



KNOW YOUR RIGHTS

Changes to Food Assistance for Some Immigrants

Updated March 4, 2026

Starting January 1, 2026, fewer New Mexicans will qualify for federal food assistance through the Supplemental Nutrition Assistance Program (SNAP) if they are in certain immigration statuses.

If you receive SNAP benefits, it is important that you let the Income Support Division (ISD) know if your immigration status has changed, especially if you now have a green card/lawful permanent resident status.



WHO QUALIFIES FOR SNAP AFTER JANUARY 1, 2026?

New Mexicans in the following immigration statuses can qualify for SNAP if they meet other program requirements:

- Lawful permanent resident adults "green card holders" (some need to meet a 5-year waiting period)
- Lawful permanent resident children (no waiting period applies)
- Certain Cuban and Haitian Nationals (no waiting period applies)
- People residing under a Compact of Free Association (COFA) with Micronesia, Palau, or the Marshall Islands (no waiting period applies)

There is NO 5-year waiting period for green card holders (lawful permanent residents) who:

Previously held any of the following immigration statuses:

- Refugees
- Individuals granted asylum
- Individuals granted withholding of deportation/removal
- Amerasians
- Victims of severe trafficking
- Hmong or Highland Laotian Tribal Members
- Iraqi and Afghan Special Immigrants (SIV)
- Certain Afghan Nationals granted parole between July 31, 2021, and Sept. 30, 2023
- Certain Ukrainian Nationals granted parole between Feb. 24, 2022, and Sept. 30, 2024
- Certain Cuban or Haitian Nationals
- Immigrants who were lawfully residing in the U.S. and were 65 or older on August 22, 1996

If one of the following applies:

- Children under 18 years old
- Immigrants with a U.S. military connection
- Immigrants who are blind or disabled
- Immigrants with 40 qualifying quarters of work
- Certain American Indians born abroad



How will the changes impact people who currently have SNAP?

If you currently participate in SNAP, you will need to show you are in a status that qualifies under federal law when you renew SNAP after January 1, 2026. If your status has changed to one that qualifies under the new rules, like you now have a green card (lawful permanent resident status), let the Income Support Division know. You cannot be terminated prior to your regularly scheduled renewal.

Can you apply for other household members without providing your SSN or immigration status?

Yes, household members who do not qualify for SNAP due to immigration status can always apply for other household members who do qualify. Applicants only have to provide information about immigration status and social security number for those those who will actually be receiving food assistance.

Is there state-funded food assistance?

The New Mexico legislature appropriated temporary funding to continue some food assistance to people who cannot get SNAP due to the 2026 changes in immigration statuses that qualify. This includes refugees, asylees, victims of trafficking and battery. The NM Health Care Authority has not yet announced how that funding will be used.

Will there be immigration consequences if I get food assistance for me or my family?

Many immigrants are concerned about the “public charge” test. Public charge is a test to see if certain people applying for legal permanent residence (a green card) or for those applying or renewing for certain visas have used specific government programs. Currently, the use of food assistance is not considered in a public charge test and most people who qualify for food assistance are exempt or will not have to face a public charge test. If you think public charge may apply to you, talk to an attorney before submitting any applications. Contact the New Mexico Immigrant Law Center at 505-247-1023 or visit nmilc.org.



Seek help if you are denied SNAP benefits due to immigration status

NM Legal Aid **833-545-4357**

NM Center on Law and Poverty **505-255-2840**

