

**County of San Diego, Health and Human Services Agency (HHSA)
CalFresh Program Guide**

Citizenship Status and Eligibility for CalFresh

Number

63-153

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Revision Date

12/01/2019

Background:

CalFresh participation is limited to individuals who are either United States (U.S.) citizens or eligible noncitizens. Eligible household members can get CalFresh benefits even if other members are not eligible due to citizenship status. This revision is updating the section to the new format. There are no legislative updates being made to this section.

Purpose:

This section describes the citizenship requirements for the CalFresh program.

Policy:

63-153.1 Eligibility to The Federal Supplemental Nutrition Assistance Program (SNAP) (Known in California as CalFresh):

Only the following persons are eligible to the CalFresh:

- A U.S. citizen;
- A Naturalized U.S. citizen;
- A “qualified noncitizen”;
- An individual who is:
 - An American Indian born in Canada who possesses at least 50 per centum of blood of the American Indian race to whom the provisions of section 289 of the Immigration and Nationality Act (INA) (8 U.S.C. 1359) apply; or
 - A member of an Indian tribe as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)); or
 - Lawfully residing in the U.S. and was a member of a Hmong or Highland Laotian tribe at the time that the tribe rendered assistance to U.S. personnel. This includes:
 - The spouse, or surviving spouse of the Hmong or Highland Laotian individual, or
 - An unmarried dependent child under the age of 18 or if a full-time student under the age of 22; or
 - An unmarried child under the age of 18 or if a full-time student under the age of 22 of a deceased Hmong or Highland Laotian, provided the child was dependent upon him or her at the time of his or her death; or
 - An unmarried disabled child age 18 or older if the child was disabled and dependent on the person prior to the child's 18th birthday

63-153.2 Noncitizen’s Eligibility:

A noncitizen must be a “qualified noncitizen” and must meet one of the “Conditions of Eligibility for Qualified Noncitizens”, to be eligible to participate in the federal CalFresh program (Refer to 63-154).

Noncitizens who are not eligible for federal CalFresh benefits, based solely on their immigration status, are eligible for the California Food Assistance Program (CFAP) if their legal status can be verified.

63-153.3 Citizenship Status:

To be considered a U.S. citizen, the applicant must:

- Have been born in:
 - One of the 50 states,
 - The District of Columbia,
 - Puerto Rico,

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- Guam,
 - The Virgin Islands, or
 - Be a naturalized citizen, or
 - Have Acquired Citizenship (children born abroad to a U.S. citizen parent), or
 - Have Derivative Citizenship
- Derivative citizenship is conveyed to children (under 18) through:
- The naturalization of parents, or
 - To spouses of citizens at or during marriage, or
 - To foreign-born children adopted by U.S. citizen parents, provided certain conditions are met
 - Once a child is 18, they must obtain status as an adult to the extent they haven't already derived citizenship through their parents
- Citizens of American Samoa, Swain's Island or Northern Mariana Islands who are residing in the U.S. are considered to have met the U.S. citizenship eligibility requirements

63-153.4 Verification of Citizenship:

Unless questionable, the applicant's statement on the application form should be sufficient verification of citizenship. Refer to 63-117 for acceptable verification of citizenship.

The applicant's statement regarding citizenship is considered questionable when the claim of citizenship is:

- Inconsistent with statements made by the applicant or with other information on the application or previous applications
- Inconsistent with information received by another source

Other Program Impacts

None

References:

MPP 63-405

Sunset Date:

This policy will be reviewed for continuance on or by 11/30/2022.

Approval for Release:



RICK WANNE, Director
Eligibility Operations