

SNAP Citizenship Desk Aid

United States Citizens {4.305.A}

All U.S. Citizens are eligible for Food Assistance.

U.S. Born	Born Abroad	Naturalized
<ul style="list-style-type: none"> • 50 U.S. States • Washington, D.C. • Puerto Rico, Guam, U.S. Virgin Islands, Northern Mariana Islands, American Samoa, Swain's Island 	<ul style="list-style-type: none"> • Outside of the U.S., to U.S. citizen parents 	<ul style="list-style-type: none"> • Became U.S. Citizens through the Naturalization process

Test 1: Non-Citizens Eligible for Food Assistance **without** Additional Conditions { 4.305.B, 1 }

The following Non-Citizens are eligible for Food Assistance without having to meet an additional condition such as the 5-year bar; this will still be the case even if their status changes. If **Test 1** is met, no further test is required. If **Test 1** is not met, go to **Test 2**.

Refugees	Cuban and Haitian Entrants
Victims of Severe Trafficking	Iraqi and Afghan Special Immigrants (SIV)
Asylees	Certain American Indians Born Abroad
Deportation or Removal Withheld	Hmong or Highland Laotian Tribal Members
Certain Amerasians	

Test 2: Qualified Non-Citizens Eligible for Food Assistance **with** an Additional Condition { 4.305.B,2 }

The following Non-Citizens are only eligible for Food Assistance if they have met an additional condition such as the 5-year bar. If **Test 2** is met, go to **Test 3**. If neither **Test 1** nor **Test 2** are met, and the client is a non-citizen, they are ineligible for Food Assistance.

Lawfully Permanent Residents (LPRs)	Parolees (Paroled into the U.S. for at least 1 year)
Conditional Entrants	Battered Non-Citizens

Test 3: Additional Conditions { 4.305, B, 3 }

If **Test 1** is not met, but **Test 2** is met, **Test 3** must also be met for the client to be eligible for Food Assistance. At least one of the below conditions must apply.

5 Years of Residence (5-year bar) from date of entry or qualified status; can be interrupted for periods of less than 6 months	40 Qualifying Work Quarters
Elderly born on or before 8/22/31 who lawfully resided in the U.S. on 8/22/96	Under 18 years of age
Receiving Benefits or Assistance for Blindness or Disability	Military Connected

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What Does Military Connected Mean?



Lawfully residing in a U.S. state

- On active duty (other than for training) in the U.S.:
 - Army, Navy, Air Force, Marine Corps, or Coast Guard
 - **Not** National Guard
- Spouse, Surviving Spouse (if not remarried) or Dependent Child (if not married) of an honorably discharged veteran or active duty personnel
- Honorably discharged veteran

Note: Discharge cannot be due to immigration status

Ineligible Non-Citizens {4.305.1}:

Non-Qualified Non-Citizens	Including but not limited to: Travel, Student and Work Visas
Undocumented Non-Citizens	Including those who never had a visa and those whose visa has expired
Temporary Protected Status (TPS)	Permitted to remain in the U.S. due to their home nation suffering under armed conflict, environmental disaster, or other “extraordinary or temporary” conditions
Citizens of Palau, Micronesia, and the Marshall Islands	All nations under the Compact of Free Association Agreements
Individuals with a U Visa	Unless they change their immigration status

Note:

Food Assistance eligibility **cannot** be impacted by a non-citizen’s previously undocumented status.

Note:

Food Assistance **cannot** be denied for an entire household based on one member’s ineligibility.

Work Quarters {4.505.61}

LPRs can become eligible based on work quarters instead of the 5-year bar. They must have 40 quarters; these can include quarters earned while the individual was undocumented and/or if Social Security taxes were not withheld. They can get these quarters through three methods:

- Earn them (40 quarters = 10 years; do not count if receiving Federal benefits at the time)
- Borrow them from a parent if earned before the applicant turned 18
- Borrow them from a spouse if earned while they were married or if the spouse is deceased

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Verification {4.505.6}

To ensure that only those who are eligible for Food Assistance receive the benefits they are eligible to receive, the immigration status of those who are *applying* for Food Assistance benefits must be verified. The immigration status of individuals who are applying for Food Assistance benefits on behalf of others *does not* need to be verified.

Under **no circumstances** may a county:

Require any information about the citizenship and immigration status of anyone who is **not applying** for Food Assistance

Deny Food Assistance benefits to applying household members because a household member who is not applying has not disclosed his or her citizenship or immigration status or Social Security Number(SSN) *or*

Try to establish or verify immigration status through any means other than legally defined procedures

Note: all household members, including any who are not applying and have not disclosed their citizenship or immigration status or SSN, must still disclose their income, resources and other information so that eligibility and benefit amounts can be determined for those individuals in the household who are applying for Food Assistance benefits.

The household has primary responsibility for providing proof of immigration status. However, if the household is cooperating then the county must assist the household in obtaining verification of immigration status. **SAVE** can and must be used to verify immigration documents.

Unless acceptable documentation is provided, a non-citizen is ineligible for Food Assistance benefits unless:

- The county has submitted a copy of a document provided by the individual to US Citizenship and Immigration Services (USCIS) for validation. Pending validation, the individual's eligibility for Food Assistance cannot be denied, delayed, reduced or terminated based on immigration status
- The individual provides documentation that the Social Security Administration (SSA) is conducting an investigation to determine if more quarters of work coverage can be credited. The individual must be certified pending the results of the investigation for up to 6 months from the date of original of insufficient quarters **or**
- A request has been submitted to a Federal agency (other than USCIS) for verification of information applicable to the individual's immigration status. The individual must be certified pending the results of the investigation for up to 6 months from the date of original request for verification