

PART VII NONFINANCIAL ELIGIBILITY CRITERIA

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A. NONFINANCIAL ELIGIBILITY CRITERIA

Participation in the Supplemental Nutrition Assistance Program is based on both financial and nonfinancial eligibility criteria. This chapter contains a discussion of most of the nonfinancial eligibility criteria. A household will meet the nonfinancial eligibility criteria if it:

1. Resides in the locality of application; (7 CFR 273.3) (Part VII.B.)
2. Resides in a noninstitutional setting or in an eligible institution; (7 CFR 273.1(b)(7)(vi)) (Part VII.C.)
3. Contains no persons currently on strike unless the household would have been eligible before the strike; (7 CFR 273.1(g)(1)) (Part VII.D.)
4. Contains a student enrolled in an institution of higher education who meets certain special eligibility requirements; (7 CFR 273.5) (Part VII.E.)
5. Contains citizens of the United States or eligible aliens (7 CFR 273.4) (Part VII.F.)
6. Registers for work, unless otherwise exempt (7 CFR 273.7). (Part VIII.A.)
7. Does not have a primary wage earner who voluntarily quits or reduces work without good cause (7 CFR 273.7(n)) (Part VIII.B.)
8. Provides Social Security numbers for household members (7 CFR 273.6(a)(1)). (Part VII.G.)

The presence of cooking facilities is not a criterion for determining SNAP eligibility.

B. RESIDENCY (7 CFR 273.3)

Residence is defined as physical presence in a locality with the intent to remain either temporarily or permanently.

Households do not have to live in the locality for a particular length of time in order to get SNAP benefits, nor do they have to have any intent of staying any length of time. Persons vacationing in an area cannot be considered as residents.

Households must reside in the locality in which they apply for SNAP benefits. Households do not have to reside in a permanent dwelling or have a fixed mailing address as a condition of eligibility. Migrant campsites, motels, or other temporary shelters meet the residency requirements. Households may live in vehicles, such as cars, buses, or trucks, etc. Other individuals may live on the street. As long as households maintain a physical presence in the locality, they will meet residency requirement. Households may not participate in more than one locality at a time.

Participants in the Address Confidentiality Program (ACP) must declare they reside in the locality in which they apply for SNAP benefits. The ACP authorization card will establish participation in that program. Participants may use the substitute mailing address (P.O. Box 1133, Richmond, VA 23218-1133) and the assigned authorization code as the address for SNAP purposes. The

substitute mailing address is not relative to the physical address.

See Part III.A and D for a discussion of the verification of residency.

Note: The local agency may choose to keep an ongoing case in active status during a temporary move from the locality. This policy is discussed in Part XIV.A.7.

C. RESIDENTS OF INSTITUTIONS (7 CFR 273.1(b)(7)(vi))

Except for the institutions listed in this section, residents of institutions will not be eligible for SNAP benefits.

1. Definition of a Resident of an Institution

Individuals will be considered residents of an institution when the institution provides them with the majority of their meals (over 50% of three meals daily) as a part of its normal service, whether or not the meal service is mandatory. In instances where meal service is optional, individuals will not be considered residents of the institution unless they participate in the meal plan. Residents who do not receive a majority of their daily meals from the institution may be eligible for benefits if all other eligibility factors are met.

Residents of public institutions who apply for SSI before their release from an institution under the Social Security Administration's Prerelease Program for the Institutionalized may apply for SNAP benefits at the same time they apply for SSI. For these applicants, the filing date of the SNAP application will be the date of release of the applicant from the institution.

2. Eligible Institutional Residents

Residents of following facilities may receive SNAP benefits:

- a. Residents of any federally subsidized housing for the elderly.
- b. Narcotic drug addicts or alcoholics or the children of these individuals who reside at a facility or treatment center under the supervision of a drug or alcoholic treatment and rehabilitation program.

A drug or alcoholic treatment and rehabilitation program means a program leading to rehabilitation conducted by a private, nonprofit organization or institution or a publicly operated community health center under Section 300x-21 et. seq. of U.S. Code Title 42; meets the criteria that would make it eligible to receive funds under Section 300x-21 et. seq. of Title 42, even if it does not actually receive funds from that source; provides treatment and rehabilitation of drug addicts or alcoholics to further the purposes of Section 300x-21 et. seq. of Title 42; or is authorized as a retailer by the FNS.

The treatment program must present information or documentation to show that it meets the eligibility criteria. See Part VI.E for additional information about treatment centers.

