

April 24, 2024

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY LETTER NO. 24-27**

The purpose of this All County Letter is to provide guidance to County Welfare Departments regarding the “DT” Class of Admission Code as it relates to humanitarian parolees and their eligibility for the California Work Opportunity and Responsibility to Kids, Refugee Cash Assistance, and Entrant Cash Assistance, CalFresh, and California Food Assistance Program.



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DIRECTOR

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GAVIN NEWSOM  
GOVERNOR

April 24, 2024

ALL COUNTY LETTER NO. 24-27

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY REFUGEE COORDINATORS  
ALL CALWORKS PROGRAM SPECIALISTS  
ALL CALFRESH PROGRAM SPECIALISTS  
ALL CONSORTIA PROJECT MANAGERS  
ALL CHILD SUPPORT SPECIALISTS  
ALL REFUGEE CASH ASSISTANCE CONTACTS

SUBJECT: CALIFORNIA WORK OPPORTUNITY AND RESPONSIBILITY TO KIDS, CALFRESH, CALIFORNIA FOOD ASSISTANCE PROGRAM, REFUGEE CASH ASSISTANCE, AND ENTRANT CASH ASSISTANCE PROGRAMS: GUIDANCE ON THE DT CLASS OF ADMISSION CODE AND PROCESSING UNCLEAR SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE) MATCHES

REFERENCE: [TITLE 8 OF U.S.C. SECTION 1641\(B\)\(4\)](#); [45 CODE OF FEDERAL REGULATION \(CFR\) §400.51](#), [7 CFR 273.4\(a\)\(6\)\(i\)\(A\)](#), [7 CFR 273.4\(a\)\(6\)\(i\)\(D\)](#), [7 CFR 273.4\(a\)\(6\)\(i\)\(F\)](#), [7 CFR 273.4\(a\)\(6\)\(i\)\(G\)](#), [7 CFR 273.2\(f\)\(1\)\(ii\)](#) AND [7 CFR 273.2\(f\)\(4\)\(i\)](#); SECTIONS [203](#), [207](#), [208](#), [212\(D\)\(5\)](#), [241](#) OF THE IMMIGRATION AND NATIONALITY ACT; [OFFICE OF REFUGEE RESETTLEMENT\(ORR\) DEAR COLLEAGUE LETTER \(DCL\) 24-01](#); [ORR POLICY LETTER \(PL\) 16-01](#); [ORR PL 22-01](#); [ORR PL 22-02](#); [ORR PL 22-13](#); [ALL COUNTY LETTER \(ACL\) 23-57](#); [ALL COUNTY WELFARE DIRECTORS LETTER \(ACWDL\) DATED JULY 6, 2022](#) AND [ACWDL DATED DECEMBER 14, 2022](#); [MANUAL OF POLICIES AND PROCEDURES \(MPP\) SECTIONS 42-430](#), [42-433.31](#), [42-431.2](#), [42-433.411](#), [42-433.412](#), [63-403.1](#), [63-405.111](#), [63-405.116](#), [63-405.117](#), [63-405.118](#), AND [69-202.2](#)

The purpose of this All County Letter (ACL) is to provide guidance to County Welfare Departments (CWDs) regarding the “DT” Class of Admission Code, hereafter referred to as the DT Code, when determining eligible immigration status for the California Work Opportunity and Responsibility to Kids (CalWORKs), Refugee Cash Assistance (RCA), Entrant Cash Assistance (ECA) programs, CalFresh, and California Food Assistance Program (CFAP). The DT Code signifies parole granted at a port of entry or District Office. Recent guidance from the United States Citizenship and Immigration Services (USCIS) clarifies that an applicant who provides documentation showing the DT Code is considered to be paroled into the United States under Section 212(d)(5) of the Immigration and Nationality Act (INA).

As a result of this guidance, CWDs must accept documentation showing the DT code and length of parole and must not request further verification for CalWORKs. Further, CWDs must review CalWORKs applications that were received after **June 30, 2023**, and were previously denied for failure to provide additional verification beyond the I-94 or foreign passport with DHS/CBP admission stamp noting the DT Code alone, and retroactively approve cash aid, as long as all other eligibility criteria are met.

