

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



December 24, 1981

ALL-COUNTY INFORMATION NOTICE I-156-81

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: REVISED FOOD STAMP REGULATIONS: VERIFICATION OF ALIEN STATUS

REFERENCE:

The Food Stamp Program has revised the State Food Stamp regulations concerning verification of eligible alien status. These revised regulations which require verification of eligible alien status prior to certification were filed with the Secretary of State November 25, 1981 and will become effective January 1, 1982. The purpose of this letter is to inform you of the program changes and to give you information necessary for implementation.

The implementation schedule as required in the new regulations is as follows:

1. Beginning January 1, 1982 the CWD shall apply these revised provisions to all new applications. Thus, no alien applicant will receive food stamp benefits prior to the CWD's receipt of proper INS documentation or verification of the alien's eligible status.
2. Currently certified households shall be converted by the time of recertification. This provision allows the counties the option of converting currently certified households anytime the casefile is handled or through a desk review; however, it requires that the conversion be accomplished no later than the time of recertification. This provision also permits counties to apply the requirements of these revised regulations to currently certified households whose recertification applications are being processed for a January 1982 effective date.

If application or recertification is made during December 1981 by an otherwise eligible household containing one or more undocumented aliens, the CWD shall consider that there is a substantial likelihood that a significant change in household status will occur (see MPP 63-504.133). Such households shall be given a one month certification period and shall be converted to the new alien verification provisions at recertification.

The CWD shall, at the time of conversion, review the casefile to determine alien eligibility. Aliens shall retain eligibility if the casefile contains either an EW's annotation that acceptable INS documentation has been viewed or an INS completed CA 6 verifying eligible alien status. Eligible alien status verified by INS on any CA 6 other than the January 1982 version shall continue to be considered valid. However, if the alien provides any information that a change in his/her alien status has occurred, new documentation or verification is required. If the casefile contains no information regarding alien status or a CA 6 with a self-declaration statement but no INS verification, benefits shall be terminated for that alien whose eligible status is in question. When such actions are taken, a timely and adequate Notice of Action (DFA 377.1) must be sent to the household.

The major food stamp program changes are:

1. Elimination of self-declaration of eligible alien status.

The alien will no longer be able to provide verification of his/her alien status by signing the self-declaration statement contained on the CA 6 "Alien Status Verification" Form. Thus, an alien will be ineligible to participate in the Food Stamp Program until the CWD receives Immigration and Naturalization Service (INS) documentation or verification of his/her eligible status. If verification is not received within 30 days of the date of application, the CWD shall deny the application of a household comprised of all undocumented aliens, or for households not totally comprised of undocumented aliens, the CWD must consider the undocumented alien(s) ineligible and a nonhousehold member(s) and determine the eligibility of the remaining household members.

2. Use of the CA 6 "Alien Status Verification" Form.

The CA 6 will be used by the CWD to assist the alien in obtaining INS verification of his/her alien status. It is the alien's decision whether to sign the CA 6 authorizing the CWD to contact INS for verification or to personally obtain the required documentation. The CA 6 is to be used only when the alien has no INS documentation or the documentation is unacceptable, and chooses to sign a CA 6 authorizing the CWD to request verification from INS. For further information concerning the use of the CA 6 (2/82) see All County Letter 81-116.

3. Notification of the applicant that verification of eligible alien status has been received.

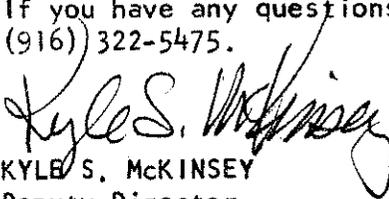
The revised regulations provide that all-alien households denied benefits because of missing alien verification shall be notified when the required verification is received. Such notice shall be given within 30 days of the CWD's receipt of the verification. Notification shall be made by using the "other" box on the DFA 377.1, (Notice of Action), and shall inform the household that the CWD has received verification of eligible alien status, and the household may reapply if it so wishes. If the household reapplies, the application shall be accepted and certified in the same manner as any new application.

There is no change in the procedure to be followed when the CWD receives verification of eligible alien status for an alien who has been considered a nonhousehold member of a participating household. In this situation the CWD shall continue to treat the information received in the same manner as any reported change in household membership.

Definitions which will assist you in determining what constitutes acceptable documentation or verification are:

1. Proper INS documentation - - the actual INS document or a court order stating that deportation has been withheld pursuant to Section 243 (h) of the Immigration and Nationality Act.
2. Verification of Alien Status - - the CWD receipt of a completed CA 6 from INS or the above documentation.

If you have any questions, contact your Food Stamp Program Consultant at (916) 322-5475.


KYLE S. MCKINSEY
Deputy Director

cc: CWDA