

DEC 29 2000

970046

SUBJECT: FSP - Kentucky - Request to Extend Waivers of Section 6(o) of the Food Stamp Act, as Amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

TO: Gil Camacho, Director
Food Stamp Program
Southeast Region

This is in response to the Kentucky State Agency's request for a modification and extension of waiver #970046 which exempts individuals residing in certain counties from the work requirement for able-bodied adults without dependents.

Our response approving the waiver as requested is attached. Please let us know if you have any questions.

Arthur Foley

Arthur T. Foley
Director
Program Development Division

Attachment

cc: ALRO w/att except SWRO)
PAD/SAB w/att
PAD/QC w/att
John Knaus w/att
Bob Dalrymple-OAE w/att
Mike DePiro-OAE w/att
Maurice Tracy w/att
Civil Rights w/att

FINAL:FNS:FSP:PDD:CPB:Joyce Pack:cdh:12/27/00

FILE: ABAWDS

DIR: I:CPB:Waivers:970046 ext. & mod. 2001

Symbol	Surname	Date	Symbol	Surname	Date
PDD-126	Pas	12/28/00			
PDD-100	W. Ball	12/28/00			

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WAIVER RESPONSE

1. **Waiver Serial Number:** 970046
2. **Type of Request:** Extension/Modification
3. **Primary regulation citation:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PROWRA) of 1996, P.L. 104-193.
4. **Secondary regulation citation:** N/A
5. **State:** Kentucky
6. **Region:** Southeast
7. **Regulatory Requirement:** Section 6(o) of the Food Stamp Act, as amended, by Section 824 of the PROWA, provides that no individual shall be eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36 month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, average monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or received benefits because they were exempt from these requirements.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PROWRA, also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.

8. **Description of proposed alternative procedures:** The Kentucky State Agency currently has a waiver to exempt individuals residing in 56 counties, 1 partial county, and 1 city from the work requirement provisions of Section 6(o) of the Food Stamp Act. The State agency is requesting to extend its waiver for 38 counties, 1 city, and to add 1 new county, Monroe, to their request, based on their designation as Labor Surplus Areas for FY 2000 by the U.S. Department of Labor. The State agency is not requesting an extension for Ballard, Bath, Bell, Breckinridge, Butler, Carlisle, Clinton, Fleming, Graves, Knox, Lee, Leslie, Livingston, Lyon, Marion, Marshall, Powell, Warren (less Bowling Green City), Whitely, and Wolfe counties.

9. **Action and reason for approval or denial:** We are approving the State agency's request in its entirety. Under the waiver residents of the following areas, all of which are designated LSAs, would be exempt from the work requirements of Section 6(o) of the Food Stamp Act based on insufficient job opportunities:

Table I

Adair	Floyd	Lawrence	Muhlenberg
Boyd	Fulton	Letcher	Ohio
Breathitt	Grayson	Lewis	Perry
Carter	Green	McCreary	Pike
Casey	Greenup	McLean	Russell
Clay	Hancock	Magoffin	Taylor
Crittenden	Harlan	Martin	Union
Cumberland	Henderson City	Menifee	Wayne
Edmonson	Johnson	Monroe	Webster
Elliott	Knott	Morgan	

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PROWRA, which allows the Secretary to waive the applicability of the work requirement provision in Section 6(o) for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for individuals residing in the area.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** To receive an extension the State agency must provide data indicating that the areas included in this waiver have unemployment rates of over 10 percent or do not have a sufficient number of jobs to provide employment for the individuals residing in the areas.
13. **Expiration date:** This waiver will expire December 31, 2001. The waiver for Ballard, Bath, Bell, Breckinridge, Butler, Carlisle, Clinton, Fleming, Graves, Knox, Lee, Leslie, Livingston, Lyon, Marion, Marshall, Powell, Warren (less Bowling Green City), Whitley, and Wolfe expires February 28, 2001.

14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Kentucky State Agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** November 14, 2000
18. **Date of regional office transmittal of request:** December 4, 2000 (via fax)
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**