

NC Department of Health and Human Services

Determining Non-Citizen Eligibility FNS 227

**April 2025 Regional
FNS & Energy CQIS**




Non-Citizen Requirements

- Each applicant/recipient of Food and Nutrition Services (FNS) must be a U.S. citizen or a non-citizen lawfully admitted into the U.S. under specific immigration status to participate in the FNS program.
- Refer to FNS 225 for information regarding United States Citizenship requirements.
- To participate in the FNS program, non-citizens must be:
 1. A non-citizen who is admitted lawfully into the U.S.; **and**
 2. Qualified to receive FNS benefits; **and**
 3. Exempt from waiting period, met the waiting period, and/or earned 40 qualifying quarters.

Certification of Non-Citizen Status

The applicant or (FNS) Unit member must certify, under penalty of perjury, the non-citizen status of themselves and all individuals included in the (FNS) Unit.



The head of household or (FNS) Unit member meets this requirement by:

1. Signing the application; and

2. Stating the non-citizen status of all new unit members when a change in household composition is reported.

Step 1: Lawfully Admitted to U.S.

Individuals that are not lawfully residing in the U.S. are considered ineligible noncitizens and cannot participate in the FNS program. No further verification or evaluation of the individual's status is required unless the statement conflicts with previously reported information. Do not proceed to Step 2.

If the individual is lawfully residing in the United States proceed to Step 2 (FNS 227.05).

Step 2: Individuals Exempt from Qualified Status Process

The following non-citizens may be eligible for an indefinite period of time, even if they are not “qualified” non-citizens.

If the individual meets one of the requirements below, they are considered an Eligible non-citizen. Do not proceed to step 3.

- Hmong or Highland Laotians
- Recognized Foreign Born American Indian
- Battered non-citizens
- Trafficking Victims

If the individual does not meet any of the criteria in this section proceed to Step 3 (FNS 227.06).

Step 3: Determining Non-Citizen Qualified Status

Individuals that are listed as “qualified’ in the chart or through SAVE are considered Qualified eligible non-citizens and may participate in the FNS program if they meet the waiting period or 40 quarter requirements. Proceed to step 4 (227.07).

Individuals that are listed as “Not qualified’ are considered Not qualified non-citizens and are not eligible to participate in the FNS program. Do not proceed to step 4.

Please note, the chart in FNS 227.06 is not an all-inclusive list. Non-citizens may be living in the U.S. with the knowledge and permission of USCIS and may have in their possession other USCIS forms or letters that indicate status.

Step 4: Determining if a Non-Citizen is Subject to Waiting Period or 40 Quarters

- The following Qualified non-citizens are exempt from the 5-year waiting period and 40 qualifying quarters for FNS eligibility:
 1. Granted asylum under Section 208 or 209 of the Immigration and Naturalization Act (INA)
 2. Refugees admitted under Section 207 or 209 of INA
 3. Deportation withheld under 243(h) or 241 (b) (3) of INA
 4. Cuban or Haitian entrants. Their status may be varied, including but not limited to, Public Interest Parolee, pending a 240 Hearing, Asylee or Pending Asylee, Refugee, Lottery Winners
 5. Trafficking victims see section 227.05 B. 2

Step 4: Determining if a Non-Citizen is Subject to Waiting Period or 40 Quarters Continued

6. Amerasian Immigrant under 584 of the Foreign Operation, Export Financing and Related Program Appropriations Act
7. Lawful Permanent Resident (LPR) with a military connection (veteran, on active duty, or spouse or child of a veteran or active-duty service member)
8. Children under the age of 18 regardless of the date of entry
9. Disabled or blind (as defined in section 210.05)
10. Iraqi or Afghan Special Immigrants (SIVs)

Step 4: Determining if a Non-Citizen is Subject to Waiting Period or 40 Quarters Continued

- The following Qualified Non-Citizens can get FNS if he/she is otherwise eligible and has been in qualified status in the United States for five years beginning on the date the immigrant obtains status as a qualified alien from USCIS.
 1. An LPR who has earned, or can be credited with, less than 40 qualifying quarters of work
 2. Paroled for at least one year under section 212(d)(5) of INA (refer to A.4. for Cuban or Haitian entrants)
 3. Granted conditional entry under 203(a)(7) of INA in effect prior to 4/1/1980
 4. Battered spouse battered child or parent or child of a battered person with a petition pending under 204(a)(1)(A) or (b) or 244 (a)(3) of INA. See section 255.05 B.1
- Qualified Non-citizens who do not belong to one of the groups above, can get FNS if he/she is otherwise eligible and has earned, or can be credited with 40 qualifying quarters of work.

