

**Service Chapter:** SNAP

**Effective Date:** December 1, 2025

### **Description of Changes**

#### **1. 402 – ABAWD Countable Months – Exemptions – Change**

Verification of pregnancy – Client statement is acceptable, unless questionable, still need estimated date of delivery.

#### **2. 502 – Eligible Alien Status – Change**

Eligible Alien changes will be effective December 1, 2025.

Eligible Aliens:

- US Nationals
- Cuban and Haitian entrants
- Compact of Free Association citizens
- Lawful Permanent Residents, who meet one qualifying component.

Current participants who do not meet the Eligible Alien status were sent a notice on November 14, 2025.

Section was re-written, refer to the history log for prior eligible alien status.

#### **3. 503 – Sponsored Aliens – Change**

## Policy Section Updates

### 1. 402 – ABAWD Countable Months – Exemptions – Change

#### Overview

**GENERAL RULE-** ABAWDs are limited to three months of Supplemental Nutrition Assistance Program (SNAP) benefits in a 36-month period unless they are:

1. Fulfilling the work requirement as defined in this policy.
2. Meet an exemption as defined in this policy.
3. Covered under a current geographic waiver. Refer to [403 Geographic Waiver](#).
4. Receiving benefits for prorated months.

#### Fulfilling the Work Requirement

##### Exemptions

1. **Age 17 or younger.** The month following the month of the 18th birthday is the first month counted toward the three-month limit unless the individual meets another exemption.
2. **Age 65 or older.** The month of the 65th birthday counts as an exempt month.
3. **Physically or mentally unfit for employment.** If mental or physical unfitness is claimed but not evident (not visible during interview or not previously documented of ongoing unfitness), verification must be required. Appropriate verification may consist of receipt of temporary or permanent disability benefits issued by governmental or private sources, or a statement from a physician or licensed or certified psychologist.
  - o Physically or mentally unfit also includes individuals in receipt of VA disability compensation regardless of the individual's disability percentage. Refer to the disability policy in the manual when determining whether to enter the disability in the disability screen in the integrated eligibility system indicating that the individual is a "[disabled](#) member" and narrate.
4. An individual with responsibility to care for a [dependent](#) household member under age 14, even if the household member who is under 14 is not [eligible](#) for SNAP.
5. **Residing** in a SNAP household where a member is under age 14, even if the household member who is under 14 is not eligible for SNAP.
6. **Pregnant** and have provided ~~medical documentation of~~ the estimated date of delivery.  
**Client statement is acceptable, unless questionable.**

7. **Indians, Urban Indians or California Indians.** Indian, Urban Indians or California Indians is defined as: people who are eligible for Indian Health Services (IHS); this includes members and decedents of federally recognized American Indian or Alaska Native tribes, as well as California Indians and others recognized under federal law. Verification is required.
8. **Individual resides** in a waived county. Refer to [403 Geographic Waiver](#).
9. **State Discretionary Exemption Criteria**
  - State discretionary exemption criteria are applied at the discretion of SNAP policy, allowing flexibility in their implementation based on specific circumstances.

### Verification of ABAWD Exemptions

If the eligibility worker determines an individual's exemption is questionable, the eligibility worker must first attempt to verify the exemption status using information available to the State agency, such as information from other public assistance programs through data sharing, before requiring individuals provide documentary evidence or other sources of verification.

## 2. 502 – Eligible Alien Status – Change

### Overview

An individual who is not a U.S. citizen or a U.S. National must have their **alien** status verified to be included in the **assistance unit**. The State agency must give the **household** the option of withdrawing its **application** or participating without a household member if that individual does not wish the State agency to verify his/her immigration status. State agencies cannot deny benefits to otherwise **eligible** household members because other members have chosen not to disclose their citizenship, immigration status, or Social Security number.

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Household members that “opt out” are considered non-applicants and are **ineligible** for SNAP. Alien visitors, tourists, diplomats, and students who enter the U.S. temporarily with no intention of abandoning their residence in a foreign country are not eligible for SNAP benefits under any circumstances.

