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| | Chapter No./Name | 4 – Economic Stability (ES) |
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| | Section No./Name | B-200-FITAP-SNAP Citizenship/Non-Citizen Status |
| | Document No./Name | B-220-SNAP Eligibility Requirement/Non-Citizen Status |
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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 ONLY AT INITIAL APPLICATION, 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:

- AFGHANI/IRAQI SPECIAL IMMIGRANT
- AFGHAN * NATIONAL GRANTED PAROLE BETWEEN JULY 31, 2021 AND SEPTEMBER 30, 2023
- AMERASIAN IMMIGRANT
- ASYLEE
- CUBAN/HAITIAN ENTRANT
- DEPORTATION WITHHELD
- REFUGEE
- VICTIM OF TRAFFICKING
- UKRAINIAN NATIONAL GRANTED PAROLE BETWEEN FEBRUARY 24, 2022 AND SEPTEMBER 30, 2024

THE FOLLOWING NON-CITIZENS ARE NOT QUALIFIED ALIENS BUT STILL MAY BE ELIGIBLE FOR BENEFITS WITHOUT HAVING TO MEET ANY ADDITIONAL CONDITION OR WAITING PERIOD:

- AMERICAN INDIAN BORN IN CANADA
- HMONG/HIGHLAND LAOTIAN IMMIGRANT
- COMPACTS OF FREE ASSOCIATION (COFA) CITIZENS **

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

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


- BATTERED NON-CITIZEN
- CONDITIONAL ENTRANT
- LAWFULLY ADMITTED PERMANENT RESIDENT (LPR)
EXCEPTION: IF THE LPR PREVIOUSLY HELD ONE OF THE STATUSES IDENTIFIED IN B-221-SNAP – PO, THE LPR IS NOT REQUIRED TO MEET AN ADDITIONAL CONDITION.
- PAROLEE
- * AFGHAN NATIONAL GRANTED PAROLE AFTER SEPTEMBER 30, 2023
- UKRANIAN NATIONAL GRANTED PAROLE AFTER SEPTEMBER 30, 2024 **

THESE NON-CITIZENS MUST MEET AT LEAST ONE OF THE FOLLOWING ADDITIONAL CONDITIONS TO BE ELIGIBLE FOR BENEFITS:

- **5 YEARS OF RESIDENCE** - 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. UNDER A QUALIFIED STATUS 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.

- **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

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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,

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,
- UNREMARIED 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.

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B-220-3-SNAP - PO IMMIGRATION STATUSES OF CHILDREN UNDER 18

CHILDREN UNDER THE AGE OF 18, UNLESS THEY ARE U.S. CITIZENS, ARE TO BE CONSIDERED TO HAVE THE SAME IMMIGRATION STATUS AS THEIR PARENT(S).EXAMPLE: A CUBAN ENTRANT IMMIGRATED TO VENEZUELA BEFORE COMING TO THE U.S. WHILE IN VENEZUELA, THEY HAD A CHILD WHO GAINED VENEZUELAN CITIZENSHIP. WHEN THEY ENTERED THE U.S. WITH THEIR CHILD WHO IS UNDER THE AGE OF 18. THAT CHILD, THOUGH THEY ARE A CITIZEN OF VENEZUELA, IS TO BE CONSIDERED A CUBAN ENTRANT DUE TO THE IMMIGRATION STATUS OF THEIR PARENT.

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


1) AFGHANI/IRAQI SPECIAL IMMIGRANTS

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.

- ACCEPTABLE DOCUMENTATION OF SIV STATUS FOR IRAQI OR AFGHANI SPECIAL IMMIGRANTS IF ONE OF THE FOLLOWING DOCUMENTS INDICATES THAT THE INDIVIDUAL HAS BEEN ADMITTED UNDER IV CATEGORY OF SI1, SI2, SI3, SI6, SI7, SI9, SQ1, SQ2, SQ3, SQ4, SQ5, SQ6, SQ7, OR SQ9.
 - INS FORM I-551, (PERMANENT RESIDENT CARD, COMMONLY KNOWN AS A “GREEN CARD”),
 - FOREIGN PASSPORT WITH A TEMPORARY I-551 STAMP IN IT,
 - FORM I-94 (ARRIVAL/DEPARTURE RECORD) OR ELECTRONIC FORM I-94,
 - FORM I-766, EMPLOYMENT AUTHORIZATION DOCUMENT (EAD), OR
 - FORM G-641 IS ACCEPTABLE IF SIGNED AND DATED AT THE BOTTOM BY THE USCIS OFFICE.

