



United States Department of Agriculture
Food and Consumer Service

Western Region

MAR 23 2001

Reply to
Attn of:

FS-10-6-WA/Waiver #970153

Subject:

FSP - Washington - Tribal Reservation ABAWDs Waiver Extension Request -
Labor Surplus Areas and High Unemployment

To:

Art Foley, Director
Program Development Division
Food Stamp Program

Attached is Washington's request to extend and modify waiver 970153. This waiver exempts the State's Tribal Reservation Labor Surplus Areas and areas of high unemployment 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.

Most of these Tribal reservations are located in counties already exempt from ABAWD limits under waivers 970032, 970063, and 970164. One new addition, Suquamish, is in Kitsap county which is exempt under waiver 970164. Tulalip, the other addition, was denied waiver status in 1999 based on an evaluation of Bureau of Labor Statistics data, but has been included in the State's 15% exemption. The State is requesting these waivers be approved for the period May 1, 2001 through April 30, 2002.

Provided you agree with the State's figures for reservations not entirely in a waiver area, we concur with the State's request and recommend approval of this waiver.

If you have any questions, please contact Donna Clifton at (415) 705-1320 extension 308.

DENNIS STEWART
Regional Director
Food Stamp Program
Western Region

Attachment

Art Foley, Director
Page 2

Attachment

cc: Seattle FO
POS, FSP, WRO



STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

March 16, 2001

Dennis Stewart, Program Director
Food Stamp Program
Western Region, Food and Nutrition Service
United States Department of Agriculture
550 Kearny Street, Room 400
San Francisco, CA 94108-2518

Dear Mr. Stewart:

Washington State is submitting its requests for the Tribal Reservation waivers to the Food Stamp Act, Section 6(0). Our prior waiver (#970153) expires on April 30, 2001 and we are submitting new data to support the continuation of this waiver until April 30, 2002.

We used the census-share methodology with county level employment data compiled by the Washington State Employment Security Department for April 1999. Based on this methodology, we have calculated unemployment rates for American Indian reservations in Washington State.

Section 6 (0)(4) of the Food Stamp Act permits waivers for areas with: (1) an unemployment rate of more than 10 percent; or (2) insufficient jobs to provide employment.

Additionally, we have attached the BIA Labor Force Report Data collected in 1999 to show the employment-to-population ratios as well as the unemployment rates for American Indian reservations to consider when examining the census-share methodology.

Administrative Notice 97-46 specifically states that studies have indicated that the employment-to-population ratio for most Indian reservations is much lower than for the nation as a whole, and, based on the low ratios, most reservations would qualify for waivers. In addition, the majority of the tribal reservations in Washington State are located in one or more counties that meet either the unemployment rates or the Labor Surplus Area criteria for a waiver.



Dennis Stewart, Program Director
March 16, 2001
Page 2

Thank you for your consideration of these waivers. If you have any questions, please call Sandy Jsames, Acting Administrator of the WorkFirst Employment and Training Section within the Division of Employment and Assistance Programs at (360) 413-3239.

Sincerely,

A handwritten signature in cursive script, reading "Phyllis M. Lowe".

Phyllis M. Lowe, Acting Director
Division of Employment and Assistance Programs

cc: John Atherton
Tom L. Hilyard
Michael W. Masten
James R. Shoher
Gwen Gua
Cindy Mund
Sarah Colleen Sotomish
Carmen Gutierrez
Sandy Jsames
Carol Hattersley
Tara Blair
Diane DeVore

Bcc: Karen Hagen
Beth Nail
Deidre Finley
Lin Dahmen
Theresa Mercedes-Hess
Omeid Tizpa
Diana Harder

Waiver Request, for American Indian Reservations with High Unemployment or Insufficient Jobs