## **EXISTING PROGRAM POLICY**

### ***CalWORKs***

To be eligible for CalWORKs, an individual must be a California resident who is either a citizen of the United States or a noncitizen who meets one of the eligible noncitizen categories under [MPP Section 42-431.2](#). Pursuant to [MPP Section 42-430](#), aid must be authorized once eligible noncitizen status is verified.

A noncitizen applicant is eligible for CalWORKs if they are:

- Lawfully admitted for permanent residence; or
- Permanently residing in the U.S. under color of law, including noncitizens who are:
  - Lawfully present in the U.S. under [Section 207\(c\) of the INA](#),
  - [Section 208 of the INA](#), or
  - [Section 212\(d\)\(5\) of the INA](#);
- Granted status as Conditional Entrant Refugees under [Section 203\(a\)\(7\) of the INA](#) in effect before April 1, 1980;
- Granted indefinite voluntary departure instead of deportation; or
- Granted an indefinite stay of deportation.

## **CalFresh**

To be eligible for CalFresh, an individual must be a California resident who is either a citizen of the United States or noncitizen who meets one of the eligible noncitizen categories required for CalFresh under [MPP Section 63-405.11](#).

A CalFresh qualified noncitizen is:

- A person who is lawfully admitted to the U.S. for permanent residence under the INA;
- A refugee under [Section 207 of the INA](#);
- An asylee under [Section 208 of the INA](#);
- A noncitizen who had deportation withheld under Section 243(h) of the INA (before April 1, 1997, or under [Section 241\(b\)\(3\) of the INA](#) on or after April 1, 1997);
- A Cuban or Haitian entrant as defined in [501\(e\) of the Refugee Education Assistance Act of 1980](#) including as described in [45 CFR 401.2](#);
- A conditional entrant under [Section 203\(a\)\(7\) of the INA](#) as in effect prior to April 1, 1980;
- A parolee under [Section 212\(d\)\(5\) of the INA](#) for at least one year;
- An abused/battered spouse and/or unmarried dependent child and/or child of an abused/battered parent and/or parent of an abused/battered child as specified in [MPP Section 63-405.5](#).

## **California Food Assistance Program (CFAP)**

To be eligible for CFAP, an individual must be ineligible for CalFresh solely based on their immigration status under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 as amended by the Food Stamp Reauthorization Act of 2002 and meet eligibility requirements.

CFAP eligible persons include:

- Lawful Permanent Residents (LPR) ([MPP 63-405.111](#) and [7 CFR 273.4\(a\)\(6\)\(i\)\(A\)\)](#)
- Parolees under Section 212(d)(5) of the INA for at least one year ([MPP 63-405.117](#) and [7 CFR 273.4\(a\)\(6\)\(i\)\(D\)\)](#)
- Conditional Entrants ([MPP 63-405.116](#) and [7 CFR 273.4\(a\)\(6\)\(i\)\(F\)\)](#)
- Abused/Battered Noncitizens ([MPP 63-405.118](#) and [7 CFR 273.4\(a\)\(6\)\(i\)\(G\)\)](#)
- Victims of trafficking, domestic violence, or other serious crimes ([ACL 06-60](#) and [MPP 63-403.11](#))

Effective October 1, 2025, CFAP eligibility will expand to all noncitizens age 55 or older, regardless of immigration status. More information can be found in [ACL 23-57](#).

## ***RCA/ECA***

To be eligible for RCA/ECA, an applicant must be ineligible for CalWORKs ([45 CFR Section 400.51](#) and [MPP Section 69-202.2](#)) and hold an Office of Refugee Resettlement (ORR) eligible status.

ORR-eligible statuses include:

- Refugees;
- Asylees;
- Cuban and Haitian Entrants;
- Amerasians;
- Special Immigrant Visa Holders;
- Afghan Humanitarian Parolees (AHPs);
  - See ORR [PLs 22-01](#) (PDF) and [22-02](#) (PDF) for AHP eligibility criteria
- Ukrainian Humanitarian Parolees (UHPs);
  - See [ORR PL 22-13](#) (PDF) for UHP eligibility criteria
- Unaccompanied Refugee Minors; and
- Certain Victims of Human Trafficking.

The specific eligibility criteria and documentation requirements for each ORR-eligible status listed above can be found on ORR's [Status and Documentation Requirements page](#), which is also known as ORR Policy Letter 16-01.