AFGHAN NON-SPECIAL IMMIGRANT (AFGHAN HUMANITARIAN PAROLEE)

AFGHAN NATIONALS, CITIZENS, OR THOSE WHO LAST HABITALLY LIVED IN AFGHANISTAN WHO ARE GRANTED PAROLE BETWEEN JULY 31, 2021 AND SEPTEMBER 30, 2023 ARE ELIGIBLE FOR BENEFITS AVAILABLE TO REFUGEES. THESE INDIVIDUALS ARE ELIGIBLE FOR BENEFITS FOR A LIMITED TIME PERIOD, EITHER THROUGH SEPTEMBER 30, 2023 OR UNTIL THE END OF THEIR PAROLE TERM, WHICHEVER IS LATER.

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ADDITIONALLY, THE SPOUSES AND CHILDREN OF SUCH INDIVIDUALS, AS WELL AS PARENTS AND LEGAL GUARDIANS OF SUCH INDIVIDUALS WHO WERE UNACCOMPANIED MINORS ARE ELIGIBLE FOR BENEFITS EVEN IF THEY ARE GRANTED PAROLE AFTER SEPTEMBER 30, 2023. THIS ELIGIBILITY LASTS UNTIL SEPTEMBER 30, 2023 OR THE END OF THE PAROLE TERM, WHICHEVER IS LATER.

ONE OF THE DOCUMENTS IDENTIFIED ABOVE WITH THE NOTATION OF HUMANITARIAN PAROLE, OR STAMPED WITH “OAR”, “OAW”, “DT”, or “PAR”.

*** AFGHAN NATIONALS GRANTED PAROLE AFTER SEPTEMBER 30, 2023 MUST MEET AN ADDITIONAL ELIGIBILITY CRITERIA LISTED IN B-220-2-SNAP-PO. ****

2) AMERICAN INDIANS BORN ABROAD


AMERICAN INDIANS BORN IN CANADA LIVING IN THE U.S. UNDER SEC 289 OF THE INA OR NON-CITIZEN MEMBERS OF A FEDERALLY-RECOGNIZED INDIAN TRIBE UNDER SEC 4(e) OF THE INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT. THESE ARE PEOPLE WHO HAVE BEEN LAWFULLY ADMITTED FOR PERMANENT RESIDENCE (LPR) BUT ARE NOT SUBJECT TO ADDITIONAL CONDITIONS AND ARE CONSIDERED QUALIFIED ALIENS.

- ACCEPTABLE DOCUMENTATION
 - USCIS DOCUMENTATION ESTABLISHING LPR STATUS, OR
 - A LETTER OR OTHER TRIBAL DOCUMENT CERTIFYING AT LEAST 50% INDIAN BLOOD, AND
 - BIRTH CERTIFICATE OR OTHER EVIDENCE OF BIRTH IN CANADA.

3) AMERASIAN IMMIGRANT

AMERASIAN IMMIGRANTS ARE LPR THAT WERE ADMITTED UNDER SEC 584 FO FOREIGN OPERATIONS, EXPORT FINANCING AND RELATED PROGRAM APPROPRIATIONS ACT. AMERASIANS ARE NOT SUBJECT TO ADDITIONAL CONDITIONS AND ARE CONSIDERED QUALIFIED ALIENS.

- ACCEPTABLE DOCUMENTATION
 - I-94 (ARRIVAL/DEPARTURE RECORD) CARD OR ELECTRONIC ADMISSION RECORD INDICATING ADMISSION UNDER SEC 207,

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- I-688B (EMPLOYMENT AUTHORIZATION) WITH PROVISION OF LAW CODE 274a.12(a)(3),
- I-766 (EMPLOYMENT AUTHORIZATION) ANNOTATED “A3”,
- I-571 (REFUGEE TRAVEL DOCUMENT), OR,
- LETTER FROM USCIS GRANTING ADMISSION AS A REFUGEE.


