

FIELD OPERATIONS BUREAU

CalFresh Review Unit (CFRU)

TRANSMITTAL NUMBER: 12-06

December 20, 2012

**TO: All Food Assistance Action Committee (FAAC)
Members and Field Operations Bureau (FOB) staff**

**SUBJECT/PURPOSE: Guidance on Completion of Active Cases with Legal
Permanent Residents in the CalFresh Household**

**RELATED REFERENCE: FNS Handbook 310, Sections 822 and 1042,
ACL 11-06, 63-300.5(e)(8), ACIN I-65-11**

SUPERSEDES: None

EFFECTIVE DATE: Immediately

BACKGROUND:

The purpose of this transmittal is to remind staff of the verification requirements when the case review consists of members who are legal permanent residents (LPR). FNS is concerned that the QC reviewer is not following the verification requirements that are listed in the FNS Handbook 310 when making a determination of whether or not the LPR is sponsored.

INSTRUCTIONS:

The reviewer must determine if an LPR who has fulfilled the five year waiting period is sponsored. According to the SNAP Guidance on Noncitizen Eligibility Guide (ACIN I-65-11), the sponsor deeming regulations are only applicable to certain LPRs.

The LPRs that are **not** affected by the deeming requirements are:

- sponsored non-citizen children;
- non-citizens without sponsors;
- non-citizens whose sponsor has not signed a legally binding affidavit of support;
- domestic violence survivors;
- indigent LPRs, sponsor(s) that reside in the **same CALFRESH household** as the LPR;
- the sponsored non-citizen who becomes a naturalized citizen prior to the sample month;
- LPRs who can be credited with 40 qualifying quarters of work; and
- the sponsor dies prior to the sample month.

In Section 1042 of FNS Handbook 310, the QC reviewer is required to first determine that the LPR member is sponsored, verify who sponsored the member, and if deeming is applicable. Your documentation must clearly show the steps in fulfilling these requirements.

A Systematic Alien Verification for Entitlement (SAVE) is required for all non-citizen aided members. If the non-citizen member has opted out, verification of legal status is not required. If the case record does not provide the required verification you must either have the LPR member provide the verification, or obtain the information from the United States Citizenship and Immigration Services (USCIS).

Many reviewers use the G-845 Document Verification Request Supplement (Attachment A). This verification will provide the non-citizen member's legal permanent resident status and also provide sponsorship information. For your use, the link is <http://www.uscis.gov/files/form/g-845sup.pdf>

If the case record shows LPR member is sponsored and considered indigent, there must be documentation in the case file to show how the eligibility worker (EW) reached that determination. If QC determines that the LPR meets the indigent criteria based on ACL 11-06, the QC reviewer must also provide verification and document how they came to the conclusion.

Your narrations for Elements 130 (Non-Citizen Status) and 343 (Deemed Income) must clearly support the verification requirements for these elements.

INQUIRIES: **Nicole Matsuura,**
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Original signed by Marlene Fleming
MARLENE FLEMING, Chief
Field Operations Bureau

ATTACHMENT A

OMB No. 1615-0101; Expires 01/31/2015

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form G-845 Supplement, Document
Verification Request Supplement

Section A. To Be Completed by Registered Agency Only

To: U.S. Citizenship and Immigration Services (USCIS)
Attn.: USCIS SAVE Program Status Verification Office

5. Name of Agency Official

6. Telephone Number (include area code)

() -

7. Date (mm/dd/yyyy): ▶

From: Type or Stamp Name and Address of Registered Agency

8. Check the box(es) corresponding to the information your agency requests:

- a. Immigration Status
- b. Citizenship Status
- c. Special Benefit Provision for Certain Victims of Abuse
- d. Affidavit of Support

Print clearly since USCIS may use above agency address with a No. 10 window envelope.

NOTE: A completed Form G-845 Supplement must be used with a completed Form G-845 to request verification - it may not be used alone. The information on this form concerns eligibility for Federal, State, and local public benefits under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, P.L. 104-193.

For SSA Use Only:

- USCIS to verify Cuban/Haitians Entrants by filling out Section C.
- SSA-8510 attached (To be used only for applicants with proceedings pending with EOIR).
- RSDI Claim: USCIS complete Items B. 4(a) and (b).
- Status of this applicant as of 8/22/1996 is required USCIS to complete Item C. 1.

1. Immigration Document Number

Alien Registration Number (A-Number):

▶ A-

I-94 (Arrival-Departure Record) Number:

▶

Other immigration number (if A-Number/I-94 Number is not available):

Identify document containing the other immigration number:

2. Applicant's name as shown on the immigration document (Last, First, Middle)

3. Date of Birth (mm/dd/yyyy): ▶

4. Social Security Number:

USCIS Stamp



Section A. To Be Completed by Registered Agency Only (continued)

Registered Agency Comments

Empty box for Registered Agency Comments.

Section B. To Be Completed by USCIS

USCIS Responses: After review of the documents and/or information submitted, and/or our records, we find that the document appears valid and relates to a/an:

I. Current Immigration Status (Check all that apply):

- a. Lawful Permanent Resident (LPR) alien of the United States. Requesting agency must choose the date that they need to make their benefit determination (check only one):
 - Effective Date of LPR status/rollback date: _____ (mm/dd/yyyy)
 - Date Adjustment to LPR approved: _____ (mm/dd/yyyy)
 - Date Form I-485 Application Approved: _____ (mm/dd/yyyy)

(If alien adjusted to LPR status from status in the past 7 years, complete b, c, d, g, h, i, or j below.)

