

**County of San Diego, Health and Human Services Agency (HHSA)
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Background:

Non-Assistance CalFresh households that are not MCE must not exceed the maximum allowable non-exempt property limit for liquid and non-liquid resources combined. Refer to [63-1101.1](#) for maximum allowable resources.

Policy:

The following funds are excluded as a resource by Federal Law.

63-204.1 Benefit Programs for Children:

Funds from such programs as:

- Special Supplemental Food Program for Women, Infants and Children (WIC) **Public Law (P. L.) 89-642, Section 11(b);**
- Special Milk Program (P. L. 89-642, Section 11(b)): School Breakfast Program (P. L. 89-642, Section 11(b));
- School Lunch Program (P. L. 94-105, Section 9(d));
- Summer Food Service Program for Children (P. L. 94-105, Section 9(d));
- Commodity Distribution Program (P. L. 94-105, Section 9(d));
- Child and Adult Care Food Program (P. L. 94-105, Section (d)).

63-204.2 Relocation Assistance and Real Property Acquisition:

Reimbursements from the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (P. L. 91-646, Section 216).

63-204.3 Earned Income Tax Credit (EITC):

Earned Income Tax Credit (EITC) payments are excluded as resources for 12 calendar months after the refund is received for CalFresh applicants and recipients.

Refer to [63-203.13](#) and [63-120.7-12](#).

63-204.4 Workforce Investment Act:

Allowances, earnings and payments to individuals in programs specified under the WIA will be excluded. Earnings of individuals participating in on-the-job training programs will not be excluded as income (P. L. 97-300, Section 142(b) and P.L.99-198).

Earnings of dependent household members under 19 years of age and under the parental control of an adult household member, participating in on-the-job training under WIA will be excluded.

63-204.5 Payments or Allowances Made under Any Federal Law

Benefits under a state program funded under Part A of Title IV of the Social Security Act, for the purpose of energy assistance, such as the Low Income Home Energy Assistance Act (LIHEAA), or from Housing and Urban Development (HUD) or the Farmers Home Administration (FmHA) programs are excluded.

One-time assistance payments or allowances under federal or state laws for weatherization or emergency repair or replacement of heating or cooling devices are excluded.

63-204.6 Financial Education Assistance:

Financial educational assistance provided under any of the following are excluded:

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- A program funded in whole or part under Title IV of the Higher Education Act (P. L. 102-325);
- Bureau of Indian Affairs student assistance programs (P. L. 102-325);
- Title XIII Indian Higher Education Programs, Tribal Development Student Assistance Revolving Loan Program (Tribal Development Student Assistance Act): and the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (20 U.S.C. 2301-2466d).

63-204.7 Restitution to US citizens of Japanese Ancestry:

Payments received as restitution pursuant to the Civil Liberties Act of 1988, by U.S. citizens of Japanese ancestry and permanent resident Japanese non-citizens who were interned during World War II or their survivors.

63-204.8 Payments Received by Aleut Residents:

Payments received by Aleut residents of the Pribilof Islands and the Aleutian Islands west of Unimak Island pursuant to the Aleutian and Pribilof Islands Restitution Act, for injustices suffered while under United States control during World War II (P. L. 100-383, Section 105(f)(2)).

63-204.9 Agent Orange Settlement Fund:

Payments received from the Agent Orange Settlement Fund or any other fund established to settle liability claims by veterans or survivors of deceased veterans concerning Agent Orange under the Agent Orange Compensation Act of 1989 (P. L. 101-201 and P. L. 101-329, Section 10405).

63-204.10 Emergency Assistance under the Disaster Relief Act of 1974:

Federal major disaster and emergency assistance provided to individuals and families under the Disaster Relief Act of 1974 (as amended by P. L. 100-707, Section 105(i), and comparable disaster assistance provided by states, local governments, and disaster assistance organizations as a result of a major disaster.

