CALFRESH (CF) PROGRAM
REQUEST FOR POLICY/REGULATION INTERPRETATION

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO:
   - ☑ Policy/Regulation Interpretation
   - ☐ QC
   - ☐ Fair Hearing
   - ☐ Other:

2. REQUESTOR NAME:

3. PHONE NO.:

4. REGULATION CITE(S):
   MPP 63-506(b)(7)(A1), PL 93-134, PL 97-458, PL 98-64

5. DATE OF REQUEST: 9/10/2015

NEED RESPONSE BY: 9/25/2015

6. COUNTY/ORGANIZATION: Del Norte County

7. SUBJECT: The use of Tribal Gaming Disbursements

8. REFERENCES: *(Include ACL/ACIN, court cases, etc. in references)*
   NOTE: All requests must have a regulation cite(s) and/or a reference(s).
   ACIN I-34-05 (questions 1,2 and 3)

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

MPP 63-506(b)(7)(A) excludes funds or assets of, or payments to Native American tribal members or Alaskan natives as resources and/or income for Food Stamp purposes if specifically excluded by any other federal law. These exclusions include, but are not limited to: (7) Funds that meet any of the criteria specified in Section 63-506(b)(7)(A); (A) Funds appropriated to satisfy judgements of the Indian Claims Commission or Claims Court(PL 93-134, PL 97-458 and PL 98-64) which:1 Are distributed per capita, not exceeding $2000, or held in trust according to an approved plan.
A household receiving CalFresh includes a member that receives quarterly disbursements from tribal gaming enterprises from the Resighini Rancheria. This tribe is a "Non-Compact" tribe that does not have it's own casino, but receives gaming income from other "Compact" tribes that place a portion of their gaming income into a trust approved by the Secretary of the Interior. The households payments are reported to be $700 each quarter. Should these payments be counted as unearned income once they exceed $2000 since they are held in trust according to a plan approved per MPP 63-506(b)(7)(A1)?

10. REQUESTOR'S PROPOSED ANSWER:

Tribal gaming compacts in California are structured with a Revenue Allocation Plan approved by the National Indian Gaming Commission and are sanctioned by the Secretary of the Interior. As these funds are held in trust, they qualify for the exemption noted in MPP 63-506(b)(7)(A1). These funds must be reported by the client per SAR rules and tracked by the worker. Any funds that exceed $2000 per year per person must be considered as unearned income in the CalFresh budget.

11. STATE POLICY RESPONSE *(CFPB USE ONLY)*:

CDSS concurs with the county's proposed answer.

FOR CDSS USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY/ALJ:
9/10/2015	9/16/2015(SV)