4) ASYLEE

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). ASYLEES ARE NOT SUBJECT TO ADDITIONAL CONDITIONS AND ARE CONSIDERED QUALIFIED ALIENS.

- ACCEPTABLE DOCUMENTATION
 - I-94 (ARRIVAL/DEPARTURE RECORD) STAMPED ADMITTED UNDER SEC 208,
 - I-688B (EMPLOYMENT AUTHORIZATION) WITH PROVISION OF LAW CODE 274a.12(a)(5),
 - I-730 APPROVAL LETTER,
 - I-766 (EMPLOYMENT AUTHORIZATION) ANNOTATED “A5”,
 - I-571 (REFUGEE TRAVEL DOCUMENT),
 - APPROVAL LETTER FROM USCIS,
 - AN ORDER FROM AN IMMIGRATION JUDGE GRANTING ASYLUM, OR,
 - A WRITTEN DECISION FROM THE BOARD OF IMMIGRATION APPEALS.

5) BATTERED NON-CITIZEN


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

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HAS A PETITION PENDING.

A BATTERED NON-CITIZEN MAY BE A QUALIFIED ALIEN IF HE OR SHE MEETS ALL OF THE FOLLOWING FOUR REQUIREMENTS:

- HAS A PRIMA FACIE DETERMINATION PETITION FOR IMMIGRATION STATUS. THE PETITION MAY BE IN AN APPROVED OR PENDING STATUS AND IN ONE OF THE FOLLOWING CATAGORIES:
 - PETITION FOR ALIEN RELATIVE (I-130) FORM FILED BY THEIR SPOUSE OR THE CHILD'S PARENT
 - A FORM I-130 PETITION AS A WIDOW(ER) OF A U.S. CITIZEN,
 - SELF- PETITION UNDER THE VIOLENCE AGAINST WOMEN ACT, OR
 - AN APPLICATION OF REMOVAL OR SUSPENSION OF DEPORTATION FIELD AS A VICTIM OF DOMESTIC VIOLENCE; AND
- THE NON-CITIZEN, THE NON-CITIZEN'S CHILD, OR THE NON-CITIZEN CHILD'S PARENT HAS BEEN ABUSED IN THE U.S. UNDER ONE OF THE FOLLOWING CIRCUMSTANCES:
 - THE NON-CITIZEN HAS BEEN BATTERED OR SUBJECT TO EXTREME CRUELTY IN THE U.S. BY A SPOUSE OR PARENT OF THE NON-CITIZEN, OR BY A MEMBER OF THE SPOUSE'S OR PARENT'S FAMILY RESIDING IN THE SAME HOUSEHOLD IF THE SPOUSE OR PARENT CONSENTS TO OR ACQUIESCES IN THE BATTERY OR CRUELTY; OR
 - THE NON-CITIZEN'S CHILD HAS BEEN BATTERED OR SUBJECT TO EXTREME CRUELTY IN THE U.S. BY A SPOUSE OR PARENT OF THE NON-CITIZEN, OR BY A MEMBER OF THE SPOUSE'S OR PARENT'S FAMILY RESIDING IN THE SAME HOUSEHOLD IF THE SPOUSE OR PARENT CONSENTS TO OR ACQUIESCES IN THE BATTERY OR CRUELTY; OR
 - THE PARENT OF A NON-CITIZEN CHILD HAS BEEN BATTERED OR SUBJECT TO EXTREME CRUELTY IN THE U.S. BY A SPOUSE OR PARENT OF THE NON-CITIZEN, OR BY A MEMBER OF THE SPOUSE'S OR PARENT'S FAMILY RESIDING IN THE SAME HOUSEHOLD IF THE SPOUSE OR PARENT CONSENTS TO OR ACQUIESCES IN THE BATTERY OR CRUELTY; AND
- THERE IS A SUBSTANTIAL CONNECTION BETWEEN THE BATTERY OR EXTREME CRUELTY AND THE NEED FOR BENEFITS SOUGHT; AND

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- THE BATTERED NON-CITIZEN, CHILD, OR PARENT NO LONGER RESIDES IN THE SAME HOUSEHOLD AS THE ABUSER.

