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 | INFORMATIONAL LETTER |
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TRANSMITTAL: 99 INF-11

TO: Commissioners of
 Social Services

DIVISION: Temporary
 Assistance

DATE: July 02, 1999

SUBJECT: Potential Eligibility for Food Stamps: Hmong and
 Other Highland Laotian Tribe Members

SUGGESTED

DISTRIBUTION: Food Stamp Directors
 Temporary Assistance Directors
 WMS Coordinators
 CAP Coordinators
 Staff Development Coordinators

CONTACT PERSON: Regional Representatives: Region I (518-473-0332);
 Region II (518-474-9344); Region III (518-474-9307);
 Regional IV (518-474-9300); Region V (518-473-1469);
 Region VI (212-383-1658)

ATTACHMENTS: None

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
97-ADM-25		387.9	PRWORA (PL 104.193) Title V of the Omnibus Consolidated Appropn.Act. (PL 104-208)	FSSB V-B	97 LCM-21 96-LCM-86 GIS 96 TA/DCO 39 WMS Co-ord Ltr. dated 8/7/97

The purpose of this letter is to share with social services districts additional information from USDA designed to help implement the provisions of Section 508 of the Agriculture, Research, Extension, and Education Reform Act of 1998 (AREERA).

In the Fall of 1998, USDA sent us a Technical Assistance Guide on identifying and verifying the status of Hmong and other Highland Laotian tribal members and their families. Listed below is additional information for establishing potential eligibility for Food Stamps:

A Hmong or other Highland Laotian who is not a U.S. citizen is eligible to receive Food Stamps if he/she meets the normal Food Stamp financial and work requirements, and:

- _ Is legally residing in the United States;
- _ Was born before 8/8/75;
- _ Was born in Laos or another country with Hmong or other Highland Laotian populations and can give a reasonable explanation as to why he/she was not born in Laos (the countries include Thailand, Cambodia, China, Vietnam, Indonesia, Hong Kong, Malaysia, and Singapore);
- _ Has refugee code RE1, RE2, RE3, RE6, RE7, R86, IC6, or IC7, or can give a reasonable explanation of his/her immigration to the U.S. (for example, sought asylum in another country and later immigrated to the U.S.);
- _ Entered the U.S. in April 1975 or later (or can give a reasonable explanation for having entered before that, such as came here as a student, for military training, to escape the war, and so on); and
- _ Signs an affidavit swearing under penalty of law that he/she was a member of a Hmong or Highland Laotian tribe between 8/5/64 and 5/7/75. (If a Food Stamp worker has access to the Refugee Data Center (RDC) list of eligible Hmong and Highland Laotian refugees who entered the U.S. after 1979, and the name or alien number of the person claiming membership in a tribal group appears on the list, there is no need for the affidavit. However, the worker must not deny eligibility for Food Stamps simply because the RDC list is unavailable or the applicant's name or alien number does not appear on it.)

A member of a Hmong or Highland Laotian tribal member's family who is not a U.S. citizen is eligible for Food Stamps if he/she meets the regular Food Stamp work and financial eligibility requirements, and:

- Is also a tribal member; or
- Is the spouse, an unremarried widow or widower of a tribal member who has died, or unmarried dependent child of a tribal member, and verifies his/her status as a member of the tribal member's family.

Divorced spouses do not qualify as family members. In addition, a member of the family of a tribal member who has died need not show that the tribal member was legally residing in the the United States.

Patricia A. Stevens
Deputy Commissioner
Division of Temporary Assistance