


FAMILY INVESTMENT ADMINISTRATION

Policy Number:	AT 26-11
Policy Title:	H.R. 1 (2025)-Modifications to Qualified Immigrant Statuses
Release Date:	January 23, 2026
Effective Date:	January 23, 2026
Approved By:	Augustin Ntabaganyimana Executive Director Family Investment Administration
Revision Date(s):	Not applicable.
Supersedes:	AT 25-09 Ukrainian Humanitarian Parolees (UHP) Eligible for Public Benefits; AT 24-11 Afghan Humanitarian Parolees (AHP) Eligibility for Public Benefits; IM 07-29 Refugee status and 5 yr bar.doc
Originating Office:	Office of Programs Office of Nutrition Assistance Programs (ONAP)
Required Actions:	Verify immigrant status for all immigrants at application and redetermination, run the Systematic Alien Verification for Entitlements (SAVE) for each immigrant.
Key Words:	Refugee, Asylee, immigrant status, qualified immigrant, non-citizen
Related Federal Law	Pub. L. No. 119-21 § 10108, 7 U.S.C. § 2015(f)
Related State Laws	Md. Code Ann., Hum. Servs. § 5-501
COMAR	Applicable regulations may be subject to change pursuant with changes to federal law.
State Plan Implications?	No.

 <p>Maryland Department of Human Services</p> <p>Department of Human Services 25 S. Charles Street Baltimore, MD 21201</p>	<p>FAMILY INVESTMENT ADMINISTRATION (FIA) ACTION TRANSMITTAL</p>
<p>Control Number: 26-11</p>	<p>Effective Date: January 23, 2026</p> <p>Issuance Date: January 23, 2026</p>

**TO: LOCAL DEPARTMENTS OF SOCIAL SERVICES (LDSS)
DIRECTORS, LDSS DEPUTY/ASSISTANT DIRECTORS FOR
FAMILY INVESTMENT, FAMILY INVESTMENT SUPERVISORS AND
ELIGIBILITY STAFF**

FROM: AUGUSTIN NTABAGANYIMANA, EXECUTIVE DIRECTOR



**RE: H.R. 1 (2025)-MODIFICATIONS TO QUALIFIED IMMIGRANT
STATUSES**

**PROGRAM AFFECTED: SUPPLEMENTAL NUTRITION ASSISTANCE
PROGRAM (SNAP)**

ORIGINATING OFFICE: OFFICE OF PROGRAMS

Summary

On July 4, 2025, President Donald J. Trump signed into law a budget reconciliation bill known as H.R. 1 (2025). Section 10108 of H.R. 1 modifies Section 6(f) of the Food and Nutrition Act of 2008 by changing the list of qualified immigrant statuses. Maryland SNAP Manual Section 120 Immigrants has been updated to reflect the new law.

Definitions

Amerasian: Congress enacted the [Amerasian Act](#) on October 22, 1982, to allow a person born in Korea, Vietnam, Laos, Kampuchea (Cambodia), or Thailand after December 31, 1950, and before October 22, 1982, and fathered by a U.S. citizen, to seek admission to the United States and adjustment of status to lawful permanent resident (LPR).

Asylees: Individuals granted asylum under §208(b) of the Immigration and Nationality Act (INA) after coming to the U.S. seeking protection because they

have suffered or fear that they will suffer persecution due to race, religion, nationality, membership in a particular social group, or political opinion.

Battered non-citizens: Under certain circumstances, a battered non-citizen spouse or child, a non-citizen parent of a battered child, or a non-citizen 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 [INA](#) or non-citizen members of a federally recognized Indian tribe under §4(e) of the [Indian Self-Determination and Education Assistance Act](#).

Class of Admission (COA): The code used by the United States Citizenship and Immigration Services (USCIS) to classify an immigrant's status, purpose for entry to the U.S., and/or relationship to a U.S. citizen or resident.

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 entrants under [§501\(e\) of the Refugee Education Assistance Act of 1980](#).

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 (August 5, 1964 – May 7, 1975). This category includes the spouse (or un-remarried surviving spouse) or unmarried dependent children of these individuals.

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, PL 111-118, § 8120, enacted on Dec. 19, 2009, provides that SIVs are eligible for all benefits to the same extent and for the same time period as refugees.

Lawful Permanent Resident (LPR): LPRs, also known as “Green Card” holders, are non-citizens who are lawfully authorized to live permanently in the United States. This category also includes “Amerasian immigrants” as defined under §584 of the [Foreign Operations, Export Financing and Related Programs Appropriations Act of 1988](#).

