



**Food and Nutrition Service
Southwest Regional Office
Food Stamp Program**

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Cover Page Plus 7 Pages

DATE: November 30, 1998

FROM: Alan Steinshnider

TO: Arthur T. Foley, Director, PDD

SUBJECT: FSP - Arkansas Waiver Extension Request - 980013



United States Department of Agriculture
Food and Consumer Service

Southwest Region

Reply to
Attn of:

SWFS-309

NOV 30 1998

Subject:

FSP - Arkansas Waiver Extension Request - 980013 - Section 6(o), Food Stamp Act
of 1977

To:

Arthur T. Foley, Director
Program Development Division

We are forwarding a request from the Arkansas Department of Human Services to extend its current waiver 980013. Arkansas requests this extension so that individuals in 34 counties and one city would be exempt from the work requirements of Section 6(o) based on Labor Surplus Area designation by the Employment and Training Administration of the Department of Labor. Under the previous waiver, individuals in 26 counties and one city were exempt from the work requirements. We recommend the extension of this waiver.

A copy of the Waiver Request Outline is attached. If you need any additional information, please contact our Arkansas State Manager, Alan Steinshnider at (214) 290-9906 or our Regional Policy Coordinator, Ronald Gwinn, at (214) 290-9880.

Sonny Ruyant
ESTHER PHILLIPS
Regional Director
Food Stamp Program

Attachment



Arkansas Department of Human Services

Division of County Operations

Donaghey Plaza South
P.O. Box 1437
Little Rock, Arkansas 72203-1437
TDD (501) 682-8275

November 13, 1998

Esther Phillips
Regional Director
Food Stamp Program
U.S. Department of Agriculture
Food and Nutrition Service
1100 Commerce Street, Room 5-C-30
Dallas, Texas 75242-1005

SUBJ: Food Stamp Program Waiver Request

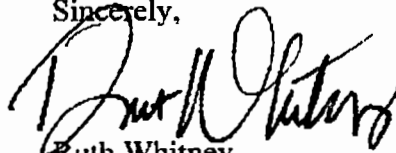
Dear Ms. Phillips:

Attached is a request to waive the ABAWD provisions found in Section 6(o) of the Food Stamp Act as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

If you have questions or need additional information about this waiver request, please contact Quranner Cotledge, Manager, Food Stamp Program.

Thank you for your assistance in this matter.

Sincerely,



Ruth Whitney
Director

RW:RK:QC/bh

Attachment

cc: Roy D. Kindle, Jr., Assistant Director, OPPD
file

WAIVER REQUEST

Date of Request: November 13, 1998

Type of Request: Extension

Regulatory Citation: Section 6(o) of the Food Stamp Act as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) commonly known as PRWORA.

State: Arkansas

Region: Southwest

Regulatory Requirements: Under Section 824 of PRWORA, any able-bodied, non-exempt individual between the ages of 18 and 50 shall be ineligible to participate in the Food Stamp Program as a member of any household if, during a designated thirty-six month period, the individual received food stamps for any three months during which he or she did not work for 20 hours or more per week or participate in and comply with a work program as defined under this act. Section 824 of the PRWORA also allows each State to request that the Secretary of Agriculture waive the applicability of this provision for areas with an unemployment rate over 10 percent and for areas without a sufficient number of jobs to provide employment for affected food stamp recipients.

Proposed Alternative Procedures: Arkansas proposes to exempt from this requirement individuals who live in areas identified as labor surplus by the Assistant Secretary of Labor for the period October 1, 1998 through September 30, 1998, under P.L. 96-302. Labor surplus areas are eligible for certain preferences in federal procurement contracting.

To be classified as labor surplus, an area must have had an unemployment rate 20 percent above the national average for the previous two calendar years. In areas where unemployment has been high for at least two years, there is an oversupply of labor. Job holders are likely to hold onto their jobs, and job vacancies are likely to be less frequent. This shrinks the number of job openings and makes it harder for jobless individuals to secure positions.

In Arkansas, the following thirty-four labor surplus areas have been identified for the period October 1, 1998, through September 30, 1999: 1) Ashley County, 2) Bradley County, 3) Calhoun County, 4) Chicot County, 5) Clay County, 6) Columbia County, 7) Dallas County, 8) Desha County, 9) Drew County, 10) Hempstead County, 11) Izard County, 12) Jackson County, 13) Lafayette County, 14) Lawrence County, 15) Lee County, 16) Lincoln County, 17) Little River County, 18) Mississippi County, 19) Monro County, 20) Nevada County, 21) Newton County, 22) Ouachita County, 23) Perry County, 24) Phillips County, 25) the city of Pine Bluff in Jefferson County, 26) Poinsett County, 27) Prairie County, 28) Randolph County, 29) Searcy County, 30) Sharp County, 31) St. Francis County, 32) Union County, 33) Van Buren County, and 34) Woodruff County.

Our source document is the *Federal Register*, Vol. 63, No. 203, published Wednesday, October 21, 1998. A copy is attached.

Justification: This waiver is requested under Section 824(a) of P.L. 104-193 which gives the Secretary authority to grant a waiver of 7 U.S.C. 2015(o)(4).

WAIVER REQUEST

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Anticipated Impact On:

- A. **Households:** Extensions of this waiver will allow individuals living in economically depressed areas to continue participating in the Food Stamp Program. Food assistance is a basic human need which should not be reduced or terminated if certain household members, through no fault of their own, cannot locate gainful employment.
- B. **State Agency Operations:** Extension of this waiver will provide for more efficient operation of the Food Stamp Program by allowing the State to use its 1999 allocation of the ABAWD exemptions in other areas of the State.

Caseload Information: As of September 1, 1998, there were 103,947 food stamp participants in the labor surplus areas. (This includes Jefferson County where the city of Pine Bluff is located.) This is about 40.7% of the food stamp participants in the State.

Anticipated Implementation Date: We would like to implement this waiver on January 1, 1999.

Time Period for Which Waiver is Needed: We request this waiver be approved indefinitely with the State submitting a current list of labor surplus counties on or before January 1 of each year.

Proposed Quality Control Review Procedures: No special procedures will be necessitated by this waiver.