- c. Disabled or blind individuals who are residents of a public or private, nonprofit residential setting that serves no more than sixteen residents. These group living arrangements must be certified by an appropriate agency of the state or locality under Section 1616(e) of the Social Security Act and regulations based on it. See Part VI.E for a discussion of this group living arrangement.
  - d. **Individuals** temporarily residing in a shelter for **those fleeing domestic violence**. A shelter for **individuals fleeing domestic violence** refers to a public or private nonprofit residential facility that serves **individuals fleeing domestic violence and their children**. If such a facility serves other individuals, a portion of the facility must be set aside on a long-term basis to serve only **those fleeing domestic violence and their children**.
  - e. Residents of public or private nonprofit shelters for homeless individuals.
- D. STRIKERS (7 CFR 273.1(g)(1))
1. Definition of a Striker
- a. For SNAP purposes, a striker is defined as:
    - 1) Anyone involved in a strike; or,
    - 2) Anyone involved in a concerted stoppage of work by employees (including a stoppage by reason of the expiration of a collective bargaining agreement); or,
    - 3) Anyone involved in any concerted slowdown (or other concerted interruption of operations by employees).
  - b. Examples of non-strikers include:
    - 1) Employees whose workplace is closed by an employer in order to resist demands of employees, e.g., lockout.
    - 2) An individual who would have been exempt from work registration on the day prior to the strike, other than those exempt solely on the grounds that they are employed at the struck plant, e.g., the individual may be the caretaker of a child under 6 years of age and, therefore, would not be affected by the striker provisions.
    - 3) Employees unable to work as a result of striking employees, e.g., striking newspaper pressmen preventing newspapers from being printed and, consequently, truck drivers are not working because there are no papers to deliver.
    - 4) Employees who are not part of the bargaining unit on strike who do not want to cross a picket line due to fear of personal injury or death.

2. Determining Striker Eligibility at Initial Certification

Households with striking members (this does not include individuals exempt from work registration) shall be ineligible to participate unless the household was eligible immediately prior to the strike. This means that the EW must determine the household's income as though the household applied on the day before the strike for all individuals in the household on that date. Do not account for changes between this date and the date of application in the eligibility determination. For example, if an individual was in the home on the day before the strike, receiving \$100 per month, and on the date of application this individual is no longer in the home, eligibility must still be based on this individual being in the home and the income he or she was receiving. Also, in considering the striker's income as though the household applied on the day before the strike, if the striker was absent from work for one week due to sickness, for example, a full month's income is still to be counted. Normal verifications must be obtained (FNS Policy Memo 82-4).

If the household would have been ineligible had they applied the day before the strike, deny the application.

If the household would have been eligible had they applied the day before the strike, the EW must compare the striking member's income before the strike to the striker's current income. Add the higher of the two to the current income of members who are not on strike that is anticipated to determine the household's eligibility at the time of application.

Use only current resources in determining resource eligibility.

Strikers who are eligible are subject to the work registration requirements of Part VIII.A.

3. Determining Striker Eligibility for Ongoing Cases

If a member of a currently certified household becomes involved in a strike, the definition of a striker described in Part VII.D. is still applicable. The household containing a person defined as a striker shall not receive an increased allotment as the result of a decrease in income of the striking member(s). The EW shall compare the striker's income before the strike to the striker's current income and add the higher of the two to the countable income of nonstriking members.

Use only current resources in determining resource eligibility.

Strikers who are eligible are subject to the work registration requirements in Part VIII.A.

4. Changes in Striker Status

If a striker officially terminates employment with the struck employer, he/she will no longer be considered a striker. The employer or other acceptable sources must verify an official termination.

If a striker accepts temporary employment with the intent of returning to his struck job once the strike ends, he is still considered a striker.

E. STUDENTS (7 CFR 273.5)

1. Definition of a Student

For the purposes of this chapter, the term student refers to a person who is enrolled at least halftime in an institution of higher education. The term student will refer to a person who is:

- a. is enrolled in a business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment; or,
- b. is enrolled in a regular curriculum at a college or university that offers degree programs, regardless of whether a high school diploma is required.

Once a student enrolls in an institution of higher education, the enrollment will continue through all normal periods of class attendance, vacation, and recess unless the student graduates, is suspended or expelled, drops out, or does not intend to register for the next normal school term (excluding summer school).

Enrollment begins on the first day of the school term of the institution of higher education.

2. Student Exemptions (7 CFR 273.5(b))

To be eligible for SNAP benefits, students, as identified above, must meet special criteria listed below. The resources of students who are not eligible are not considered in determining the eligibility or benefit level of other household members. See Part XI.G for evaluating the income of ineligible students.

