

CALFRESH (CF) PROGRAM REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:		5. DATE OF REQUEST:	NEED RESPONSE BY:
<input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:		9-12-12	9-19-12
2. REQUESTOR NAME: Margarita Cabral		6. COUNTY/ORGANIZATION: County of Ventura	
3. PHONE NO.: 805-477-5363		7. SUBJECT: Sponsor&Indigent Sponsored Noncitizen Name to USCIS	
4. REGULATION CITE(S): 63-503.492(d)(1)(C), 63-503.492(d)(1)(D), 63-504.442		8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACL11-06, ACIN I-92-08, ACIN I-102-10, ACIN I-65-11	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):			

ACL 11-06 states, under the section, Reporting Sponsors to USCIS, that the CWD must report the name of the sponsored non-citizen and, if provided, the address of the sponsor to USCIS. It does not clarify if the name of the sponsor must be reported or not.

Scenario: A CalFresh application is taken and a determination of indigence is completed prior to collecting information about the sponsor & sponsor's income. It is determined that a non-citizen is indigent, therefore there will be no sponsor deeming. The non-citizen is informed that we must report their indigence to USCIS. We inform the non-citizen of the option to opt out. The non-citizen does not want to opt out but also does not disclose the sponsors name.

Is it sufficient to send just the sponsored non-citizens information to USCIS, not the sponsors name? If not, is failure to provide the sponsors name reason to deny an application of an indigent sponsored non-citizen?

10. REQUESTOR'S PROPOSED ANSWER:
If you have information on the sponsored non-citizen's sponsor you should include it in the report to USCIS. In this situation you should report to USCIS that the non-citizen is indigent regardless of whether or not you obtain the sponsor's name as USCIS should have records indicating who the sponsor is. Failing to report the sponsors name is not sufficient reason to deny CalFresh to an indigent sponsored non-citizen.

11. STATE POLICY RESPONSE (CFPB USE ONLY):
It is not sufficient to send just the sponsored noncitizen's name to USCIS without the sponsor's name. If a noncitizen is deemed indigent, the name of the sponsor and the noncitizen must be sent to USCIS and if not then the noncitizen is ineligible. The noncitizen can opt out; however, it appears the individual chose not to opt out. ACIN I-65-11 transmitted the SNAP Guidance on Noncitizen Eligibility dated June 201. Refer to the questions and answers on pages 36, 41, and 50.

FOR CDSS USE

DATE RECEIVED: 09/12/12	DATE RESPONDED TO COUNTY/ALJ: 09/26/12
----------------------------	---

**CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION (Continued)**

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 9-12-12	NEED RESPONSE BY: 9-19-12
2. REQUESTOR NAME: Margarita Cabral	6. COUNTY/ORGANIZATION: Ventura County	
3. PHONE NO.: 805-477-5363	7. SUBJECT: Sponsor&Indigent Sponsored Noncitizen Name to USCIS	
4. REGULATION CITE(S): 63-503.492(d)(1)(C), 63-503.492(d)(1)(D), 63-503.442	8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACL11-06, ACIN I-92-08, ACIN I-102-10, ACIN I-65-11	