITING PERIOD IF THEY MEET ALL OTHER PROGRAM ELIGIBILITY REQUIREMENTS.

#### ACCEPTABLE DOCUMENTATION

COFA CITIZENS ARE USUALLY DOCUMENTED WITH A FORM I-94, FOREIGN PASSPORT WITH AN ADMISSION STAMP, OR A VALID FORM I-766, EMPLOYMENT AUTHORIZATION DOCUMENT (EAD).

#### **B-220-5-SNAP - PO Ineligible Non-Citizens**

THE FOLLOWING NON-CITIZENS ARE INELIGIBLE FOR SNAP:

- NON-CITIZENS WHO ARE LAWFULLY PRESENT IN THE UNITED STATES IN A NON-QUALIFIED STATUS, SUCH AS STUDENTS AND H-1B VISA WORKERS,
- UNDOCUMENTED NON-CITIZENS (E.G. INDIVIDUALS WHO ENTERED THE UNITED STATES AS TEMPORARY RESIDENTS AND OVERSTAYED THEIR VISAS OR WHO ENTERED WITHOUT A VISA),
- INDIVIDUALS GRANTED TEMPORARY PROTECTED STATUS (TPS), UNLESS THE INDIVIDUAL BECAME A QUALIFIED ALIEN IN SOME OTHER QUALIFYING STATUS, AND
- MOST INDIVIDUALS PRESENT IN THE UNITED STATES WITH A U VISA, UNLESS THE INDIVIDUAL BECAME A QUALIFIED ALIEN IN SOME OTHER QUALIFYING STATUS.

#### **B-221-SNAP - PO VERIFICATION**

ALIEN STATUS MUST BE VERIFIED WHEN MEMBERS ARE IDENTIFIED AS NON-CITIZENS ALIENS AT CERTIFICATION OR WHEN ADDING NEW MEMBERS. ALIEN STATUS MUST BE VERIFIED BY THE SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE) PROGRAM FOR EACH NON-CITIZEN APPLYING FOR SNAP.

A HISTORY OF AN NON-ALIEN'S IMMIGRATION STATUS MUST BE OBTAINED FOR IMMIGRANTS WHOSE STATUS HAS CHANGED SINCE THEIR DATE OF ENTRY IF THEY HAVE LIVED IN THE UNITED STATES FOR MORE THAN FIVE YEARS AND WOULD BE ELIGIBLE ONLY IF THEY HAVE LIVED IN THE U.S. FOR FIVE YEARS OR MORE.

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**B-222-SNAP - RESERVED**

**B-223-SNAP – PO CONTACT WITH USCIS**

IF THE AGENCY KNOWS FOR CERTAIN THAT NON-CITIZEN IS IN THE U.S. ILLEGALLY, THE WORKER MUST REPORT THE ILLEGAL ALIEN TO USCIS.

IN ORDER TO KNOW FOR CERTAIN THAT A PERSON IS AN ILLEGAL ALIEN THE FOLLOWING MUST OCCUR:

- THE UNLAWFUL PRESENCE MUST BE A FINDING OF FACT OR CONCLUSION OF LAW THAT IS MADE AS PART OF A FORMAL DETERMINATION THAT IS SUBJECT TO ADMINISTRATIVE REVIEW ON AN ALIEN’S CLAIM, AND
- THE FINDING OR CONCLUSION OF UNLAWFUL PRESENCE MUST BE SUPPORTED BY A DETERMINATION BY USCIS OR THE EXECUTIVE OFFICE OF IMMIGRATION REVIEW, SUCH AS A FINAL ORDER OF DEPORTATION.

IF A NON-CITIZEN DOES NOT WISH USCIS BE CONTACTED TO VERIFY HIS IMMIGRATION STATUS, THE HOUSEHOLD MUST BE GIVEN THE OPTION OF WITHDRAWING ITS APPLICATION OR PARTICIPATING WITHOUT THAT MEMBER. THAT MEMBER WILL BE CONSIDERED AN INELIGIBLE ALIEN. THE FACT THAT A NON-CITIZEN DOES NOT WANT USCIS CONTACTED DOES NOT CONSTITUTE KNOWLEDGE OF ILLEGAL ALIEN STATUS.

