



STATE OF MAINE
DEPARTMENT OF HUMAN SERVICES
11 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0011

ANGUS S. KING, JR.
GOVERNOR

KEVIN W. CONCANNON
COMMISSIONER

May 4, 2000

Robert L. Canavan
Food Stamp Director
Food & Nutrition Service
NERO
10 Causeway Street
Boston, MA 02222

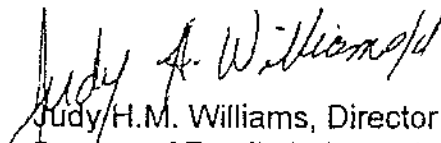
Dear Mr. Canavan:

Please find the enclosed request of extension for waiver #970141. This waiver allowed residents of Penobscot Nation to be exempt from time limited accessibility to the food stamp program as described at Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act.

The unemployment rate for this area exceeds the national average by more than 20 per cent.

Thank you for any assistance you may provide. If you have any questions, please contact Rick Morrow at (207) 287-5093.

Sincerely,


Judy H.M. Williams, Director
Bureau of Family Independence



WAIVER REQUEST OUTLINE

1. **Waiver serial number (if request is extension):** 970141
2. **Type of request:** Extension
3. **Primary regulation citation, if any** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.
4. **Secondary regulation citation, if any:**
5. **State:** Maine
6. **Region:** NERO
7. **Regulatory requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Reconciliation Act (PRWORA), P.L. 104-193, 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 that 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program of 20 hours or more per week; or did not participate in and comply with requirements of a program under section 20 or a comparable program established by the State.

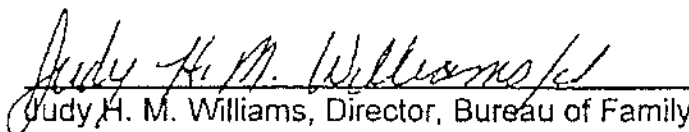
Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, also provides that, upon request of a State agency, the Secretary may waive the applicability of the above provision for any group of individuals in the State if the Secretary makes a determination that the area in which the 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. **Proposed alternative procedures:** The State of Maine is requesting to waive the requirements of Section 824 of the PRWORA on the basis of insufficient jobs for the residents of Penobscot Nation.
9. **Justification for request:** Information concerning the unemployment rate in Penobscot Nation has been difficult to obtain; however, we did receive some statistical information from them which show that the unemployment rate is high. We also compared 1990 information for both Penobscot County and Penobscot Nation to the February, 2000 unemployment rate in Penobscot County and used a ratio to determine the unemployment rate for Penobscot Nation. Our methodology for both are attached.
10. **Anticipated impact on households and State agency operations:** This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

11. **Caseload information, including percent, characteristics, and quality control error rate for affected portion:** The caseload for this specific area represents a very small percent of the caseload for the state. There are no quality control procedures involved.

12. **Anticipated implementation date and time period for which waiver is needed:** This waiver has an expiration date of June 30, 2000. We request a one-year extension.

13. **Proposed quality control review procedures:** There are no special quality control procedures needed in conjunction with this waiver.

14. **Signature and title of requesting official:**



Judy H. M. Williams, Director, Bureau of Family Independence
Department of Human Services

15. **Date of request:** May 4, 2000

METHODOLOGY USING PENOBSCOT NATION STATISTICS

The following is our interpretation of the statistics provided to us by Penobscot Nation:

The tribal enrollment for the Penobscot Nation was 2146 as of March 14, 2000. The population eligible for on-reservation services numbered 590. Of these, at least 184 should be excluded from the work force count due to age (under 16 and over 64). We do not know how many of these are between the ages of 60 and 64.

Of the remaining 406 members, 280 of them are employed either in the public sector or in the private sector. This leaves 126 unemployed members which represents 21% of the work force population (including those up to age 64).