Determining when to use 40 qualifying quarters

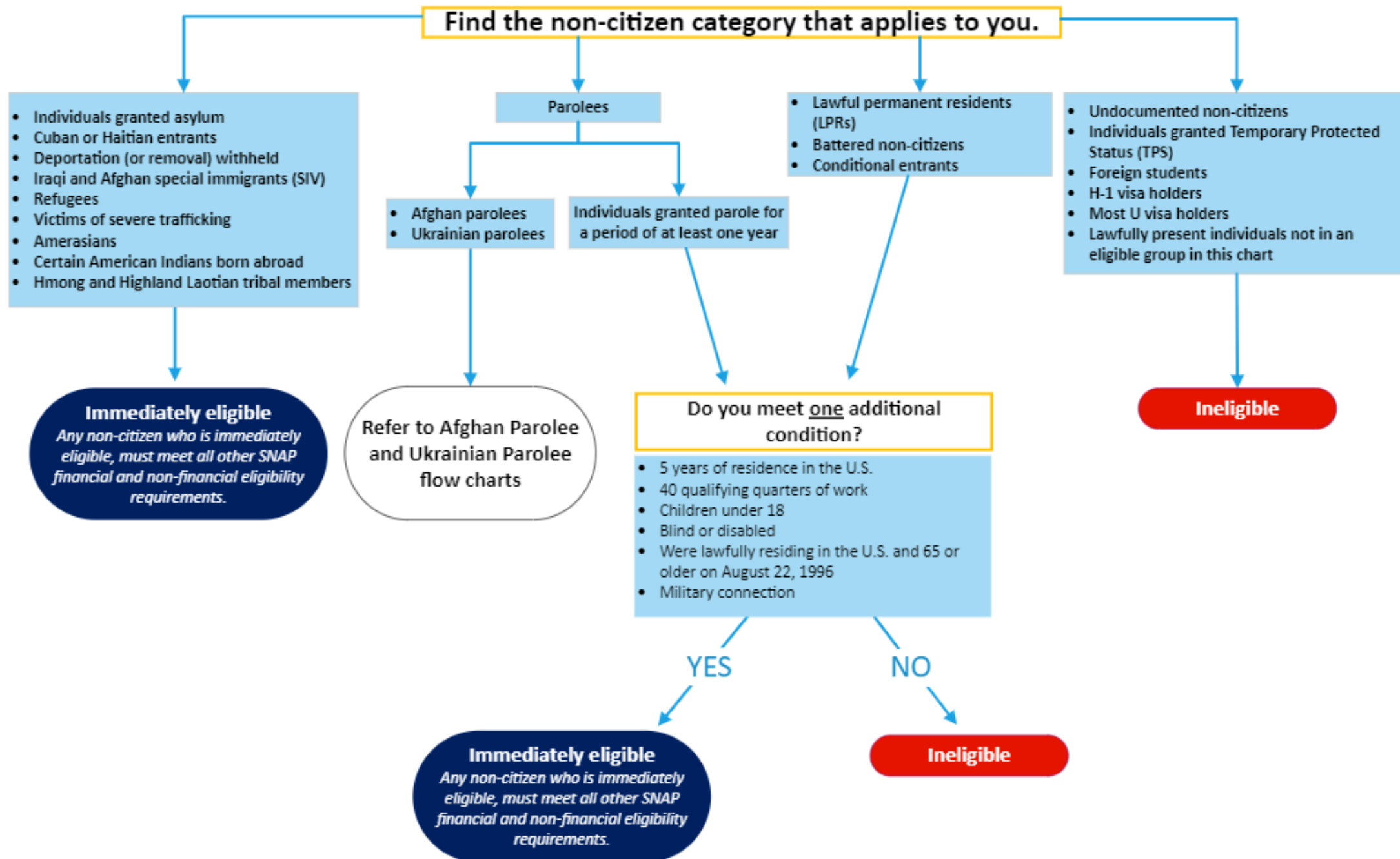
- Non-citizens lawfully admitted for permanent residence (LPR) that can be credited with 40 qualifying quarters are eligible for FNS even if they have not met the 5-year waiting period.
- The non-citizen's work and work by his/her parents and/or spouse (with certain exceptions) can be combined to attain the 40 qualifying quarters to meet this exception, and these quarters may be used by more than one individual in determining eligibility.
- 40 qualifying quarters is 10 years of work history. During the interview, this should be discussed with LPR's who have not met the 5-year waiting period to see if they could potentially qualify. Refer to FNS 227.10 B.1. for a complete list of whose quarters can be included in the QC count credited to the LPR non-citizen.