**B-224-SNAP - PO ABSENCE OF PROOF OF IMMIGRATION STATUS**

NON-CITIZEN HOUSEHOLD MEMBER IS INELIGIBLE IF THE HOUSEHOLD DOES NOT PROVIDE PROOF OF IMMIGRATION STATUS FOR THAT MEMBER. IF THE INELIGIBLE NON-CITIZEN IS UNABLE OR UNWILLING TO PROVIDE DOCUMENTATION OF IMMIGRATION STATUS, DO NOT MAKE ANY FURTHER EFFORTS TO OBTAIN VERIFICATION OF IMMIGRATION STATUS. INELIGIBILITY DOES NOT MEAN THAT THE PERSON IS AN ILLEGAL ALIEN. THE REMAINING MEMBERS OF THE HOUSEHOLD CAN BE CERTIFIED IF THEY MEET ALL ELIGIBILITY REQUIREMENTS. Refer to [E-220 FITAP/SNAP](#), Section 221-SNAP for instructions on treatment of income and resources of an ineligible alien.

**B-225-SNAP - PO AGENCY DOCUMENTATION**

DOCUMENTS PROVIDED FOR EACH NON-CITIZEN APPLYING FOR SNAP MUST BE SAVED IN THE DOCUMENT REPOSITORY SYSTEM. FORM [OFS 4AEC](#) MAY BE COMPLETED FOR EACH NON-CITIZEN APPLYING FOR SNAP.

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## II. PROCEDURES

### B-220-SNAP - PR SNAP NON-CITIZEN

THE IMMIGRATION STATUS OF EACH NON-CITIZEN IN THE HOUSEHOLD APPLYING FOR BENEFITS MUST BE DISCUSSED DURING THE INTERVIEW. DOCUMENT THE CLIENT'S STATEMENTS REGARDING IMMIGRATION STATUS AND AVAILABLE DOCUMENTATION TO VERIFY THAT STATUS IN A CASE NOTE. ASSIST THE NON-CITIZEN IN IDENTIFYING ACCEPTABLE DOCUMENTARY EVIDENCE OF STATUS BY REFERENCING B-220-4-SNAP-PO.

IN LITE, ON THE PERSON DEMOGRAPHIC – DETAILS PAGE SELECT “ALIEN” IN THE DROP-DOWN BOX FOR CITIZENSHIP FOR ALL NON-CITIZENS IN THE HOUSEHOLD. WHEN ‘ALIEN’ IS SELECTED ON THE PERSON DEMOGRAPHIC – DETAILS PAGE, THE ALIEN DETAILS SCREEN WILL BE ENABLED.

### B-220-1-SNAP - PR IMMIGRATION STATUSES

DETERMINE IF THE NON-CITIZEN IS A QUALIFIED ALIEN BASED ON THE INTERVIEW, DOCUMENTS PROVIDED, AND RESULTS OF SAVE.

ON THE ALIEN DETAILS SCREEN, THE WORKER MUST SELECT AN OPTION TO THE QUESTION “DO YOU AGREE TO LDH CONTACTING UNITED STATES IMMIGRATION SERVICES (USCIS) TO VERIFY YOUR IMMIGRATION STATUS.” IF ‘NO’ IS SELECTED OR THE QUESTION IS NOT ANSWERED, LITE WILL DISQUALIFY THAT INDIVIDUAL FROM THE CASE. WHEN ‘NO’ IS SELECTED, ‘OPT OUT’ WILL BE AUTOMATICALLY POPULATED AS THE IMMIGRATION STATUS FOR THAT INDIVIDUAL.

THE WORKER MUST SELECT THE APPROPRIATE IMMIGRATION STATUS FROM THE DROP DOWN MENU AND SELECT THE APPROPRIATE IMMIGRATION STATUS VERIFICATION FROM THE DROP DOWN MENU.

