



# Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

DATE: October 31, 2025

SUBJECT: Supplemental Nutrition Assistance Program (SNAP) Implementation of the One Big Beautiful Bill Act of 2025 – Alien SNAP Eligibility

TO: All SNAP State Agencies  
All Regions

On July 4, 2025, President Donald J. Trump signed into law Public Law 119-21, the One Big Beautiful Bill Act of 2025 (OBBB). On September 4, 2025, the Food and Nutrition Service (FNS) published a memorandum describing the Supplemental Nutrition Assistance Program (SNAP) provisions of the OBBB, titled “Supplemental Nutrition Assistance Program Provisions of the One Big Beautiful Bill Act of 2025 – Information Memorandum.”

This memorandum provides State agencies with additional information on implementing Section 10108 of the OBBB, which makes changes to alien eligibility for SNAP.

## **SNAP Alien Eligibility**

Section 10108 of the OBBB amends section 6(f) of the Food and Nutrition Act of 2008 (FNA), limiting eligibility for SNAP to the following groups: U.S. citizens, U.S. nationals, lawful permanent residents (LPRs), Cuban and Haitian entrants<sup>1</sup>, and Compact of Free Association (COFA) citizens.

Prior to the OBBB, certain lawfully present aliens, as defined by the Personal Responsibility and Work Opportunity Act (PRWORA)<sup>2</sup> were eligible to receive SNAP benefits, provided they met all other SNAP eligibility requirements and completed a 5-year waiting period, unless exempted by PRWORA.

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<sup>1</sup> Cuban and Haitian entrants as defined in section 501(e) of the Refugee Education Assistance Act of 1980, 8 U.S.C. Sec 1522 note.

<sup>2</sup> Aliens who were qualified aliens as defined by section 431 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) (8 USC 1641) and aliens included in section 402(a) of PRWORA (8 USC 1612(a)) in addition to groups listed in section 6(f) of the FNA were eligible for SNAP.

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Following the OBBB, some alien groups previously eligible for SNAP are no longer eligible. Aliens continue to be subject to a 5-year waiting period, unless exempted by PRWORA.<sup>3</sup> The chart below summarizes eligibility for aliens pursuant to the OBBB amendments to section 6(f) of the FNA.

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

The chart in Attachment 1 illustrates changes to SNAP alien eligibility.

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<sup>3</sup> See 8 USC 1612.

## **Implementation**

Section 10108 of the OBBB was effective upon enactment, July 4, 2025. State agencies must immediately apply the new eligibility criteria to new applicants at initial certification. For households already receiving SNAP, State agencies must review household circumstances and apply these policies at recertification. If an alien does not fall into one of the groups listed in section 6(f) of the FNA, as amended by OBBB, the alien is no longer eligible for SNAP and must be removed from the household at that time.<sup>4</sup>

### ***Changes During the Certification Period***

The Food and Nutrition Act of 2008 requires State agencies to use the Systematic Alien Verification for Entitlements (SAVE) program to verify the immigration status of all aliens participating in SNAP prior to certification. FNS strongly encourages States to check SAVE whenever required changes or recertifications actions are made. Through these updates, State agencies may obtain information during a household's certification period that indicates an alien is no longer in a SNAP-eligible immigration status or designation. State agencies must review household circumstances to take appropriate action when this occurs and follow program rules for acting on changes and resolving unclear information at 7 CFR 273.12(c).

### ***Quality Control and Technical Assistance***

FNS will, as appropriate, hold States harmless for Quality Control (QC) purposes for 120 days from the required implementation date in accordance with 7 CFR 275.12(d)(2)(vii).

The 120-day variance exclusion period will not apply if the State agency does not implement the new provision in accordance with 7 CFR 275.12(d)(2)(vii)(D). State agencies that implement a provision later than the required implementation date, but before the end date

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<sup>4</sup> Pursuant to USDA regulations at 7 CFR 273.12(a)(1), 7 CFR 273.12(d), and 7 CFR 273.18, households are not liable for a claim due to a change in circumstances the household is not required to report. Since households are not required to report a change in immigration status, aliens who lose SNAP eligibility at recertification due to the OBBB SNAP eligibility changes, are not subject to a claim for over issuance for the benefits received after the OBBB changes took effect.

of the exclusionary period, will only be allowed a variance exclusion for the time remaining. State agencies that implement after the exclusionary period end date do not get a variance exclusion. Early implementation rules at 7 CFR 275.12(d)(2)(vii)(A) do not apply since the enactment date for Section 10108 of OBBB was July 4, 2025.