Note: Non-citizens, who enter the United States in a status exempt from the 5-year ban, and later adjust their status to LPR, are still potentially eligible for FNS benefits based on their original status when admitted. Their exemption from the 5-year waiting period is not affected by their adjustment to LPR status. These include refugees, asylees, Cuban and Haitian entrants, Iraqi or Afghan Special Immigrants (SIV), trafficking victims, and aliens whose deportation is being withheld.



Non-citizen SNAP Eligibility Flow Chart

A non-citizen is defined as any individual present in the U.S. who is not a U.S. citizen.



Cuban-Haitian Entrants (CHE)

- The term “Cuban-Haitian Entrant” relates to benefit eligibility rather than an immigration status. CHEs are qualified non-citizens under the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996. To be considered a CHE, an individual must meet the definition of a CHE under section 501(e) of the Refugee Education Assistance Act of 1980.
- Section 501(e) of the Refugee Education Assistance Act of 1980 (REAA) states that an individual is a CHE if they are:
 - An individual granted parole as a Cuban-Haitian Entrant (Status Pending) or any other special status^[1] subsequently established under the immigration laws for nationals of Cuba or Haiti, regardless of the status of the individual at the time assistance or services are provided;^[2] or
 - A national of Cuba or Haiti who is not subject to a final, non-appealable and legally enforceable removal order, and:^[3]
 - Was paroled into the United States and has not acquired any other status under the Immigration and Nationality Act; or
 - Is in removal proceedings under the Immigration and Nationality Act; or
 - Has an application for asylum pending with USCIS.
- As qualified non-citizens, CHEs are eligible for SNAP benefits without a waiting period regardless of the length or status of their parole, provided they meet regular SNAP financial and non-financial rules.
- States should use the Cuban-Haitian button in SAVE to determine whether an individual meets the definition of CHE. Updates to Paper-Based Systematic Alien Verification for Entitlements (SAVE) and Cuban Haitian Entrants

Cuban-Haitian Entrants (CHE) – SAVE Verification

- SAVE user agencies that are authorized to receive CHE information may request it by selecting the Cuban/Haitian Entrant button when submitting their SAVE case for verification. After receiving a response to an initial verification request, ensure that the Cuban/Haitian Entrant button is selected.
- If you select the Cuban/Haitian Entrant button, you must upload a copy of documentation that establishes the applicant is a CHE.
 - Drag and drop the file into the blue “Drag file to upload” box; or
 - Click the Upload File button and use your browser to select the file.
- Once you have uploaded the file, click Institute Additional Verification to submit the verification request.
- [Information for SAVE Users: Cuban-Haitian Entrants | USCIS](#)

Cuban-Haitian Entrants (CHE) – SAVE Verification


Additional Requests

Cuban/Haitian Entrant

Additional Requests

✓ Cuban/Haitian EntrantVAWA

Upload a document
Uploading a document is required to escalate this case for additional verification.

Screen Shot 2019-07-16 at 10.40.54 AM.png 

or

Upload File


Institute Additional Verification

Close Case

Close and Start New Case

Cuban-Haitian Entrants (CHE) – SAVE Verification

- SAVE then reviews and researches the case. SAVE will display Case Under Review in a yellow box at the top of the SAVE response screen until the research is complete. If Cuban/Haitian Entrant data is available, it will be displayed under the SAVE Response Details on the left side of the page.

SAVE Response 

Applicant Status: Lawful Permanent Resident
Employment Eligibility: Employment Authorized - Indefinite

The applicant is a non-national of the U.S. who has been granted authorization to live and work in the United States permanently as an immigrant. See the Guide to Understanding SAVE Verification Responses for additional information. Follow your agency's policy when determining whether this applicant is eligible for benefits.