A LPR WHO PREVIOUSLY HELD AN IMMIGRATION STATUS IDENTIFIED IN B-220-1 SNAP-PO MUST BE CODED USING THE PREVIOUS IMMIGRATION STATUS.

COFA CITIZENS MUST BE CODED AS HAVING AN IMMIGRATION STATUS OF A COFA.

RECORD THE CLIENTS STATEMENT OF THE DATE THE IMMIGRATION STATUS STARTED AND SELECT THE CORRESPONDING VERIFICATION CODE.

IMMIGRATION STATUS VERIFICATION - IF THE VALUE IS PENDING VERIFICATION BY THE DUE DATE, THE INDIVIDUAL WILL BE DISQUALIFIED.

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INITIAL DATE OF ENTRY MUST BE ENTERED AND THE INITIAL DATE OF ENTRY VERIFICATION FIELD MUST BE ENTERED. IF THE DATE OF ENTRY AND INITIAL DATE OF ENTRY VERIFICATION FIELDS ARE BLANK, LITE WILL DISQUALIFY THE INDIVIDUAL. IF THE VALUE IS PENDING VERIFICATION BY THE DUE DATE, LITE WILL DISQUALIFY THE INDIVIDUAL.

40 QUARTERS OF WORK VERIFIED? IF THE LPR HAS 40 QUARTERS OF COVERED WORK AND THIS IS VERIFIED, THE APPROPRIATE VERIFICATION MUST BE SELECTED FROM THE DROP DOWN MENU IF THAT IS THE ONLY CONDITION THAT THE LPR MEETS TO BE ELIGIBLE. THIS IS VERIFIED THROUGH THE SSA 40 QUARTERS DATA VERIFICATION TASK. WHEN THE TASK IS RECEIVED, CHECK THE EMPLOYMENT HISTORY PANEL IN CLEARANCE SUMMARY TO VERIFY THE NUMBER OF CREDITED QUARTERS WORKED FOR THE INDIVIDUAL.

**B-220-5-SNAP - PR Ineligible Non-Citizens**

IF AN INDIVIDUAL IN THE HOUSEHOLD IS IDENTIFIED AS AN INELIGIBLE NON-CITIZEN, SELECT ALIEN IN LITE FOR THE CITIZENSHIP FIELD ON THE PERSON DEMOGRAPHICS – DETAILS SCREEN. ON THE ALIEN – DETAILS SCREEN, SELECT UNDOCUMENTED ALIENS AS THE IMMIGRATION STATUS.

**B-221-SNAP - PR VERIFICATION**

VERIFY ALIEN STATUS AT CERTIFICATION OR WHEN ADDING NEW MEMBERS AND WHEN THE ALIEN’S STATUS HAS CHANGED SINCE THEIR DATE OF ENTRY.

**SAVE**

THE SAVE PROGRAM MUST BE USED TO VERIFY ALIEN STATUS FOR ALIENS APPLYING FOR SNAP, IF THEY APPEAR TO BE ELIGIBLE, FOR ALL STATUSES EXCEPT VICTIMS OF TRAFFICKING. IF IT HAS BEEN DETERMINED THAT AN ALIEN IS INELIGIBLE, SAVE SHOULD NOT RUN FOR THAT INDIVIDUAL. A LDH CASE RELATED HELP TICKET MUST BE SUBMITTED THROUGH THE USER SUPPORT CENTER REMEDY INTRANET TICKET GENERATOR. THE HELP TICKET SHOULD INCLUDE THE FOLLOWING INFORMATION:

- PLEASE VERIFY ALIEN STATUS THROUGH SAVE
- LAST NAME
- FIRST NAME
- DATE OF BIRTH
- ALIEN NUMBER
- DOCUMENT TYPE

UPLOAD THE DOCUMENTS PROVIDED WHEN SUBMITTING THE TICKET.

