COMMUNITY SERVICES BLOCK GRANT PROGRAM

Information Memorandum

U.S. Department of
Health and Human Services
Administration for Children and Families
Office of Community Services
Division of State Assistance
370 L'Enfant Promenade, S.W.
Washington, D.C. 20447

Transmittal No. 30 Date September 30, 1998

TO: STATE COMMUNITY SERVICES BLOCK GRANT PROGRAM ADMINISTRATORS

SUBJECT: Guidance on the Interpretation of "Federal Public Benefit" Under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), P.L. 104-193.

RELATED REFERENCES: The Community Services Block Grant, P.L. 97-35, of the Omnibus Budget Reconciliation Act of 1981, Title VI, Subtitle B, as amended. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Public Law 104-193, dated August 22, 1996 and Federal Register Notice, (63 FR 41658).

The PRWORA Act of 1996, restricts access to Federal public benefits to qualified aliens. The statute defines a "qualified alien" as: (1) an alien lawfully admitted for permanent residence under the Immigration and Nationality Act (the "Act:); (2) an alien granted asylum under section 208 of the Act; (3) a refugee admitted to the United States under section 207 of the Act; (4) an alien paroled into the united States under section 212(d)(5) of the Act for a period of at least one year; (5) an alien whose deportation is being withheld under section 243(h) of the Act as in effect prior to April 1, 1997, or whose removal is being withheld under section 241 (b)(3) of the Act; (6) an alien granted conditional entry under section 203 (a)(7) of the Act as in effects prior to April 1., 1980; (7) an alien who is a Cuban or a Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980; or (8) an alien who (or whose child or parent) has been battered or subjected to extreme cruelty in the United States and otherwise satisfies the requirements of 8 U.S.C. 1641(c)

In the attached August 4, 1998, Federal Register notice, (63 FR 41658) Department of Health and Human Services identified 31 programs that provide Federal Public Benefits.

The Community Services Block Grant Program has been determined **not** to provide Federal public benefits as defined in Title IV of PRWORA and therefore, is not required to implement new verification requirements promulgated by the Department of Justice which were published in the Federal Register on August 4, 1998, (63 FR 41662). Non citizens, regardless of their alien status, should not be banned from Community Services Block Grant programs based solely on their alien status unless such exclusion is already authorized by another statute.

INQUIRIES: Inquiries may be sent to: Mae Brooks at:
US Department of Health and Human Services
Administration for Children and Families
Office of Community Services
L'Enfant Promenade, S.W.
Washington, DC 20047
Telephone: 202-401-9344

Margaret Washnitzer, DSW
Director of State Assistance
Office of Community Services

Attachment
Federal Register Notice (63 FR 41658)