

December 14, 2022

CALIFORNIA DEPARTMENT OF SOCIAL SERVICES

**EXECUTIVE SUMMARY**

**ALL COUNTY WELFARE DIRECTORS LETTER**

This letter provides County Welfare Departments with updated information regarding an extended eligibility date for Afghan Humanitarian Parolees and additional acceptable immigration documentation for Afghan arrivals.



KIM JOHNSON  
DIRECTOR

CALIFORNIA HEALTH & HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
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GAVIN NEWSOM  
GOVERNOR

December 14, 2022

ALL COUNTY WELFARE DIRECTORS LETTER

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: EXTENSION OF ELIGIBILITY DATE FOR AFGHAN  
POPULATIONS AND ADDITIONAL ACCEPTABLE IMMIGRATION  
DOCUMENTATION REQUIREMENTS

REFERENCE: [AFGHANISTAN SUPPLEMENTAL APPROPRIATIONS ACT, 2022;](#)  
[OFFICE OF REFUGEE RESETTLEMENT POLICY LETTER \(PL\)](#)  
[16-01, PL 22-01, PL-22-02 , ALL COUNTY WELFARE](#)  
[DIRECTOR'S LETTER \(ACWDL\) DATED DECEMBER 2, 2021](#)  
AND [ACWDL DATED JUNE 15, 2022](#)

This letter informs County Welfare Departments (CWDs) of the extension of the arrival timeframe (i.e., eligibility date) for Afghan Humanitarian Parolees (AHP) to qualify for mainstream benefits, resettlement assistance, and other benefits available to refugees and provides updated federal policy guidance identifying additional acceptable immigration documents for determining Refugee Resettlement Program (RRP) benefit eligibility for Afghan arrivals.

**Background**

Effective September 30, 2021, per the Afghanistan Supplemental Appropriations Act, Congress authorized AHP to receive mainstream benefits, resettlement assistance, and other benefits available to refugees. The Office of Refugee Resettlement (ORR) provided guidance on this benefits eligibility in [ORR Policy Letter \(PL\) 22-01](#).

On October 11, 2022, the ORR updated PL 22-01 to reflect additional congressional authorities for AHP benefits eligibility and related extensions of the timeframe in which AHP must arrive in the U.S. in order to be ORR-eligible (eligibility date). Also on October 11, 2022, ORR updated [PL 22-02](#) on ORR-Eligible Statuses and Categories and Acceptable Documentation Requirements for Afghan Nationals. In its current

iteration, PL 22-02 includes an expanded list of acceptable immigration documents for use in determining RRP benefits eligibility for several categories of Afghan arrivals.

### **AHP Eligibility**

Arrivals from Afghanistan are eligible to receive certain time-limited mainstream federal benefits and targeted assistance pursuant to a series of congressional authorities collectively referred to as ASA. A Principal Applicant AHP who is paroled within the allowable timeframe, and their spouse and children, are eligible for benefits and services to the same extent as persons who are admitted to the U.S. as refugees under section 207 of the INA (8 U.S.C 1157). Eligibility extends from October 1, 2021, or the date the parolee “entered the community” in the U.S., whichever is later, to March 31, 2023, or the end of the individual’s parole term, whichever is later. However, time limitations of benefits and services still apply, i.e., 12 months of RCA from the date of eligibility.

The AHP individuals may fall under one of the following categories:

1. Citizens or nationals of Afghanistan paroled into the United States under section 212(d)(5) of the Immigration and Nationality Act between July 31, 2021 and **December 16, 2022 (extension from the original parole date cutoff of September 30, 2022).**

(This group includes unaccompanied minors as defined by 6 U.S.C. 279(g)(2)). Unaccompanied Afghan Minors under the age of 18 are eligible to apply for ORR’s Unaccompanied Refugee Minor (URM) program (8 U.S.C. 1522(d)(2)), under which they are eligible to receive URM services to the same extent as refugees in the URM program.)

2. A spouse or child of any individual described above in number 1, who is paroled into the United States after **December 16, 2022 (adjusted from September 30, 2022).**
3. A parent or legal guardian of any individual described above in number 1, who is determined to be an unaccompanied child as defined by 6 U.S.C. § 279(g)(2), who is paroled into the United States after **December 16, 2022 (adjusted from September 30, 2022).**

AHP are eligible for both traditional ORR benefits and services and ASA-funded benefits and services. As noted above, their eligibility period is from their eligibility date until March 31, 2023, or the end of the individual’s parole term, whichever is later.

A separate category of Afghan arrivals, described below, is likewise eligible for both

traditional ORR benefits and services and ASA-funded benefits and services. This group's eligibility timeframe is the traditional ORR eligibility timeframe defined under 45 CFR part 400. This second population includes:

4. Citizens and nationals of Afghanistan for whom refugee and entrant assistance activities are authorized (e.g., Special Immigrant Visa holders, Special Immigrants with Conditional Permanent Resident status, SI/SQ parolees, refugees, asylees), whose eligibility date is on or after July 31, 2021.

