



MEPD and TW Bulletin 26-02

Date: Feb. 05, 2026

To: State and Regional Operations Supervisors and Staff
Program Managers
Regional Directors
Policy Attorneys
Hearings Officers

From: Access and Eligibility Services Program Policy
State Office 2106

Subject: H.R. 1 SNAP Alien Eligibility Impact

The information in this bulletin will be included in a future handbook revision. Until the handbook is updated, staff must use the information in this bulletin. If you have any questions regarding the policy information in this bulletin, follow regional procedures.

Active bulletins are posted on the following websites:

- [Medicaid for the Elderly and People with Disabilities Handbook \(MEPDH\)](https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins) at <https://hhs.texas.gov/laws-regulations/handbooks/mepd/policy-bulletins>;
- [Texas Works Handbook \(TWH\)](https://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins) at <https://hhs.texas.gov/laws-regulations/handbooks/texas-works-handbook/texas-works-bulletins>.

H.R. 1 SNAP Alien Eligibility

Background

On July 4, 2025, House Resolution 1 (H.R.1), the One Big Beautiful Bill Act (P.L. 119- 21) was signed into law. On Sept. 4, 2025, the Food and Nutrition Service (FNS) published the *Supplemental Nutrition Assistance Program Provisions of the One Big Beautiful Bill Act of 2025 – Information Memorandum* providing implementation information to modify SNAP eligibility for certain non-citizens.

Current Policy

[SNAP](#)

U.S. citizens and certain legally admitted alien residents are eligible for benefits if they meet all other eligibility criteria.

Before certifying any alien resident, ensure that the U.S. Citizenship and Immigration Services (USCIS):

- legally admitted the person to live in the United States; and
- they meet the definition of a "qualified immigrant".

Review the person's USCIS documents and the Qualified Alien Status Eligibility charts to determine whether the alien resident is SNAP eligible. Check USCIS documents for expiration dates, and do not accept an expired document. Disqualify a person who does not have an acceptable alien status. ([TWH A-310, General Policy, A-311 Alien Status Policies](#))

The USCIS defines a qualified immigrant as an alien in one of the following categories:

- Asylee;
- Battered Alien;
- Conditional Entrant;
- Cuban or Haitian Entrant;
- Deportation (or Removal) Withheld;
- Iraqi and Afghan Special Immigrants (SIV);
- Lawful Permanent Resident (LPR);
- Parolee;
- Refugee;
- Special Immigrant Conditional Permanent Resident (SI CPR); or
- Trafficking Victims

Note: The Qualified Alien Status Eligibility Charts lists all the above categories.
([TWH A-311.1, Definition of Qualified Immigrant](#))

An alien's eligibility is based on the USCIS status and other criteria as shown in the Texas Works Handbook, [A-341, SNAP Alien Status Eligibility Charts](#).

New Policy

[SNAP](#)

Some alien groups previously eligible for SNAP are no longer eligible.

Before certifying any alien resident, review USCIS documentation to ensure the alien is:

- legally admitted to live in the United States; and
- has an acceptable alien status based on the chart below.

Disqualify any person who does not have alien status listed on the chart below.

Note: Staff must continue to follow all policies in TWH [A-355](#), Verifying Alien's USCIS Documents.

SNAP Alien Status Eligibility Chart

Step	Alien Status	Yes	No
1.	Is the alien one of the following? • Non-citizen U.S. national (such as American Samoan and Swains Islands); • Cuban and Haitian entrant; • Compacts of Free Association (COFA) citizen.	If yes, eligible immediately.	If no, proceed to Step 2.
2.	Is the alien a Lawful Permanent Resident (LPR) who had a prior status of one of the following? • Deportation Withheld; Iraqi and Afghan Special Immigrant (SIV); • Refugee; • Asylee;	If yes, eligible immediately and not subject to a 5-year waiting period. *Please see the acceptable secondary verification to confirm prior alien status in	If no, proceed to step 3.

	• Afghan National Granted Parole Between July 31, 2021, and September 30, 2023; • Ukrainian National Granted Parole Between February 24, 2022, and September 30, 2024	addition to the LPR verification below.	
3.	Is the alien an LPR?	If yes, then eligible <u>after</u> a 5-year waiting period, if they meet all other SNAP financial and non-financial eligibility requirements. The 5-year waiting period begins on the date the alien obtains status as a qualified alien or enters the U.S. in a qualifying status.	If no, the person does not meet alien eligibility requirements.

*An LPR subject to the 5-year waiting period can be eligible immediately if they meet one or more of the following criteria.