1. **Waiver serial number:** 970153
2. **Type of request:** Waive the work requirement for those Able-Bodied Adults Without Dependents (ABAWDs) on American Indian Reservations where unemployment rates are above 10 percent, or where there are insufficient jobs.
3. **Primary regulation citation:** Food Stamp Act of 1977 Work Requirements Section 6 (o) (2) as amended through Public Law 104-193.
4. **Secondary regulation citation:** Food Stamp Act of 1977 Work Requirements Section 6 (o) (4) as amended through Public Law 104-193.
5. **State:** Washington
6. **Region:** Western
7. **Regulatory requirements:** No individual (between 18 and 50) will be eligible to participate in the Food Stamp Program as a member of any household if the individual received Food Stamp benefits for three full months unless the individual works 20 hours a week, participates in a work program for 20 hours or more a week, participates in workfare each month, or is exempt.
8. **Description of proposed alternate procedures:** Exempt all ABAWD Food Stamp recipients in tribal reservation area of the state with unemployment over 10 percent, or where there are insufficient jobs.
9. **Rationale for Request:** Request a waiver from Food Stamp work requirements for areas with high unemployment or insufficient jobs. In these areas many individuals receiving Food Stamps will be unable to find employment despite significant effort. The supply of employment will be particularly short in these areas for individuals with little training or education, as is the case for most ABAWDs who are receiving Food Stamps. The following areas qualify either on the basis of high unemployment, or on the basis of insufficient jobs as evidenced by their listing on federal Labor Surplus areas list, their low employment-to-population ratios, or because a declining job base indicates significant economic dislocation.

A. American Indian Reservations With Insufficient Jobs:

We request a waiver from the Food Stamp work requirements for able bodied adults without dependents for the tribes in Washington state on the basis of insufficient jobs. Estimates using the census-share methodology showed unemployment rates over 10 percent for these reservations. These estimates are based on April 1999 employment data compiled by the Washington State Employment Security Department.

Please see Appendix D for unemployment data for these reservations. In addition, the majority of reservations are located within counties that are exempt based on:

1. Unemployment rates exceeding 10% (Appendix A);
2. Insufficient jobs based on inclusion in the Labor Surplus Areas list (Appendix B); or
3. The unemployment rate in the county or city exceeds the national unemployment rate by 20 percent or more for the previous two calendar years. (Appendix C).

A table showing the reservation and corresponding county exemption status is also included in Appendix D for your convenience.

Waivers are requested for the following Tribal Reservations in Washington State:

Chehalis
Colville
Hoh
Jamestown S’Klallam
Kalispel
Lower Elwha
Lummi
Makah
Nisqually
Nooksack
Port Gamble S’Klallam
Puyallup
Quileute
Quinault
Sauk-Suiattle
Shoalwater Bay
Skokomish
Spokane
Squaxin Island
Stillaguamish
Suquamish
Swinomish
Tulalip
Upper Skagit
Yakama

10. Anticipated impact on households and state agency operations:

Households: Exempting clients from work requirements in areas of high unemployment or insufficient jobs will reduce the likelihood of clients being cut from assistance without an ability to support themselves. Focusing our Food Stamp Employment and Training activities on areas of the state where there is a robust economy will allow the state to

devote sufficient resources to ensure that the training and job search activities required lead to desired outcomes of client self-sufficiency.

State Agency: Exemption will allow the Department of Social and Health Services to spend its staff and monetary resources in the most efficient manner. The Department's commitment to meeting the needs of recipients may require expensive and ineffective investments in workfare slots in areas with insufficient jobs, absent waivers for these areas.

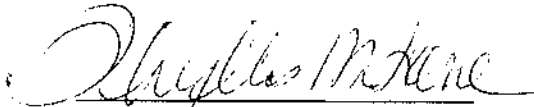
11. Caseload information, including percent, characteristics, and quality control error rate for affected population:

For caseload and quality control information, see Appendices E and F attached. The data is for federal fiscal year 2000.

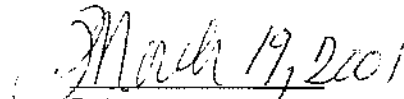
12. Anticipated implementation date and time for which waiver is needed: May 1, 2001 through April 30, 2002.

13. Proposed quality control review procedures: No anticipated change in the quality control review procedure.

14. Signature and title of requesting official



Phyllis M. Lowe, Acting Director
State of Washington
Department of Social and Health Services\
Economic Services Administration
Division of Employment and Assistance Programs


Date