



**United States
Department of
Agriculture**

**Food and
Nutrition
Service**

**3101 Park
Center Drive**

**Alexandria, VA
22302-1500**

Frank R. Trinity
Acting General Counsel
Corporation for National Service
1201 New York Avenue, NW
Washington, DC 20525

Dear Mr. Trinity:

Thank you for your letter of March 28, 2001. You asked that we give you updated guidance on the question of whether AmeriCorps benefits are excluded from income for food stamp purposes. You pointed out that the National and Community Service Act of 1990, as amended in 1999, (NCSA) no longer refers to the Job Training Partnership Act (JTPA).

AmeriCorps payments continue to be excluded from income for food stamp purposes. The NCSA states that allowances, earnings, and payments to participants in AmeriCorps programs must not be considered income for the purpose of determining eligibility for, and the amount of income transfer and in-kind aid given under, any Federal or federally-assisted program based on need, other than as provided under the Social Security Act.

Although the linkage with JTPA did not affect the counting of AmeriCorps benefits for food stamp purposes in the past, the linkage caused some confusion at times. JTPA income was only counted if it was from on-the-job training (OJT), and AmeriCorps programs did not have any OJT payments. However, in some instances, State food stamp agencies thought that they were dealing with OJT payments in AmeriCorps programs. The change in the NCSA should eliminate this confusion. We are amending our guidance to State agencies to alert them to the change in the NCSA.

Please let us know if you would like further information on this matter. (Incidentally, Judy Seymour has retired.)

Sincerely,

Patrick Waldron
Branch Chief
Certification Policy Branch