



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard
Suite 903
Denver, CO 80204-3585

CPB

Reply to
Attn. of:

MPFS-300:FS 10-1-1

FEB 24 2000

Subject:

FSP - Request to Extend Waiver No. 970152 - Nebraska

To:

Arthur T. Foley
Director
Program Development Division
Food Stamp Program
Food and Nutrition Service, USDA
Alexandria, Virginia 22302-1594

Attached is a request from the State of Nebraska to extend the subject waiver. Under this waiver, individuals residing on the Santee Sioux, Omaha, and Winnebago Indian Reservations are exempt from the work requirement provisions of Section 6(o) of the Food Stamp Act.

Based on the justification submitted with the request, we recommend approval be granted. We noted in the request that the State asked for approval through April 30, 2002. We suggest approval be granted for a 1-year period, ending April 30, 2001.

If there are any questions concerning this request, or if you need additional information, please contact Kathie Herrman at kathie.herrman@fns.usda.gov or (303) 844-0347.

Pamela Blatter

for ALLAN C. NICKELS
Regional Director
Food Stamp Program

Attachment



February 11, 2000

Allan C. Nickels, Regional Director
USDA Food and Consumer Service
Mountain Plains Region
1244 Speer Boulevard, Suite 903
Denver, CO 80204-3581

RE: Extension of Waiver 970152

Dear Mr. Nickels:

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act provides that, upon request of a State Agency, the Secretary may waive the applicability of the above provision for areas in a state that do not have sufficient jobs to provide employment for individuals.

Enclosed is Nebraska's waiver extension request for three areas in our State that continue to meet this criteria. The areas are the Santee Sioux, Omaha and Winnebago Reservations.

Please feel free to contact this office if you need further information or have any questions.

Sincerely,

Ron Ross, Director
Nebraska Department of Health and Human Services

RR:kdj
Enclosure

WAIVER REQUEST - FOOD STAMP PROGRAM

1. **Waiver Serial Number:** 970152
2. **Type of Request:** Extension
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 (PRWORA) of 1996 (PL 104-193)
4. **Secondary Regulation Citation:** None
5. **State:** Nebraska
6. **Region:** Mountain Plains
7. **Regulatory Requirement:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, 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, averaged 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 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 that State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 per cent, or does not make a sufficient number of jobs to provide employment for the individuals.

8. **Description of Proposed Alternative Procedures:** Nebraska is proposing to extend its waiver (970152) to exempt from this requirement individuals who reside in areas which do not have a sufficient number of jobs to provide employment for the individuals. There are three areas in Nebraska that continue to meet this criteria: The Santee Sioux, Omaha and Winnebago Indian Reservations.
9. **Justification for Request:** Nebraska's Food Stamp Program serves 86,375 persons monthly. Our estimates show that approximately 2060 persons are impacted by Section 6(o). The number of persons residing in the geographic area in our waiver request is approximately 50 persons.

Thurston County continues to be designated as a Labor Surplus Area by the Department of Labor. All of Thurston County is reservation land. The Winnebago Reservation is located in the northern part of the county, and the Omaha Reservation is located in the southern part. We believe that the Labor Surplus designation adequately documents that there continues to be insufficient jobs to provide employment for individuals residing on

the Winnebago and Omaha Reservations. We contacted the Center on Budget and Policy Priorities who provided verification that Thurston County has an unemployment rate 20% over the national average.

The Santee Reservation is located in the north central portion of Knox County. The employment to population ratio on the Santee Reservation continues to be low compared to the national average of 64.5% - November, 1999 (per the Nebraska Department of Labor-Labor Market Information Section.)

10. **Anticipated Impact on Household and State Agency Operations:** Please see ^{item} page 9.
11. **Caseload Information Including Percent, Characteristics and Quality Control Error Rate for the Affected Portion:** Please see ^{item} Part 9.
12. **Anticipated Implementation Date and Period for Which Waiver is Needed:** May 1, 2000 through April 30, 2002.
13. **Proposed Quality Control Procedures:** Not applicable.
14. **Signature and Title of Requesting Official:**

A handwritten signature in black ink, appearing to read 'Ron Ross', is written over a horizontal line.

Ron Ross, Director
Nebraska Department of Health and Human Services