

## 63-225 Income Excluded by Federal Law

### Table of Content

	<b>Section</b>
<a href="#">General Information</a>	225.1
<a href="#">Benefits Received by Children from the Following Programs</a>	225.2
<a href="#">Relocation Assistance and Real Property Acquisition</a>	225.3
<a href="#">Earned Income Credits (EITC)</a>	225.4
<a href="#">Workforce Investment Act (WIA)</a>	225.5
<a href="#">Payments or Allowances Made Under Any Federal Law</a>	225.6
<a href="#">Financial Educational Assistance</a>	225.7
<a href="#">Restitution to U.S. citizens of Japanese Ancestry</a>	225.8
<a href="#">Payments Received by Aleut Residents</a>	225.9
<a href="#">Agent Orange Settlement Fund</a>	225.10
<a href="#">Emergency Assistance under the Disaster Relief Act of 1974</a>	225.11
<a href="#">Radiation Exposure Compensation Trust Fund</a>	225.12
<a href="#">Veterans' Benefits Improvement</a>	225.13
<a href="#">Domestic Volunteer Services Act</a>	225.14
<a href="#">Payments under Title I of the Domestic Volunteer Services Act (AmeriCorps)</a>	225.15
<a href="#">Senior Community Service Employment Program (SCSEP) Title V</a>	225.16
<a href="#">Child care Payments made under Title IV-A</a>	225.17
<a href="#">Title I of the National and Community Service Act (NCSA)</a>	225.18
<a href="#">Victims of Nazi Persecution</a>	225.19

63-225.1  
General  
Information

Income will be excluded if specifically excluded for CalFresh purposes by any other federal law.

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63-225.2  
Benefits  
Received by  
Children from the  
Following  
Programs

Exclude the following income:

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

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63-225.3  
Relocation  
Assistance and  
Real Property  
Acquisition

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

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63-225.4  
Earned Income  
Credits (EITC)

Exclude earned Income Tax Credits (EITC) payments. EITC payments are considered lump-sum payments.

Refer to [63-224.11](#).

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63-225.5  
Workforce  
Investment Act  
(WIA)

**A.** Exclude allowances, earnings and payments to individuals in programs specified under the WIA.

Do not exclude earnings of individuals participating in on-the-job training programs (P. L. 97-300, Section 142(b) and P.L.99-198).

**B.** Exclude 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.

Income from Job Corps falls under Workforce Investment Act (WIA) regulations.

1. If the participant is 19 year of age or older, verify if the

participant is taking part in on-the-job training. Count **only** the on-the-job training portion as earned income. The portion earmarked as stipend or benefit is considered a training reimbursement (not earnings). If the amount is less than \$30 (weekly or bi-weekly), it is usually considered a training reimbursement.

2. Exclude the entire income if the participant is under 19 years of age.

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63-225.6  
Payments or  
Allowances Made  
Under Any  
Federal Law

Exclude 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.

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

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63-225.7  
Financial  
Educational  
Assistance

Exclude the following financial educational assistance:

- A. Bureau of Indian Affairs student assistance programs (P. L. 102-325);
- B. 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).
- C. A program funded in whole or part under Title IV of the Higher Education Act (P. L. 102-325);

The major categories of student assistance under Title IV of the Higher Education Act includes but is not limited to:

1. Basic Educational Opportunity Grants (BEOG),
2. Direct Graduate PLUS Loans,
3. Direct PLUS Loans,
4. Direct Subsidized/Unsubsidized Loans,
5. Federal Pell Grants,
6. Federal Perkins Loans,

7. Federal Stafford Loans,
8. Federal Work Study Programs,
9. Grants to States for Student Incentives,
10. Guaranteed Student Loan Program,
11. Iraq and Afghanistan Service Grant,
12. Special Programs for Students from Disadvantaged Backgrounds,
13. Supplemental Educational Opportunity Grants (SEOG),
14. Teacher Education Assistance for College and Higher Education Grants (TEACH), and
15. Veterans' Educational Outreach Program.

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63-225.8  
Restitution to  
U.S. citizens of  
Japanese  
Ancestry

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

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63-225.9  
Payments  
Received by  
Aleut Residents

Exclude 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)).

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63-225.10  
Agent Orange  
Settlement Fund

Exclude 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).

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63-225.11  
Emergency  
Assistance under  
the Disaster  
Relief Act of 1974

Exclude 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.

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63-225.12  
Radiation  
Exposure  
Compensation  
Trust Fund

Exclude 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)).

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63-225.13  
Veterans'  
Benefits  
Improvement

Exclude 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)).

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63-225.14  
Domestic  
Volunteer  
Services Act

Exclude 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 (P. L. 93-113, as amended).

63-225.15  
Payments under  
Title I of the  
Domestic  
Volunteer  
Services Act  
(AmeriCorps)

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**A. Count** Title I Volunteers in Service to America Program (AmeriCorps\*VISTA), payments as earned income if the person was not getting CalFresh (applicant) when the person joined VISTA.

**B. Exclude** AmeriCorps\*VISTA payments if the person was receiving CalFresh or public assistance when the person joined VISTA.

**C. Exclude** the following Title I Volunteers to America Programs payments for CalFresh applicants and recipients:

1. AmeriCorps\*National Civilian Community Corps and
2. AmeriCorps\*State/National

**D. Count** University Year for Action and Urban Crime Prevention Program payments as earned income only if the person was not receiving CalFresh when the person joined these programs.

**NOTE:** Temporary interruptions in CalFresh participation does not affect the exclusion once eligibility has been determined (P.L. 93-113, as amended).

See [Americorps desk aid](#) in [63-650.5](#).

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63-225.16  
Senior  
Community  
Service  
Employment  
Program (SCSEP)  
Title V

Exclude 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 (as amended by P. L. 100-175, Section 166).

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

1. Green Thumb,
2. National Council on Aging,
3. National Council of Senior Citizens,
4. American Association of Retired Persons (AARP),
5. U.S. Forest Service,
6. National Association for Spanish-Speaking Elderly,
7. National Urban League, and
8. National Council on Black Aging.

9. Senior Community Service Employment Program (SCSEP)  
ACIN I-73-04

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63-225.17  
Child care  
Payments Made  
Under Title IV-A

Exclude 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).

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63-225.18  
Title I of the  
National and  
Community  
Service Act  
(NCSA)

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

- Count the earnings of the training portion of the Title I program if the participant is nineteen (19) years of age and older.
- Exclude if the participant is a dependent household member under nineteen (19) years of age.

The NCSA includes programs under the Serve America, American Conservation and Youth Corps and National and Community Service subtitles.

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,
  - Youth build programs (ACIN I-18-07), and
  - The School-to-Work Opportunities Program.
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63-225.19  
Victims of Nazi  
Persecution

Exclude 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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