A 120-day variance exclusion is permitted for the misapplication of changes in Section 10108 of the OBBB to new and ongoing SNAP households until the exclusionary period end date on November 1, 2025.

FNS stands ready to work with State agencies and provide additional technical assistance as OBBB implementation continues. State agencies with questions on Section 10108 of the OBBB should contact their respective FNS Regional Office. These questions will help inform additional guidance in future memos.

Sincerely,

**SASHA  
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PAAL**

 Digitally signed by SASHA  
GERSTEN-PAAL  
Date: 2025.10.31 10:20:47  
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for Ronald Ward  
Acting Associate Administrator  
Supplemental Nutrition Assistance Program  
Food and Nutrition Service

Attachments



**Attachment 1**

**SNAP Alien Eligibility Pre- and Post- One Big Beautiful Bill Act (OBBB)**

This chart compares SNAP eligibility for alien groups before and after the OBBB became law. The chart in Attachment 2 provides a description of alien groups. Per 7 CFR 273.4(a)(6)(iv), each category of eligible alien status stands alone for purposes of determining eligibility. If eligibility expires under one eligible alien status, the State agency must determine if eligibility exists under another status.

<b>Alien Group</b>	<b>Pre-OBBB Eligibility</b>	<b>Post-OBBB Eligibility</b>
<b>Non-Citizen U.S. Nationals</b>	Eligible immediately	Eligible immediately
<b>Lawful Permanent Residents (LPR)</b>	<p>Eligible after a 5-year waiting period, as long as they meet all other SNAP financial and non-financial eligibility requirements.</p> <p>LPRs may still be eligible for SNAP without a waiting period if they meet one or more of the following conditions:</p> <ul style="list-style-type: none"> <li>• Are under 18 years old</li> <li>• Have 40 qualifying work quarters</li> <li>• Are blind or disabled</li> <li>• Were lawfully residing in the U.S. and 65 or older on August 22, 1996</li> <li>• Have a U.S. military connection</li> </ul>	<p>Eligible after a 5-year waiting period, as long as they meet all other SNAP financial and non-financial eligibility requirements.</p> <p>LPRs may still be eligible for SNAP without a waiting period if they meet one or more of the following conditions:</p> <ul style="list-style-type: none"> <li>• Are under 18 years old</li> <li>• Have 40 qualifying work quarters</li> <li>• Are blind or disabled</li> <li>• Were lawfully residing in the U.S. and 65 or older on August 22, 1996</li> <li>• Have a U.S. military connection</li> </ul>

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Alien Group	Pre-OB BB Eligibility	Post-OB BB Eligibility
		<ul style="list-style-type: none"> <li>• Are admitted to the United States as an Amerasian immigrant</li> <li>• Are certain American Indians born abroad</li> <li>• Are certain Hmong or Highland Laotian tribal members</li> </ul>
<b>Cuban and Haitian Entrants (CHE)</b>	Eligible immediately	Eligible immediately
<b>Compacts of Free Association (COFA) Citizens</b>	Eligible immediately	Eligible immediately
<b>Children Under Age 18 in any SNAP-eligible Alien Group<sup>5</sup></b>	Eligible immediately	Eligible immediately
<b>LPRs with 40 Qualifying Work Quarters</b>	Eligible immediately	Eligible immediately
<b>Individuals in any SNAP-eligible Alien Group<sup>3</sup> Who is Blind or Disabled</b>	Eligible immediately	Eligible immediately
<b>Individuals in any SNAP-eligible Alien Group<sup>3</sup> Lawfully Residing in</b>	Eligible immediately	Eligible immediately

<sup>5</sup> Note that “SNAP-eligible alien groups” are different pre- and post-OB BB. Post-OB BB SNAP eligible alien groups are U.S. nationals, lawful permanent residents (LPRs), Cuban and Haitian entrants (CHES), and Compacts of Free Association (COFA) citizens.

Alien Group	Pre-OB BB Eligibility	Post-OB BB Eligibility
the U.S. and Was 65 or Older on August 22, 1996		
<u>Individuals in any SNAP-eligible Alien Group<sup>3</sup> Who Has a Military Connection</u>	Eligible immediately	Eligible immediately
<b>Deportation Withheld</b>	Eligible immediately	Not eligible
<b>Amerasians</b>	Eligible immediately	Eligible immediately
<b>Certain American Indians Born Abroad</b>	Eligible immediately	Not eligible unless an LPR, then eligible immediately
<b>Hmong or Highland Laotian Tribal Members</b>	Eligible immediately	Not eligible unless an LPR, then eligible immediately
<b>Iraqi and Afghan Special Immigrants (SIV)</b>	Eligible immediately	See “Post-OB BB Eligibility” for LPR.
<b>Conditional Entrants</b>	Eligible immediately	Not eligible unless an LPR. See “Post-OB BB Eligibility” for LPR
<b>Battered Aliens</b>	Eligible immediately	Not eligible unless an LPR. See “Post-OB BB Eligibility” for LPR
<b>Victims of Severe Trafficking and Certain Family Members</b>	Eligible immediately	Not eligible unless an LPR. See “Post-OB BB Eligibility” for LPR
<b>Refugees</b>	Eligible immediately	Not eligible