An eligible student must meet at least one of the following criteria:

- a. Be 17 years of age or younger or, age 50 or older;
- b. Be mentally or physically unfit;
- c. Be employed for an average of 20 hours per week or 80 hours per month and be paid for such employment, including hours worked during school breaks that do not exceed one month;
- d. Be employed in a self-employed business for an average of 20 hours per week and receive weekly earnings at least equal to the federal minimum wage multiplied by 20 hours;
- e. Be **eligible to participate** in a state or federally financed work-study program during the regular school year;
- f. Be responsible for the care of a dependent household member under the age of six;
- g. Be responsible for the care of a dependent household member who is age six through age eleven where the local agency has determined that adequate child care is not available to enable the student to both attend class and satisfy the 20 hour per week work requirement or participate in work study;

- h. Be a full-time student and a single parent or caretaker who is responsible for the care of a dependent household member who is under age 12;
- i. Be receiving benefits from the TANF Program;
- j. Be participating in a work incentive program under Title IV of the Social Security Act, i.e. Virginia Initiative for Education and Work (VIEW) Program;
- k. Be participating in an on-the-job training program; or,
- l. Be assigned to or placed in an institution of higher education through:
  - 1) **Programs under the Workforce Innovation and Opportunity Act (WIOA);**
  - 2) SNAP Employment and Training (SNAPET);
  - 3) Part of a career and technical education program as allowed by section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 provided the program or course of study is:
    - i. Designed to be completed in four years or less; or
    - ii. Limited to remedial courses, literacy, adult education, or English as a second language.Programs such as Fast Forward, Great Expectations or the Chancellors Merit programs operated through the Virginia Community College system will meet the career and technical education goals to enhance participants' employability. Students must verify enrollment in the program.
  - 4) A program under Section 236 of the Trade Act; or,
  - 5) An employment and training program operated by state or local governments where one or more of the program's components are comparable to SNAPET components.
- m. Have an expected family contribution of \$0 in the current academic year.

Students paid or subsidized for in-class hours are not considered employed during that time so such class attendance would not make a student eligible under the minimum 20 hour per week work requirement. In addition, the exemption for on-the-job training is valid only for the period the person is being trained by the employer.

In evaluating a student's eligibility based on the work-study provision, note that the student must be approved for work-study at the time of the application for SNAP benefits. In addition, the work-study must be approved for the school term. This exemption will begin either the month the school term starts or the month the work-study is approved, whichever is later. The student's exemption may not continue beyond the month the school term ends or when it becomes known that a work-study assignment has been refused nor, is the exemption continued between terms when there is a break of a full month or more, unless the student is participating in work-study during the break.

In evaluating whether adequate childcare is not available for children who have reached the age of 6 but are not yet 12, the following guidelines have been developed. If:

- a. There is no licensed day care facility available; or
- b. The student cannot afford the day care; or
- c. There is no reliable or reasonable transportation to the day care provider, then it is probably likely that adequate child care is not available. Note, however, that even if these factors exist, adequate childcare is deemed available if the student has arranged for day care.

## F. CITIZENSHIP AND ELIGIBLE IMMIGRANTS

Only U.S. citizens and certain immigrants are eligible for SNAP benefits. Based on the household's written declaration on the application, the local agency must determine if each household member is a citizen or an immigrant. If a member is an immigrant, the local agency must determine if that member is an eligible immigrant. The sponsored immigrant policies described in Part XII.C must also be evaluated for eligible immigrants who have sponsors.

### 1. Eligibility of Immigrants

The following categories of immigrants are eligible for SNAP benefits:

- a. A refugee admitted under Section 207 of the Immigration and Nationality Act (INA). This category includes Afghan and Iraqi Special Immigrant visa holders.  
  
Individuals who are victims of human trafficking must also be evaluated as refugees. This designation may include the minor children, spouse, parents, or the unmarried minor siblings of the trafficking victim. These refugees must present a letter from the Office of Refugee Resettlement (ORR) or present a T visa that certifies or documents the status.
- b. An immigrant granted asylum under INA Section 208.
- c. An immigrant living in the U.S. and for whom deportation is being withheld under INA Section 243(h) or Section 241(b)(3).
- d. A Cuban or Haitian entrant, as defined in Section 501(e) of the Refugee Education Assistance Act of 1980. This designation includes participants in the Haitian Family Reunification Parole Program until their status is adjusted to lawful permanent residents. This designation may include refugee or parole status.
- e. An Amerasian immigrant as documented by the I-94 or other forms with notations of AM1, AM2, AM3, AM6, AM7, or AM8.
- f. Lawful permanent resident immigrants who have worked for 40 qualifying quarters of coverage under Title II of the Social Security Act are eligible for SNAP benefits.



Quarters of work for jobs not covered by Title II of the Social Security Act may be credited toward the qualifying minimum. For quarters after December 1996, no federal means-tested public benefits may be received to count as a qualifying quarter. For this provision, public benefits are TANF, SSI, Medicaid and SNAP benefits. This provision also includes Nutritional Assistance Program benefits from Puerto Rico, American Samoa, and the Northern Mariana Islands.

Quarters earned by the spouse of the permanent resident immigrant during the marriage, provided they are still married to each other, may be counted.

Quarters earned by parents, including step- or adoptive parents, of a permanent resident immigrant before the alien turns 18, may be counted toward the qualifying minimum for the immigrant, including any quarters earned prior to a child's birth.