THE DURATION OF THE ELIGIBILITY PERIOD SHALL BE AS LONG AS THE WORKER, WITH SUPERVISORY APPROVAL, DETERMINES THE CONDITIONS EXIST.

6) 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.


CONDITIONAL ENTRANTS MUST MEET AN ADDITIONAL CONDITION OUTLINED IN B-220-2-SNAP-PO TO BE ELIGIBLE FOR BENEFITS.

- ACCEPTABLE DOCUMENTATION
 - INS FORM I-94 (ARRIVAL/DEPARTURE RECORD) WITH STAMP SHOWING ADMISSION UNDER SEC 203(a)(7) OF THE INA;
 - INS FORM I-688 B (EMPLOYMENT AUTHORIZATION CARD) ANNOTATED “274a.12(a)(3)”; OR;
 - INS FORM I-766 (EMPLOYMENT AUTHORIZATION DOCUMENT) ANNOTATED “A3.”

7) CUBAN OR HAITIAN ENTRANT

A CUBAN OR HAITIAN ENTRANT IS AN INDIVIDUAL WHO HAS FLED TO THE U.S. FROM EITHER CUBA OR HAITI TO ESCAPE OPPRESSION, PERSECUTION, NATIONAL DISTRESS, OR ENVIRONMENTAL DISASTERS. TO BE CONSIDERED A CUBAN OR HAITIAN ENTRANT, A NON-CITIZEN NEEDS TO BE ONE OF THE FOLLOWING:

- AN INDIVIDUAL GRANTED PAROLE 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 INA,
 - IS THE SUBJECT OF REMOVAL PROCEEDINGS UNDER THE INA, OR,

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- HAS AN APPLICATION FOR ASYLUM PENDING WITH THE INA.

NON-CITIZENS CLASSIFIED AS CUBAN OR HAITIAN ENTRANTS ARE CONSIDERED QUALIFIED NONCITIZENS AND ARE NOT SUBJECT TO ADDITIONAL CONDITIONS. EVEN AFTER A CUBAN/HATIAN 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

- AN INDIVIDUAL PAROLED INTO THE U.S. THAT HAS NOT ACQUIRED ANY OTHER STATUS:

- FORM I-94 (ARRIVAL/DEPARTURE CARD) – I-94 MAY REFER TO SEC 212(d)(5), HUMANITARIAN OR PUBLIC INTEREST PAROLE
- 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-221 – ORDER TO SHOW CAUSE AND NOTICE OF HEARING
- DHS FORM I-862 – NOTICE TO APPEAR
- DHS FORM I-220A – ORDER OF RELEASE ON RECOGNIZANCE
- DHS FORM I-122 – NOTICE TO APPLICANT DETAINED FOR A HEARING BEFORE AN IMMIGRATION JUDGE


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- DHS FORM I-221S – ORDER TO SHOW CAUSE, NOTICE OF HEARING AND WARRANT FOR ARREST
- DHS FORM I-589 DATE STAMPED BY THE EXECUTIVE OFFICE FOR IMMIGRATION REVIEW (EOIR) – APPLICATION NFOR ASYLUM AND WITHHOLDING OF REMOVAL
- DHS FORM I-485 DATE STAMPED BY EOIR – APPLICATION TO REGISTER PERMANENT RESIDENCE OR ADJUST STATUS
- EOIR-26 – NOTICE OF APPEAL DATE STAMPED BY THE OFFICE OF IMMIGRATION JUDGE
- FORM I-766 EMPLOYMENT AUTHORIZATION DOCUMENT WITH THE CODE “C10”
- FORM I-688 B (EMPLOYMENT AUTHORIZATION CARD) ANNOTATED “274a.12(a)(10)”
- OTHER DOCUMENTATION PERTAINING TO AN APPLICANT’S REMOVAL, EXCLUSION, OR DEPORTATION – EXAMPLE: NOTICE OF A HEARING DATE BEFORE AN IMMIGRATION JUDGE
- AN INDIVIDUAL WHO HAS AN APPLICATION FOR ASYLUM PENDING:
 - DHS RECEIPT FOR FILING FORM I-589 – APPLICATION FOR ASYLUM AND WITHHHOLDING OF REMOVAL
 - FORM I-766 EMPLOYMENT AUTHORIZATION DOCUMENT WITH THE CODE “C08”
 - FORM I-688 B (EMPLOYMENT AUTHORIZATION CARD) ANNOTATED “274a.12(a)(8)”