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### Alien Status Verification (SAVE)

Immigration status of all alien applicants must be verified with USCIS by applying item 1. The eligibility determination process shall not be delayed pending USCIS **verification** of the documents if all other eligibility criteria have been met. If an individual's citizenship or status as a non-citizen national is

questionable, the eligibility staff member must verify the member's citizenship or non-citizenship national status by applying either item 2 or 3.

1. All requests must be made electronically through the Department of Homeland Security (DHS) using the Verification Information System.
2. Participation in another program if verification of citizenship or non-citizen national status was obtained for that program; OR
3. If the household cannot obtain the forms of verification listed in #1 or #2, and the household can provide a reasonable explanation as to why verification is not available, the eligibility staff member must accept a signed statement, under penalty of perjury, from a third party indicating a reasonable basis for knowledge the individual in question is a U.S. citizen or non-citizen national. The signed statement must contain a warning of the penalties for helping someone commit fraud.

### **Eligible Alien**

To be determined an 'eligible alien' for SNAP, individuals must meet one of the SNAP 'Qualified Alien Categories' and one of the 'Special SNAP Criteria'. Certain **eligible non-citizens** are **eligible to SNAP immediately**.

<b><u>Eligible Alien Groups</u></b>	<b><u>Eligibility Timing</u></b>
<ul style="list-style-type: none"> <li>• <u>Non-citizen U.S. nationals</u></li> <li>• <u>Cuban and Haitian entrants</u></li> <li>• <u>Compacts of Free Association (COFA) citizens</u></li> </ul>	<u>Eligible immediately, with no waiting period, as long as they meet all other SNAP financial and non-financial eligibility requirements.</u>
<ul style="list-style-type: none"> <li>• <u>Lawful permanent residents (LPR) (also known as Green Card holders)</u></li> </ul>	<u>Eligible after a 5-year waiting period, as long as they meet all other SNAP financial and non-financial eligibility requirements.</u> <u>LPRs may still be eligible for SNAP without a waiting period if they meet one or more of the following conditions:</u> <ul style="list-style-type: none"> <li>• <u>Are under 18 years old</u></li> <li>• <u>Have 40 qualifying work quarters</u></li> <li>• <u>Are blind or disabled</u></li> <li>• <u>Were lawfully residing in the U.S. and 65 or older on August 22, 1996</u></li> <li>• <u>Have a U.S. military connection</u></li> <li>• <u>Are admitted to the United States as an Amerasian immigrant</u></li> <li>• <u>Are an American Indian born abroad</u></li> </ul>

	• <u>Certain Hmong or Highland Laotian tribal members</u>
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### **Non-Citizens Eligible to SNAP Immediately**

Individuals meeting one of the following criteria are NOT required to meet any Special SNAP Criteria. They do have to meet all other SNAP non-financial and financial eligibility requirements to be included in the assistance unit.

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1. **Cuban and Haitian entrant status** - an alien granted status as a Cuban or Haitian entrant as defined in Section 501(e) of the Refugee Education Assistance Act of 1980.

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To simplify, Cuban/Haitian Entrants are Cubans or Haitians and:

- A parolee (multiple 'parolee' reasons or notations may appear on I-94) or
- An asylum **applicant** or
- In removal proceedings.

### **Cuban/Haitian Entrant**

Certain Cuban nationals who entered the U.S. illegally between April 15, 1980, and October 10, 1980, and Haitian nationals who entered the U.S. illegally before January 1, 1981, were designated as Cuban/Haitian entrants. Under a provision of the Immigration Reform and Control Act of 1986, these entrants were allowed to adjust to permanent resident status if they had resided in the United States since before January 1, 1982, and were known by that date to the INS. Documentation of this status is a Form I- 551 (Permanent Resident Card) with a code of CH6. These Cuban/Haitian entrants would not now be eligible for time-limited refugee services but may continue to be eligible for other refugee social services and Income Maintenance programs.

The term "Cuban/Haitian entrant" is also used generally, however, to describe Cuban and Haitian nationals who hold one of the immigration statuses defined in Title V of the Refugee Education Assistance Act of 1980. Individuals defined as Cuban/Haitian entrants under the Act are eligible for refugee services if within the eligibility period, but do not receive the code CH6 when they adjust to permanent resident status.