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 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. Parole allows temporary entry to the U.S. for an individual who is otherwise not eligible for admission. The Secretary of Homeland Security may use their discretion to grant parole for urgent humanitarian reasons or significant public benefit.

Qualified Immigrant Statuses: Specific, lawful immigration statuses in the U.S. that are eligible for federal benefits.

Qualifying Work Quarters: A non-citizen who has earned or can be credited with 40 qualifying quarters (credits) of work in the United States under the [Social Security Act](#) (SSA). A quarter is a period of 3 calendar months ending on March 31, June 30, September 30, or December 31. A non-citizen can acquire 40 qualifying quarters through any of the following circumstances:

- A. Any quarter during which the non-citizen works in the United States, as long as the non-citizen received the minimum income established by the Social Security Administration during the entire quarter (An applicant can earn all four credits for the year in less time if the applicant earns the required income sooner),
- B. Being credited with quarters the non-citizen’s spouse worked during the marriage,
- C. Being credited with any quarters during which the non-citizen was under 18 years of age and the non-citizen’s parent worked; or
- D. A combination of the above.

Refugee: Refugees are admitted to the U.S. under §207 of the INA. A refugee is someone who:

- A. Is located outside of the U.S,

- B. Is of special humanitarian concern to the U.S,
- C. Demonstrates that they were persecuted or fear persecution due to race, religion, nationality, political opinion, or membership in a particular social group,
- D. Is not firmly resettled in another country, and
- E. Is admissible to the U.S.

Systematic Alien Verification for Entitlements (SAVE): A system run by the United States Citizenship and Immigration Services (USCIS) that allows benefit-granting agencies to electronically verify an applicant's lawful immigration status or U.S. citizenship.

United States Citizenship and Immigration Services (USCIS): The federal agency within the Department of Homeland Security that manages lawful immigration to the U.S.

Victims of a severe form of trafficking in persons and certain family members: Victims under the [Trafficking Victims Protection Act of 2000](#) and family members granted derivative T non-immigrant status.

Policy

According to Federal rules ([7 CFR 273.4](#)), with certain exceptions, only U.S. Citizens, U.S. non-citizen nationals, and qualified immigrants are eligible for federal, state, and local public benefits. H.R. 1 (2025) makes the following changes to qualified immigrant statuses eligible for SNAP, effective for applications and redeterminations processed on or after November 1, 2025.

- A. The following immigrant statuses meet technical eligibility for SNAP post-H.R. 1:
 - a. Lawful Permanent Residents (LPR) are eligible after a 5-year waiting period that begins on the date they obtain status as a qualified immigrant. LPRs are eligible for SNAP without a waiting period if they meet one or more of the following conditions:
 - i. Are under age 18,
 - ii. Have 40 qualifying work quarters,
 - iii. Are blind or disabled,
 - iv. Were lawfully residing in the U.S. and 65 or older on 8/22/1996, or
 - v. Have a U.S. military connection.

- b. Cuban and Haitian Entrants (CHE) (see [AT 24-10 Clarification of Cuban/Haitian Entrant Eligibility for Public Benefits](#) for more information), or
 - c. Compacts of Free Association (COFA) citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.
- B. Some immigrants may enter the U.S. under a different status and later adjust to LPR status. For the status to be considered “adjusted” to LPR, an approval notice and a Permanent Resident card (green card) must have been issued by USCIS. An individual’s initial immigrant status is identified by the Class of Admission (COA) found on the SAVE response. The following chart shows initial immigrant statuses and whether they are subject to the 5-year waiting period after their status adjusts to LPR. A [list of COAs that waive the 5-year waiting period](#) is included with this AT as a job aid.

Immigrant Status Prior to Adjusting to LPR	Subject to 5-year Waiting Period
Refugees	No
Asylees	No
Deportation withheld	No
Cuban and Haitian Entrants (CHE)	No
Amerasians	No
Compacts of Free Association (COFA) Citizens	No
American Indians Born Abroad	No
Hmong or Highland Laotian Tribal Members	No
Iraqi and Afghan Special Immigrants (SIV)	No
Certain Afghan Nationals granted parole between July 31, 2021, and September 30, 2023.	No
Certain Ukrainian Nationals granted parole between February 24, 2022, and September 30, 2024.	No
Victims of Severe Trafficking	No

Immigrant Status Prior to Adjusting to LPR	Subject to 5-year Waiting Period
Conditional Entrants	Yes
Battered Immigrants	Yes
Individuals granted parole for a period of at least one year	Yes

C. Individuals receiving SNAP benefits with a newly-ineligible immigrant status will lose their benefits at their next interim change, at the Maryland Benefit Review (MBR), or at their next redetermination, whichever comes first, unless their status has changed to one that is eligible under H.R. 1.