Using another method, we compared the 1990 census records which showed a statewide unemployment rate of 6.6 (for the approximate time period of January through March, 1990). At that time Penobscot County's unemployment rate was 6.7 and Penobscot Nation's was 12.3, almost doubled. In February, 2000 the statewide unemployment rate was 4.6 with Penobscot County's rate at 4.6. These figures were provided to this office by Maine's Department of Labor. Using a similar comparison with the figures from the census, we estimate that Penobscot Nation's unemployment rate for April, 1999 to be 9.2 at a minimum. This figure does not take into account the specific procedures necessary to reflect the unemployment rate on a reservation.

In addition to the above, we would like to note that while many reservations have developed casinos which may employ great numbers of members of the local tribe, Penobscot Nation does not have a casino. It does have a bingo hall which does help by creating some jobs.

**U.S. Department of the Interior
Bureau of Indian Affairs**

INDIAN LABOR FORCE SURVEY FORM

LABOR MARKET INFORMATION ON THE INDIAN LABOR FORCE

INFORMATION COLLECTION FOR THE 1999 CALENDAR YEAR

TRIBE: Penobscot Nation

Agency or Field Office: _____ Region: Eastern

State(s): Maine

Tribal Code: _____ Date Survey Data was Collected: 3/14/00

Note: For each state listed, use a separate survey form to report labor force data.

		MALE	FEMALE	TOTAL
A	Tribal Enrollment (official tribal membership roll totals)	1075	1071	2146
B	Tribal Labor Force Calculations For B-1 thru B-3.3 below, count only American Indian & Alaska Native tribal members living "on or near" your reservation and who are eligible for on-reservation services that the BIA provides to Indian people. (Note: On-reservation services excludes all DHS services.)			
1	Number under age 16 (Do not use these [B1] totals to compute 3.1, 3.2, or 3.3)	(unavailable)	(unavailable)	127
2	Number over age 64 (Do not use these [B2] totals to compute 3.1, 3.2, or 3.3)	(unavailable)	(unavailable)	57
3	Number age 16 thru 64	(unavailable)	(unavailable)	406
3.1	Number of 16 thru 64 who are Not Available for Work (see instructions)	34	33	67
3.2	Number of 16 thru 64 Employed (include public and private positions)	148	132	280
3.3	Number of 16 thru 64 of Employed BUT Below the Poverty Line (Use attached 1999 HHS Poverty Guidelines to determine totals)	59	45	104

List sources used in collecting data for this report other than data from tribal rolls (for example, from tribal computerized records, social services reports, etc.)

Penobscot Nation: Dept. of Education, Personnel Dept., Dept. of Planning & Economic Development. 1990 U.S. Census, 1998 BIA Labor Force Survey Form.

List assumptions and/or process used in determining the estimated totals provided in above table (was a demographic data base used, were household surveys conducted, etc.)

B.3.1. includes full-time students

Male/Female breakdown is based upon percentages attained from prior year reports.

Provide a written explanation below if the total tribal enrollment (A) has changed plus or minus 10 percent (or more) from the "1997 Indian Labor Force Report":

n/a

(Attach additional sheet, if necessary)

Other comments related to this report:

To give the most accurate data possible, it would be necessary to conduct a door to door survey of all tribal matters. Such a project would be time consuming and costly for the tribe. If there is any funding available for such a project the tribes should be notified.

(Attach additional sheet, if necessary)

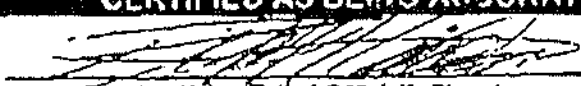
Preparer's Information

Name (Type or Print): Mark Sanborn

Date: 3/28/00

Title of Preparer: Director of Education & Career Services Telephone #: (207) 827-1123

THIS TRIBAL LABOR FORCE REPORT WAS CAREFULLY REVIEWED AND WAS CERTIFIED AS BEING ACCURATE BY THE FOLLOWING OFFICIALS


Certifying Tribal Official's Signature

03/29/2000
Date

Certifying Agency Superintendent's Signature

Date

Certifying Regional Director's Signature

Date