

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



October 21, 1996

ALL COUNTY LETTER 96-58

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR TRANSMITTAL

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


SUBJECT: AMENDMENT TO THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT OF 1996 TO EXTEND LEGAL IMMIGRANT ELIGIBILITY IN THE FOOD STAMP PROGRAM

REFERENCE: ALL COUNTY LETTER (ACL) 96-51 AND 96-54

On September 30, 1996, the President signed the Omnibus Consolidated Appropriations Act which amended Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This change extended Food Stamp eligibility for currently certified households containing legal alien members until April 1, 1997, for individuals who were receiving benefits on August 22, 1996. The Act requires State agencies to recertify the eligibility of all noncitizen recipients between April 1, 1997 and August 22, 1997. Counties are encouraged to proportionately distribute the caseload of currently certified households containing legal alien members to ensure that all such households are recertified during the period from April 1, 1997 through August 22, 1997. This action may result in a shortened certification period for some households containing legal alien members.

In addition, prior to April 1, 1997, no currently certified legal alien may be terminated from the Food Stamp program because they do not meet the exceptions as stated in ACL 96-51, dated September 18, 1996. This provision is retroactive to August 22, 1996. These changes should have no immediate effect on current households as they were exempted from termination by ACL 96-54. However, any alien who may have been determined ineligible at recertification on or after August 22, 1996, as a result of the application of Public Law 104-193 shall have their eligibility reinstated and any household containing a reinstated alien is entitled to restored benefits for the period which benefits were denied. The requirement that benefits for all such individuals be terminated no later than August 22, 1997 is still in effect. Please note that legal noncitizen applicants who do not meet the specified exemption criteria are ineligible for food stamp benefits if the application is dated September 22, 1996 or later.

If you have any questions, please contact Alan Rowe at (916) 653-5208 of the Food Stamp Program Bureau.

 BRUCE WAGSTAFF
Deputy Director
Welfare Programs Division