



California Food Assistance Program (CFAP) and AB 1049 Frequently Asked Questions (FAQ)

1. What is the California Food Assistance Program (CFAP)?

The State of California provides state-funded food assistance through the [California Food Assistance Program](#) (CFAP) for immigrants with “qualifying immigration statuses” who do not qualify for federal benefits (i.e., CalFresh). Aside from being state-funded rather than federally-funded, CFAP benefits are the same as CalFresh. CFAP benefits are issued through the same Electronic Benefits Transfer (EBT) card, which can be used to buy groceries.

2. Who is eligible for CFAP now?

Today, CFAP serves about 55,000 “qualified” immigrants who lost federal SNAP eligibility due to federal welfare reform legislation in 1996.¹ Most of these people are lawful permanent residents (green card holders) of less than 5 years. Current CFAP participants may also be lawful temporary residents, victims of trafficking, U visa/interim relief applicants, or U visa holders.

CFAP General Information FAQ

3. Who is currently excluded from CFAP?

Currently excluded from CFAP are undocumented immigrants, Temporary Protected Status (TPS) holders, Deferred Action for Childhood Arrivals (DACA) recipients, Immigrant and non-immigrant Visa holders, Non-immigrants who are out of status, and Parolees who are ineligible for CalFresh.²

Recently, federal actions under H.R. 1 created new exclusions for many previously eligible categories of lawfully present immigrants from CalFresh (Supplemental Nutrition Assistance Program or SNAP), including refugees, asylees, trafficking survivors, survivors of domestic violence with pending petitions, and individuals granted humanitarian parole. According to the California Department of Social Services (CDSS), these changes currently effective April 1, 2026 will take CalFresh benefits away from nearly 72,000 Californians. These cuts will also reduce benefits for mixed-status households

¹ This number is cited in a report from the Legislative Analyst’s Office in January 2025, produced at the request of Senator Melissa Hurtado.

² <https://www.cdss.ca.gov/Portals/9/Additional-Resources/Letters-and-Notices/ACLs/2023/23-57.pdf?ver=2023-06-29-134830-473>

that include U.S. citizens. Humanitarian immigrants who will be excluded from CalFresh under H.R. 1 are not currently eligible for CFAP.

4. Will CFAP benefits affect immigration status or opportunities?

No. CalFresh, CFAP, or any food benefit is not considered for public charge determinations. Applying for or receiving benefits from these programs will not impact your immigration status.

For more, see the [USCIS Statement](#) on current policy and the [CalHHS public charge guide](#).

5. What are the latest updates to the public charge regulation and how does this impact the California Food Assistance Program?

On November 17, 2025, the Department of Homeland Security (DHS), U.S. Citizenship & Immigration Services (USCIS) proposed to rescind the 2022 Biden Administration Public Charge rule that went into effect on December 23, 2022 (“the 2022 Rule”).

The proposed rule:

- **Provides no limits on what public benefits can be considered**
- Suggests that, if the rule is finalized, the Administration will consider **any past or current receipt of any type of means-tested benefits received or applied for** by noncitizens, at any time and for any duration, as relevant to the public charge determination, and
- Suggests that **receipt of benefits by family members may be taken into account**.

Most immigrants who are subject to public charge are not eligible for public benefits considered under current regulations, but they may have family members, including U.S. citizen children, who are. Without clear guidance on what benefits and whose use of benefits will be considered, families will forgo seeking critical assistance.

There is no clear answer currently regarding whether the agency will consider the use of benefits even prior to publication of a final rule, but the chilling effect of the proposed rule is both predictable and consequential. The result will be increased poverty, children going hungry or unsheltered, and delayed or foregone medical care, with lasting negative effects on their health and well-being.

Most of the CFAP-eligible population today are lawful permanent residents/green-card holders who are not subject to the public charge test, but

they may choose to avoid discontinuing benefits to mitigate perceived threats to the safety of themselves or their family members. In light of the increasing stigmatization of immigrants utilizing services, reducing administrative barriers such as sponsor deeming is a necessary measure to alleviate the climate of fear and misinformation that results from changes to public charge.

6. How do eligible populations apply for monthly food benefits through the California Food Assistance Program (CFAP)?

CFAP and CalFresh use the same application and enrollment process. People would apply for benefits by submitting a CalFresh application online, by phone, in person, or through an application assister.

7. What are the eligibility criteria for participation?

Eligibility criteria (e.g., income limits) for CFAP and CalFresh are identical, except that the expansion of CFAP would remove restrictions based on immigration status. See [CalFresh eligibility](#) (CDSS).

8. Who/what entities administer CFAP and CalFresh?

County Welfare Departments administer CFAP and CalFresh in collaboration with the California Department of Social Services (CDSS).

Sponsor Deeming under CFAP & AB 1049 FAQ

9. What is *sponsor deeming*?

“Sponsor deeming” is the process where the income and resources of an immigrant’s sponsor are “deemed” as available to the immigrant when they apply for certain government benefits, including CalFresh and CFAP. In other words, a portion of the income and resources of that sponsor (and their spouse) are counted toward the household income of the immigrant to determine eligibility for benefits. This means that an immigrant's eligibility for food benefits may be affected even if the immigrant themselves has little or no income even if the sponsor fails to provide any form of financial support. Similarly, sponsor deeming may result in a lower amount of benefits for the household.

For more information about sponsor deeming, please see the below resources:

- [FAQ](#) by the National Immigration Law Center
- [Deeming Rules in California](#) by the National Immigration Law Center
- [Santa Clara County’s CalFresh Handbook](#) on Sponsored Deeming in CalFresh

10. Who is currently impacted by sponsor deeming?

Most immigrants who apply for a green card through a family member must have a sponsor who files an “Affidavit of Support” on their behalf, unless they have credit for 40 quarters of work history in the U.S. Because many individuals who qualify for CFAP are green card holders who are excluded from CalFresh due to the federal five-year bar, sponsor deeming creates a significant barrier for individuals eligible for CFAP. In addition, sponsor deeming discourages immigrants, including those in mixed-status households, from seeking help through CFAP, even when they need it, due to fears of financial repercussions for their sponsors.

Today, CFAP serves about 63,000 individuals and would reach more households if sponsor deeming requirements were removed. It is unclear exactly how many individuals or households would be impacted by AB1049 because data on how many current CFAP households have sponsors is currently unavailable.

11. What is the cost of removing *sponsor deeming* from CFAP?

The cost of implementing AB1049 is currently unclear but is estimated to be low. Implementation would require updated guidance from the CDSS to County Welfare Departments (CWDs) to guide the development of new procedures; however, these procedures would include removing a complicated verification process which would simplify and streamline eligibility determinations, ideally lowering costs over time due to lowered administrative burden.

CDSS has raised concerns about potential costs for implementing AB 1049 due to the complexity of the current eligibility determination process for immigrants. In consultation with legal experts on immigration and public benefits law, we are working to resolve this concern with CDSS to clarify that AB1049 would actually simplify the process, rather than complicate it. We will work with the Department and legal services to ensure that immigrants do not face additional barriers to seeking food benefits.