SAVE Response Details

Case Verification Number
2019144155843VX

COA Code
G5

Grant Date
Not Applicable

Response Date
07/16/2019

Cuban/Haitian Information

Cuban/Haitian Entrant
Applicant is a Cuban/Haitian Entrant

[Close Case](#) [Close and Start New Case](#)

Agency Submitted Details

Full Name
JANE REBECCA JONES

Date of Birth
08/03/1996

Alien Number
143196577

Document Description
No

Requested Benefits

- Driver License

Agency Requests

- Grant Date
- Cuban/Haitian Entrant

Special Comments
this is a test

Cuban-Haitian Entrant (CHE) Save Response Example

SAVE
SENSITIVE BUT UNCLASSIFIED

SAVE Response

Applicant Status: Parolee

A non-national of the U.S. who has been allowed entry into the United States under emergency conditions or when his or her parole has been determined to be in the public interest. See the [Guide to Understanding SAVE Verification Responses](#) for additional information. You will need to follow your agency's policy when determining whether this applicant is eligible for benefits.

SAVE Response Details

Case Verification Number: 0025013202623QU
Class of Admission (COA) Code: DT
Country of Citizenship: HTI - HAITI
Date of Entry: 01/04/2025
Date Admitted To: 01/03/2027
Grant Date: 01/04/2025

Agency Submitted Details

Full Name: [REDACTED]
Date of Birth: [REDACTED]
Alien Number: [REDACTED]
I-94 Number: [REDACTED]
Initiated On: 01/13/2025
Initiated By: [REDACTED]
Point of Contact Name: [REDACTED]
Point of Contact Phone Number: [REDACTED]
Requested Benefits: Food Stamps
Agency Requests: EADS, Grant Date, Sponsors/Household Members
Attached Document: No

Sponsors/Household Members

Not Applicable

Employment Authorization History

Not Applicable

SAVE
SENSITIVE BUT UNCLASSIFIED

SAVE Response

Applicant Status: Parolee - Expires

Employment Eligibility: Not Employment Authorized

A non-national of the U.S. who, under emergency conditions or when his or her parole has been determined to be in the public interest has been allowed entry into the United States for a specific amount of time. They are not authorized to work unless they have a valid employment authorization document. See the [Guide to Understanding SAVE Verification Responses](#) for additional information. You will need to follow your agency's policy when determining whether this applicant is eligible for benefits.

SAVE Response Details

Case Verification Number: 0025013210354XU
Parole Expiration Date: 01/03/2027
Grant Date: 01/04/2025
Response Date: 01/14/2025

Agency Submitted Details

Full Name: [REDACTED]
Date of Birth: [REDACTED]
Alien Number: [REDACTED]
I-94 Number: [REDACTED]
Initiated On: 01/13/2025
Initiated By: [REDACTED]
Point of Contact Name: [REDACTED]
Point of Contact Phone Number: [REDACTED]
Requested Benefits: Food Stamps
Agency Requests: Cuban/Haitian Entrant, EADS, Grant Date, Sponsors/Household Members
Attached Document: Yes

