

County of San Diego, Health and Human Services Agency (HHS) CalWORKs Program Guide

Citizenship

Number

42-400.C

Page

1 of 3

Revision Date:

March 1, 2021

Background:

Only citizens of the United States (U.S.) and certain categories of noncitizens are eligible for CalWORKs. All CalWORKs customers must provide information to determine their citizenship/non-citizen status.

Purpose:

This section has been revised due to the sunset review and to consolidate citizenship policy sections. CalWORKs Program Guide (CPG) section 42-400.D Aid Pending Citizenship Verifications has been incorporated into this section and has been replaced with the Eligible Noncitizen Status section.

Policy:

Citizenship Regulation

A U.S. citizen must prove their citizenship to be eligible for CalWORKs. Citizenship verification must be provided at application and when adding a person to an existing Assistance Unit (AU).

A customer refusing to cooperate in providing documentation or assisting in the verification of their citizenship status is ineligible to receive CalWORKs.

Citizenship Criteria

The following customers are citizens and meet the citizenship requirement:

- Persons born in the U.S.
- Persons born in the following U.S. Territories:
 - American Samoa
 - Guam
 - Northern Marianas Islands
 - Puerto Rico
 - Swains Island
 - Virgin Islands
- Persons who are naturalized U.S. citizens
- Persons whose U.S. citizenship status is derived from the citizenship of another person

Primary Citizenship Document

U.S. citizenship must be verified by one of the following primary citizenship documents:

- U.S. birth certificate or similar proof of birth in the U.S. or U.S. territory
- Hospital birth certificate (with or without the physician's signature), if the date and place of the person's U.S. birth appear on the certificate - Follow-up with a request of an original birth certificate for out of county births when the certificate is without the physician's signature
- U.S. passport
- U.S. Citizenship and Immigration Services (USCIS) Certificate of Citizenship (N-560A, N560AB, or N-561)
- USCIS Certificate of Naturalization (N-550, N-570, or N-578)
- U.S. Citizen Identification Card for a resident citizen (I-179 or I-197)

County of San Diego, Health and Human Services Agency (HHS) CalWORKs Program Guide

Citizenship

Number

42-400.C

Page

2 of 3

Secondary Citizenship Document

Customers unable to provide any of the above may submit other evidence verifying U.S. citizenship. This evidence must verify the date and place of the person's U.S. birth:

- Baptismal certificate or church record of baptism
- Confirmation papers or church record of confirmation
- School records (if the school requires proof of birth before the child is enrolled - The Family Resource Center manager must approve this verification)
- Indian agency records
- Adoption decrees (if the birth in the U.S. or U.S Territory is shown)
- U.S. military discharge forms
- Marriage certificates

Other Available Citizenship Documents

A foreign birth certificate that has been registered with the American Consulate in a foreign country, can verify citizenship only when the document contains the following:

- A written statement confirming U.S. citizenship
- The signature of an officer in the U.S. Consulate
- The stamp of the U.S. Consulate

Note: Customers holding these registered foreign birth certificates are usually issued U.S. passports, or are included in the parent's U.S. passport

As a last resort, a sworn statement or Declarations of U.S. Citizenship can be used. This affidavit must be completed under penalty of perjury by two U.S. citizens, age 18 or older and not in the AU, with direct knowledge of any of the following:

- The date and place of the customer's birth in the U.S.
- The U.S. citizenship of the customer's parents
- Facts concerning the customer, which would not exist if they were not a U.S. citizen

Aid is to be granted at the time of application, if otherwise eligible, to customers who have provided affidavits.

Lack of Citizenship Document

An otherwise eligible customer, claiming to be a U.S. citizen, who is unable to provide verification may receive aid, in the absence of any conflicting evidence, for a period up to 90 days after the date of application, pending verification of their citizenship status.

Note: If the customer claims to be a U.S. citizen but provided conflicting evidence of declared citizenship such as a foreign passport or foreign birth certificate, aid will not be authorized until citizenship verification is received.

The customer will need to submit verification within 90 days. Failure to do so will result in ineligibility. The customer's explanation for lack of such evidence must be documented in case comments. An extension may be allowed to obtain the documentation. The extension of time will be specific to the situation, but in no event will extend beyond the next annual redetermination date. At that time, if no

**County of San Diego, Health and Human Services Agency (HHS) (HSA)
CalWORKs Program Guide**

Citizenship

Number

42-400.C

Page

3 of 3

satisfactory proof of citizenship has been obtained, the customer's aid will be terminated.

Aid may also be terminated during the 90 days period if:

- The customer refuses to cooperate in determining their citizenship
- The county verifies that the customer is not a U.S. citizen

Unacceptable Citizenship Document

- Foreign birth certificates not registered with the American Consulate
- Foreign birth certificates stamped by USCIS
(USCIS border agents used to stamp the Mexican birth certificates of children legally entering the U.S. when both parents claimed to be U.S. citizens. This procedure did not provide the children with U.S. citizenship; parents were advised to apply for citizenship at the USCIS office as soon as possible)

Procedure:

Processing Guide 40-100.E.5 Birth Certificate Request, In-Person Identity Verification and Third Party Payment Process

References:

EAS 42-430, 42-433

Sunset Date:

This policy will be reviewed for continuance by February 29, 2024.

Approval for Release:



Rick Wanne, Director
Self-Sufficiency Services