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**Entered Without Inspection (EWI)**

The term "EWI" stamped on a Form I-94 stands for "Entered Without Inspection" and is an informal description that does not refer to a status. Recent arrivals should not have this notation on I-94s, although the term is sometimes entered as a "class of admission" on the SAVE system. Certain Cuban or Haitian applicants who present a Form I-94 with the inscription "EWI" or "Entered Without Inspection" entered the United States without permission and, according to DHS, were paroled or were placed in removal proceedings.

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**Acceptable documentation to verify asylum applicant status are:**

- Form I-94 arrival/departure card stamped with "Form I-589 filed" or accompanied by the official USCIS receipt of Form I-589 (Application for Asylum).
- A document stamped by an immigration judge showing that an asylum application has been filed.

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**Acceptable documentation to verify EWI (Entered Without Inspection) status includes:**

- Form I-94 Arrival/Departure card annotated "EWI" on or with a parole stamp or status under Section 212(d)(5) of the INA;
- Employment **Authorization** Document (EAD) with a code representing parole; or
- Form I-766 with A04 or C11 code

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<u>Refugee Requirements</u>			
<u>Code</u>	<u>Status</u>	<u>Nationality</u>	<u>Document</u>
<u>A12</u>	<u>Granted Temporary Protected Status (TPS)</u>	<u>ONLY if Haitian AND held eligible status prior to being granted TPS</u>	<u>I-766</u>
<u>A0</u>	<u>Asylum applicant without work authorization</u>	<u>ONLY if Cuban or Haitian</u>	<u>(SAVE)</u>
<u>AS</u>	<u>Asylum applicant with work authorization</u>		<u>I-766</u>

Refugee Requirements			
Code	Status	Nationality	Document
<u>C08</u>	<u>(d)(8) Has filed an application for asylum in the US and the application is pending</u>		
<u>C10</u>	<u>(c)(10) Have filed an application for suspension of deportation and the application is pending.</u>		
<u>C11</u>	<u>(c)(11) Have been paroled into the US for emergent reasons or for reasons in the public interest.</u>		
<u>C12</u>	<u>(c)(12) Am a deportable alien and have been granted voluntary departure either prior to or after my hearing before the immigration judge.</u>		
<u>C18</u>	<u>(c)(18) Have a final order of deportation pending</u>	<u>Eligibility of Cubans/ Haitians terminated unless evidence of prior parole</u>	<u>I-766</u>
<u>C19</u>	<u>An applicant for Temporary Protected Status (TPS)</u>	<u>ONLY if Haitian AND held eligible status prior to being granted TPS</u>	<u>I-766</u>
<u>CC</u>	<u>Mass migration, Cuban parolee</u>	<u>Cuban</u>	<u>(SAVE)</u>
<u>CH</u>	<u>Humanitarian parolee</u>	<u>Cuban or Haitian</u>	
<u>CH6</u>	<u>Cuban/Haitian entrant adjusted to LPR</u>	<u>Cuban or Haitian</u>	<u>I-551 or Passport</u>
<u>CM</u>	<u>Parolee processed under medical professional program</u>	<u>Only if Cuban</u>	<u>I-94 or Passport</u>
<u>CP</u>	<u>Parolee processed under special migration program</u>	<u>Only if Cuban</u>	<u>(SAVE) or Passport</u>
<u>CU6</u>	<u>Cuban adjusted under Cuban Adjustment Act</u>	<u>Cuban – ONLY IF held eligible status prior to adjustment</u>	<u>I-551 or Passport</u>
<u>CU7</u>	<u>Spouse or child of CU6</u>	<u>Ineligible because nationality not Cuban</u>	-
<u>DE</u>	<u>Advance parolee</u>	<u>ONLY if Cuban or Haitian</u>	<u>(SAVE)</u>
<u>DT</u>	<u>Port of entry parole or parole by District Office</u>		
<u>EF</u>	<u>In expedited removal proceedings, awaiting credible fear interview</u>		