- b. Refugee admitted to the United States under section 207 of the Immigration and Nationality Act (INA).
Date of admission as refugee: _____ (mm/dd/yyyy)
- c. Asylee under section 208 of the INA. Date asylum granted: _____ (mm/dd/yyyy)
- d. Alien whose deportation has been withheld under section 243(h) of the INA (as in effect prior to April 1, 1997) or whose removal has been withheld under section 241(b)(3).
Date deportation or removal ordered withheld: _____ (mm/dd/yyyy)



Section B. To Be Completed by USCIS (continued)

- e. Alien paroled into the United States under section 212(d)(5) of the INA for a period of at least 1 year.
Date parole granted: _____ (mm/dd/yyyy) Date parole expires: _____ (mm/dd/yyyy)
- f. Conditional entrant under section 203(a)(7) of the INA prior to April 1, 1980.
Date status granted: _____ (mm/dd/yyyy)
- g. American Indian born in Canada to whom the provisions of section 289 of the INA apply.
Date status recognized: _____ (mm/dd/yyyy)
- h. Alien paroled into the United States as a Cuban/Haitian entrant, as defined in section 501(e) of the Refugee Education Assistance Act of 1980. Date of parole/entry: _____ (mm/dd/yyyy)
- i. Amerasian immigrant under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988. Date of entry: _____ (mm/dd/yyyy)
- j. Alien classified as an Iraqi/Afghan special immigrant admitted under section 101(a)(27) of the INA.
Date of entry: _____ (mm/dd/yyyy) Date status granted: _____ (mm/dd/yyyy)
Class of Admission (COA): _____
- k. Other (indicate status): _____
Date status granted: _____ (mm/dd/yyyy) COA (if applicable): _____

2. Citizenship Status: U.S. Citizen.

Only for SSA RSDI Claims, SSA to fill in requested dates.

Status from: _____ (mm/dd/yyyy) To: _____ (mm/dd/yyyy)

Response: _____

3. Special Benefit Provision for Certain Victims of Abuse:

- a. Alien obtained lawful permanent (or conditional) resident status as the spouse, child, or widow(er) of a U.S. citizen.
Date status granted: _____ (mm/dd/yyyy)
- b. Alien obtained lawful permanent (or conditional) resident status as the spouse, child, or unmarried son or daughter of a lawful permanent resident alien.
Date status granted: _____ (mm/dd/yyyy)
- c. Alien did not obtain status as described in 3(a) or 3(b) above.



4. Affidavit of Support:

- a. Alien was sponsored on Form I-864, Affidavit of Support, under section 213A of the INA.

Service receipt date: _____ (mm/dd/yyyy)

Name of Sponsor:

Family Name (Last Name)

Given Name (First Name)

Middle Name

Sponsor's Social Security Number:

Sponsor's Street Address:

Name of Joint Sponsor:

Family Name (Last Name)

Given Name (First Name)

Middle Name

Joint Sponsor's Social Security Number:

Joint Sponsor's Street Address:

- b. Alien was **not** sponsored on Form I-864.

- See attached for information on additional joint sponsor(s).

Section C. To Be Completed by USCIS for SSA

USCIS Responses: After review of the documents and/or information submitted, and/or our records, we find that the document appears valid and relates to:

- 1. Immigration Status of alien as of 8/22/1996:**
(enter status as of this date or "not applicable" as appropriate)

Status at Entry: _____ COA: _____

- 2. Immigration Status of Cuban/Haitian nationals:**

- a. Is the Alien a Cuban or Haitian national? (Select only one) Yes No If not C/H, **STOP**

- b. Alien paroled into the United States as a Cuban/Haitian entrant (status pending) as defined in section 501 (e) of the Refugee Education Assistance Act of 1980, on or after 04/21/1980 (Category 1A), or a Cuban Haitian entrant paroled on or after October 10, 1980 (Category 1B).

SSA to fill in requested dates Status from: _____ (mm/dd/yyyy) to: _____ (mm/dd/yyyy)

Response: _____



Section C. To Be Completed by USCIS for SSA (Continued)

c. Alien paroled into the United States who has not acquired any other status under the INA. (Category 2A)
SSA to fill in requested dates Status from: _____ (mm/dd/yyyy) to: _____ (mm/dd/yyyy)
Response: _____

d. Alien paroled into the United States in the custody of Federal, State, or local enforcement authorities for law enforcement purposes.
Date of entry: _____ (mm/dd/yyyy)

e.1. Alien whose asylum application filed under section 208 of the INA is pending with DHS. (Category 2C)
Date asylum application filed: _____ (mm/dd/yyyy)

e.2. Alien whose asylum application filed under section 208 of the INA is pending with EOIR. (Category 2B)
(*SSA attach Form SSA-8510*) Date asylum application referred to EOIR: _____ (mm/dd/yyyy)

f. Alien paroled into the United States who is the subject of removal proceedings under the INA but has no final order. (Category 2B)
Date alien placed into proceedings: _____ (mm/dd/yyyy)

g. Person does not meet any of the categories described above.

3. Removal Proceedings:

a. Alien is subject to an order of removal which is final, non-appealable, and legally enforceable.
Date order became final: _____ (mm/dd/yyyy)

b. Alien is subject to an order of supervision after an order of removal.
Date of order: _____ (mm/dd/yyyy)

c. Alien is NOT subject to an order of removal which is final, non-appealable, and legally enforceable.

4. Adjusted to Lawful Permanent Resident

a. Cuban or Haitian entrant who adjusted to LPR status under:
 NACARA HRIFA IRCA of 1986 CAA of 1966

Date Form I-485 was approved: _____ (mm/dd/yyyy) COA: _____

b. Alien is NOT an LPR or adjusted under a different section of law.



Section D. USCIS Comments

Comments:

[Empty comment box]