Sponsors/Household Members

Not Applicable

Cuban/Haitian Immigration Details

Cuban/Haitian Entrant: Applicant is a Cuban/Haitian Entrant

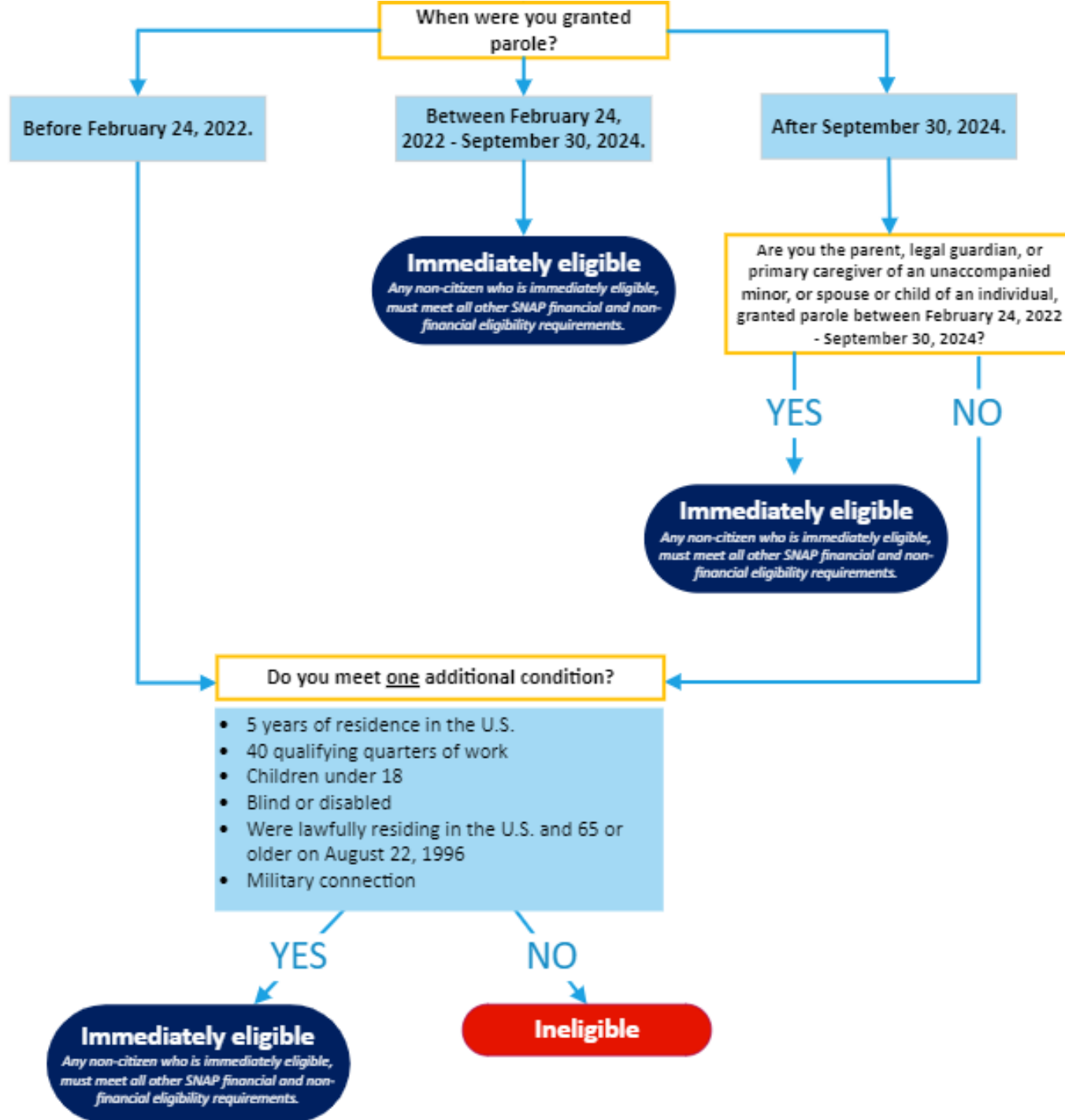
Employment Authorization History

Not Applicable

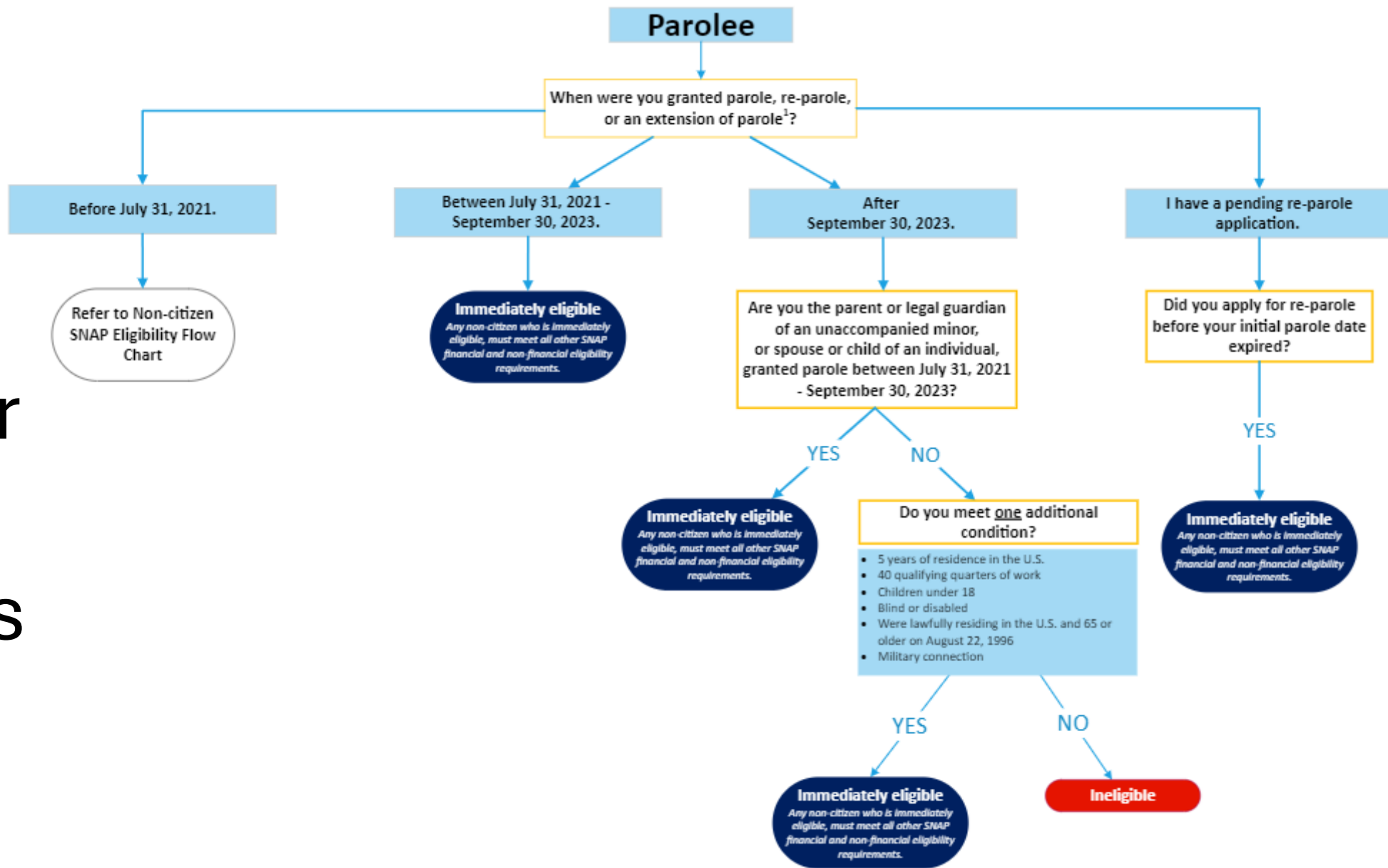
Actual SAVE request on the same client, but this response shows CHE after using feature in SAVE.