Refugee Requirements			
Code	Status	Nationality	Document
<u>EP</u>	<u>In expedited removal proceedings, awaiting final decision for reason other than credible fear determination</u>	<u>ONLY if Cuban or Haitian</u>	<u>(SAVE)</u>
<u>ERF</u>	<u>In expedited removal proceedings, awaiting credible fear interview</u>		
<u>ERP</u>	<u>In expedited removal proceedings, awaiting final decision for reason other than credible fear determination</u>		
<u>EWI</u>	<u>Entered without inspection, in removal proceedings</u>	<u>ONLY if Cuban or Haitian</u>	<u>Flimsy I-94 or (SAVE)</u>
<u>HA6</u>	<u>Haitian asylum applicant adjusted to LPR under Haitian Refugee Immigration Fairness Act (HRIFA)</u>	<u>Haitian</u>	<u>I-551</u>
<u>HB6</u>	<u>Haitian parolee adjusted to LPR under HRIFA</u>	<u>Haitian</u>	
<u>INA 212(d)(5)</u>	<u>Admitted into the US as a parolee</u>	<u>ONLY if Cuban or Haitian</u>	<u>I-94, Passport</u>
<u>NC61</u>	<u>Cuban or Nicaraguan adjusted to LPR under Nicaraguan and Cuban Adjustment Act (NACARA) – Cubans eligible only if held eligible status prior to adjustment</u>	<u>Only if Cuban</u>	<u>I-551</u>
<u>ROR</u>	<u>Released on recognizance – in removal proceedings</u>	<u>ONLY if Cuban or Haitian</u>	<u>(SAVE)</u>
<u>Cuban-Haitian entrants other than parolees are eligible only until a final, non-appealable, legally enforceable deportation order has been issued.</u>			

2. **Compacts of Free Association (COFA Citizens)** -Citizens of Federated States of Micronesia (FMS), The Republic of The Marshall Islands (RMI), The Republic of Palau (PAL).

The following are approved for verification of citizenship:

Documented with a Form I-94 (including electronic printout from Customs and Border Protection)

- CFA/FSM” (Compact of Free Association/Federated States of Micronesia) for FSM citizens; or
- “CFA/MIS” (Compact of Free Association/ Republic of the Marshall Islands) for RMI citizens.
- “CFA/PAL” indicates a citizen of Palau



- An unexpired passport from the FSM or RMI, accompanied by Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association
- Employment Authorization Document with a category code of A08.

### **Qualified Alien Categories:**

A 'qualified alien' is an alien, who at the time he/she applies for or receives SNAP benefits is a Lawfully Admitted to the United States for Permanent Residence (LPR) and meets one of the 'Special SNAP Criteria' to be considered an eligible alien.

- **Lawfully Admitted to the United States for Permanent Residence (LPR) also known as Green Card Holders** - an alien granted status as a LPR by the Immigration and Nationality Act (INA).

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### **Special SNAP Criteria**

A 'qualified alien' who is not a Cuban or Haitian entrant status or Compacts of Free Association (COFA) Citizens but is a LPR must meet one of the following 'Special SNAP Criteria' to be determined an 'eligible alien'.

1. **'Qualified Alien' and 5 years of residence-** effective April 1, 2003, an alien who has lived in the U.S. as a 'qualified alien' for a period of five years or longer from the date of entry such as a LAPR, parolee, conditional entry, or battered.
2. **Lawfully Admitted to the United States for Permanent Residence (LPR) and 40 work quarters** - a LAPR who also meets 40 quarters of work criteria. This requirement is for those individuals who have not resided in the U.S. as a LAPR, parolee, conditional entry, or battered for 5 years or more prior to submitting a SNAP application.
  - The individual must provide proof of earnings of 10 years or more with employer statements, income tax forms, wage stubs, etc., or obtain verification by requesting the information from the regional Social Security Administration (SSA) office. The eligibility staff member can access the 40 Quarters interfaces that is owned by SSA to establish the 40 quarters of work for the LAPR 'qualified alien'.
  - A maximum of four credits may be earned in a year by each individual. Credits will be credited only after the calendar quarter has ended. Calendar quarters mean the four calendar months ending March 31st, June 30th, September 30th, and December 31st of any year.
3. **Child** - a child currently under 18 years of age who is lawfully residing in the U.S.

