

**April 4, 2001**

**MEMORANDUM FOR AMERICORPS\*STATE/NATIONAL**

**FROM:** Frank R. Trinity, Acting General Counsel

**SUBJECT:** Update

I'm attaching the following materials that you may find helpful in your day-to-day operations or as background:

- An OGC memorandum describing two policy changes for Supplemental Security Income that may make service in AmeriCorps more feasible for individuals with disabilities.
- A letter from the General Counsel for the U.S. Department of Housing and Urban Development reiterating that benefits provided to AmeriCorps\*State/National members may not affect their eligibility for HUD-assisted housing.

In addition, we have copies of the following decisions involving AmeriCorps members at the state level, which are available upon request.

- A ruling from the Nebraska Supreme Court that, under State law, the AmeriCorps living allowance may not affect eligibility for Temporary Assistance to Needy Families (TANF). This underscores that TANF eligibility is a state-by-state determination under State rather than federal law.
- A ruling from a Michigan unemployment appeals board that an AmeriCorps member is eligible for State unemployment insurance. In reaching this conclusion, the board pointed to ways in which the host organization treated the AmeriCorps members just like employees. Please note that this ruling has been appealed and is not necessarily determinative under Michigan State law.

If you have any questions about these materials, please call me at (202) 606-5000 ext 256 or Nicola Goren at (202) 606-5000 ext 259.