



Minnesota Department of **Human Services**

January 17, 2013

Dear Colleague:

This letter is to provide information regarding the Cobell Settlement that is being distributed to many of our Native American consumers. Please see the link attached below for additional references and information.
<http://www.cobellsettlement.com>

The Cobell Settlement agreement specifically requires the enactment of legislation to address the treatment of eligibility for benefits of any settlement distribution to class members. On December 8, 2010, President Obama signed into law H.R. 4783 which provided statutory authorities for the settlement agreement reached in the Cobell class action lawsuit.

H.R. 4783, Title I, Section 101(f)(2) states:

(2) OTHER BENEFITS – Notwithstanding any other provision of law, for purposes of determining initial eligibility, ongoing eligibility, or level of benefits under any Federal or federally assisted program, amounts received by an individual Indian as a lump sum or a periodic payment pursuant to the Settlement shall not be treated for any household member, during the 1-year period beginning on the date of receipt –

- (A) as income for the month during which the amounts were received; or
- (B) as a resource.

Minnesota Statutes, section 256J.21, subdivision 2(39) states:

Subd. 2. Income exclusions.

The following must be excluded in determining a family's available income:

(39) income that is otherwise specifically excluded from MFIP consideration in federal law, state law, or federal regulation.

It is important to know and understand that this money is **not** to be considered income for determining eligibility for the Consolidated Chemical Dependency Treatment Fund (CCDTF). An updated CCDTF SFY 2013 Eligibility Determination form is attached.

Sincerely,

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