4. **Disabled** - an alien receiving benefits or assistance for blindness or disability and lawfully is residing in the U.S.
5. **Aged** - an alien lawfully residing in the U.S. on August 22, 1996, and who was born on or before August 22, 1931; or
6. **Military connection** - an alien who meets one of the following:
  - A veteran, as defined by 38 U.S.C. §101, with an honorable discharge for reasons other than alien status who fulfilled minimum active-duty requirements.

**NOTE:** Acceptable documentation of veteran status is the original copy of the veteran's discharge papers issued by the branch of service the alien was a member. If there has been more than one discharge, the most recent one will be the only one used to determine if this requirement has been met.

  - On active duty in the U.S. Armed Forces (other than for training); or

**NOTE:** Acceptable documentation of active military status is the original copy of the aliens' current orders posting the alien to a military base.

  - The spouse and unmarried dependent children (age 18 or younger) of the alien veteran in (a) or (b) above, or the unmarried surviving spouse of a deceased alien veteran. An unmarried dependent child is a child under age 18, or if a full-time student, under age 22.
7. **Amerasian Immigrant** - an alien admitted to the U.S. as an Amerasian immigrant pursuant to Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988.
8. **Certain Indians board abroad**- a North American Indian (at least 50% Indian blood) born in Canada to whom the provisions of Section 289 of the Immigration and Nationality Act (INA) (8 U.S.C. 1359) apply. This does not include a spouse or child of the Indian, nor a non-citizen whose membership in an Indian tribe or family is created by adoption unless the persons are also of at least 50% Indian blood. This provision was intended to address Canadian born
  - North American Indians entitled to cross the U.S. border into Canada or Mexico.
  - A member of a federally acknowledged Indian Tribe as defined by the Indian Self- Determination and Education Assistance Act, 25 U.S.C. § 5304(e) Oct. 21, 2020).

**Note:** Acceptable types of documentation include birth or baptismal certificates issued on a **reservation**, tribal records, a letter from the Canadian Department of Indian Affairs, a Canadian Certificate of Indian Status (Form IA-2360), or school records.
9. **Hmong or Highland Laotian tribe** - an individual lawfully residing in the U.S. and was a member of a Hmong or Highland Laotian tribe at the time the tribe rendered assistance to U.S. personnel by taking part in a military or rescue operation during the Vietnam era beginning August 5, 1964, and ending May 7, 1975. Also, the following family members:

- the spouse, or unmarried surviving spouse of the Hmong or Highland Laotian who is deceased;
- an unmarried **dependent** child (including legally adopted children) of the Hmong or Highland Laotian under the age of 18, or if a full-time student under the age of 22;
- an unmarried child (including legally adopted children) under the age of 18 or, if a full-time student under the age of 22 of the deceased Hmong or Highland Laotian provided the child was dependent upon them at the time their death; or,
- an unmarried **disabled** child (including legally adopted children) age 18 or older if the child was disabled and dependent on the Hmong or Highland Laotian person prior to the child's 18th birthday.

### Counting Work Quarters

No work quarters are creditable for any period after December 31, 1996, if the alien (or the parent or spouse) received any federal means-tested benefits or received SNAP benefits during the period the work quarters were earned. Federal means-tested benefits are TANF Cash, and Tribal TANF, or BIA Tribal Assistance (see Non-Citizen Quarters or Work Calculation).

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**Note:** Any earnings of a non-citizen for work legally performed in the U.S. are used when calculating quarters of work. This includes earnings not creditable for Social Security benefits. The eligibility staff member determines if the non-citizen has earned a quarter of work using the 'National Average Wage Index Needed to Earn One Quarter of Coverage' at the end of this section. Any earnings of a non-citizen for work performed in another country if the work is creditable for Social Security benefits are included.

