

**Supplemental Nutrition Assistance Program (SNAP) Noncitizen Eligibility and Five-Year Bar Status Post H.R. 1 Noncitizen Changes**

With the passage of H.R. 1 noncitizens must be a Lawful Permanent Resident (LPR), Cuban and Haitian Entrant (CHE), or a Compacts of Free Association (COFA) Migrant to be eligible for SNAP benefits.

Noncitizens who adjust their status to LPR from one of the noncitizen groups exempt from the five-year bar per section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 USC 163 are not subject to the five-year bar after becoming an LPR.

The five-year bar begins on the date the noncitizen obtains status as a qualified noncitizen or enters the United States (U.S.) in a qualifying status under 8 USC 1613.<sup>1</sup>

**Examples:**

An individual enters the U.S. as a battered noncitizen on January 2, 2022. The five-year waiting period begins January 2, 2022. The individual adjusts from battered noncitizen status to LPR status on November 12, 2025. The individual is not eligible for SNAP benefits as an LPR until January 2, 2027.

An individual enters the U.S as a battered noncitizen on February 15, 2020. The five-year waiting period begins on February 15, 2020. The individual adjusts from battered noncitizen status to LPR status on December 30, 2025. The individual is eligible for SNAP benefits as an LPR on December 30, 2025, as the five-year bar has been met.

The chart below outlines SNAP noncitizen eligibility post H.R. 1 changes and five-year bar status. All individuals must meet other SNAP financial and nonfinancial eligibility requirements, in addition to noncitizen eligibility requirements.

<b>Noncitizen Group (Pre-LPR Adjustment)</b>	<b>Post H.R. 1 Eligibility</b>	<b>Must be in a Qualified Status for Five Years before receiving SNAP as an LPR</b>
<b>Noncitizen U.S. Nationals</b>	Eligible immediately.	N/A
<b>LPR</b>	Eligible after a five-year waiting period, as long as they meet all other SNAP	Yes

<sup>1</sup> Qualifying status includes lawful permanent residents, asylees, refugees, parolees, individuals granted withholding of deportation or removal, conditional entrants, Cuban or Haitian entrants, battered noncitizens, and victims of a severe form of trafficking, Certain American Indians born abroad and Hmong or Highland Laotian tribal members.

	<p>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>	
<b>Individuals granted parole for a period of at least one year</b>	Not eligible unless an LPR. Must be in a qualified status for five years.	Yes
<b>Conditional Entrants</b> (*Not the same as conditional residents)	Not eligible unless an LPR. Must be in a qualified status for five years.	Yes
<b>Battered Noncitizens</b>	Not eligible unless an LPR. Must be in a qualified status for five years.	Yes
<b>Victims subjected to a severe form of trafficking</b>	Not eligible unless an LPR. Must be in a qualified status for five years.	Yes
<b>LPRs Not Subject to the Five-Year Bar</b>		
<b>Iraqi and Afghani Special Immigrants</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Hmong or Highland Laotian Tribal Members</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Certain American Indians Born Abroad</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Refugees</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Individuals granted asylum</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Certain Afghan Nationals granted parole between July 31, 2021, and September 30, 2023</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Certain Ukrainian Nationals granted parole between</b>	Not eligible unless an LPR, then eligible immediately.	No

<b>February 24, 2022, and September 30, 2024</b>		
<b>Deportation withheld</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Amerasians</b>	Not eligible unless an LPR, then eligible immediately.	No
<b>Victims subjected to a severe form of trafficking</b>	Not eligible unless an LPR, then eligible immediately.	No

\* A Conditional Resident is an LPR with conditions on their status. These individuals are held to LPR eligibility criteria.

LPRs in one of the above “Yes” groups are exempt from the five-year bar 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 US Military.