



United States Department of Agriculture
Food and Nutrition Service

Western Region

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APR 09 1999

Reply to
Attn of: FS-10-6-Waiver #970153

Subject: FSP - Request to Extend Waiver #970153

To: Arthur T. Foley, Director
Program Development Division
Food Stamp Program

Attached for your consideration is a request from the Washington Department of Social and Health Services (DSHS) to extend waiver #970153, which exempts individuals residing on 25 Indian reservations from the work requirement provisions at Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The State is requesting an extension of this waiver through March 31, 2000.

The Washington DSHS bases their extension request on the premise that the majority of the reservations are located within counties with unemployment rates exceeding 10 percent (data obtained using standard Bureau of Labor Statistics-approved methodology) or have an insufficient number of jobs based on provide employment for individuals (data obtained by the Department of Labor's annual list of labor surplus areas effective October 1, 1998). In addition, the State agency utilized data from the 1998 Indian Service Population and Labor Force Estimates Report recently obtained from Bureau of Indian Affairs to support its extension request.

We believe the data supports the State's request to extend the waiver for one year for these 25 Indian reservations.

Please note this request supersedes the State agency's March 12 request to delay submitting their waiver extension we transmitted to your office for action on March 24.

Please contact Chanel DeLaney at (415) 705-1320, x308, if you have any questions.

for MICHAEL L. DENTON
Acting Regional Director
Food Stamp Program
Western Region

Attachment

cc: Seattle Field Office
WA Desk, POS, FSP, WRO



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

March 31, 1999

Michael Denton, Acting Program Director
Food Stamp Program
Western Region, Food and Nutrition Service
United States Department of Agriculture
550 Kearny Street, Room 400
San Francisco, CA 94108-2518

Dear Mr. Denton:

Washington State is submitting its requests for the Tribal Reservation waivers to the Food Stamp Act, Section 6(0). Our prior waiver (#970153) expires on March 31, 1999, and we had requested an extension of this waiver until the new Bureau of Indian Affairs data was available. At this time, we are submitting new data to support the continuation of this waiver until March 31, 2000.

We used the data provided by the Bureau of Indian Affairs Report on Indian Service Populations and Labor Force Status, which was provided to us for all tribes in our state. This data has only just now been made available to us although it was due to have been released in May of 1998.

Section 6 (0)(4) of the Food Stamp Act permits waivers for areas with: (1) an unemployment rate of more than 10 percent; or (2) insufficient jobs to provide employment. Administrative Notice 97-46 specifically states that studies have indicated that the employment-to-population ratio for most Indian reservations is much lower than for the nation as a whole, and, based on the low ratios, most reservations would qualify for waivers. In addition, the majority of the tribal reservations in Washington State are located in one or more counties that meet either the unemployment rates or the Labor Surplus Area criteria for a waiver.

Thank you for your consideration of these waivers. If you have any questions, please call Tom Medina at (360) 413-3207.

Sincerely,

John Atherton, Director
Division of Assistance Programs

cc: Liz Begert Dunbar
James Kelly
Gwen Gua
Sarah Colleen Sotomish
James C. Wilson
Tom Medina
Patricia Richards
Maura Donoghue
Tara Blair
Mary Monahan

Waiver Request, for American Indian Reservations with High Unemployment or Insufficient Jobs

