



CDSS

WILL LIGHTBOURNE  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**

744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



EDMUND G. BROWN JR.  
GOVERNOR

REASON FOR THIS TRANSMITTAL

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

December 6, 2016

ALL- COUNTY INFORMATION NOTICE (ACIN) NO. I-86-16

TO: ALL COUNTY WELFARE DIRECTORS  
ALL CALFRESH PROGRAM SPECIALISTS  
ALL CALWORKS PROGRAM SPECIALISTS  
ALL CONSORTIUM PROJECT MANAGERS  
ALL QUALITY CONTROL SPECIALISTS

SUBJECT: PUBLIC CHARGE AND CALFRESH

REFERENCE: UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES (USCIS) FACT SHEETS, [APRIL 29, 2011](#); [USCIS FEBRUARY 9, 2010 LETTER FROM DISTRICT DIRECTOR JANE ARELLANO](#); [UNITED STATES DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE, SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM GUIDANCE ON NONCITIZEN ELIGIBILITY, DATED JUNE 2011](#); [ALL-COUNTY INFORMATION NOTICE NO. I-16-10, DATED JUNE 8, 2010](#)

The purpose of this ACIN is to transmit a letter from the United States Citizenship and Immigration Services (USCIS) District Director Jane Arellano, dated February 9, 2010, assuring low-income immigrants that receipt of CalFresh nutrition benefits, or other programs that do not give cash, will not impact their immigration status. The letter is being shared now to inform and further support efforts by counties and their community partners to enroll eligible people in CalFresh.

The letter reaffirms that CalFresh is a nutrition benefit. It is not a cash benefit for income maintenance purposes and thus will not be considered by immigration officials as part of a “public charge” determination. Additionally, the letter clarifies that applying for and receiving CalFresh does not impact a recipient’s application to become, or existing status as, a lawful permanent resident. Lastly, the letter reminds noncitizens that the only time a USCIS officer can ask about a noncitizen’s use of CalFresh is when the interviewing officer suspects that benefits were used illegally or acquired in a fraudulent manner.

The attached letter may be used as-is or serve as the basis for outreach materials. This information can also be shared with noncitizen households at application and recertification to help alleviate concerns and misunderstanding about how benefits like CalFresh may affect their immigration status.

The USCIS letter is available in both English and Spanish at the following link:  
<http://www.cdss.ca.gov/calfreshoutreach/PG3303.htm>.

The following documents were updated to include a link to the USCIS letter:

- [Worried About Immigration and Public Charge Issues?](#)
- [Resources on Immigration and Public Charge](#)
- [People with Immigrant, Refugee and Asylee Status](#)

Questions regarding outreach can be sent to the CDSS CalFresh Outreach Team at [CalFreshAccess@dss.ca.gov](mailto:CalFreshAccess@dss.ca.gov). If you have questions concerning this letter, please contact your county consultant or the CalFresh Branch at (916) 651-8047.

Sincerely,

***Original Document Signed By:***

KIM MCCOY WADE, Chief  
CalFresh Branch

Attachment

U.S. Department of Homeland Security  
Office of the District Director  
300 North Los Angeles Street  
Los Angeles, CA 90012



U.S. Citizenship  
and Immigration  
Services

February 9, 2010

Attention: Low-Income Immigrants  
Subject: Food Stamps Will Not Affect Potential Applicants for USCIS Benefits

Dear Customers:

The U.S. Government wants to ensure that you receive food assistance if you are eligible under the Food Stamp Program. This nutrition program of the United States Department of Agriculture is meant to assure the health and well-being of you and your family.

Many immigrants have fears or misunderstanding about how services like Food Stamps may affect their immigration status.

As a District Director of U.S. Citizenship and Immigration Services (USCIS), which is formerly known as INS, I want to assure you that applying for and receiving food stamps will have no impact on your application to become, or your status as, a permanent resident.

When you are applying to become a permanent resident, you are not considered a "public charge" if you are using food programs, such as Food Stamps, WIC and school meals, health care benefits or other programs that do not give cash.

USCIS officers will not ask you if you receive non-cash benefits as those listed above. The only time USCIS officers can ask about an immigrant's use of food stamps is when the interviewing officer suspects that benefits were used illegally or acquired in a fraudulent manner.

We want to encourage you to access Food Stamps and assistance programs for which you may be eligible without fear of their affect on your immigration status.

Sincerely,

A handwritten signature in cursive script that reads "Jane E. Arellano".

Jane E. Arellano  
District Director  
District 23