- g. Native Americans entitled to cross the border of the United States into Canada or Mexico. This group comprises persons born in Canada to whom INA Section 289 applies or members of an Indian tribe, as defined in Section 4(e) of the Indian Self-Determination and Education Assistance Act.
- h. Highland Laotians and Hmong tribe members who are lawfully residing in the United States and who were part of a Highland Laotian or Hmong tribe between August 5, 1964 and May 7, 1975 when such tribes assisted U.S. personnel. The unmarried dependent children, spouse, and the surviving spouse who has not remarried of tribal members are also eligible.

Immigrants who originally had an exempt status (items a-e) but, who subsequently gain permanent resident status are eligible for SNAP indefinitely, before and after their status adjustment.

## 2. Conditional Eligibility of Immigrants

- a. The following categories of immigrants are eligible for SNAP benefits provided they also meet a qualified category in subsection b:
  - 1. An individual who has been in the U.S. as a qualified immigrant for five years or more from the date of entry in the country or from the date of a change in the immigration status. The five-year period may or may not be a consecutive period as temporary absences from the U.S. of less than six months will not affect the status if there is no intention of abandoning U.S. residency. Absences of periods of more than six months will be presumed to be an interruption unless the resident is able to show intent to resume U.S. residency. If there is an interruption in residency, the EW must consider the amount of time in the U.S. before and after the interruption.
  - 2. Veterans with honorable discharges for reasons not related to alien status and persons who are on active duty in the Armed Forces of the United States, other than training. To be an eligible veteran, one must have served a minimum of 24 months or the period for which the person was called to active duty. The term veteran includes military personnel who die during active duty served in the Philippine Commonwealth Army during World War II or as Philippine Scouts following the war.

The spouse or unmarried dependent child of a veteran or person on active duty is also eligible. The surviving spouse of a deceased veteran or of an individual who died while on active duty is also eligible. Eligibility of the surviving spouse is allowed provided the spouse has not remarried and that the marriage was for at least one year, or that they were married before the end of a 15-year period following the end of the period of military service in which the injury or disease was incurred or aggravated; or, that they were married for any period if a child was born of the marriage or was born before the marriage.

3. An individual who receives payments or assistance for blindness or disability, as defined in Definitions.
  4. An individual lawfully residing in the U.S. on August 22, 1996 and who was born on or before August 22, 1931.
  5. A child under 18 years of age lawfully residing in the U.S.
- b. A qualified immigrant is one who is:
1. a lawful permanent resident;
  2. a refugee admitted under INA Section 207;
  3. a person granted asylum admitted under INA Section 208;
  4. one whose deportation is being withheld under INA Section 243(h) or 241(b)(3);
  5. a parolee admitted under INA Section 212(d)(5) and the status is granted for at least one year;
  6. a conditional entrant admitted under INA Section 203 as in effect as of April 1, 1980;
  7. a battered spouse or child, as established by INS and the agencies providing benefits that a substantial connection exists between the battery and the need for benefits;
  8. a Cuban or Haitian entrant; or
  9. an Amerasian immigrant.

3. Verification of Immigrant Status

Verification of immigrant status is mandatory for initial applications and as new household members are added. While awaiting acceptable verification, except as noted below, the immigrant whose status is unverified is ineligible but the eligibility of any remaining household members must be determined. The income and resources of the immigrant

whose status is unverified is considered available in determining the eligibility of any remaining members, as described in Part XII.E. If verification of eligible status is later received, the agency must treat this as a reported change in household size.

Verification of the number of qualifying quarters an immigrant may directly or indirectly claim access for SNAP purposes will primarily be available from the Social Security Administration (SSA). Verification of the quarters of coverage may be accessed through the State Verification Exchange System (SVES). If verification is not obtained through SVES or, in some instances, from SSA directly, the household will be responsible for supplying proof of the amount of past wages to document the quarters earned. The household will also be responsible for providing proof if the SSA information is contested by the household or is incomplete.

In instances when the number of countable quarters verified by SSA is in dispute, an immigrant will be allowed to receive SNAP benefits for up to six months while working with SSA to resolve the issue.

As with other mandatory verifications, verification of immigration status may be postponed for households entitled to expedited service processing. However, the household member must claim to be of an eligible immigrant category before participation is allowed for the first month.

Documentation from the U.S. Citizenship and Immigration Services (USCIS) or other sources that the EW determines constitutes reasonable evidence of immigrant status is acceptable. If an immigrant does not have proof of the immigration status, the local agency must advise the household to contact USCIS to obtain verification. Form G-845S in Appendix II of this Part may be used to obtain information from USCIS when evidence presented is not clear or the applicant cannot provide information.

Documentation provided by the household **must** be submitted to USCIS for validation through the Systematic Alien Verification for Entitlement Programs (SAVE) system. The SAVE procedures are outlined in Appendix II of Part VII.