8) DEPORTATION WITHHELD

A NON-CITIZEN WHOSE DEPORATION IS WITHHELD AND WHOSE CONTINUED PRESENCE IN THE U.S. IS REQUIRED BY THE U.S. GOVERNMENT MAY BE ELIGIBLE FOR BENEFITS. NON-CITIZENS WITH DEPORTATION WITHHELD STATUS ARE CONSIDERED QUALIFIED ALIENS AND DO NOT NEED TO MEET ADDITIONAL CONDITIONS.

- ACCEPTABLE DOCUMENTATION
 - INS FORM I-688B (EMPLOYMENT AUTHORIZATION CARD) ANNOTATED “274a.12(a)(10)”;

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- INS FORM I-766 (EMPLOYMENT AUTHORIZATION DOCUMENT) ANNOTATED “A10”; OR;
- ORDER FROM AN IMMIGRATION JUDGE SHOWING DEPORTATION WITHHELD UNDER SEC 243(h), OF THE INA AS IN EFFECT PRIOR TO 4/1/1997, OR REMOVAL WITHHELD UNDER SEC 241(b)(3) OF THE INA.

9) HMONG/HIGHLAND LAOTIAN TRIBAL MEMBER

A NON-CITIZEN 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 (8/5/1964 TO 5/7/1975).

THIS STATUS ALSO APPLIES TO THE FOLLOWING IMMEDIATE FAMILY MEMBERS OF THESE HMONG OR HIGHLAND LAOTIAN TRIBE MEMBERS:


- SPOUSE
- UNREMARIED SURVIVING SPOUSE
- UNMARRIED DEPENDENT CHILD UNDER THE AGE OF 18
- CHILD WHO IS A FULL-TIME STUDENT UNDER THE AGE OF 22
- UNMARRIED ADULT CHILD WITH A DISABILITY

NON-CITIZENS WITH HMONG/HIGHLAND LAOTIAN TRIBAL MEMBER STATUS MAY BE ELIGIBLE AND DO NOT NEED TO MEET ADDITIONAL CONDITIONS.

- ACCEPTABLE DOCUMENTATION
 - A SIGNED AFFIDAVIT SWEARING UNDER PENALTY OF LAW THAT HE OR SHE WAS A MEMBER OF A HMONG OR HIGHLAND LAOTIAN TRIBE BETWEEN 8/5/64 AND 5/7/75.; AND;
 - ANY DOCUMENTS STATING THEY ARE LEGALLY RESIDING IN THE UNITED STATES

10) 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-

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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).

11) PAROLEE

A PAROLEE IS A NON-CITIZEN THAT IS PAROLED UNDER [SECTION 212\(d\)\(5\) OF THE INA](#) FOR AT LEAST ONE YEAR. THIS DOES NOT INCLUDE A NATIONAL OF CUBA OR HAITI WHO IS PAROLED NOR DOES THIS INCLUDE AFGHANI/IRAQI SPECIAL IMMIGRANTS.

A PAROLEE MUST MEET AN ADDITIONAL CONDITION OUTLINED IN B-220-2-SNAP-PO TO BE ELIGIBLE FOR BENEFITS.

- ACCEPTABLE DOCUMENTATION
 - FORM I-94 (ARRIVAL/DEPARTURE RECORD) WITH STAMP SHOWING ADMISSION FOR AT LEAST ONE YEAR UNDER SEC 212(d)(5) OF THE INA (THE APPLICANT CANNOT AGGREGATE PERIODS OF ADMISSION FOR LESS THAN ONE YEAR TO MEET THE ONE-YEAR REQUIREMENT);
 - I-688B (EMPLOYMENT AUTHORIZATION) WITH A PROVISION OF LAW CODE 274a.12(a)(4);
 - I-766 (EMPLOYMENT AUTHORIZATION) ANNOTATED “A4”; OR;

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- LETTER FROM USCIS SHOWING A GRANT OF PAROLE PURSUANT TO SECTION 212(d)(5).

