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Region: ALL REGIONS

REG. REF: 277.15(e)

277.15(f)

August 12, 1988

Subject: Recision of a Portion of PIRS Memo 85-05, Enhanced Funding for Food Stamp Investigations, and Prosecutions.

PIRS (Policy Interpretation Response System) Memo 85-05 deals primarily with funding aspects of State food stamp investigations, as its title indicates. However, in the discussion of direct costs, there was included a reference to investigators which read as follows, "Investigators are not required to follow the procedures in Section 273.2(f) of the regulations concerning prior consent, home visits, and the resolution of discrepancies with households." We are rescinding the above-cited sentence of PIRS 85-05, because it could be as granting unlimited authority for investigators regarding unannounced home visits, prior consent and resolution of discrepancies, without regard to limitations on investigative activities contained in the U.S. or State constitutions or Federal, State or local statutes. While Section 273.2(f) does not in fact apply to Food Stamp Program investigations, it cannot be assumed that no other limitations apply to such investigations.

State and local food stamp officials should consult with their legal advisors to assure that the investigative methods used in Food Stamp Program investigations are consistent with all relevant legal requirements.

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Director

Program Development Division

The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.