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One quarter of work can be counted for more than one person (e.g., Mom, dad, and child apply for assistance. Mom and dad worked the third quarter of 2000. Since both spouses worked the quarter, all three individuals can count two quarters for 03/00 – (one from mom and one from dad). Technically, it is possible to earn 40 quarters in only 20 quarters if both spouses worked the same 20 quarters. A qualifying quarter of work is credited if earned by:

1. The alien;

2. The alien's living or deceased parents (natural, adopted or stepparents) while the alien was under age 18 (including quarters earned before his birth regardless of his current age); or,
3. The alien's spouse during their marriage if the marriage continues or if the spouse is deceased.

- Information on the alien's quarters of work may be obtained by accessing the SSA interface. If the alien does not have the required 40 quarters of their own, the eligibility staff member needs to access another family member's information to make up the difference or verify earnings by another method such as wage stubs.

- **Note:** Only the alien's parents' or spouse's information may be accessed because a child's quarters or a sibling's quarters cannot be attributed to a parent or a sibling.

### **Ineligible Alien Resources, Income and Expenses**

The resources of an ineligible alien are excluded because the individual is expanded **categorically eligible**. Income and expenses of the ineligible alien are prorated among the remaining household members. Income and expenses must be coded against the ineligible alien or income and expenses will not be prorated.

**Exception:** A household is allowed the full appropriate mandatory utility allowance if the individuals who share the utility expense(s) are not in the SNAP assistance unit because they are an ineligible alien, Able Bodied Adults Without Dependents (ABAWD) disqualified, or SSN disqualified, but are otherwise required household members. This also applies to households with an ineligible student.

### **Reporting Unlawful Presence, Indigent Non-Citizens, and Final Civil Judgements Against Sponsors**

State agencies must use the criteria below to determine when to report to USCIS. One of the following criteria must be met:

1. If during the SAVE verification process it is determined that the SNAP applicant is not lawfully present in the United States. \*\*\* Please note that our agency may only report the unlawful presence of non-citizens who have applied for SNAP benefits. We do not report if undocumented

aliens reside in the same home or if undocumented adults are applying strictly for their children\*\*\*;

2. USCIS documents presented by the household during the application process are determined to be forged.
3. The State agency determines a non-citizen is indigent and therefore exempt from sponsor deeming; or
4. The State agency obtains a final civil judgment against the sponsor.

During the certification or recertification process, the eligibility staff member may discover other information which indicates someone in the household is an undocumented alien. To determine that a member or members of that household are in fact undocumented aliens based on this other information, it must be reported to USCIS. We must conform to the reporting requirements of the PRWORA and the Interagency Notice.

**Note:** IF any aliens meets any of the above criteria are found, send to SNAP policy inbox, name, case number and which criteria above (1-4) the undocumented individual falls under, along with reason why the worker believes the individual is undocumented.

### 3. 503 – Sponsored Aliens – Change

#### Overview

When determining eligibility for sponsored aliens, the income and resources of the sponsoring United States citizen(s) must be deemed to the alien (s).

#### Alien Sponsor Deeming Not Required

Deeming of income and resources to a sponsored alien is not required if the alien is:

1. Participating as part of the sponsor's household;
2. Sponsored by a SNAP participant in another household;
3. Sponsored by an organization or group;
4. Not required to be sponsored under the Immigration and Nationality Act (e.g., ~~refugee, individuals granted asylum~~, a Cuban or Haitian entrant, etc.);
5. An immigrant child under 18 years old;
6. A citizen child under age 18 of a sponsored alien;

- ~~7. A battered alien spouse, alien parent of a battered child, or child of a battered alien, for 12 months after the State agency determines that the battering is substantially connected to the need for benefits, and the battered individual does not live with the batterer. After 12 months, the State agency must not deem the batterer's income and resources if the battery is recognized by a court or the USCIS and has a substantial connection to the need for benefits, and the alien does not live with the batterer.~~

**Deeming of Sponsor's Income and Resources**

**Deemed Income**

**Deemed Resources**

**Alien's Responsibility**

**Disqualified Sponsored Alien**

**Over issuances**