

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

October 7, 1994

ALL COUNTY LETTER NO. 94-85

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: FOOD STAMP REQUIREMENTS ON INDIAN RESERVATIONS: PUBLIC LAW 103-225.

REFERENCES: ACL 93-45, DATED JUNE 25, 1993

Reason for this Transmittal	
<input type="checkbox"/>	State Law Change
<input checked="" type="checkbox"/>	Federal Law Change
<input type="checkbox"/>	Court Order or Settlement Agreement
<input type="checkbox"/>	Clarification Requested by One or More Counties
<input type="checkbox"/>	Initiated by CDSS



The purpose of this letter is (1) to notify County Welfare Departments (CWDs) that they must inform all Indian Tribal Organizations (ITOs) of their option to request staggered issuance, and (2) to remind CWDs of the prohibition against monthly reporting and retrospective budgeting for Food Stamp households residing on Indian reservations.

Section 102 of the Food Stamp Program Improvements Act of 1994 mandates the staggered issuance of benefits (coupons or authorization documents) for eligible households located on Indian reservations for at least 15 days upon the request of the ITO that exercises governmental jurisdiction over the reservation. If benefits are issued on or after the 20th day of the issuance month, validity periods must be extended for a period of at least 20 days or until the end of the next issuance month, as specified in Food Stamp Manual Section (M.S.) 63-602.312. P.L. 103-225 was effective upon enactment (March 25, 1994).

In order to comply with this requirement, CWDs must inform the ITOs of this option as soon as possible, but no later than October 31, 1994. In addition, the CWDs must implement staggered issuance upon the ITOs request as soon as administratively feasible, but no later than 90 days after the request is received.

Section 101 of P.L. 103-225 upholds the provision that exempts households residing on Indian reservations from monthly reporting and retrospective budgeting. The California Department of Social Services implemented this provision in M.S. 63-505.215 effective January 31, 1994.

In addition, rancherias may qualify for these provisions if the CWD can show that:

- 1) the rancheria has distinct geographical boundaries, and
- 2) the rancheria is governed by an ITO of an established reservation which enjoys legal recognition from the Federal or State government and is set aside for the use of Indians.

If you have any questions regarding this letter, please contact the Policy Implementation Unit of the Food Stamp Program Bureau at (916) 654-1896.

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Deputy Director
Welfare Programs Division