

Department of Social and Health Services
Olympia, Washington
EAZ Manual

Revision #1320
Category Citizenship and Alien Status - For Food Benefits
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Summary

Updating the clarifying information under WAC 388-424-0030 to match the federal requirements.

Updated February 3, 2025
See below for edited text:

Revised ~~February 3, 2025~~ July 10, 2015

Purpose:

This section describes which immigrants are eligible for benefits through federally-funded Basic Food and state-funded Food Assistance Program.

WAC 388-424-0020 How does my alien status impact my eligibility for federally-funded Basic Food benefits?

WAC 388-424-0030 How does my alien status impact my eligibility for state-funded benefits under the food assistance program?

- Clarifying Information

Clarifying Information - WAC 388-424-0030

If an immigrant does not wish the department to contact USCIS to verify their immigration status, we must give the household the option of withdrawing its application and participating in Basic Food without that member.

That person is an ineligible AU member under [WAC 388-408-0035](#). Please refer to the [VERIFICATION](#) chapter for general rules regarding documentation.

We must deem income to a sponsored immigrant who ~~is not~~ exempt from deeming requirements under [WAC 388-450-0156](#). This includes a sponsored immigrant who is eligible for federal benefits based on being a qualified alien who has lived in the U. S. for five years, if they ~~do not~~ have 40 qualifying quarters of work or qualify for a different exemption.

1. **Proof of alien status:**
2. **Income of immigrants and their sponsors:**
 - See [WAC 388-450-0140](#) for treatment of income of AU members who are ineligible to receive federally funded Basic Food due to alien status.
 - See [WAC 388-450-0160](#) for treatment of income of a sponsored alien's sponsor.
3. **Deeming requirements for sponsored immigrants:**

NOTE: An immigrant who is an ineligible member of a federally-funded Basic Food AU ~~should not~~ have his sponsor's income and resources deemed to eligible AU members.

NOTE: We must deem resources in addition to income when the AU ~~is not~~ Categorically Eligible (CE) as defined in [WAC 388-414-0001](#). See [WAC 388-470-0070](#) for deeming sponsor resources.

4. When a “qualified alien” child turns 18 before being in the U.S. for five years:

- If the immigrant turns age 18 before they have been in the U.S. for five years, they must meet one of the other requirements under [WAC 388-424-0020](#) to keep getting Basic Food benefits.
- The immigrant regains eligibility for benefits after they have been in the U.S. for five years or meet one of the other criteria under [WAC 388-424-0020](#).

5. "Lawfully residing"

- A qualified alien;
- An alien who has been inspected and admitted and who ~~has not~~[hasn't](#) violated the terms of that admission;
- A parolee (for less than 1 year), except those paroled pending a determination of excludability or for prosecution;
- A Lawful Temporary Resident;
- A person under Temporary Protected Status;
- A Cuban-Haitian entrant;
- A Family Unity beneficiary;
- A person granted Deferred Enforced Departure;
- A person in Deferred Action;
- An alien who is the spouse or child of a U. S. citizen, whose visa petition has been approved and who has a pending application for adjustment of status;
- An applicant for asylum or for withholding of removal under the Convention Against Torture, who has been granted employment authorization or who is under the age of 14 and has had an application pending for at least 180 days.

6. Iraqi and Afghan Special Immigrants (SIVs): For more information on documentation, Immigration Status codes, benefit eligibility and step-by-step process, please see desk aid Iraqi and Afghan Special Immigrants Benefits

7. Haitian Entrants vs. Haitian Nationals Granted Temporary Protected Status:

- **Haitian Entrants** granted status under section 501(e) of the Refugee Education Assistance Act of 1980 are qualified aliens and eligible for **Basic Food** benefits if they meet all other eligibility requirements.
- **Haitian Family Reunification Parole (HFRP) Program Entrants** granted status under section 501(e) of the Refugee Education Assistance Act of 1980 are qualified aliens and eligible for **Basic Food** benefits if they meet all other eligibility requirements.
- **Haitian Nationals Granted Temporary Protected Status (TPS)** ~~are not~~[aren't](#) eligible for federal SNAP benefits. These persons are PRUCOL as described under [WAC 388-424-0001](#) and cannot receive Basic Food.