Immigration documentation includes, but is not limited to, the forms listed below.

- a. Resident Alien Card, Form I-551: This form, called the green card, is issued to immigrants admitted for permanent residence.

A foreign passport or USCIS documents, other than the I-551, will be acceptable proof of permanent residency if it has the endorsement: "Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until \_\_\_\_\_. Employment Authorized."

- b. Arrival - Departure Record, Form I-94: This form is issued by USCIS to persons who may or may not be eligible for SNAP benefits. Eligible aliens with I-94s must have certain INA Sections or terms listed on the forms. INA Sections 207, 208, or 243(h) or terms, such as refugee or asylum, on the I-94 reflect eligible alien status.
- c. Employment Authorization Document, Forms I-688B or I-766: These forms are issued to persons who may or may not be eligible for SNAP benefits

The I-688B will be sufficient verification for these citations:

<u>Citation</u>	<u>Status</u>
274a.12(a)(1)	Lawful permanent resident
274a.12(a)(3)	Refugee
274a.12(a)(5)	Asylum
274a.12(a)(10)	Deportation Withheld

The I-766 will be sufficient verification if annotated with the following:

A3	Refugee
A5	Asylum
A10	Deportation withheld

- d. Documents such as the Employment Authorization Card, Form I-688A or the Fee Receipt, Form I-689 may be used with other verification to establish alien eligibility. These forms alone do not provide ample verification of eligible alien status.

4. Verification of Citizenship

Citizenship must not be verified unless the household's statement that one or more of its members are U.S. citizens is questionable. If questionable, the household must be asked to provide acceptable verification. Acceptable forms of verification include:

- a. birth certificates
- b. religious records
- c. voter registration cards
- d. certificates of citizenship or naturalization provided by USCIS, including passports

General appearance of the applicant, foreign accent, inability to speak English, employment as a migrant farm worker, or a foreign sounding name are not sufficient reasons, in and of themselves, to consider information about citizenship questionable.

If the above forms of verification cannot be obtained and the household can provide a reasonable explanation as to why verification is not available, the local agency must accept a signed statement from someone who is a U.S. citizen which declares, under penalty of perjury, that the member in question is a U.S. citizen. The signed statement must contain a warning of the penalties for helping someone commit fraud, such as: "If you intentionally give false information to help this person get SNAP benefits, you may be fined, imprisoned, or both."

The member whose citizenship is in question is not allowed to participate until proof of U.S. citizenship is obtained. Until proof of U.S. citizenship is obtained, the member in question will have his or her income, less a pro rata share, and all of his other resources considered available to any remaining household members. (See Part XII.E.)

If the agency reduces or terminates a household's benefits within the certification period because one or more of its members is disqualified as an ineligible alien, the local agency must issue the *Advance Notice of Proposed Action* to inform the household that the individual is disqualified, the reason for the disqualification, the eligibility and benefit level of the remaining members, and the actions the household must take to end the disqualification, if applicable.

All persons born in the Commonwealth of Puerto Rico, American Samoa, Guam, Mariana Islands, and the U.S. Virgin Islands are U.S. citizens or nationals.

5. Reporting Illegal Aliens (7 CFR 273.4(b))

The local agency must report to the USCIS any individual who the agency "knows" to be in the United States in violation of the Immigration Nationality Act. The household must present a Final Order of Deportation in order for the local agency to "know" that the person is in violation to make the report to the USCIS. In no other instance may the agency make the report to the USCIS.

If a household member presents a Final Order of Deportation issued by USCIS or by the Executive Office of Immigration Review, the local agency director must report to USCIS. The report must include the individual's:

- name
- address
- other identifying information

The agency must send the report to:

Director  
Policy Directives and Instructions Branch  
U.S. Citizenship and Immigration Service  
425 I Street, N.W.  
Room 4034  
Washington, D.C. 20535  
ATTN: USCIS No 2070-00

G. SOCIAL SECURITY NUMBERS (7 CFR 273.6)

1. Requirements for Participation

An applicant must provide the local agency with the Social Security number (SSN) of each household member, or apply for a number before certification. This provision applies to participating or applying households.

During the eligibility interview, the agency must explain to the applicant or participant that refusal or failure without good cause to provide or apply for an SSN will result in disqualification of the individual for whom the number is not obtained.

If an individual has more than one SSN, the agency must request and the household must provide all the numbers.

2. Obtaining a Social Security Number

For individuals who provide the SSN before certification or at any other time, the agency must record the SSN and verify it according to Part III.A.1.i and Part III.F.1.