63-204.11 Radiation Exposure Compensation Trust Fund:

Payments received from the Radiation Exposure Compensation Trust Fund by an individual for certain diseases attributed to radiation exposure pursuant to the Radiation Exposure Compensation Act of 1990 (P. L. 101-426, Section 6(h)(2)).

63-204.12 Veteran's Benefits Improvement:

Any amount by which the basic pay of an individual is reduced under the Veterans' Benefits Improvement and Health-Care Authorization Act of 1986 (P. L. 99-576, Section 303(a)(1)).

63-204.13 Domestic Volunteer Services Act:

Any payment to volunteers under Title II of the Domestic Volunteer Services Act, including but not limited to the Retired Senior Volunteer Program (RSVP), Foster Grandparents Program and Senior Companion Program, will be excluded as income (P. L. 93-113, as amended).

63-204.14 Payments under Title I of the Domestic Volunteer Services Act:

Any payments under Title I of the Domestic Volunteer Services Act, including but not limited to, Volunteers in Service to America Program (VISTA), University Year for Action and Urban Crime Prevention Program to volunteers who were receiving food stamps or public assistance at the time they joined the Title I program will be excluded as income.

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- In addition, those individuals who were receiving an income exclusion for a VISTA or other Title I subsistence allowance at the time of conversion to the Food Stamp Act of 1977 will continue to receive the income exclusion for VISTA for the length of their volunteer contract in effect at the time of conversion.
- Temporary interruptions in Food Stamp Program participation will not affect the exclusion once eligibility has been determined (P.L. 93-113, as amended).

63-204.15 Senior Community Service Employment Program (SCSEP) Title V:

Funds received by individuals age 55 and over provided by the Senior Community Service Employment Program (SCSEP) under Title V of the Older Americans Act, will be excluded as income (as amended by P. L. 100-175, Section 166).

The following organizations receive Title V funds under the Older Americans Act:

- Green Thumb,
- National Council on Aging,
- National Council of Senior Citizens,
- American Association of Retired Persons (AARP),
- U.S. Forest Service,
- National Association for Spanish-Speaking Elderly,
- National Urban League, and
- National Council on Black Aging.

63-204.16 Child Care Payments Made under Title IV-A:

The value of any child care provided or arranged for, or child care payments made under the: Title IV-A of the Social Security Act, including transitional child care (P. L. 100-485, Section 301), the At-Risk Block Grant (P. L. 101-508, Section 5801), and the Child Care and Development Block Grant (P. L. 102-586, Section 8) will be excluded as income.

63-204.17 Title I of the National and Community Service Act (NCSA):

Allowance, earnings, and payments made under Title I of the National and Community Service Act (NCSA) of 1990 will be excluded (P. L. 101-610, Section 177(d)).

- The NCSA includes programs under the Serve America, American Conservation and Youth Corps, and National and Community Service subtitles.
- Earnings of individuals, except dependent household members under 19 years of age, participating in on-the-job training under Title I programs will not be excluded.
- Examples of programs under Title I of the NCSA include:
 - The Higher Education Service-Learning Program,
 - The AmeriCorps umbrella program, including the National Civilian Community Corps and the Summer for Safety programs, and
 - The School-to-Work Opportunities Program.

63-204.18 Victims of Nazi Persecution:

Payments made to individuals because they have been determined to be victims of Nazi persecution (P. L. 103-286, Section (1)).

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Procedure:

Refer to [CalFresh Processing Guide #200-01](#)

Other Program Impacts:

None

References:

MPP 63-507

ACWDL dated June 30, 2014

[ACIN I-34-05](#); [ACIN I-16-05](#) and [ACIN I-18-07](#)

[ACIN I-34-99](#)

MPP 63-102(p)(12)(a)

[ACIN I-58-08](#); [ACL 98-19](#)

[ACIN I-79-03](#)

[ACIN I-50-13](#)

[ACL 12-62](#) & [13-32](#)

Sunset Date:

This policy will be reviewed for continuance on or by 10/31/2018

Release Date:

10/16/2015