- a. **Example 1:** Ms. A applied and was determined eligible for SNAP for herself in September 2025 as a battered immigrant. A case manager is completing Ms. A's February 2026 MBR on February 15. They run SAVE and verify that Ms. A is now an LPR with a date of entry of April 5, 2024. Ms. A has not met the 5-year waiting period. Ms. A's SNAP will close February 28, 2026.
- b. **Example 2:** Ms. B applied and was determined eligible for SNAP for herself in September 2025 as a refugee. A case manager is completing Ms. B's February 2026 MBR on February 15. They run SAVE and verify that Ms. B is now an LPR with a date of entry of April 5, 2024. Because Ms. B originally entered the U.S. as a refugee, the 5-year waiting period does not apply and she remains eligible for SNAP.

Reminder: When determining a household's eligibility for benefits and grant amount, the income and assets of any ineligible household member is prorated and counted in the household's income. E&E will prorate the income of the non-member when the person's immigration status is coded correctly.

Eligibility and Enrollment (E&E) System Updates

The Citizenship Details screen will have a new field for COA (see screenshot below). E&E will automatically complete this field based on a background process with the Verification of Lawful Presence (VLP) system that occurs when the case manager clicks the "Run Verification" button on the Member Verification screen. The application of a 5-year waiting period will be based on the COA. The case manager is still required to run a SAVE query for each immigrant and will be able to change the system-generated COA, if

necessary.

Note: This field should **ONLY** be changed by the case manager if the COA on the SAVE response is one that waives the 5-year waiting period, but the system-generated COA is one that imposes the 5-year waiting period.

The screenshot shows the 'ADD CITIZENSHIP' form. At the top, there are two dropdown menus: 'Refugee' and 'Citizenship Verification'. Below these is the 'Immigration Details' section, which contains several fields: 'USCIS Document', 'USCIS Status' (with a 'Select' dropdown), 'Doc Expiration Date', 'USCIS Status Date', 'Passport #', 'SEVIS ID', 'Receipt Number', 'I-94 #', and 'Date of Entry'. A dropdown menu for 'E04 Code' is open, showing a list of options: 'E11 - Aliens with extraordinary...', 'E10 - Children of E11, E12, E13...', 'E15 - Children of E11, E12, E13...', 'E19 - Spouses of E11, E12, E1...', and 'E14 - Spouses of E11, E12, E1...'. At the bottom right of the form are two buttons: 'Discard' and 'Save & Close'.

Changes have been made to E&E to ensure that when a customer is coded as an immigrant status or COA that is no longer qualified, the system will deny/remove that individual. The household member with an immigrant status that no longer qualifies will become a household member who is not a recipient and E&E will prorate the household member's income, if applicable.

Reminder: All household members must be checked as Requesting Assistance on the Program Request screen to enable E&E to determine each individual's eligibility, and calculate countable income and expenses.

Required Action

Case Managers must:

1. Check E&E Case Documents for verification of immigrant status and request verification of status if it has not already been provided.
2. Run SAVE for any immigrant at application, interim change to add a person, or redetermination.
3. Code the Citizenship Details screen properly to reflect the individual's current immigrant status as verified through SAVE and the Program Request screen to ensure that any ineligible person is denied for the correct reason; and
4. Indicate whether the household member(s) is or is not eligible due to H.R. 1 policy changes. In addition to typical narration for the reason for

updating the case (application, interim change, or redetermination), include narration of the actions taken and any impact to SNAP eligibility.

- a. **Narration Example 1:** Mr. A previously entered the U.S. as a conditional entrant. Ran SAVE to confirm the current status and Mr. A is now an LPR with a date of entry of *(insert date 2 years prior to today)*. Because of policy changes from H.R. 1, Mr. A is no longer entitled to SNAP without meeting the 5-year waiting period. SNAP will close *(insert date allowing for adverse action)*.
 - b. **Narration Example 2:** Mr. B was previously a refugee in E&E. Ran SAVE to confirm the current status and Mr. B is now an LPR with a date of entry of *(insert date 2 years prior to today)*. Mr. B's immigration status has been updated, and he remains eligible for SNAP because he originally entered the U.S. in refugee status.
5. Scan/upload all pertinent information to Case Documents in E&E before benefit confirmation.

