

TO: Judy Seymour COMPANY: USDA/FNS/PDD

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Fax Notes:

Judy,

Attached is the Tennessee waiver extension for LSA's. (#970085) We recommend approval. The waiver extension (and new LSA information released October 15, 1999) removes Dyer and Franklin and adds Hancock, Hickman, and Perry Counties, which totals 51 counties.

Date and time of transmission: Tuesday, November 30, 1999 10:01:16 AM
Number of pages including this cover sheet: 04

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WAIVER REQUEST

1. **WAIVER SERIAL NUMBER:** 970085
2. **TYPE OF REQUEST:** Extension and Modification (Revised)
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, P. L. 104-193.
4. **SECONDARY REGULATION CITATION:** N/A
5. **STATE:** Tennessee
6. **REGION:** Southeast
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 5 months (effective 11/1/99), 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, as amended by Section 824 of the PROWRA, 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. **DESCRIPTION OF PROPOSED ALTERNATIVE PROCEDURES:** Under the current waiver, Tennessee is approved until January 31, 2000 to exempt individuals in 50 counties from the work requirement provisions of Section 6(o) of the PRWORA based on their designation as Labor Surplus Areas (LSAs) by the Employment and Training Administration of the Department of Labor.

15 to exemption for other LSA

These counties are:

✓ Benton	✓ Campbell	✓ Cannon
✓ Carroll	✓ Carter (less Johnson City)	✓ Cocke
✓ Crockett	✓ Cumberland	✓ Dekalb
✓ Decatur	✓ Dyer	✓ Fentress →
✓ Franklin	✓ Gibson	✓ Greene
✓ Grundy	✓ Hardin	✓ Haywood 15%
✓ Henderson	✓ Henry	✓ Houston 15%
✓ Humphreys	✓ Jackson	✓ Johnson
✓ Lake 15%	✓ Lauderdale	✓ Lawrence
✓ Lincoln	✓ Macon	✓ Marion
✓ McMinn	✓ McNairy	✓ Meigs
✓ Monroe	✓ Morgan	✓ Obion
✓ Overton	✓ Pickett	✓ Polk
✓ Rhea	✓ Roane (less Oak Ridge City)	✓ Scott
✓ Sequatchie	✓ Sevier	✓ Stewart 15%
✓ Trousdale	✓ Unicoi	✓ Van Buren 15%
✓ Warren	✓ White	

The new LSA information released October 15, 1999 removes Dyer and Franklin Counties from this list. Three new counties were added to the new LSA listing. These counties are: Hancock, Hickman and Perry. Included in the new LSA listing are the counties of Fentress and Lauderdale. Fentress and Lauderdale are also eligible due to the 10% unemployment rate and will request waiver under this exemption.

The new waiver for LSA counties, which will be effective February 1, 2000, is for counties:

✓ Benton	✓ Campbell	✓ Cannon
✓ Carroll	✓ Carter (less Johnson City)	✓ Cocke
✓ Crockett	✓ Cumberland	✓ DeKalb
✓ Decatur	✓ Gibson	✓ Greene
✓ Grundy	✓ Hancock	✓ Hardeman
✓ Hardin	✓ Haywood	✓ Henderson
✓ Henry	✓ Hickman	✓ Houston
✓ Humphreys	✓ Jackson	✓ Johnson
✓ Lake	✓ Lawrence	✓ Lewis *
✓ Lincoln	✓ Macon	✓ Marion
✓ McMinn	✓ McNairy	✓ Meigs
✓ Monroe	✓ Morgan	✓ Obion
✓ Overton	✓ Perry	✓ Pickett
✓ Polk	✓ Rhea	✓ Roane (less Oak Ridge City)
		✓ Sevier
✓ Scott	✓ Sequatchie	✓ Unicoi
✓ Stewart	✓ Trousdale	✓ White
✓ Van Buren	✓ Warren	

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This will make a total of 51 counties being exempt from the able-bodied requirement due to being Labor Surplus Areas. Four additional counties will be exempt due to 10 percent unemployment rate and this is under waiver 970084.

9. **JUSTIFICATION FOR REQUEST:** As stated in number 8 above, the Department of Labor has designated these 51 counties as Labor Surplus Areas. Due to being Labor Surplus Areas, the above counties are unable to provide a sufficient number of job opportunities on an area basis. Employment prospects for these individuals are greatly diminished and usually the individuals have little or no work history.
10. **ANTICIPATED IMPACT ON HOUSEHOLDS AND STATE AGENCY:** The household with able-bodied adults without dependents will benefit through continued eligibility if otherwise eligible. These able-bodied individuals will be able to continue to receive benefits longer than the five months and a longer period of time to obtain either employment or training as the Case Manager and Department of Labor and Workforce Development will have longer to assist them in achieving this goal. These individuals will not have what in many instances is their only source of assistance terminated.
11. **CASELOAD INFORMATION:** This waiver includes fifty-one counties out of ninety-five. Four additional counties have also been requested for the 10 percent unemployment rate under waiver 970084. Quality Control would not be impacted, as QC would exempt the counties from the able-bodied requirement.
12. **TIME PERIOD:** Tennessee is requesting the waiver of the able-bodied requirement based upon the Labor Surplus Areas for the fifty-one counties. We are requesting the waiver to be for one year. At that time, all counties will be re-evaluated to determine their eligibility for this waiver.
13. **SIGNATURE AND TITLE OF REQUESTING OFFICIAL:**

Ricki O. Rippey

Ricki O. Rippey, Director
Food Stamp Policy
Tennessee Department of Human Services