- Are under 18 years old
- Have 40 qualifying work quarters
- Are blind or disabled
- Were lawfully residing in the U.S. and 65 or older on Aug. 22, 1996
- Have a U.S. military connection
- Are admitted to the United States as an Amerasian immigrant
- Are an American Indian born abroad
- Certain Hmong or Highland Laotian tribal members

Acceptable Verification of Immigration Status

Acceptable verification of immigration status includes anything that can be verified through SAVE and confirm the person's immigration status. Including, but not limited to, the following:

Non-citizen U.S. National (such as American Samoan and Swains Island)

- Valid U.S. Passport: A U.S. passport indicating the holder is a U.S. national
- Birth Certificate: A birth certificate demonstrating birth in American Samoa or Swains Island
- Certificate of Non-Citizen Nationality

Cuban Haitian Entrant

- I-551, Permanent Resident Card, annotated with R8-6, CH-6, CU-6, CU-7
- I-94, Arrival/Departure Record, annotated with INA Section 212(d)(5) or Cuba/Haitian Entrant
- I-94, Arrival/Departure Record, annotated with INA Section 240, Pending Hearing – Cuban granted parole for one year
- I-94, Arrival/Departure Record, annotated as Public Interest Parole
- I-766, Employment Authorization Document, annotated with Code C8
- Receipt from INS Asylum Office indicating filing of Form I-589, Application for Asylum
- I-220A, Order of Release on Recognizance
- I-862, Notice to Appear

Compacts of Free Association (COFA) citizen

- I-94 or I-766 with the following Class of Admission (COA) Codes:
 - CFA/RMI – Citizen of Republic of the Marshall Islands (RMI) due to the Compact of Free Association
 - CFA/FSM – Citizen of the Federated States of Micronesia (FSM)
 - CFA/PAL – Citizen of the Republic of Palau
- I-766 Employment Authorization Document (EAD) with the following Category Code:
 - A-08 Citizen of the Marshall Islands, Micronesia or Palau admitted as a nonimmigrant.
- An unexpired passport with annotations "CFA/RMI," "CFA/FSM" or "CFA/PAL."

Lawful Permanent Resident (LPR)

- I-151, Alien Registration Receipt Card (also known as a Green Card)
- I-551, Resident Alien Card
- I-551, Permanent Resident Card (introduced Dec.1997)

Acceptable Verification of Prior Status

Acceptable secondary documentation to confirm an alien resident's prior status before adjusting to a LPR includes, but is not limited to, the following.

Conditional Entrants

- I-94, Arrival/Departure Record, annotated with INA Section 203(a)(7)
- I-766, Employment Authorization Document, annotated with A3

Battered Aliens

- I-551, Permanent Resident Card, annotated with one of the following status codes: IB-1 through IB-3 or IB-6 through IB-8
- I-797, Action Notice, that identifies the alien as a self-petitioning battered alien
- A final order from an immigration judge or the Board of Immigration Appeals granting suspension of deportation under Section 244(a)(3) of the Immigration and Nationality Act

Parolee

- I-94, Arrival/Departure Record, showing admission for at least one year under INA Section 212(d)(5) or Parolee
- I-766, Employment Authorization Document, annotated with A-4 or C-11

Note: Afghan Nationals granted parole between July 31, 2021, and Sept. 30, 2023, and Ukrainian Nationals granted parole between Feb. 24, 2022, and Sept. 30, 2024, are eligible immediately. All other Parolees are subject to the 5-year waiting period.

Refugee

- I-551, Permanent Resident Card, annotated with R8-6, RE-1 thru RE-9I-94, Arrival/Departure Record, annotated with INA Section 207 or Refugee
- Original certification letter from the Office of Refugee Resettlement (ORR)
- I-766, Employment Authorization Document, annotated with Code A3

Asylee

- I-551, Permanent Resident Card, annotated with AS-6 thru AS-8
- I-94, Arrival/Departure Record, annotated with INA Section 208 or Asylee
- I-766, Employment Authorization Document, annotated with Code A5
- USCIS letter from Asylum Office
- Order from an immigration judge granting asylum

Deportation Withheld

- I-94, Arrival/Departure Record, annotated with INA Section 243(h) or 241(b)(3)
- I-766, Employment Authorization Document, annotated with Code A10

- Order from an immigration judge showing deportation withheld under INA Section 243(h) or 241(b)(3). Consider the date of entry as the date the status was assigned.

Victim of Severe Trafficking

- Derivative T Visa annotated with T-1
- Derivative T Visa annotated with T-2, T-3, T-4, T-5 (family members of a victim of severe trafficking)

Automation

Changes to TIERS are currently scheduled to be implemented with TIERS Release R121.3.1 on Feb. 14, 2026.

Correspondence

Correspondence changes are not required.

Handbook

Updates to the MEPDH are not required.

The TWH is currently scheduled to be updated in the July 2026 revision.

Training

Training is available in the JAR titled R122 HR1 New SNAP Alien Eligibility Impacts Job Aid on Feb. 4, 2026. A training broadcast will be sent with further details.

Effective Date

This policy is effective for applications, redeterminations, and changes received on or after Feb. 14, 2026.