Mainstream federal public benefits and services include, but are not limited to: Refugee Cash Assistance (RCA), Temporary Assistance for Needy Families (TANF) (known in California as California Work Opportunity and Responsibility for Kids (CalWORKs)), Supplemental Nutrition Assistance Program (SNAP) (known in California as CalFresh), Supplemental Security Income/State Supplementary Payment (SSI/SSP), Refugee Support Services (RSS), Services for Older Refugees (SOR), and other ORR-funded Programs, including ASA-funded benefits and services. Please refer to [All County Welfare Directors Letter \(ACWDL\) dated December 2, 2021](#) for more details about eligibility for these programs, noting that the eligibility timeframes outlined above supersede those in the December 2, 2021 ACWDL.

## **RCA Enrollment in Employment Services**

### Employment Authorization Updates

CWDs should be aware of the delay some AHP arrivals have had in obtaining their necessary immigration documents to enroll in employment services. Effective November 21, 2022, however, Afghan parolees, and their qualifying family members, with certain classes of admission are considered employment authorized incident to parole, which means that they do not need to wait for USCIS to approve their Form I-765, Application for Employment Authorization, before they can work in the United States. This updated policy guidance applies to Afghan parolees whose unexpired Form I-94, Arrival/Departure Record, contains a class of admission of "OAR."

For these parolees, their unexpired Form I-94 is an acceptable receipt they may present to their employer to show their identity and employment authorization for the purposes of Form I-9, Employment Eligibility Verification. The receipt satisfies the Form I-9 requirement for 90 days from the date of hire (or in the case of reverification, the date employment authorization expires). Individuals who received a Form I-94 when they entered the United States should visit [U.S. Customs and Border Protection's Form I-94](#) page to view and print a copy of their Form I-94. An A-Number can be used to retrieve the Form I-94 online at the site above by choosing "Get Most Recent I-94."

After the 90-day period, parolees must present an EAD or unrestricted Social Security

card and acceptable List B identity document from the Form I-9 Lists of Acceptable Documents (such as a state-issued driver's license or identification card). Afghan parolees must still file a Form I-765 to receive a physical EAD. USCIS will provide additional guidance for employers about completion of [Form I-9, Employment Eligibility Verification](#).

Effective December 5, 2022, USCIS will be able to process fee exemptions for online filings of Form I-765 for eligible Afghan parolees.

Questions regarding these updates should reference the [USCIS Newsroom](#) for further details.

### **SNAP/CalFresh Eligibility**

HPAs paroled into the United States between July 31, 2021 and **December 16, 2022** are eligible for CalFresh benefits to the same extent as refugees admitted into the U.S. under section 207 of the INA and are not subject to a waiting period. Per federal regulations at [7 CFR 273.4\(a\)\(6\)\(i\)\(C\)](#) and [7 CFR 273.4\(a\)\(6\)\(ii\)\(B\)](#), a noncitizen admitted as a refugee under section 207 of the INA is considered a qualified noncitizen eligible to receive CalFresh benefits and is not subject to the requirement to be in a qualified status for 5 years. Additionally, the spouses and children of arriving HPAs, as well as parents and legal guardians of such individuals who were unaccompanied minors, are eligible for CalFresh benefits even if they are granted parole after September 30, 2022, provided the principal HPA was paroled between July 31, 2021 and September 30, 2022. HPAs who are eligible based on their immigration status must also satisfy all other mandatory CalFresh eligibility requirements to receive benefits. This eligibility lasts until March 31, 2023, or the end of the individual's parole term, whichever is later.

### **Additional Acceptable Immigration Documents for Afghan Humanitarian Parolees (AHP), Special Immigrant Visa (SIV) Holders, Special Immigrant Parolees (SIP), and Special Immigrant Conditional Permanent Residents (SI CPR)**

The following additional Immigration Documents are now acceptable in the determination of eligibility for ORR RRP benefits for Afghan arrivals listed below:

#### **Afghan Humanitarian Parolees (AHP):**

- Interim Notice Authorizing Parole (INAP), noting parole under INA 212(d)(5)(A)
- Form I-94 with COA codes "OAR", "OAW", "PAR", "DT", "PAROLED" or Humanitarian Parole per INA section 212(d)(5)(A)

- Foreign passport with DHS/CBP admission stamp with COA codes “OAR”, “OAW”, “PAR”, “DT”, “PAROLED” or Humanitarian Parole per INA section 212(d)(5)(A)

**Special Immigrant Visa (SIV) Holders:**

- Form I-551 Permanent Resident Card (also known as Green Card)
- Foreign Passport with Machine Readable Immigrant Visa (MRIV)
- Form I-765 Employment Authorization Document (EAD) receipt notice with code SQ1, SQ2, SQ3, SQ6, SQ7 or SQ8
- Form I-766 Employment Authorization Document (EAD) with code SQ1, SQ2, SQ3, SQ6, SQ7 or SQ8