For individuals who do not have a SSN, those who do not know if they have a number, those who are unable to find and therefore cannot provide their number or those whose numbers appear questionable, the agency must direct the household to submit Form SS-5, Application for a Social Security Number, to the Social Security Administration (SSA). The agency must advise the household where to file the application for an SSN and discuss what evidence will be needed to obtain an SSN. Evidence needed includes a U.S. public record of birth established before age five or other verification of birth, such as religious records whose validity is not questionable, or hospital records, if they can be verified by the SSA. While religious and hospital records will entitle the individual to an SSN, further proof of birth is required by the SSA to establish eligibility for Social Security benefits.

If the household is unable to provide proof of application for the number for a newborn, the household must provide the number or proof of application at its next recertification or within six months, whichever is later. If the household is unable to provide the number or proof of application within the time allowed, the agency must determine if good cause provisions exist.

The agency must advise the household that proof of the application for an SSN from SSA will be required prior to certification, and suggest that the household member ask the SSA for proof of the application for an SSN. The "Receipt for Application for a Social Security Number" may be used for this purpose. The local agency may also devise a form for this purpose; however, the local agency must consult with the Regional SNAP Consultant before using such a form.

3. Failure to Comply (7 CFR 273.6(c))

If the local agency determines that a household has refused or failed to show good cause to provide the number or apply for a number, the individual without the SSN is disqualified from receiving SNAP benefits. The disqualification applies only to the individual for whom the SSN is not provided, not the entire household. Part XII.E contains instructions for the treatment of income and resources of the disqualified household member.

4. Determining Good Cause (7 CFR 273.6(d))

In determining if good cause exists for failure to comply with the requirement to provide an SSN, the local agency must consider information from the household member and SSA.

Good cause for failing to apply for a number includes documentary evidence or collateral information that the household has made every effort to supply SSA with the necessary information to complete an application for an SSN. Good cause does not include delays

due to illness, lack of transportation or temporary absences, because SSA makes provisions for mailing in applications for the SSN. If a household can show good cause why an application for an SSN has not been completed, the member in question is allowed to participate for one month in addition to the month of application for SNAP benefits. Good cause for failure to apply must be shown monthly thereafter for such a household member to continue to participate.

If the household is unable to obtain the documents required by SSA in order to apply for an SSN, the eligibility worker shall assist the individual in obtaining these documents.

5. Ending Disqualification (7 CFR 273.6(e))

Once a person has been disqualified for refusal or failure to provide an SSN or apply for an SSN, the disqualified member must provide an SSN before eligibility can be established.

### SSA Quarters of Coverage Verification Procedures for Legal Immigrants

Individuals who are not citizens of the U.S. may be eligible for SNAP benefits depending on their immigration status. (See Part VII.F.1.) One of the eligible classes requires that the immigrant must be credited with 40 quarters of work. This appendix contains the process for determining the number of qualifying quarters with which an individual can be credited.

To determine the number of quarters available to an eligible immigrant household member, the EW must obtain answers to the following questions:

1. How long has the applicant, the applicant's spouse, or the applicant's parents (before the applicant turned 18) lived in the U.S.?
2. How many years has the applicant, the applicant's spouse, or the applicant's parents (before the applicant turned 18) commuted to work in the U.S. from another country before coming to the U.S. to live, or worked abroad for a U.S. company or in self-employment while a legal resident of the U.S.?

*(If the total number of years to both questions is less than 10 years, the agency does not need to ask question 3 because the 40-quarter standard cannot be met.)*

3. In how many of the years reported in answer to question 1, did the applicant, the applicant's spouse, or the applicant's parent earn money through work?

*(To determine whether the applicant's earnings were sufficient to establish "quarters of coverage" in those years, the agency should refer to the income chart included in this appendix.)*

If the answer to question 3 is 10 years or more, the EW must verify the date of entry into the country for the applicant, spouse and/or parent using USCIS documents or other documents. If the dates are consistent with having 10 or more years of work, an inquiry through SVES must be made.

Information received through SVES will not report earnings for the current year and possibly not the last year's earnings. The household must provide verification of earnings through pay stubs, W-2 forms, tax records, employer records, or other documents, if the quarters of this period are needed to qualify for assistance.

If the household believes the information from SSA is inaccurate or incomplete, beyond the current two-year lag period, advise the household to provide verification to the SSA to correct the inaccurate income records.

In evaluating the verification received directly from the household or through SVES, the EW must exclude any quarter, beginning January 1997 in which the person who earned the quarter received TANF, SSI, Medicaid or SNAP benefits. This evaluation also includes benefits from the Nutritional Assistance Program from Puerto Rico, the Northern Mariana Islands, or American Samoa.



Establishing Quarters

The term “quarter” means the 3-calendar-month period that ends with March 31, June 30, September 30 and December 31 of any year.

Social Security credits (formerly called “quarters of coverage”) are earned by working at a job or as a self-employed individual. A maximum of 4 credits can be earned each year.

Credits are based solely on the total yearly amount of earnings. All types of earnings follow this rule. The amount of earnings needed for each credit and the amount needed for a year in order to receive four credits are listed below.