## **INITIAL GUIDANCE ON DT CODE**

In response to the arrival and resettlement of Afghan Humanitarian Parolees and the war in Ukraine, the USCIS announced [Operation Allies Welcome](#) (OAW) and the [Uniting for Ukraine \(U4U\) Program](#). These programs provide a pathway for Afghan and Ukrainian citizens and certain immediate family members to enter the U.S. as humanitarian parolees for up to two years. On October 14, 2021, ORR released guidance in [PL 22-02](#) stating that for an Afghan citizen or national with parolee status, a stamped foreign passport with or a printed copy of an I-94 showing the DT Code was acceptable documentation for federal benefits. On May 26, 2022, ORR released guidance in [PL 22-13](#) stating that for a Ukrainian citizen or national with parolee status, a stamped foreign passport with the DT Code was acceptable documentation for federal benefits.

CWDs informed the California Department of Social Services (CDSS) of an influx of new arrivals with passports or I-94 documentation indicating the DT Code. As a result, there was confusion among CWDs about whether the DT Code alone could be accepted to verify noncitizen eligibility for CalWORKs and RCA/ECA for non-AHP and non-UHP populations.

In response, CDSS received communication from the USCIS stating that the DT Code could not be the sole basis for determining whether an Afghan, Ukrainian, or other

noncitizen is eligible for public assistance programs. The CDSS instructed CWDs that additional documentation was needed, including a Notice to Appear (Form I-862) or a Systematic Alien Verification for Entitlements (SAVE) report, for a noncitizen applying for aid with documentation showing the DT Code. As a last result, CWDs were instructed to request additional verification from the applicant or have the applicant sign a [G-845](#) to authorize the CWD to contact the USCIS to obtain the necessary proof in accordance with [MPP Section 42-433.412](#).

### **NEW GUIDANCE ON DT CODE FROM USCIS**

CDSS recently consulted with USCIS for further clarification on the DT Code. USCIS responded that **anyone presenting documents showing the DT Code has been paroled into the United States under Section 212(d)(5) of the Immigration and Nationality Act (INA)**. Below is new guidance for CWDs for CalWORKs, CalFresh, CFAP, and RCA/ECA programs on the DT Code.

#### ***CalWORKs***

In accordance with [MPP Section 42-431.221\(c\)](#), individuals paroled under Section 212(d)(5) of the INA meet the non-citizenship requirement under CalWORKs and are eligible for aid if all other program eligibility criteria are met. However, the federal regulations in [Section 431 of the Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 \(PRWORA\)](#) and [Title 8 of the US Code Section 1641](#) state that individuals paroled into the U.S. under Section 212(d)(5) of the INA must be paroled for at least one year (365 days or more) to meet the definition of “Qualified Alien” under PRWORA and be eligible for federal TANF assistance.

Therefore, any applicant with acceptable documentation showing a DT Code, such as a copy of electronic Form I-94, Paper Form I-94, or a foreign passport with DHS/CBP admission stamp noting “DT”, *with a parole term of at least one year* (365 days or more) is eligible for federal TANF assistance if they meet all other program eligibility requirements. This applies to all parolees with a DT Code, as well as all other individuals paroled pursuant to Section 212(d)(5) of the INA, regardless of nationality. Additionally, any ORR-eligible applicant with acceptable documentation showing a DT Code is eligible for federal TANF assistance if they meet all other program eligibility requirements, regardless of nationality or the length of their parole term.

Any other applicant with acceptable documentation showing a DT Code *and a parole term of less than one year* (364 days or less) is eligible for state-only CalWORKs if they meet all other program eligibility requirements. This applies to all parolees with a DT Code, as well as all other individuals paroled pursuant to Section 212(d)(5) of the INA, regardless of nationality.

Based on this guidance, CWDs **must not** request further verification for CalWORKs if an applicant provides documentation showing the DT Code and length of parole.

CWDs can request additional verification or run a SAVE match if the length of parole is unclear.

CWDs must review CalWORKs applications that were received after **June 30, 2023**, and were previously denied for failure to provide additional verification beyond the I-94 or foreign passport with DHS/CBP admission stamp noting the DT Code alone, and retroactively approve cash aid, as long as all other eligibility criteria are met. Once a recipient's parole term expires, CWDs must evaluate if the individual meets one of the eligible noncitizen categories under MPP Section 42-431.2. If so, they remain eligible for CalWORKs. If not, then the individual is no longer eligible for CalWORKs and the CWD must take appropriate action in accordance with SAR/ARCO regulations.

