



**DATE:** **January 6, 2026**  
 October 30, 2025

**OPERATIONS MEMORANDUM #25-10-05**

**SUBJECT:** **Revised** Supplemental Nutrition Assistance Program (SNAP) Noncitizen Eligibility Changes Due to H.R. 1

**TO:** Executive Directors

**FROM:** Robert Hixson  
 Director  
 Bureau of Operations

**PURPOSE**

To inform County Assistance Offices (CAOs) of the changes to noncitizen eligibility for SNAP due to the federal reconciliation law ([Pub. L. 119-21](#)), signed on July 4, 2025, also known as H.R. 1, an Act to provide for reconciliation pursuant to title II of H. Con. Res 14.

**SUMMARY AND CHANGE**

Old Policy	New Policy
SAVE requests at recertification should be made when a change in immigration status is reported or the immigration status is subject to change.	Request SAVE at recertification
Qualified noncitizens were eligible for SNAP benefits if the noncitizen met certain requirements. Qualified noncitizens eligible for SNAP included: Lawful Permanent Residents (LPRs), Refugees, Asylees, Cuban and Haitian Entrants (CHEs), individuals whose deportation is withheld, individuals granted conditional entry before April, 1, 1980, individuals paroled into the United States (U.S.) for at least one year, battered noncitizens, Iraqi and Afghani Special Immigrants (SIVs), victims of severe trafficking, Amerasians, and	H.R. 1 amends federal law and changes SNAP eligibility for qualified noncitizens. H.R. 1 requires that only LPRs, CHEs, and COFA migrants remain eligible noncitizen statuses of qualified noncitizens.

Compact of Free Association (COFA) migrants.	
<b>Old Process</b>	<b>New Process</b>
The CAO data entered the correct noncitizen information into Electronic Client Information System (eCIS). Eligibility determinations were made based on system logic.	The CAO must determine if the noncitizen is in an eligible immigration status for SNAP.  If the noncitizen is not in an eligible immigration status to receive SNAP benefits, the CAO must exclude the noncitizen.
	When a household member becomes ineligible at recertification due to H.R. 1 noncitizen changes, send a CACLET informing them of the reason for the change. (Template below)
	A new dropdown field labeled 'LPR/CHE/COFA?' will be available in the U.S. Citizenship and Immigration Services (USCIS) panel of the NonCitizen/Refugee screen in eCIS for all workflows when the Citizenship Code for an individual is: <ul style="list-style-type: none"> <li>• 2 - Permanent Resident/Qualified Noncitizen;</li> <li>• 4 - Refugee/Asylee; or</li> <li>• 6 - Unaccompanied Refugee Minor.</li> </ul>

## **BACKGROUND**

On July 4, 2025, President Trump signed H.R. 1 into law. H.R. 1 amends the Food and Nutrition Act of 2008 to only allow citizens or nationals of the U.S.; noncitizens lawfully admitted for permanent residence as an immigrant as defined by sections 101(a)(15) and 101(a)(20) of the Immigration and Nationality Act; noncitizens who have been granted the status of CHE, as defined in section 501(e) of the Refugee Education Assistance Act of 1980 (Public Law 96-422); or an individual who lawfully resides in the U.S. in accordance with a COFA referred to in section 402(b)(2)(G) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 to participate in SNAP.

H.R. 1 changes SNAP eligibility for some noncitizens who were previously eligible to receive SNAP. These SNAP eligibility rules take effect November 1, 2025. At this time eligibility rules have not yet been updated in eCIS. Eligibility rules are to be

updated in eCIS to align SNAP and Medical Assistance noncitizen eligibility requirements which take effect in October of 2026. Until this time SNAP noncitizen eligibility changes will be managed through this policy.

The Department of Human Services ~~is still awaiting~~ **received** guidance from the Food and Nutrition Service (FNS) of the U.S. Department of Agriculture ~~as of the last update of this Operations Memorandum (Ops Memo) on October 31, 2025 and further clarification on December 9, 2025.~~ **Information regarding these changes and their implementation may change once guidance is provided. This Operations Memorandum (Ops Memo) has been updated to comply with that guidance.**

## **DISCUSSION**

H.R. 1 changes SNAP eligibility for some noncitizens who were previously eligible to receive SNAP effective November 1, 2025. These eligibility rules must be applied to new applicants at initial certification immediately. Implementation for households already enrolled in SNAP will take place at renewal. *(Ops Memo will be updated as necessary if implementation plans must change based on guidance from FNS.)*

### **H.R. 1 specifies that the following noncitizens remain eligible for SNAP:**

- LPRs
- CHEs
- COFA migrants of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau

### **LPRs Not Subject to the Five-Year Bar**

The following noncitizens **must be LPRs to receive SNAP benefits. Noncitizens in this group who adjust to LPR status are exempt from the five-year bar after adjusting to LPR status and are immediately eligible for SNAP:** ~~do not have to be “qualified” and may continue to receive SNAP benefits immediately if other eligibility conditions are met:~~

