

NEW YORK STATE

DEPARTMENT OF SOCIAL SERVICES

40 NORTH PEARL STREET, ALBANY, NEW YORK 12243-0001

MARY JO BANE
Commissioner



(518) 474-9475

LOCAL COMMISSIONERS MEMORANDUM

Transmittal No: 92 LCM-120

Date: August 13, 1992

Division: Income Maintenance
Medical Assistance

TO: Local District Commissioners

SUBJECT: Seneca Nation Settlement Act

ATTACHMENTS: Notices Regarding Payments from Seneca Nation Settlement Act - not available on-line

This is a follow-up to the "Dear Commissioner" letter of June 8, 1992 regarding the exemption of "Seneca Nation Settlement Act" monies for Public Assistance (PA), Food Stamps (FS), Medical Assistance (MA) and Home Energy Assistance Program (HEAP).

Under Public Law 101-503 and the memorandum of understanding between the Seneca Nation and the State, Settlement Act monies are exempt from consideration in determining eligibility or benefits for any State or federally funded social services program. These monies must not be counted as income or resources now or at any later point in time.

On June 12, 1992, each adult member of the Seneca Nation was sent a check for \$2,000. Attached is a notice dated June 9, 1992 that accompanied each check. A second notice (also attached), dated June 10, 1992, was also sent to Seneca Nation members that might be receiving some type of social services. Either notice is to be accepted as verification of the exempt monies when presented to a social services district. It is not necessary for districts to obtain documentation of the exempt monies immediately. Verification must be obtained however at the time of the next client contact or recertification, whichever is sooner. A copy of either notice must be filed in the case record to insure future exemption of Settlement Act monies.

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Members of the Seneca Nation under age 18 will receive the \$2,000 check at the time they turn age 18. These funds must also be exempted from consideration when determining eligibility or benefits for any State or federally funded program.

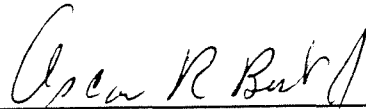
Any questions concerning this LCM should be directed to:

Income Maintenance: Greg Nolan, 1-800-342-3715, extension 4-9313
(AV1830)

Medical Assistance: County Representative at 1-800-342-3715,
extension 3-7581

New York City: (212) 417-5853 (OME060)

Please share this LCM with your staff.



Oscar R. Best, Jr.
Deputy Commissioner
Division of Income Maintenance



Jo-Ann Costantino
Deputy Commissioner
Division of Medical Assistance



The Seneca Nation of Indians

1490 Rt. 438
IRVING, NEW YORK 14081
Phone (716) 532-4900
Phone (716) 532-4907
Fax #(716) 532-9132

P.O. Box 231
SALAMANCA, NEW YORK 14779
Phone (716) 945-1790
Fax #(716) 945-3917


PRESIDENT - Calvin "Kelly" John, Rt. 417, P.O. Box 213, Steamburg, NY 14783
CLERK - Maribel Printup, P.O. Box 533, Salamanca, NY 14779
TREASURER - Dennis M. Lay, P.O. Box 26, Mile Block Road, Lawtons, NY 14091

NOTICE

This notice is provided to all members of the Seneca Nation of Indians who received a per capita payment of \$2,000 and has been enclosed with said payment. The per capita payment was made under the terms of the Seneca Nation Settlement Act of 1990 ("Act"), Public Law 101-503 (November 3, 1990), 104 Stat. 1292, 25 U.S.C. 1774 and its tax immune status is set forth in said Act.

In accordance with the Act, the State Legislation known as Chapter 528 of the Laws of New York State of 1991, and the Memorandum of Understanding executed by and between the Nation and the State pursuant to the Act, the \$2,000 per capita payment transmitted with this notice cannot be considered income for purposes of denying or reducing benefits under any state or federal program.

6/9/92
Date


Calvin John, President
Seneca Nation of Indians



The Seneca Nation of Indians

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In accordance with the Act, the State legislation known as Chapter 528 of the Laws of New York State of 1991, and the Memorandum of Understanding executed by and between the Nation and the State pursuant to the Act, **THE \$2,000 PER CAPITA PAYMENT TRANSMITTED WITH THIS NOTICE CANNOT BE CONSIDERED INCOME FOR PURPOSES OF DENYING OR REDUCING BENEFITS UNDER ANY STATE OR FEDERAL PROGRAM.**

PLEASE KEEP THIS NOTICE. IF YOU ARE RECEIVING ANY TYPE OF SOCIAL SERVICE, (Medical Assistance, Food Stamps, Public Assistance, or HEAP), YOU MAY NEED TO SHOW THIS NOTICE TO YOUR SOCIAL WORKER.

Date:
June 10, 1992

Calvin John
President
Seneca Nation of Indians