

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



January 28, 1994

ALL-COUNTY INFORMATION NOTICE I-02-94

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

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

SUBJECT: AFDC POLICY REGARDING PUBLIC INTEREST PAROLEE/
HUMANITARIAN INTEREST PAROLEE

REFERENCES: ACL 89-78, dated August 25, 1989
ACIN I-75-90, dated September 25, 1990
MPP 43-119.123 Sponsored Alien - Definition

The purpose of this letter is to provide clarification to counties regarding the issue of whether parolees are exempt from the sponsored alien regulations.

There are two distinct categories for aliens paroled into the United States under Section 212(d)(5) of the Immigration and Nationality Act (INA): parolee and refugee. A person entering the United States under the "refugee" category is exempt from sponsorship per MPP 43-119.123. This regulation does not exempt a person entering the United States under the "parolee" category.

Per the Immigration and Naturalization Service (INS), not all parolees admitted under Section 212(d)(5) of the INA are required to have a sponsor. Therefore, each parolee should be handled on an individual basis to determine sponsorship. If an affidavit of support was completed as a condition of entry into the United States, then the sponsored alien provisions apply. If an affidavit of support was not required as a condition of entry into the United States, then they are exempt.

In the case of questionable sponsorship, a request can be sent through the Systematic Alien Verification for Entitlements (SAVE) system for validation. The sponsorship data can be obtained only through the secondary verification process. Inquiries should follow the normal secondary procedures with a specific request as to whether there is an affidavit of support on file for this person.

If you have any questions regarding this policy clarification, please call Pam Kian of the AFDC Policy Implementation Bureau at (916) 654-1801 or CALNET 464-1801.

Sincerely,

MICHAEL C. GENEST
Deputy Director