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Fax 96- 111
Field Operations Memo 96-33A
October 3, 1996

To: Local Office Staff
From: Joyce Sampson, Assistant Commissioner for Field Operations
Re: Federal Welfare Reform Non-Citizen (Alien) Provisions

Background

As you know, President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) on 8/22/96. The PRWORA changes TAFDC, AFDC, EAEDC and Food Stamp Program eligibility for non-citizens.

A "Continuing Resolution" signed by the President on 9/30/96 revises the PRWORA with regard to the transition of **ongoing food stamp cases** containing non-citizens. Non-citizens who were receiving food stamps on 8/22/96 (date of PRWORA enactment) are not subject to new Food Stamp Program non-citizen eligibility restrictions until **April 1, 1997** provided they continue to receive food stamp benefits without any break in service.

Non-citizens receiving cash assistance (TAFDC, AFDC, EAEDC) are not subject to new cash assistance non-citizen eligibility restrictions until **January 1, 1997**.

As a result of the "Continuing Resolution" changes, Field Operations Memo 96-33 issued by Fax 96-109 on September 27, 1996 is **obsolete**.

obsolete
See field ops
96-42

**Background
Continued**

This Field Operations Memo provides *interim* instructions for cases containing non-citizens who apply after September 23, 1996 but before revised regulations are issued for TAFDC, AFDC, EAEDC and Food Stamps. It is anticipated that revised regulations will be effective in early December 1996.

This Field Operations Memo also provides *interim* instructions for ongoing food stamp cases containing non-citizens who are scheduled to be reviewed and/or recertified after September 23, 1996 but before April 1, 1997.

**Tracking
Cases
Containing
Non-Citizens**

To identify cases containing non-citizens and minimize the potential error impact of non-citizen cases which apply or are reviewed after 9/23/96 it is necessary to track **all** non-citizen cases.

The attached form titled, *Case Log: Federal Welfare Reform Non-Citizen Provisions* (Attachment A) must be used to record any non-citizen application or TAFDC, AFDC or EAEDC Eligibility Review or NPA/FS recertification.

These logs must be completed by each worker and copies submitted weekly to the Director or the Director's designee. Further instructions regarding these logs will be forthcoming.

**Non-Citizen
Applications**

Cash Assistance Applications

All cases containing non-citizens who apply for TAFDC, AFDC, or EAEDC *but not for food stamps* after 9/23/96 but before the new policy is in effect and are determined eligible must be manually tracked using the attached log. These cases must be reviewed once the new policy is in effect.

Public Assistance/Food Stamp (PA/FS) Applications

All cases containing non-citizens who apply for PA/FS after 9/23/96 but before the new policy is in effect and are determined eligible must be manually tracked using the attached log. These cases must be reviewed once the new policy is in effect.

**Non-Public Assistance/Food Stamp (NPA/FS)
Applications**

All cases containing non-citizens who apply for NPA/FS after 9/23/96 but before the new policy is in effect and are determined eligible must be given certification periods ending with the December 1996 ATP cycle. (*For example*, a case with a social security number ending in 9 must have an end certification date of January 13, 1997.) These cases must be manually tracked using the attached log and reviewed once the new policy is in effect.

Note: All food stamp cases containing non-citizens which were receiving food stamps on 8/22/96 and subsequently close, then re-apply for food stamps must be treated as new applicant cases.

**Ongoing
Food Stamp
Cases
Containing
Non-Citizens**

Any food stamp case containing a non-citizen which was receiving food stamps on August 22, 1996 must be recertified according to *current* non-citizen eligibility policy until April 1, 1997.

NPA/FS Cases

All ongoing NPA/FS cases containing non-citizens which are due to be recertified after 9/23/96 but before 4/1/97 must be reviewed under current non-citizen policy and recertified based on standard length of certification period rules, if eligible. However, the certification period may not exceed 8/22/97.

For example, if a case with SSN ending in 9 is reviewed in December 1996 and would normally be recertified for 12 months, the longest certification period that this non-citizen case could be given must end on 8/13/97.

Manually track these cases using the attached log.

PA/FS Cases

All ongoing PA/FS cases containing non-citizens which are recertified after 9/23/96 but before 4/1/97 must be manually tracked using the attached log.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline at (617) 348-8478.