Parole for Ukrainian Nationals



Parole for Afghan Nationals



Reminder: Afghan Special Immigrants (SIVs) are immediately eligible for SNAP with no time limit.

Enumeration and Non-citizens

It's important to remember non-citizens are subject to all other eligibility requirements, including enumeration.

Each household member participating or applying for participation in the Food and Nutrition Services (FNS) Program is required to provide enumeration. Do not include an individual in the FNS budget until enumeration is provided for each individual who does not have an SSN except as provided in FNS 425, Expedited Service.

Enumeration and Non- citizens

- When an SSN or verification of application of a SSN is provided for an individual, the individual is considered enumerated.
- An individual is considered enumerated on the date when one of the following occurs:
 - ❖ The FNS unit member provides the SSN verbally or in writing; or
 - ❖ The DSS-8174 Referral for SSN Application, is signed and dated by Social Security Administration. Date stamp the DSS-8174 when received from Social Security Administration; or
 - ❖ The receipt for application for a SSN is signed and dated by Social Security Administration and the receipt is date stamped when received in the agency; or
 - ❖ The household provides the Certificate of Live Birth, DHS-1201, or the mother's copy of the birth certificate on which block 17 is checked "yes." This means that the child has been enumerated at birth.

Enumeration and Non-citizens

Once the individual is enumerated, the individual has until the next recertification to provide verification of the SSN.

If SAVE results indicate “employment authorized,” this is considered proof of enumeration since it indicates their legal right to work. The client would have until the next recertification to provide the SSN.

Remember, When in Doubt, Reach Out

- After following these steps if you are still unsure if your client is eligible to receive FNS, please submit a completed DSS 9000 with the application/case number to:
dss.policy.questions@dhhs.nc.gov.
- Prior to submitting your question, please ensure SAVE has been requested and all documents provided by the client have been uploaded to NCFAST.
- Reminder, SAVE must be requested on all applications/recertifications.
- There is a job aid titled “SAVE Automation Verification” [NC FAST Help](#)

Sources

- FNS 227, FNS 230, & FNS 425
- 6/4/24 Non-citizen State Webinar Presentation from USDA
- NCFAST Help Job Aid SAVE Automation Verification
- [Updates to Paper-Based Systematic Alien Verification for Entitlements \(SAVE\) and Cuban Haitian Entrants | Food and Nutrition Service](#)
- [Information for SAVE Users: Cuban-Haitian Entrants | USCIS](#)

Questions?