NOTE: THE DOCUMENT MUST NOT BE EXPIRED, AND THE EXPIRATION DATE MUST BE AT LEAST ONE YEAR AFTER ISSUANCE DATE

12) REFUGEE

A REFUGEE IS A NON-CITIZEN THAT HAS FLED THEIR COUNTRY TO ESCAPE INVASION, OPPRESSION, OR PERSECUTION. REFUGEES ARE CONSIDERED QUALIFIED ALIENS AND DO NOT NEED TO MEET AN ADDITIONAL CONDITION TO BE ELIGIBLE FOR BENEFITS.

- ACCEPTABLE DOCUMENTATION
 - INS FORM I-94 (ARRIVAL/DEPARTURE RECORD) ANNOTATED WITH STAMP SHOWING GRANT OF ASYLUM UNDER SEC 208 OF THE INA;
 - INS FORM I-688 B (EMPLOYMENT AUTHORIZATION CARD) ANNOTATED “274a.12(a)(5)”;
 - INS FORM I-766 (EMPLOYMENT AUTHORIZATION DOCUMENT) ANNOTATED “A3”; OR;
 - INS FORM 571 (REFUGEE TRAVEL DOCUMENT).


13) VICTIM OF 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 ONE OF THE FOLLOWING:

- COMMERCIAL SEX ACTS
- DEBT BONDAGE
- INVOLUNTARY SERVITUDE
- PEONAGE
- SLAVERY

THE FOLLOWING APPLY TO TRAFFICKING VICTIMS:

- THEY ARE NOT CONSIDERED REFUGEES BY USCIS

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- USCIS ARRIVAL/DEPARTURE DOCUMENTS ARE NOT REQUIRED
- THE TRAFFICKING VICTIM PROTECTION ACT OF 2000 GIVES TRAFFICKING VICTIMS ELIGIBILITY FOR THE SAME BENEFITS AS REFUGEES

ALSO CONSIDERED UNDER THE IMMIGRATION STATUS OF VICTIM OF TRAFFICKING IS THE VICTIM'S SPOUSE, CHILDREN, PARENTS, AND UNMARRIED SIBLINGS WHO WERE UNDER AGE 18 WHEN THE VICTIM'S T VISA APPLICATION WAS FILED.


VICTIMS OF TRAFFICKING DO NOT NEED TO MEET AN ADDITIONAL CONDITION. CONTACT ORR AT (866) 401-5510 TO CONFIRM THE VALIDITY OF THE CERTIFICATION LETTER. SAVE IS NOT TO BE USED ON VICTIMS OF TRAFFICKING.

- ACCEPTABLE DOCUMENTATION
 - A CERTIFICATION LETTER, ELIGIBILITY LETTER, OR INTERIM ASSISTANCE LETTER FROM THE ADMINISTRATION FOR CHILDREN AND FAMILIES.
 - FORM I-94 (ARRIVAL/DEPARTURE RECORD) ANNOTATED WITH A T VISA OR DERIVATIVE T VISA;
 - PASSPORT ANNOTATED WITH A T VISA OR DERIVATIVE T VISA; OR;
 - FORM I-797, NOTICE OF ACTION, ANNOTATED WITH ONE OF THE FOLLOWING T VISA OR DERIVATIVE T VISA CLASS OF ADMISSION CODES: T-1, T-2, T-3, T-4, AND T-5;