1. **Waiver serial number:** 970153
2. **Type of request:** Waive the work requirement for those Able-Bodied Adults Without Dependents (ABAWDs) on American Indian Reservations where unemployment rates are above 10 percent, or where there are insufficient jobs.
3. **Primary regulation citation:** Food Stamp Act of 1977 Work Requirements Section 6 (o) (2) as amended through Public Law 104-193.
4. **Secondary regulation citation:** Food Stamp Act of 1977 Work Requirements Section 6 (o) (4) as amended through Public Law 104-193.
5. **State:** Washington
6. **Region:** Western
7. **Regulatory requirements:** No individual (between 18 and 50) will be eligible to participate in the Food Stamp Program as a member of any household if the individual received Food Stamp benefits for three full months unless the individual works 20 hours a week, participates in a work program for 20 hours or more a week, participates in workfare each month, or is exempt.
8. **Description of proposed alternate procedures:** Exempt all ABAWD Food Stamp recipients in tribal reservation area of the state with unemployment over 10 percent, or where there are insufficient jobs.
9. **Rationale for Request:** Request a waiver from Food Stamp work requirements for areas with high unemployment or insufficient jobs. In these areas many individuals receiving Food Stamps will be unable to find employment despite significant effort. The supply of employment will be particularly short in these areas for individuals with little training or education, as is the case for most ABAWDs who are receiving Food Stamps. The following areas qualify either on the basis of high unemployment, or on the basis of insufficient jobs as evidenced by their listing on federal Labor Surplus areas list, their low employment-to-population ratios, or because a declining job base indicates significant economic dislocation.

A. American Indian Reservations With Insufficient Jobs:

We request a waiver from the Food Stamp work requirements for able bodied

adults without dependents for the following tribes on the basis of insufficient jobs. Data from the Bureau of Indian Affairs Indian Service Population and Labor Force report for 1998 (see Appendix) show that these tribal areas are substantially below the state level for unemployment, the employment-to-population ratio for the total population, and the employment-to-population ratio for the population 16 and up.

Employment-to-population ratios are a small fraction of state rates, indicating very slack local labor markets and substantial proportions of discouraged workers. Employment-to-population ratios for the total population range from 10.8 percent below to 82.5 percent below state rates. Employment-to-population ratios for the population 16 and over are also much lower than state rates. Second, the data show that unemployment rates (defined as the percent of the population 16 years and up seeking work, but unable to find employment) is significantly higher than the state average rate of 4.6 for 1998, ranging from 18.4 to 82.6 percent.

Please see Appendix C for labor force and employment data for these reservations. In addition, the majority of reservations are located within counties which are exempt based on unemployment rates exceeding 10% (Appendix A) or insufficient jobs based on inclusion in the Labor Surplus Areas list (Appendix B). A table showing the reservation and corresponding county exemption status is also included in Appendix C for your convenience.

Waivers are requested for the following Tribal Reservations in Washington State:

Chehalis
Colville
Hoh
Jamestown S'Klallam
Kalispel
Lower Elwha
Lummi
Makah
Nisqually
Nooksack
Port Gamble S'Klallam
Puyallup
Quileute
Quinault
Sauk-Suiattle
Shoalwater Bay
Skokomish
Spokane

Squaxin Island
Stillaguamish
Suquamish
Swinomish
Tulalip
Upper Skagit
Yakama

10. Anticipated impact on households and state agency operations:

Households: Exempting clients from work requirements in areas of high unemployment or insufficient jobs will reduce the likelihood of clients being cut from assistance without an ability to support themselves. Focusing our Food Stamp Employment and Training activities on areas of the state where there is a robust economy will allow the state to devote sufficient resources to ensure that the training and job search activities required lead to desired outcomes of client self-sufficiency.

State Agency: Exemption will allow the Department of Social and Health Services to spend its staff and monetary resources in the most efficient manner. The Department's commitment to meeting the needs of recipients may require expensive and ineffective investments in workfare slots in areas with insufficient jobs, absent waivers for these areas.

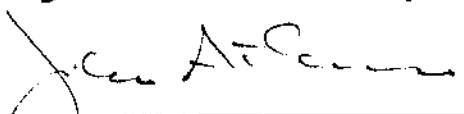
11. Caseload information, including percent, characteristics, and quality control error rate for affected population:

For caseload and quality control information, see attachments. The data is for federal fiscal year 1998.

12. Anticipated implementation date and time for which waiver is needed:
April 1, 1999 through March 31, 2000.

13. Proposed quality control review procedures: No anticipated change in the quality control review procedure.

14. Signature and title of requesting official



John Atherton, Director
Division of Assistance Programs

4/2/99

Date