Year	Quarter Minimum	Annual Minimum	Year	Quarter Minimum	Annual Minimum
1978	\$250	\$1000	1997	\$670	\$2680
1979	\$260	\$1040	1998	\$700	\$2800
1980	\$290	\$1160	1999	\$740	\$2960
1981	\$310	\$1240	2000	\$780	\$3120
1982	\$340	\$1360	2001	\$830	\$3320
1983	\$370	\$1480	2002	\$870	\$3480
1984	\$390	\$1560	2003	\$890	\$3560
1985	\$410	\$1640	2004	\$900	\$3600
1986	\$440	\$1760	2005	\$920	\$3680
1987	\$460	\$1840	2006	\$970	\$3880
1988	\$470	\$1880	2007	\$1000	\$4000
1989	\$500	\$2000	2008	\$1050	\$4200
1990	\$520	\$2080	2009	\$1090	\$4360
1991	\$540	\$2160	2011	\$1120	\$4480
1992	\$570	\$2280	2012	\$1130	\$4520
1993	\$590	\$2360	2013	\$1160	\$4640
1994	\$620	\$2480	2014	\$1200	\$4800
1995	\$630	\$2520	2015	\$1220	\$4880
1996	\$640	\$2560	<b>2016</b>	<b>\$1260</b>	<b>\$5040</b>
			<b>2017</b>	<b>\$1300</b>	<b>\$5200</b>

If a quarter for the current year is included in the computation, use the current year amount as the divisor to determine the number of quarters available.

For quarters earned before 1978:

- A credit was earned for each calendar quarter in which an individual was paid \$50 or more in wages (including agricultural wages for 1951-1955);
- Four credits were earned for each taxable year in which an individual’s net earnings from self-employment were \$400 or more; and/or
- A credit was earned for each \$100 (limited to a total of 4) of agricultural wages paid during the year for years 1955 through 1977.

### Systematic Alien Verification for Entitlements Program

Section 121 of the Immigration Reform and Control Act of 1986 (IRCA), Public Law 99-603, required a system for verifying the immigration status of immigrants who apply for certain types of benefits. The Systematic Alien Verification for Entitlements (SAVE) Program was developed to prevent the issuance of benefits to ineligible immigrants. The use of SAVE is required for determining SNAP eligibility. To access SAVE, each local department of social services must ensure compliance with training, security, client notification and other requirements, as outlined for SAVE at <http://spark.dss.virginia.gov/divisions/bp/>.

Immigrants must present documentation of their immigration status before eligibility can be determined for SNAP benefits. Part VII.F outlines the categories of eligible immigrants. Once the household provides documentation, the agency may determine the validity of the documents by comparing the information submitted with current immigration records maintained by the United States Citizenship and Immigration Service (USCIS). The process described in this appendix may also be used to obtain information about an immigrant's sponsor to satisfy the requirements of Part XII.C.

Verification is obtained through two processes:

1. Primary verification – online access by authorized personnel to immigration files by logging on at <https://www.vis-dhs.com/WebOne/vislogin.aspx?JS=YES>.
2. Secondary verification - a manual procedure completed in addition to or in place of primary verification via Form G-845S.

Verification for immigrants with permanent status should not be resubmitted through SAVE once information has been obtained through SAVE. SAVE should be accessed periodically for immigrants with a temporary or conditional status however.

#### Primary Verification

Primary verification is the online access to immigration records. Local workers must attempt the online method before attempting the manual, paper-trail method of secondary verification unless circumstances listed in the Secondary Verification section exist.

Information obtained through SAVE should be compared with the original immigration document. If discrepancies are noted, initiate the secondary verification process. The local agency must not take any negative action on the basis of the automated verification only.

#### Secondary Verification

The following circumstances require that the local agency skip online procedures and perform secondary verification when:

- Items presented as documentation appear altered or counterfeit;
- Documents have no Alien Registration Number (A-Number);

- Documents contain an A-Number in the A60 000 000 or A80 000 000 series;
- The document presented is any other form of USCIS fee receipt;
- The document presented is Form I-181 or I-94 in a foreign passport that is endorsed "Processed for I-551, Temporary Evidence of Lawful Permanent Residence," and the I-181 or I-94 is over one year old.
- The document presented is a receipt for an application for a replacement document for a qualified status as listed in Part VII.F.1.g.
- Additional information is needed regarding sponsorship status or for the name and address of the sponsor(s).
- Documentation is needed to substantiate the status as a victim of abuse.
- Expired documents are presented and the immigrant has a physical or mental disability that prevents new documents from being obtained from USCIS.

In addition to the situations above, secondary verification should also occur when there is a discrepancy in the records, when there is no USCIS file for the individual or when the online response is "Institute Secondary Verification."