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Alien Group	Pre-OB BB Eligibility	Post-OB BB Eligibility
Individuals Granted Asylum	Eligible immediately	Not eligible
Parolees	Eligible after a 5-year waiting period	Not eligible
Certain Afghan Nationals Granted Parole Between July 31, 2021, and September 30, 2023	Eligible immediately	Not eligible
Certain Ukrainian Nationals Granted Parole Between February 24, 2022, and September 30, 2024	Eligible immediately	Not eligible
LPR Pursuant to Section 249 of the INA <sup>6</sup> (8 USC 1259) <sup>7</sup>	Eligible after a 5-year waiting period	See “Post-OB BB Eligibility” for LPR

Alien groups in the above chart who are eligible immediately are exempt from meeting the 5-year waiting period outlined in PRWORA. Individuals must meet all other SNAP eligibility requirements, such as income and resource limits.

<sup>6</sup> Immigration and Nationality Act.

<sup>7</sup> Status acquired after any type of entry into the U.S. prior to January 1, 1972, and maintained continuous residence in the U.S. since entry. See USCIS [policy manual](#) for more information.

**Attachment 2**

**Alien Group Descriptions**

This table provides a detailed description of some of the alien groups who were either previously eligible for or are currently eligible for SNAP.

<b>Alien Group</b>	<b>Description</b>
Battered aliens	Under certain circumstances, a battered alien spouse or child, an alien parent of a battered child, or an alien child of a battered parent with a petition pending.
Certain American Indians born abroad	American Indians born in Canada living in the United States (U.S.) under §289 of the <a href="#">Immigration and Nationality Act (INA)</a> or alien members of a federally recognized Indian tribe under §4(e) of the <a href="#">Indian Self-Determination and Education Assistance Act</a> .
Compacts of Free Association (COFA) citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau	Individuals who lawfully reside in the U.S. in accordance with section 141 of the Compacts of Free Association between the Government of the United States and the Governments of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.
Conditional entrants	Granted conditional entry under §203(a)(7) of the INA as in effect before 04/01/80.
Cuban or Haitian entrants	Cuban or Haitian entrant under §501(e) of the <a href="#">Refugee Education Assistance Act of 1980</a> .

Alien Group	Description
Deportation (or removal) withheld	Deportation is being withheld under §243(h) of the INA as in effect before 04/01/97, or removal is withheld under §241(b)(3) of the INA.
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.
Individuals granted asylum	Granted asylum under §208(b) of the INA.
Iraqi and Afghan special immigrants (SIV)	Special immigrant status under §101(a)(27) of the INA may be granted to Iraqi and Afghan nationals who have worked on behalf of the U.S. government in Iraq or Afghanistan. The Department of Defense Appropriations Act of 2010, <a href="#">PL 111-118</a> , § 8120 enacted on Dec. 19, 2009, provides that SIVs are eligible for all benefits to the same extent and the same time period as refugees.
Lawful Permanent Resident (LPR)	LPRs, also known as “Green Card” holders, are aliens who are lawfully authorized to live permanently in the United States. This category also includes “Amerasian immigrants” as defined under §584 of the <a href="#">Foreign Operations, Export Financing and Related Programs Appropriations Act of 1988</a> .
Military connection	An individual who is lawfully residing in a State and is on active duty in the military (excluding National Guard) or is an

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Alien Group	Description
	honorably discharged veteran whose discharge is not because of immigration status (includes spouse, surviving spouse if not married, and unmarried dependent children). A discharge “Under Honorable Conditions”, which is not the same as an honorable discharge, does not meet this requirement.
Parolees	Paroled into the U.S. under §212(d)(5) of the INA for a period of at least 1 year.
Refugees	Refugees admitted to the U.S. under §207 of the INA.
Victims of a severe form of trafficking in persons and certain family members	Victims under the <a href="#">Trafficking Victims Protection Act of 2000</a> and family members granted derivative T nonimmigrant status.