

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, CA 95814



January 23, 2002

ALL-COUNTY INFORMATION NOTICE I-97-01

TO: ALL COUNTY WELFARE DIRECTORS
ALL FOOD STAMP COORDINATORS
ALL CalWORKs PROGRAM SPECIALISTS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order or Settlement Agreement
- Clarification Requested by One or More Counties
- Initiated by CDSS

SUBJECT: NONCITIZEN HOUSEHOLD OPTION TO WITHDRAW APPLICATION OR PARTICIPATE WITHOUT NONCITIZEN

REFERENCE: UNITED STATES DEPARTMENT OF AGRICULTURE - FOOD AND NUTRITION SERVICE (FNS) ADMINISTRATIVE NOTICE 00-66

The purpose of this notice is to address concerns regarding the lack of participation in the Food Stamp Program (FSP) by eligible persons in noncitizen families. The reason for this lack of participation may be due to the fact that noncitizens are wary about responding to questions on the application pertaining to disclosure of immigration status. We would like to remind counties that MPP 63-300.55(b)(6) specifies, "if the noncitizen does not wish to contact the Immigration and Naturalization Service (INS) or give permission for the County Welfare Department (CWD) to contact INS, the household shall be given the option of withdrawing its application or participating without that member." Counties should inform noncitizen applicants about this option early in the application process.

Noncitizen household members who have chosen to be excluded are not required to provide any information or fill out any forms regarding their immigration status. However, they are still required to provide information that affects the eligibility of the other household members. Their income and resources shall be treated as available to the household in accordance to MPP 63-503.442. Counties are to continue to follow normal procedures for obtaining and verifying this information.

Many noncitizens may also be concerned about the issue of "public charge" and fear that applying for or receiving food stamps may jeopardize their chances of becoming lawful permanent residents or lead to their deportation. It is important for counties to inform

noncitizens that participating in the FSP will not cause INS to consider them a “public charge” and will have no adverse impact on their immigration status.

The option for a noncitizen to choose to be excluded from the household applies only to nonassistance food stamp (NAFS) households and is not available in the California Work Opportunity and Responsibility to Kids (CalWORKs) Program. In addition, CalWORKs is a public benefit that will subject noncitizen recipients to the “public charge” rules.

Notice and Poster:

To assist county welfare offices with informing noncitizens of this option, we have created an informing notice, Temp 2198, and a poster, Pub 373. In addition to explaining the option, the notice and poster also inform noncitizens that the use of food stamps will not affect their immigration status or the immigration status of their family.

On May 23, 2001, we sent an e-mail asking counties about the number of posters and translations they required. However, due to budgetary constraints, we will be unable to fill any of those orders at this time. If counties would like to obtain a camera-ready copy of the attached informing notice or poster, they may do so by contacting the Forms Management Unit (FMU) at the number below. The notice and poster will also be available on the Internet as indicated below.

Translations and Camera-Ready Copies:

For camera-ready copies of English and Spanish notices or posters, please call the FMU at (916) 657-1907 or CALNET at 437-1907. Although the poster, Pub 373, was designed in color using blue and black ink, the camera-ready copy will produce only a black and white version. However, the color version of the poster can be downloaded from the Internet. The Temp 2198 notice will also be available on the Internet. You can obtain the notice and the poster from the California Department of Social Services’ (CDSS) web page at: <http://www.dss.cahwnet.gov>. For more details, please contact the FMU.

Your Forms Coordinator now receives all translations as soon as they become available, if your county is on the Language Translation Services (LTS) mailing list. All translated messages in Russian and Chinese versions of the notice will follow shortly. Please call LTS at (916) 675-3429 if your county does not receive the Russian and Chinese translations.

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Contacts:

If you have any questions regarding the above information, please contact Robert Marlow of the Food Stamp Policy Implementation Unit at (916) 654-1898. For questions relating to CalWORKs, please contact Terry Mallin of the CalWORKs Eligibility Bureau at (916) 653-8395.

Sincerely,

Original signed by:

GARY SWANSON, Chief
Food Stamp Branch

Enclosure

IMPORTANT FOOD STAMP INFORMATION FOR NONCITIZENS

- Using food stamps will not affect your immigration status or the immigration status of your family.
- You can still apply for food stamps for your family, without applying for yourself, if you do not want to tell us your immigration status. We will not share any information about you with the Immigration and Naturalization Service (INS).
- You will be asked to give us information to figure the eligibility and benefits for the other members of your household. This information will not be shared with INS.

INFORMACION IMPORTANTE ACERCA DE LAS ESTAMPILLAS PARA COMIDA PARA PERSONAS QUE NO SON CIUDADANAS

- El usar estampillas para comida no afectará su situación migratoria o la situación migratoria de su familia.
- Puede solicitar estampillas para comida para su familia sin solicitarlas para usted, si es que usted no quiere decirnos su situación migratoria. Nosotros no compartiremos ninguna información acerca de usted con el Servicio de Inmigración y Naturalización (INS).
- Se le pedirá que nos dé información para determinar la elegibilidad y beneficios para los otros miembros de su grupo para fines de estampillas para comida. Esta información no se compartirá con el INS.

若需本通知的翻譯本，請和你的工作人員聯絡。

(Chinese)

សំរាប់សេចក្តីបកប្រែនៃប្រកាសនេះ សូមជួបទាក់ទងទៅអ្នកកាន់សំណុំរឿងរបស់លោកអ្នក ។

(Cambodian)

Для перевода этого извещения обратитесь к работнику.

(Russian)

Để có bản dịch của thông báo này, xin liên lạc với nhân viên phụ trách hồ sơ của quý vị.

(Vietnamese)

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FOR MORE DETAILS ASK YOUR ELIGIBILITY WORKER

STATE OF CALIFORNIA, Gray Davis, Governor • HEALTH AND HUMAN SERVICES AGENCY, Grantland Johnson, Secretary • DEPARTMENT OF SOCIAL SERVICES, Rita Saenz, Director

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