



United States
Department of
Agriculture

Food and
Nutrition
Service

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Alexandria, VA
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MEMO: SP 18-2008, CACFP 06-2008, SFSP 05-2008

DATE: March 26, 2007

SUBJECT: Rebates from the Economic Stimulus Act of 2008

TO: Special Nutrition Programs
All Regions

State Agencies
Child Nutrition Programs
All States

This policy memorandum contains guidance to State agencies regarding the Economic Stimulus Act of 2008 that provides rebates to many low and middle-income households. Specifically, section 101(d) of the Act states:

(d) Refunds Disregarded in the Administration of Federal Programs and Federally Assisted Program – Any credit or refund allowed or made to any individual by reason of section 6428 of the Internal Revenue Code of 1986 (as amended by this section) or by reason of subsection (c) of this section **shall not be taken into account as income** and shall not be taken into account as resources for the month of receipt and the following 2 months, **for purposes of determining the eligibility of such individual or any other individual for benefits as assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal Funds.**

Essentially, the rebate checks made under the Economic Stimulus Act of 2008 are to be treated as other one-time, lump-sum payments, i.e., they are to be excluded from income when determining eligibility. The reference in the Act to such payments as resources for the month of receipt and 2 months thereafter does not apply to Child Nutrition Programs' income eligibility determinations.

If States have any questions about this policy, please contact your Regional Office.

Original Signed

CYNTHIA LONG
Director
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