#### Secondary Verification Procedures

1. Complete the top portion of form G-845S, Document Verification Request. Separate forms must be completed for each immigrant. A copy of the form follows this section.
2. Staple readable copies (front and back) of original immigration documents to the upper left corner of form G-845. Copies of other documents used to make the initial immigrant status determination must also be submitted. Other documentation could include marriage records or court documents that indicate the identity or immigration status of the holder.
3. Retain a copy of the completed G-845S in the case record. Mail completed forms to:  

U.S. Citizenship and Immigration Service  
10 Fountain Plaza, 3<sup>rd</sup> Floor  
Buffalo, NY 14202  
Attn: Immigration Status Verification Unit
4. While awaiting the secondary verification from USCIS, do not take any negative action against the case or individual on the basis of immigration status.
5. Upon receipt of the G-845S, compare the information with the case record. If eligibility of the immigrant is confirmed, file the G-845S in the case record. Appropriate action to reduce or terminate benefits must be taken if the verification proves an individual's ineligibility.

**Section A. To Be Completed by the Submitting Agency**

To: **U.S. Citizenship and Immigration Services (USCIS)**

6. Verification Number

From: Typed or Stamped Name and Address of Submitting Agency

Attn: **Immigration Status Verification Unit**

**(USCIS may use above address with a No. 10 window envelope)**

1. Alien Registration Number or Form I-94 Number

2. Applicant's Name (Last, First, Middle)

3. Nationality

4. Date of Birth (mm/dd/yyyy)

5. U.S. Social Security Number

7. Photocopy of Document Attached

(If printed on both sides, attach a copy of the **front and back**.)

Other Information Attached (*Specify documents.*)

8. (Benefit)	(Your Case Number)
<input type="checkbox"/> TANF	
<input type="checkbox"/> Education Grant/Loans/Workstudy	
<input type="checkbox"/> Food Stamps	
<input type="checkbox"/> Housing Assistance	
<input type="checkbox"/> Medicaid/Medical Assistance	
<input type="checkbox"/> Unemployment Insurance	
<input type="checkbox"/> Employment Authorization	
<input type="checkbox"/> <b>Other</b> ( <i>specify</i> )	

9. Name of Submitting Official

10. Title of Submitting Official

11. Date (mm/dd/yyyy)

12. Telephone Number ( )

**Section B. To Be Completed by USCIS**

**USCIS RESPONSES: From the documents or information submitted and/or a review of our records, we find that:**

1.  This document appears valid and relates to a **Lawful Permanent Resident alien** of the United States.

2.  This document appears valid and relates to a **Conditional Resident alien** of the United States.

3.  This document appears valid and relates to an alien **authorized employment** as indicated below:

- a. Full-Time
- b. Part-Time
- c. No Expiration (Indefinite)
- d. Expires on (Specify mm/dd/yyyy below):

4.  This document appears valid and relates to an alien who has an **application pending** for:  
(Specify USCIS benefit below)

5.  This document relates to an alien having been **granted asylum/refugee status** in the United States.

6.  This document appears valid and relates to an alien **paroled** into the United States pursuant to Section 212 of the I&N Act.

7.  This document appears valid and relates to an alien who is a **Cuban/Haitian entrant**.

8.  This document appears valid and relates to an alien who is a **conditional entrant**.

9.  This document appears valid and relates to an alien who is a **nonimmigrant**.  
(Specify type or class below)

10.  This document appears valid and relates to an alien **not authorized employment** in the United States.

11.  Continue to process as legal alien. USCIS is searching indices for further information.

12.  This document is not valid because it appears to be:  
(Check all that apply)

- a. Expired
- b. Altered
- c. Counterfeit

**USCIS Stamp**



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### Comments

- 13. No determination can be made from the information submitted. Please obtain a copy of the original alien registration documentation and resubmit.
- 14. No determination can be made without seeing both sides of the document submitted. (Please resubmit request.)
- 15. Copy of document is not readable. (Please resubmit request.)

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### "PRUCOL"

#### For Purposes of Determining Only. If Alien Is Permanently Residing Under Color of Law!

- 16. USCIS is actively pursuing the removal of an alien in this class/category.
- 17. USCIS is not actively pursuing the removal of an alien in this class/category at this time.
- 18. Other.

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### Instructions

1. Submit copies (*front and back*) of alien's original documentation.
2. Make certain a *complete return address* has been entered in the "From" portion of the form.
3. The Alien Registration Number (A-number) is the letter "A" followed by a series of seven, eight or nine digits. The number found on Form I-94 may also be recorded in the block. (Check the front and back of the Form I-94 document. If the A-number appears, record that number when requesting information, instead of the longer admission number, because the A-number refers to the most integral record available.)
4. If Form G-845 is submitted without a copies of the applicant's original documentation, it will be returned to the submitting agency without any action taken.
5. Address this verification request to the local office of U.S. Citizenship and Immigration Services.