

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION SCSEP
	CORRESPONDENCE SYMBOL OWI
	DATE December 28, 2006

TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 11-06

TO: ALL SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM GRANTEES

FROM: EMILY STOVER DeROCCO 

SUBJECT: Exemption of SCSEP Wages from Income Eligibility Determinations for Federal Housing Programs and/or Food Stamps

1. **Purpose.** To provide Senior Community Service Employment Program (SCSEP) grantees with information about the statutory exemption of SCSEP wages for purposes of determining income eligibility for Federal housing programs and Food Stamps.
2. **References.** 42 U.S.C. 3056(g); Older Americans Act (OAA) Amendments of 2006, Public Law 109-365; OAA Amendments of 2000, Public Law 106-501.
3. **Background.** Congress has exempted SCSEP wages from income eligibility determinations for Federal housing programs and food stamps through the OAA Amendments of 2000 and 2006 (42 U.S.C. 3056(g)). It has come to our attention that grantees are in need of information about the exemption. Many grantees have advised us that local officials are often unaware of this exemption and treat SCSEP wages as regular earned income when determining eligibility for these federally funded programs. Grantees have requested Department of Labor documentation of the exemption to provide to participants. It is anticipated that participants will in turn provide this documentation to local officials. Therefore, in order to assist in the efficient and effective administration of the SCSEP program, we are providing documentation of the exemption through this notice.
4. **Advisory.** SCSEP is authorized by title V of the OAA, as amended by the OAA Amendments of 2000 (Public Law 106-501). Section 509 of title V, which is codified at 42 U.S.C. § 3056g, specifies that the wages individuals receive as SCSEP participants are not to be included in income eligibility determinations for federally subsidized housing and/or Food Stamps. The same exemption for SCSEP wages appears in the OAA Amendments of 2006, which take effect July 1, 2007 (Public Law 109-365).

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The full statutory provision is as follows:

Sec. 509 Employment Assistance and Federal Housing and Food Stamp Programs

Funds received by eligible individuals from projects carried out under the program established in this title [the Senior Community Service Employment Program] shall not be considered to be income of such individuals for purposes of determining the eligibility of such individuals, or of any other persons, to participate in any housing program for which Federal funds may be available or for any income determination under the Food Stamp Act of 1977.

Public Law 106-501, 114 Stat. 2226, 2280 (Nov. 13, 2000) (codified at 42 U.S.C. 3056(g))

5. **Action Required.** Grantees should distribute this TEGL, as needed, to SCSEP participants for their use in applying for and continuing to receive Federal housing and Food Stamp assistance.
6. **Inquiries.** Questions should be directed to the appropriate regional Federal Project Officer.