References

[FNS Policy Memo: Supplemental Nutrition Assistance Program \(SNAP\) Provisions of the One Big Beautiful Bill – Alien SNAP Eligibility – Question and Answer #1 REVISED](#) (December 9, 2025)

[FNS Implementation Memo - Supplemental Nutrition Assistance Program \(SNAP\) Implementation of the One Big Beautiful Bill Act of 2025 – Alien SNAP Eligibility](#) (October 31, 2025)

[FNS Policy Memo - Supplemental Nutrition Assistance Program Provisions of the OBBBA of 2025 – Information Memorandum](#) (September 4, 2025)

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[Immigrant Classes of Admission that Waive the 5-Year Waiting Period](#)

Inquiries

Please direct policy questions to FIA Policy by completing the [FIA Policy Information Request Form](#). Montgomery County staff may submit their policy questions via email at fia.policy@maryland.gov.

cc: DHS Executive Staff
Constituent Services
DHS Help Desk
FIA Management Staff
Office of Administrative Hearings

Supersedes: [AT 25-09 Ukrainian Humanitarian Parolees \(UHP\) Eligible for Public Benefits](#) (Issued February 3, 2025), [AT 24-11 Afghan Humanitarian Parolees \(AHP\) Eligibility for Public Benefits](#) (Issued August 16, 2023), [IM 07-29 Refugee status and 5 yr bar.doc](#) (Issued June 15, 2007)

Immigrant Classes of Admission that WAIVE the 5-Year Waiting Period

[Office of Homeland Security Statistics: Immigrant Classes of Admissions](#)

A Lawful Permanent Resident (LPR), or 'green card' holder, can live and work freely in the U.S. and may later apply for citizenship. The main ways to get this status are through family (the largest group), but it is also granted for economic, humanitarian, and diversity reasons:

Class of Admission (COA)	Description
Refugees	
CU6	Cuban refugees (P.L. 89-732 of 1966)
CU7	Non-cuban spouses or children of Cuban refugees
HB6	Haitian parolees
HB7	Spouses of HB6
HB8	Children of HB6
HB9	Unmarried sons/daughters of HB6
HC6	Haitian children without parents
HC7	Spouses of HC6
HC8	Children of HC6
HC9	Unmarried sons/daughters of HC6
HD6	Haitian children orphaned in the U.S.
HD7	Spouses of HD6
HD8	Children of HD6
HD9	Unmarried sons/daughters of HD6
HE6	Haitian children abandoned by parents
HE7	Spouses of HE6
HE8	Children of HE6
HE9	Unmarried sons/daughters of HE6
IC6	Indochinese refugees (P.L. 95-145 of 1977)
IC7	Spouses or children of Indochinese refugees not qualified as refugees on their own
M83	Refugee escapees previously admitted for lawful permanent resident status, adjustments
RE1	Refugee
RE2	Spouse of RE1
RE3	Children of RE1
RE6	Other refugees (P.L. 96-212 Refugee Act of 1980)
RE7	Spouses of RE6
RE8	Children of RE6
RE9	Other relatives
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Immigrant Classes of Admission that WAIVE the 5-Year Waiting Period

[Office of Homeland Security Statistics: Immigrant Classes of Admissions](#)

Class of Admission (COA)	Description
Refugees (continued)	
R86	Refugee parolees (P.L. 95-412 of 1978)
Y64	Refugees in the U.S. prior to July 1, 1953, adjustments
Individuals Granted Asylum	
AS6	Asylees
AS7	Spouses of AS6
AS8	Children of AS6
GA6	Iraqi Asylees
GA7	Spouses of GA6
GA8	Children of GA6
SY6	Syrian Asylees
SY7	Spouses of SY6
SY8	Children of SY6
Deportation Withheld	
Not a class of admission itself, but DED (Deferred Enforced Departure) will be with the class of admission.	
Cuban/Haitian Entrants (CHE)	
Not a class of admission itself, rather there is a section on the SAVE response for "Cuban/Haitian Information" that states whether the individual is a CHE.	
Amerasians	
A11	Unmarried Amerasian sons/daughters of U.S. citizens, new arrivals
A12	Children of A11 or A16, new arrivals
A16	Unmarried Amerasian sons/daughters of U.S. citizens, adjustments
A17	Children of A11 or A16, adjustments
A31	Married Amerasian sons/daughters of U.S. citizens, new arrivals
A32	Spouses of A31 or A36, new arrivals
A33	Children of A31 or A36, subject to country limits, new arrivals
A36	Married Amerasian sons/daughters of U.S. citizens, adjustments
A37	Spouses of A31 or A36, adjustments
A38	Children of A31 or A36, subject to country limits, adjustments
AM1	Amerasians, born in Vietnam between 1/1/62-1/1/76, new arrivals
AM2	Spouses or children of AM1 or AM6, new arrivals
AM3	Mothers, guardians, or next of kin of AM1 or AM6, new arrivals
AM6	Amerasians, born in Vietnam between 1/1/62-1/1/76, adjustments
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Immigrant Classes of Admission that WAIVE the 5-Year Waiting Period

