



United States Department of Agriculture
Food and Consumer Service

Western Region

Reply to

Attn of: FS-10-6-HI/Waiver #970050

OCT 18 2001

Subject: FSP - Hawaii - ABAWDs Waiver Extension Request - Labor Surplus Areas and High Unemployment

To: Art Foley, Director
Program Development Division
Food Stamp Program

Attached is Hawaii's request to extend waiver 970050. This waiver exempts the State's Labor Surplus Areas from the provisions of Section 6(o)(2) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This waiver applies to the counties of Hawaii, Kauai, and Maui.

The counties of Hawaii, Kauai, and Maui are considered Labor surplus areas as verified by the U.S. Department of Labor material attached.

The State is requesting an extension of this waiver for a one year period, through December 31, 2002. We recommend approval of the extension.

If you have any questions, please contact Donna Clifton at (415) 705-1320 x308

for Michael L. Stanton
for DENNIS STEWART
Regional Director
Food Stamp Program
Western Region

Attachment

cc: Honolulu FO
POS, FSP, WRO

BENJAMIN J. CAYETANO
GOVERNOR



SUSAN M. CHANDLER, M.S.W., Ph.D.
DIRECTOR

ELIZABETH KENT
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

Benefit, Employment and Support Services Division
820 Millilani Street, Suite 606
Honolulu, Hawaii 96813-2936

October 2, 2001

Mr. Dennis Stewart, Regional Director
Food Stamp Program
U. S. Department of Agriculture, FNS
Western Region
550 Kearny Street, Room 400
San Francisco, California 94108-2518

Dear Mr. Stewart:

RE: Waiver extension request (970050)

Enclosed is our request for a waiver 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 (see enclosure 1). We are requesting a waiver from the "ABAWD" requirements for the counties of Hawaii, Kauai and Maui (includes the islands of Maui, Lanai and Molokai) as they are considered labor surplus areas (see enclosure 2). The Hawaii Department of Labor and Industrial Relations confirmed the designation of these counties as labor surplus areas through the most currently available U.S. Department of Labor publication, Area Trends in Employment and Unemployment, dated April 2001. The most current data available on the Department of Labor website (<http://doleta.wdsc.org/newsroom/press/labor.htm>) is for the period October 1, 1999 through September 30, 2000 which also lists Hawaii, Kauai and Maui counties as labor surplus areas.

We are requesting a response to this waiver request by the first week of December 2001 so we can timely notify our line staff of any changes. If you have any questions, please contact Faye Chi at (808) 586-5724.

Sincerely,

Patricia Murakami
Administrator
Benefit, Employment and Support Services Division

Enclosures

c: Honolulu Field Office

WAIVER SERIAL NUMBER: 970050

TYPE OF REQUEST: Extension

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. No. 104-193)

SECONDARY REGULATION CITATION: Not applicable.

STATE: Hawaii.

REGION: Western.

REGULATORY REQUIREMENTS:

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 three months (consecutive or otherwise) during which the individual did not:

- Work 20 hours or more per week, averaged monthly;
- Participate in and comply with the requirements of a work program for 20 hours or more per week, as determined by the State agency;
- Participate in and comply with the requirements of a program under section 20 or comparable program established by a State or political subdivision of a State; or

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, also provides that, upon request from the 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.

PROPOSED ALTERNATIVE PROCEDURES:

Pursuant to paragraph (4) of section 824, the State is requesting a waiver of the applicability of the work requirements as stipulated in paragraph (2) for the counties of Hawaii, Kauai and Maui.

JUSTIFICATION FOR REQUEST:

The counties of Hawaii, Kauai and Maui are considered "labor surplus areas". Attached is an excerpt from a U.S. Department of Labor, Employment and Training Administration publication, entitled, Area Trends In Employment and Unemployment, dated April 2001 (most current available), verifying that these areas have been designated as labor surplus (see enclosure 2).

Hawaii is an island state, therefore, it is impracticable for food stamp recipients to commute daily from their home to a job on another island.

ANTICIPATED IMPACT ON HOUSEHOLDS AND STATE AGENCY OPERATIONS:

Denial of this waiver request will adversely impact upon the recipients residing in these counties. If these recipients become ineligible for benefits, it will result in cost savings to the Federal government

CASELOAD INFORMATION, INCLUDING PERCENT, CHARACTERISTICS, AND QUALITY CONTROL ERROR RATE FOR AFFECTED PORTION:

Not applicable (as statute does not stipulate this).

ANTICIPATED IMPLEMENTATION DATE AND TIME PERIOD FOR WHICH WAIVER IS NEEDED:

January 1, 2002 through December 31, 2002.

PROPOSED QUALITY CONTROL (QC) REVIEW PROCEDURES:

QC reviewers will not apply the provisions of Section 824 of the PRWORA to the recipients residing in the counties of Hawaii, Kauai and Maui.

SIGNATURE AND TITLE OF REQUESTING OFFICIAL:



Benefit, Employment and Support Services Division Administrator

DATE OF REQUEST: 10/2/01

Area Trends

In Employment and Unemployment

Enclosure 2

U.S. Department of Labor

Employment and Training Administration
United States Employment Service

April 2001

Eligible Labor Surplus Areas

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Procedures for Classifying Labor Surplus Areas

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Labor Surplus Area List

iii

Listing of Labor Surplus Areas

1

Listing of Labor Surplus Areas--(Continued)

ELIGIBLE LABOR SURPLUS AREAS

CIVIL JURISDICTIONS INCLUDED

GEORGIA (CONT'D)

TREUTLEN COUNTY
TURNER COUNTY
TWIGGS COUNTY
WARREN COUNTY
WASHINGTON COUNTY
WAYNE COUNTY
WHEELER COUNTY
WILKES COUNTY
WILKINSON COUNTY
WORTH COUNTY

TREUTLEN COUNTY
TURNER COUNTY
TWIGGS COUNTY
WARREN COUNTY
WASHINGTON COUNTY
WAYNE COUNTY
WHEELER COUNTY
WILKES COUNTY
WILKINSON COUNTY
WORTH COUNTY

HAWAII

HAWAII COUNTY
KAUAI COUNTY
MAUI COUNTY

HAWAII COUNTY
KAUAI COUNTY
MAUI COUNTY

IDAHO

ADAMS COUNTY
BENEWAH COUNTY
BOISE COUNTY
BONNER COUNTY
BOUNDARY COUNTY
CARIBOU COUNTY
CASSIA COUNTY
CLEARWATER COUNTY
COEUR D ALENE CITY

CLUSTER COUNTY
ELMORE COUNTY
FREMONT COUNTY
GEM COUNTY
IDAHO COUNTY
BALANCE OF KOOTENAI COUNTY

LEMHI COUNTY
LEWIS COUNTY

ADAMS COUNTY
BENEWAH COUNTY
BOISE COUNTY
BONNER COUNTY
BOUNDARY COUNTY
CARIBOU COUNTY
CASSIA COUNTY
CLEARWATER COUNTY
COEUR D ALENE CITY IN
KOOTENAI COUNTY
CLUSTER COUNTY
ELMORE COUNTY
FREMONT COUNTY
GEM COUNTY
IDAHO COUNTY
KOOTENAI COUNTY LESS
COEUR D ALENE CITY
LEMHI COUNTY
LEWIS COUNTY

(CONTINUED)