	<b>Division/Section</b>	Family Support
	<b>Chapter No./Name</b>	4 – Economic Stability (ES)
	<b>Part No./Name</b>	B – Eligibility Factors
	<b>Section No./Name</b>	B-200-FITAP-SNAP Citizenship/Non-Citizen Status
	<b>Document No./Name</b>	B-220-SNAP Eligibility Requirement/Non-Citizen Status
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IF A SAVE RESPONSE IS NOT RECEIVED BY THE 30<sup>TH</sup> DAY, AND THE ALIEN’S IMMIGRATION STATUS WOULD MAKE THEM ELIGIBLE, AND ALL OTHER ELIGIBILITY FACTORS ARE MET, THE ALIEN MUST BE INCLUDED. THE CASE MUST NOT REMAIN IN PENDING STATUS DUE TO AWAITING FOR THE SAVE RESULT. IF THE SAVE RESPONSE IS RETURNED INDICATING THAT THE VERIFICATION SUBMITTED WAS INVALID, RECOVERY MUST BE INITIATED FOR THAT INDIVIDUAL.

**B-223-SNAP - PR CONTACT WITH USCIS**

WHEN REPORTING THAT AN ALIEN IS IN THE U.S. ILLEGALLY, THE REPORT TO USCIS MUST BE MADE IN WRITING, SIGNED BY THE SUPERVISOR, AND SUBMITTED TO THE NEAREST USCIS OFFICE.

AN ALIEN WHO DOES NOT WISH USCIS BE CONTACTED TO VERIFY HIS IMMIGRATION STATUS MUST BE GIVEN THE OPTION OF WITHDRAWING ITS APPLICATION OR PARTICIPATING WITHOUT THAT MEMBER. THAT MEMBER WILL BE CONSIDERED AN INELIGIBLE ALIEN. THE FACT THAT AN ALIEN DOES NOT WANT USCIS CONTACTED DOES NOT CONSTITUTE KNOWLEDGE OF ILLEGAL ALIEN STATUS.

ON THE ALIEN DETAILS SCREEN, THE WORKER MUST SELECT ‘NO’ TO THE QUESTION “DO YOU AGREE TO LDH CONTACTING UNITED STATES IMMIGRATION SERVICES (USCIS) TO VERIFY YOUR IMMIGRATION STATUS.” ‘OPT OUT’ WILL BE AUTOMATICALLY POPULATED AS THE IMMIGRATION STATUS FOR THAT INDIVIDUAL. LITE WILL DISQUALIFY THAT INDIVIDUAL FROM THE CASE.

**B-224-SNAP - PR ABSENCE OF PROOF OF IMMIGRATION STATUS**

IF PROOF OF IMMIGRATION STATUS IS NOT PROVIDED, LITE WILL EXCLUDE THE NON-CITIZEN FOR FAILURE TO ATTEST TO ALIEN STATUS.

**B-225-SNAP - PR AGENCY DOCUMENTATION**

DOCUMENT HOW ALIEN STATUS IS DETERMINED IN LITE. THE FORM OFS 4AEC MAY BE COMPLETED FOR EACH ALIEN APPLYING FOR SNAP.

ENTER A CASE NOTE TO RECORD THE DOCUMENTS PROVIDED FOR THE ALIEN STATUS. ALSO, DOCUMENT THE RESULTS OF SAVE.

AFTER RUNNING ELIGIBILITY IN LITE AND PRIOR TO AUTHORIZING THE CASE, THE SUPERVISOR MUST REVIEW THE DETERMINATION MADE AND MAKE A CASE NOTE INDICATING THAT THE CASE WAS REVIEWED.

	<b>Division/Section</b>	Family Support
	<b>Chapter No./Name</b>	4 – Economic Stability (ES)
	<b>Part No./Name</b>	B – Eligibility Factors
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### III. FORMS AND INSTRUCTIONS

[OFS 4AEC Form](#) / [Instructions](#) Alien Eligibility Checklist

### IV. REFERENCES

[7 CFR 272.11](#) and [273.2](#).

[SNAP Provisions in the Consolidated Appropriations Act, 2024](#)