**Special Immigrant Parolees (SIP):**

- Form I-765 Employment Authorization Document (EAD) receipt notice with code C11
- Form I-766 Employment Authorization Document (EAD) with code C11

**Special Immigrant Conditional Permanent Residents (SI CPR):**

- Foreign passport with Machine Readable Immigrant Visa (MRIV) with code CQ1, CQ2, or CQ3
- Form I-765 Employment Authorization Document (EAD) receipt notice with code C11
- Form I-766 Employment Authorization Document (EAD) with code C11

The California Department of Social Services (CDSS) has updated the Acceptable Immigration Documentation for Afghan Nationals chart provided in [ACWDL dated June 15, 2022](#) to include the additional acceptable documentation listed on this letter for all eligible Afghan populations (See Attachment 1).

**County Responsibilities**

CWDs must review any applications by Afghan Humanitarian Parolees beginning October 1, 2022, to ensure that any erroneous denials are rescinded and approved, if otherwise eligible.

If you have any questions or need additional guidance regarding the information in this letter, contact the Refugee Programs Bureau at (916) 654-4356 or at [RefugeePolicy@dss.ca.gov](mailto:RefugeePolicy@dss.ca.gov).

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Sincerely,

***Original Document Signed By***

MARCELA RUIZ  
Director, Office of Equity

Attachment

**Attachment 1**

**Acceptable Immigration Documentation for Afghan Nationals**

<b>Applicant</b>	<b>Documentation</b>
Afghan Special Immigrant Visa (SIV) Holders (Principal Applicant, Spouse of Principal Applicant, or Child of Principal Applicant)	DHS/CBP temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp  <b>Or</b>  DHS/USCIS temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp  <b>Or</b>  Form I-551 Permanent Resident Card (also known as Green Card)  <b>Or</b>  Foreign Passport with Machine Readable Immigrant Visa (MRIV)  <b>Or</b>  Form I-765 Employment Authorization Document (EAD) receipt notice with code SQ1, SQ2, SQ3, SQ6, SQ7 or SQ8  <b>Or</b>  Form I-766 Employment Authorization Document (EAD) with code SQ1, SQ2, SQ3, SQ6, SQ7, or SQ8
Afghan Special Immigrant Parolees (SIP) (Principal Applicant, Spouse of Principal Applicant, or Child of Principal Applicant)	Form I-94 noting SI or SQ Parole (per section 602(B)(1) AAPA/Sec 1059(a) NDAA 2006

Applicant	Documentation
	<p><b>Or</b></p> <p>Form I-765 Employment Authorization Document (EAD) receipt notice with code C11</p> <p><b>Or</b></p> <p>Form I-766 Employment Authorization Document (EAD) with code C11</p>
<p>Afghan Special Immigrant Conditional Permanent Residents (SI CPR) (Principal Applicant, Spouse of Principal Applicant, or Child of Principal Applicant)</p>	<p>Foreign passport with DHS/CBP admission stamp noting that the individual has been classified under IV (immigrant visa) Category CQ1, CQ2, or CQ3</p> <p><b>Or</b></p> <p>DHS Form I-551 ("green card") with an IV (immigrant visa) code for category CQ1, CQ2, or CQ3</p> <p><b>Or</b></p> <p>DHS/CBP temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp</p> <p><b>Or</b></p> <p>DHS/USCIS temporary Form I-551 Alien Documentation Identification and Telecommunication (ADIT) stamp</p> <p><b>Or</b></p> <p>Foreign passport with Machine Readable Immigrant Visa (MRIV) with code CQ1, CQ2, or CQ3</p> <p><b>Or</b></p>

Applicant	Documentation
	<p>Form I-765 Employment Authorization Document (EAD) receipt notice with code C11</p> <p><b>Or</b></p> <p>Form I-766 Employment Authorization Document (EAD) with code C11</p>
<p>Afghan Humanitarian Parolee (AHP, aka: Non-SI Parolee), formerly designated as Humanitarian Parolee of Afghanistan (HPA)</p>	<p>Form I-94 with COA codes – “OAR”, “OAW”, “PAR”, “DT”, “PAROLED” or Humanitarian Parole per INA section 212(d)(5)(A)</p> <p><b>Or</b></p> <p>Foreign passport with DHS/CBP admission stamp with COA codes “OAR”, “OAW”, “PAR”, “DT”, “PAROLED” or Humanitarian Parole per INA section 212(d)(5)(A)</p> <p><b>Or</b></p> <p>Interim Notice Authorizing Parole (INAP), noting parole under INA 212(d)(5)(A)</p> <p><b>Or</b></p> <p>Form I-765 Employment Authorization Document (EAD) receipt notice with code C11</p> <p><b>Or</b></p> <p>Form I-766 Employment Authorization Document (EAD) with the code C11</p>