- Certain Hmong or Highland Laotian tribal members who helped the U.S. military by taking part in a military or rescue operation beginning August 5, 1964 and ending May 7, 1975 and their spouses, unmarried dependent children and unremarried surviving spouses.
- American Indians born in Canada to whom Section 289 of the Immigration and Nationality Act (INA) applies.
- Members of Indian tribes born outside of the U.S. under Section 4(e) of the Indian Self-Determination and Education Assistance Act.
- **Refugees admitted to the U.S. under INA Section 207.**
- **People granted asylum under INA Section 208.**

- Individuals whose deportation is withheld under Section 243(h) of the INA in effect before April 1, 1997, or whose removal is withheld under INA Section 241(b)(3).
- Amerasians admitted under Section 584 of Public Law 100-202 as amended by Public Law 100-461.
- SIVs (Iraqi and Afghani Special Immigrants).
- Certain Afghan Nationals granted parole between July 31, 2021, and September 30, 2023.
- Certain Ukrainian Nationals granted parole between February 24, 2022, and September 30, 2024.

**REMINDER:** SIVs (Iraqi and Afghani Special Immigrants) remain eligible for SNAP because these noncitizens become LPRs upon admission to the U.S.

### **LPRs Subject to Five-Year Bar**

The following noncitizens **must be LPRs to receive SNAP benefits**. Noncitizens in this group are subject to the five-year bar. These noncitizens must be in a qualified status for five years before receiving SNAP benefits as an LPR, unless they meet an exemption: ~~no longer qualify to receive SNAP benefits due to H.R. 1 changes:~~

- ~~Refugees admitted to the U.S. under INA Section 207.~~
- ~~People granted asylum under INA Section 208.~~
- ~~Individuals whose deportation is withheld under Section 243(h) of the INA in effect before April 1, 1997, or whose removal is withheld under INA Section 241(b)(3).~~
- Individuals paroled into the U.S. under INA Section 212(d)(5) for at least one year.
- Individuals granted conditional entry under INA Section 203(a)(7) in effect before April 1, 1980.
- Individuals battered or subjected to extreme cruelty in the U.S. by a spouse or a parent or by a member of the spouse or parent's family living in the same household as the noncitizen at the time of the abuse.
- Victims subjected to a severe form of trafficking under the Victims of Trafficking and Violence Protection Act of 2000 (P.L. 106-386) and the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA-H.R. 7311).
- ~~Amerasian admitted under Section 584 of Public Law 100-202 as amended by Public Law 100-461.~~

The five-year waiting period begins on the date the noncitizen obtains status as a qualified noncitizen or enters the U.S. in a qualifying status under 8 USC 1613.

For example, if an individual enters the U.S. as a battered noncitizen on January 2, 2022 and adjusts status to LPR on January 2, 2026. The individual would meet the

five-year bar on January 2, 2027. The individual would be eligible to receive SNAP as an LPR on January 2, 2027.

### Five-Year Bar Exemptions

LPRs, otherwise subject to the five-year bar, are exempt from it if they are:

- Under 18 years old;
- Have 40 qualifying work quarters;
- Blind or disabled;
- Lawfully residing in the U.S. and 65 or older on August 22, 1996; or
- Connected to the U.S. Military:
  - Veteran with honorable discharge not related to noncitizen status.
  - On active duty with the U.S. armed forces (excluding National Guard) other than for training.
  - A spouse or unmarried dependent child or children of a veteran or current member of the U.S. armed forces.

All individuals must meet other SNAP financial and nonfinancial eligibility requirements, in addition to noncitizen eligibility requirements.

### PROCEDURE

The CAO will need to determine if a noncitizen is in an eligible immigration status to receive SNAP benefits. Noncitizens whose eligibility status is not changing due to H.R. 1 will be entered into eCIS as normal and follow the current system eligibility logic.

SNAP requires a Systematic Alien Verification for Entitlements (SAVE) request to be submitted when a noncitizen applies or reports a change to their immigration status. **Effective the posting of this Ops Memo, immigration status should also be reviewed at renewal and a new SAVE initiated.** Enter the results into imaging. If the noncitizen is not in an eligible immigration status to receive SNAP benefits, the CAO must exclude the noncitizen from the SNAP household.

If a noncitizen's immigration status has changed to another eligible immigration status (i.e. the noncitizen adjusts to LPR), from a status which is no longer eligible due to H.R. 1, the noncitizen may be eligible for SNAP benefits. Any time a new immigration status is reported, it must be verified through SAVE. When this is complete, update the noncitizen's immigration status in eCIS. ~~Please follow existing SNAP eligibility rules related to the five-year bar at Handbook Chapter 522.3.~~ **Please follow SNAP Noncitizen Eligibility and Five-Year Bar Status Post H.R. 1 Noncitizen Changes to determine when the five-year bar applies. Refer to Attachment 1.**

## At Application or Program Add

Do not authorize new applications for SNAP benefits, received on or after November 1, 2025, for noncitizens in one of the immigration statuses no longer eligible to receive SNAP.