14) UKRAINIAN PAROLEE

A UKRAINIAN NATIONAL, CITIZEN, OR SOMEONE WHO LAST HABITUALLY LIVED IN UKRAINE WHO IS GRANTED PAROLE BETWEEN FEBRUARY 24, 2022 AND SEPTEMBER 30, 2024 IS ELIGIBLE FOR BENEFITS WITHOUT A WAITING PERIOD. THESE INDIVIDUALS ARE EXEMPT FROM SPONSOR DEEMING REQUIREMENTS. THESE INDIVIDUALS ARE ELIGIBLE SO LONG AS THEY REMAIN IN PAROLE STATUS OR ANOTHER ELIGIBLE IMMIGRATION STATUS. THE SPOUSE AND CHILDREN OF SUCH INDIVIDUALS, AS WELL AS PARENTS, LEGAL GUARDIAN, AND PRIMARY CAREGIVERS OF SUCH INDIVIDUALS WHO WERE UNACCOMPANIED MINORS ARE ELIGIBLE EVEN IF THEY ARE GRANTED PAROLE AFTER SEPTEMBER 30, 2024.

*** A UKRAINIAN NATIONAL WHO IS GRANTED PAROLE AFTER SEPTEMBER 30, 2024 MUST MEET AN ADDITIONAL CONDITION OUTLINED IN B-220-2-SNAP-PO TO BE ELIGIBLE FOR BENEFITS.**

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15) 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.

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. VICTIMS OF TRAFFICKING HAVE THEIR IMMIGRATION STATUS VERIFIED THROUGH THE OFFICE OF REFUGEE RESETTLEMENT (ORR) INSTEAD OF THROUGH SAVE.

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 ONBASE. 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. 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 DCFS 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.

AFGHAN * NATIONALS GRANTED PAROLE BETWEEN JULY 31, 2021 AND SEPTEMBER 30, 2023 MUST BE CODED AS HAVING AN IMMIGRATION STATUS OF A REFUGEE.

UKRAINIAN NATIONALS GRANTED PAROLE BETWEEN FEBRUARY 24, 2022 AND SEPTEMBER 20, 2024 MUST BE CODED AS HAVING AN IMMIGRATION STATUS OF A REFUGEE.

AFGHAN NATIONALS GRANTED PAROLE AFTER SEPTEMBER 30, 2023 MUST BE CODED AS HAVING AN IMMIGRATION STATUS OF A PAROLEE.

UKRAINIAN NATIONALS GRANTED PAROLE AFTER SEPTEMBER 30, 2024 MUST BE CODED AS HAVING AN IMMIGRATION STATUS OF A PAROLEE. **

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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 REFUGEE. ****

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.

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, 'YES', 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 DCFS CASE RELATED HELP TICKET MUST BE SUBMITTED THROUGH THE USER SUPPORT CENTER REMEDY INTRANET TICKET GENERATOR. THE HELP TICKET SHOULD INCLUDE THE FOLLOWING INFORMATION:

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- 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.

IF A SAVE RESPONSE IS NOT RECEIVED BY THE 30TH 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.


IF A TRAFFICKING MINOR HAS AN INTERIM ASSISTANCE LETTER, THE ANALYST OR OTHER ASSIGNED WORKER MUST CONTACT ORR AT (866) 401-5510 PRIOR TO OR AT RECERTIFICATION TO DETERMINE IF THE CHILD WILL RECEIVE ANOTHER INTERIM ASSISTANCE LETTER OR AN ELIGIBILITY LETTER. CONTACT MUST BE MADE WITH ORR TO VERIFY THE VALIDITY OF THE ORR ISSUED INTERIM ASSISTANCE OR ELIGIBILITY LETTER.

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 DCFS 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.

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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.

III. FORMS AND INSTRUCTIONS

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

IV. REFERENCES

Supplemental Nutrition Assistance Program Guidance on Non-Citizen Eligibility dated June 2011.

7 CFR 272.11 and 273.2.

[SNAP Provisions in the Extending Government Funding and Delivering Emergency Assistance Act dated October 15, 2021.](#)

[USCIS – Information for SAVE Users: Afghan Arrival Categories, Documentation, and SAVE Responses dated January 28, 2022.](#)

[Administration for Children and Families – Additional ORR – Eligible Statuses and Categories and Acceptable Documentation Requirements for Afghan Nationals - Policy Letter 22-02 Revised February 18, 2022.](#)

fns.usda.gov/snap/additional-ukraine-supplemental-appropriations-act-2022.

*** SNAP Provisions in the Consolidated Appropriations Act, 2024 ****