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STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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ARNOLD SCHWARZENEGGER
GOVERNOR

November 16, 2010

ALL COUNTY LETTER NO. 10-13

REASON FOR THIS TRANSMITTAL

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

TO: ALL COUNTY WELFARE DIRECTORS
ALL CALFRESH COORDINATORS
ALL CONSORTIUM PROJECT MANAGERS
ALL QUALITY CONTROL SPECIALISTS
ALL COUNTY REFUGEE HEALTH COORDINATORS
ALL CalWORKs PROGRAM SPECIALISTS

SUBJECT: ELIMINATION OF THE EIGHT-MONTH TIME LIMIT FOR AFGHAN AND IRAQI SPECIAL IMMIGRANTS

REFERENCES: SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) ADMINISTRATIVE NOTICE (AN) 10-15; AN 09-42; ALL COUNTY LETTER (ACL) 09-39, ACL 08-35; ACL 00-07; ACL 10-28; SECTION 207 OF THE IMMIGRATION AND NATIONALITY ACT (INA); DEPARTMENT OF DEFENSE APPROPRIATIONS ACT OF 2010, SECTION 8120, PUBLIC LAW (P.L.) 111-118

This letter provides information regarding the eligibility of Afghan and Iraqi Special Immigrants (SIs) and their eligible family members for federal SNAP benefits. New federal legislation supersedes prior legislative authority that limited SIs to refugee status and federal eligibility for an eight-month period. The Department of Defense Appropriations Act of 2010 (Section 8120, Public Law 111-118), enacted on December 19, 2009, extends benefits for Afghan and Iraqi SIs. Afghan and Iraqi SIs are now immediately and continuously eligible for SNAP benefits, and are treated as refugees under section 207 of the Immigration and Nationality Act (INA), provided that other program eligibility requirements are met. They are no longer subject to the eight-month federal limit. The change in policy is effective immediately upon receipt of this letter.

The new provision applies uniquely in each of the following four circumstances:

1. SI recipients whose eight-month period expired and who were not eligible for or transitioned to CFAP must reapply, and their benefits are not retroactive.
2. SI recipients who are currently in their eight-month certification period must be transitioned to federal CalFresh for their 12-month certification period.
3. SI recipients who are receiving CFAP benefits must be transitioned to federal CalFresh.
4. SI applicants or recipients who were denied, due to the expiration of their eligibility time period, on December 19, 2009 or thereafter should have their denials reconsidered to the extent they were otherwise eligible.

If you have questions concerning the content of this letter, please contact Sharon Campbell, Program Analyst, CalFresh Branch, at (916) 654-0737 or by e-mail at sharon.campbell@dss.ca.gov.

Sincerely,

Original Document Signed By:

CHARR LEE METSKER
Deputy Director
Welfare to Work Division