For households which contain a single ineligible noncitizen, or all household members are ineligible noncitizens:

1. [An override must be completed to fail SNAP, Non-financial eligibility](#), on the Eligibility Result Summary screen following these steps; Run eligibility, and override the Pass Non-fin result(s) in the SNAP Eligibility Result Summary.
2. Run eligibility again and continue processing the case.
3. Confirm the rejection appears for the SNAP benefit on the Budget Authorization Screen.
4. On the Post Authorization Screen, select the 'issue' box to make sure the notice is mailed.
5. Select notice 976-Refugee/Alien Citizenship, Option 2, Type N, narrate and submit the case.

For households which contain other eligible household members enter an exclusion for the non-eligible noncitizen member on the Individual Program Request Screen by selecting the appropriate exclusion code, 'NM 41–Ineligible Alien' or 'NM 58-Ineligible Alien who does not pay shelter costs.' NM 41 is used if the ineligible noncitizen is billed for or pays for the shelter costs. This will ensure the noncitizen is excluded from the SNAP benefit and the appropriate deeming logic is applied.

## At Recertification

**Noncitizens in one of the immigration statuses no longer eligible to receive SNAP must be removed from SNAP at recertification.**

**When a recertification packet is returned check SAVE.** Enter the results into imaging. For cases that have eligible SNAP household members and household members who will lose eligibility due to the H.R. 1 noncitizen changes, enter an exclusion for the non-eligible noncitizen member on the Individual Program Request Screen by selecting the appropriate exclusion code, 'NM 41–Ineligible Alien' or 'NM 58-Ineligible Alien who does not pay shelter costs.'

For cases with a single ineligible noncitizen household member or all household members are ineligible noncitizens for SNAP, the CAO must force the closure using the Budget Action screen by taking the following steps:

1. Enter maintenance workflow
2. Navigate to Budget Action
3. Select action code: C - Closing a case/Budget, Reason 658 – Ineligible Alien

4. Navigate to execute eligibility and run eligibility
5. Continue processing the workflow to close the SNAP budget
6. Send notice 976, Option 2, Type N, narrate, and submit the workflow.

When a household member becomes ineligible due to H.R. 1 noncitizen changes, send a **CACLET** with the following language:

“Dear Payment Name (This is prepopulated)

On July 4, 2025, President Trump signed H.R. 1, also known as the “One Big Beautiful Bill Act” into law. H.R. 1 amends federal law and changes SNAP eligibility for some qualified noncitizens who were previously eligible to receive SNAP. Only the following qualified noncitizens may continue to participate in SNAP:

- noncitizens lawfully admitted for permanent residence,
- noncitizens who have been granted the status of Cuban and Haitian entrant, and
- individuals who lawfully reside in the United States in accordance with a Compact of Free Association.

These rules were effective November 1, 2025, and have been applied to your household at this time. Please refer to the notice you received for eligible household members regarding change(s) to your SNAP benefit.”

### **At Reported Change**

Reporting a change in immigration status outside of recertification is not required. If a household reports a change of immigration status to the CAO outside of recertification, the CAO must act on the reported change. A SAVE request should be submitted when the CAO receives a reported change of immigration status. If the individual’s status has changed, update eCIS to reflect the new status and follow the eligibility processing guidelines outlined in this Ops Memo.

### **New ‘LPR/CHE/COFA?’ Field**

A new editable dropdown field labeled ‘LPR/CHE/COFA?’ will appear in the USCIS panel of the Noncitizen/Refugee screen in eCIS for all workflows when the Citizenship Code for an individual is:

- 2 - Permanent Resident/Qualified Noncitizen;
- 4 - Refugee/Asylee; or
- 6 - Unaccompanied Refugee Minor.

There are no eligibility or authorization rules related to the ‘LPR/CHE/COFA?’ field. The ‘LPR/CHE/COFA?’ field is designed to assist the Office of Income Maintenance in signifying whether an individual is an LPR, CHE, or COFA migrant. The

CAO should mark the field 'Yes' if the individual is an LPR, CHE or COFA migrant. The CAO should mark the field 'No' if the individual is not an LPR, CHE, or COFA migrant. The designation will assist in the review for SNAP noncitizen eligibility changes. The 'LPR/CHE/COFA?' field is mandatory. A red error message will display on the Noncitizen/Refugee screen when no selection is made.

If the LPR/CHE/COFA field is already completed when an individual's immigration status is reviewed and the LPR/CHE/COFA field is not marked correctly, the CAO must update the field appropriately.

### **NEXT STEPS**

1. Share and review this Ops Memo with appropriate staff.
2. Direct questions on this Ops Memo to your Area Manager.

### **ATTACHMENT**

Attachment 1: [SNAP Noncitizen Eligibility and Five-Year Bar Status Post H.R. 1 Noncitizen Changes](#)