



**STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES**

Cecil H. Underwood
Governor

Office of the Secretary
State Capitol Complex, Building 3, Room 206
Charleston, West Virginia 25305
Telephone: (304) 558-0684 Fax: (304) 558-1130

Joan E. Ohl
Secretary

Frank
EW 10/31

October 24, 2000

Mr. Christopher J. Martin
Administrator, Food and Nutrition Service
Mid-Atlantic Region
United States Department of Agriculture
Mercer Corporate Park
300 Corporate Boulevard
Robbinsville, New Jersey 08691-1598

Dear Chris:

Enclosed are West Virginia's waiver extension requests for exclusion from implementation of Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (P.L. 104-193) for 2001.

Statistics provided by the West Virginia Bureau of Employment Programs, Division of Labor and Economic Research, verify that 12 counties qualify for exclusion as having unemployment rates of 10% or higher. Statistics provided by the United States Department of Labor verify that 28 additional counties qualify for waiver as designated Labor Surplus Areas. In addition, we are requesting exclusion of two additional counties because significant portions are Labor Surplus Areas.

Due to the court-ordered time constraints on the issuance of policy, it is extremely important that we receive your notice of decision as soon as possible.

If you have questions or concerns about any of the information provided, please contact Thomas Ingles in the Office of Family Support at (304) 558-8290.

Sincerely,


Joan E. Ohl
Secretary

JEO:jb

Enclosures

WAIVER REQUEST -- WEST VIRGINIA

1. **Waiver serial number:** 970036
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, P.L. 104-193.
4. **Secondary regulation citation:** None
5. **State:** West Virginia
6. **Region:** MARO
7. **Regulatory requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity 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 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, as amended by Section 824 of the PRWORA, also provides that, upon the 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. **Summary of waiver extension request:** The State is requesting to exempt individuals from 12 counties which have unemployment rates over 10 percent.

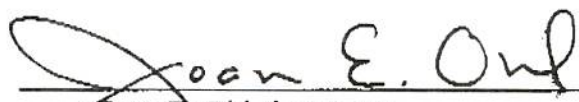
9. Counties qualifying for exemption due to unemployment of 10 percent:

Below is a chart listing the counties with unemployment rates of 10 percent or more, averaged over the first eight months of 2000. This information is compiled by the West Virginia Bureau of Employment Programs, Division of Labor and Economic Research. This is the Calendar Year 2000 information available by county on the Bureau's web site at: www.state.us./bep.

COUNTY	January	February	March	April	May	June	July	August	YR AVG
Barbour	14.8	13.5	11.6	9.4	8.7	11.3	9.5	9.1	11.0
Boone	11	10.1	11	10.2	10.5	10.8	9.7	10	10.4
Braxton	14.5	14.2	12.4	10.6	9.7	9.2	7.1	6.7	10.6
Calhoun	19.6	22.4	18.8	17	15.4	13.9	11.6	10.2	16.1
Clay	14.1	13.1	11.9	9.8	9.2	8.9	7.8	7	10.2
Lincoln	12.2	10.9	10.6	9.1	9.6	11.4	10.1	10.1	10.5
McDowell	11.7	11.9	11.9	12.1	12.1	13.2	12.4	9.9	11.9
Mason	13.7	15.1	13.3	11.8	12.9	14.5	13.5	11.9	13.3
Mingo	10.8	9.9	10.8	9.8	10.9	11.9	10.4	10	10.6
Pendleton	4.9	13	13.7	13.4	14.1	12.9	10.9	9.5	11.6
Roane	13.4	13.3	12.9	11.2	10.7	9.6	8.2	7.7	10.9
Wirt	17.7	17.5	14.1	14.6	10	14.6	10.2	10.5	13.7

10. Duration of waiver: This waiver extension should be approved for a period of not less than one year.

11. Signature and Title of Requesting Official:


 Joan E. Oehl, Secretary
 West Virginia Department of Health and Human Resources

12. Date of request: _____

13. Regional Recommendation: _____

14. Date of Submission by MARO: _____

WAIVER REQUEST -- WEST VIRGINIA

1. **Waiver serial number:** 970037
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), P.L. 104-193.
4. **Secondary regulation citation:** None
5. **State:** West Virginia
6. **Region:** MARO
7. **Regulatory Requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity 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 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, 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. **Summary of waiver extension request:** The State is requesting to exempt individuals who live in 28 counties due to their designation by the U.S. Department of Labor as Labor Surplus Areas (LSA). In the September 2000 publication, "Area Trends in Employment and Unemployment", published by the U.S. Department of Labor, the following counties in West Virginia are designated as Labor Surplus Areas:

Brooke ✓	Doddridge	Fayette	Gilmer
Grant ✓	Greenbrier	Hancock	Harrison
Jackson ✓	Lewis	Logan	Marion
Mineral	Nicholas	Pleasants	Pocahontas
Preston	Raleigh	Randolph	Ritchie
Summers	Taylor	Tucker	Tyler
Upshur	Webster	Wetzel	Wyoming

A copy of this publication is attached as Attachment #1. Because of the time limit for requesting renewal, this is the most current information available at the time this renewal request is being submitted.

9. **Partial county LSA's:** The following counties have a significant portion of their populations residing in designated LSA areas.

Marshall County -- All of Marshall County, with the exception of the Wheeling City portion, is designated as an LSA. The population of Marshall County is 35,441 and the population of the Wheeling City portion is 167, or less than .005% of the total county population. We are requesting that all of Marshall County be approved for waiver.

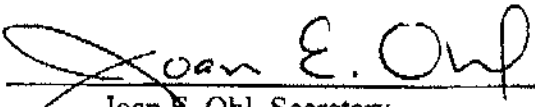
Wayne County -- All of Wayne County, with the exception of the Huntington City portion, is designated as an LSA. In the previous 24 months, Wayne County's unemployment rate average was 5.9%. In the same previous 24 months, August 1999 through September 1997, the average of 120% of the U.S. unemployment rate was 5.03%. Wayne County's unemployment rate over the 24 month period exceeds the national 120% rate by nearly a full percentage point. Therefore, Wayne County should qualify for the waiver as an LSA.

Administration of food stamp caseloads is done at the county level. It is extremely difficult to administer waivers in partial county areas. There is no way to clearly define boundaries, as a geographic area may not be reflected by the mailing address. Therefore, if an entire county cannot be waived, we are requesting that partial county waivers not be approved.

The following counties do not meet the ABAWD waiver criteria under PRWORA for 2001:

Berkeley	Kanawha	Monroe
Cabell	Mercer	Ohio
Hampshire	Hardy	Monongalia
Putnam	Jefferson	Morgan
Wood		

10. **Signature and Title of Requesting Official:**


Joan E. Ohl, Secretary
West Virginia Department of Health and Human Resources

11. **Date of Request:** _____

12. **Regional recommendation:** _____

13. **Date of Submission by MARO:** _____