



Questions & Answers On Categorical Eligibility & Vehicles

This memo gives guidance on categorical eligibility for food stamps, and new policies on vehicles as resources, under rules published on November 21, 2000.

July 30, 2001

Subject: FSP - Questions and Answers Regarding Categorical Eligibility and Vehicle Policies

To: All Regional Directors / Food Stamp Program

On November 21, 2000, we published a final rule entitled "Noncitizen Eligibility and Certification Provisions of Public Law 104-193, as Amended by Public Laws 104-208, 105-33, and 105-185". The rule contained several provisions addressing issues related to categorical eligibility. Although the categorical eligibility provisions of the rule primarily codified procedures regarding categorical eligibility related to the receipt of non-cash or in-kind benefits which had been disseminated via policy memoranda prior to the rule, it did change some of those procedures. We have recently received several inquiries regarding the impact of these provisions. The issues, some of which were raised informally prior to publication of the rule, are discussed in the attached question and answers. Also attached, in question and answer format, are questions that we have received regarding the handling of vehicles as resources.

To reflect changes in the categorical eligibility criteria mandated by the November 21, 2000 rule, we are updating our list of State Temporary Assistance for Needy Families (TANF) or Maintenance of Effort (MOE) funded programs that confer categorical eligibility. We are requesting that you survey the States in your region regarding the State TANF/MOE funded programs that will confer categorical eligibility. We are also requesting that you survey the States in your region regarding their vehicle valuation policies. Attached, for your reference, is a table containing the information that we are requesting on State categorical eligibility programs and vehicle valuation policies. Please provide us with the information on the States in your region no later than September 1, 2001.

If you have any questions regarding categorical eligibility issues, please contact Larry Tropp of my staff at (703) 305-2437. For questions regarding vehicle issues, please contact John Busey at (703) 305-2532.

/S/ Arthur Foley

Arthur T. Foley
Director
Program Development Division

The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.