[Office of Homeland Security Statistics: Immigrant Classes of Admissions](#)

Class of Admission (COA)	Description
Amerasians (continued)	
AM7	Spouses or children of AM1 or AM6, adjustments
AM8	Mothers, guardians, or next of kin of AM1 or AM6, adjustments
AR1	Children, Amerasian, new arrivals
AR6	Children, Amerasian, adjustments
Compacts of Free Association (COFA) Citizens	
CFA/FSM	Citizens of the Federated States of Micronesia
CFA/MIS	Citizens of the Republic of the Marshall Islands
CFA/PAL	Citizens of Palao
American Indians Born Abroad	
SI3	American Indians born in Canada, new arrivals
Hmong or Highland Laotian Tribal Members	
Typically enter as refugees/parolees RE1, RE2, RE3, RE6, RE7, RE8, IC6, IC7	
Iraqi and Afghan Special Immigrants (SIV)	
SI1	Special immigrant interpreters who are nationals of Iraq or Afghanistan, new arrivals
SI2	Spouses of SI1
SI3	Children of SI1
SI6	Special immigrant interpreters who are nationals of Iraq or Afghanistan, adjustments
SI7	Spouses of SI6
SI8	Children of SI6
SQ1	Certain Iraqis and Afghans employed by U.S. Government, new arrivals
SQ2	Spouses of SQ1 or SQ6
SQ3	Children of SQ1 or SQ6
SQ6	Certain Iraqis and Afghans employed by U.S. Government, adjustments
SQ7	Spouses of SQ1 or SQ6
SQ8	Children of SQ1 or SQ6
Certain Afghan Nationals granted Parole between July 31, 2021 and September 30, 2023	
OAR or PAR whose country of citizenship is Afghanistan	
Certain Ukrainian Nationals granted Parole between February 24, 2022 and September 30, 2024	
DT	Ukrainian parolee whose documents were issued 2/24/22-9/30/24.
UHP	Ukrainian Humanitarian Parolee
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Immigrant Classes of Admission that WAIVE the 5-Year Waiting Period

[Office of Homeland Security Statistics: Immigrant Classes of Admissions](#)

Class of Admission (COA)	Description
Victims of Severe Trafficking	
A16	Employment Authorized individuals granted T-1 nonimmigrant status
C25	Employment Authorized individuals granted T-2, T-3, T-4, T-5, or T-6 nonimmigrant statuses
C40	Pending application for T Nonimmigrant Status whose application is determined to meet prima facie standard
Military Connection	
SM1	U.S. Armed Forces personnel, service (12 years) after 10/1/91, new arrivals
SM2	Spouses of SM1 or SM6, new arrivals
SM3	Children of SM1 or SM6, new arrivals
SM4	U.S. Armed Forces personnel, service (12 years) by 10/91, new arrivals
SM5	Spouses or children of SM4 or SM9, new arrivals
SM6	U.S. Armed Forces personnel, service (12 years) after 10/1/91, adjustments
SM7	Spouses of SM1 or SM6, adjustments
SM8	Children of SM1 or SM8, adjustments
SM9	U.S. Armed Forces personnel, service (12 years) by 10/91, adjustments
SM0	Spouses or children of SM4 or SM9, adjustments

REMINDER: LPRs with Classes of Admission that are not listed above are eligible for benefits with the 5-year waiting period waived if they:

- Are under age 18,
- Have 40 qualifying work quarters,
- Are blind or disabled,
- Were lawfully residing in the U.S. and 65 or older on 8/22/1996, or
- Have a military connection (listed above).