If you have any questions or need additional guidance regarding CalWORKs, contact the Early Engagement & Eligibility Bureau at [CWEligibilityPolicy@dss.ca.gov](mailto:CWEligibilityPolicy@dss.ca.gov).

### **CalFresh**

In accordance with [MPP Section 63-405.117](#), to be eligible for CalFresh, a qualified noncitizen must be a parolee under Section 212(d)(5) of the INA for at least one year (365 days), per the date on the parolee's entry documentation, and meet all other program eligibility requirements.

Federal regulations at [7 CFR 273.4\(a\)\(6\)\(ii\)](#) and [United States Department of Agriculture-Food and Nutrition Service \(USDA-FNS\) SNAP Policy on Non-Citizen Eligibility Policy](#) further indicate qualified noncitizens under this section are subject to the requirement of being in qualified status for five years to receive CalFresh benefits unless the individual meets at least one criterion listed under [7 CFR 273.4 \(a\)\(6\)\(ii\)](#). Therefore, parolees with the Class of Admission Code DT under 212(d)(5) of the INA that meet at least one criterion listed under [7 CFR 273.4 \(a\)\(6\)\(ii\)](#) are eligible for CalFresh, if they meet all other program eligibility requirements, regardless of the length of their qualified status.

Qualified noncitizens with a Class of Admission Code DT under 212(d)(5) of the INA that do not meet at least one criterion listed at [7 CFR 273.4 \(a\)\(6\)\(ii\)](#), are subject to the five-year waiting requirement.

For any questions or need additional guidance, contact the CalFresh Policy and Employment Bureau at [CalFreshPolicy@dss.ca.gov](mailto:CalFreshPolicy@dss.ca.gov).

### **CFAP**

Currently, CFAP serves certain noncitizens who would be eligible for CalFresh if not for their immigration status. An individual paroled into the U.S. with a DT Code under Section 212(d)(5) of the INA is not considered an eligible noncitizen unless they have been paroled for at least one year. Paroled for at least one year refers to the duration listed on a parolee's entry documentation and not the length of time the parolee has

resided in the U.S. Therefore, an individual with a DT Code may be eligible for CFAP if paroled one year or more and has not met an additional condition such as the five-year waiting period. Guidance for CFAP can be found in [MPP 63-403.1](#) and 63-405.117. Additionally, CWDs may refer to [7 CFR 273.2\(f\)\(1\)\(ii\)](#) and [7 CFR 273.2\(f\)\(4\)\(i\)](#) for information on mandatory verification for noncitizens and for acceptable sources of verification.

If you have any questions or need additional guidance regarding CFAP, contact the CFAP Bureau at [CFAP@dss.ca.gov](mailto:CFAP@dss.ca.gov).

### **RCA/ECA**

Any applicant with a DT Code that is found ineligible for CalWORKs should be evaluated for RCA/ECA. If the applicant is an ORR-eligible parolee and meets all other RCA/ECA program eligibility requirements, they are eligible to receive RCA. Please see [Policy Letter \(PL\) 16-01 - Documentation Requirements for the Refugee Resettlement Program](#) for a complete list of current documentation requirements for all ORR-eligible populations, parolees and otherwise.

CWDs should refer to [ACWDL dated December 14, 2022, Extension of Eligibility Date for Afghan Populations and Additional Acceptable Immigration Documentation Requirements](#), and [ACWDL dated July 6, 2022, Eligibility of Humanitarian Parolees from Ukraine](#), for details regarding AHP and UHP eligibility criteria. For more information on Cuban and Haitian Entrants see All County Information Notice No. I-63-22.

CWDs must review RCA applications that were received after **June 30, 2023**, and were previously denied for failure to provide additional verification beyond the I-94 or foreign passport with DHS/CBP admission stamp noting the DT Code alone and retroactively approve cash aid, as long as all other eligibility criteria are met.

If you have any questions or need additional guidance regarding RCA/ECA, please contact the Refugee Programs Bureau at [RefugeePolicy@dss.ca.gov](mailto:RefugeePolicy@dss.ca.gov).

Sincerely,

### ***Original Document Signed By***

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Deputy Director  
Family Engagement and Empowerment Division