

United States Department of Agriculture
Food and Nutrition Service

Western Region

APR 26 2002

Matt
pw
5/19/02Reply to
Attn of:

FS 10-6-AZ/Waiver #970148 & 970149

Subject:

FSP - Arizona - ABAWD Waiver Extension Request - Labor Surplus Areas and
High Unemployment

To:

Art Foley, Director
Program Development Division
Food Stamp Program

Attached is Arizona's request to extend and modify waivers 970148 and 970149. Waiver 970148 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. Waiver 970149 exempts Arizona Native American Reservations with an unemployment rate greater than 10%.

Arizona's request regarding waiver 970148 is based on Department of Labor information about Labor Surplus Areas within Arizona. The request for extending waiver 970149 is based on information for the Arizona Department of Labor regarding unemployment rates on reservations.

The State is requesting an extension of this waiver for a one year period, through April 30, 2003. We recommend approval of these extensions and modifications.

Please note Arizona's original request was never received in our office so a faxed copy is being forwarded to expedite our process.

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

DENNIS STEWART
Regional Director
Food Stamp Program
Western Region

Enclosure



ARIZONA DEPARTMENT OF ECONOMIC SECURITY

1717 W. Jefferson - P.O. Box 6123 - Phoenix, AZ 85005

Jane Dee Hull
GovernorJohn L. Clayton
Director

MAR 20 2002

Dennis Stewart, Regional Director
Food Stamp Program
Western Region
550 Kearny Street
San Francisco, CA 94108

Dear Mr. Stewart:

The State of Arizona seeks extensions to the current food stamp waivers which exempt certain individuals from provisions established by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The Act limits the participation period for certain able-bodied adults without dependents (ABAWDs), and authorizes the U.S. Department of Agriculture to grant States waivers for ABAWDs who reside in areas that have a high unemployment rate or which have been designated Labor Surplus Areas (LSAs) by the Department of Labor (DOL).

An extension of waiver #970148 is requested. The DOL classifies the following Arizona counties to be LSAs for federal fiscal year (FFY) 2002: Apache, Coconino (less the city of Flagstaff), Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma. The only change in LSAs for FFY 2002 is the exclusion of Cochise county and the city of Flagstaff as LSAs.

An extension of waiver #970149 is also requested. This extension request is based on unemployment levels greater than 10%, as determined by the Special Unemployment Report for Arizona Native American Reservations. This report denotes the following changes to Indian Reservations not located within a labor surplus county. Gila River: unemployment at 20.5%; Hualapai: unemployment at 22.6%; Kaibab: unemployment at 14.7%; Papago and San Xavier portions of Tohono O' Odham Nation: unemployment at 15.1% and 10.8% respectively; Pascua Yaqui: unemployment at 24.3%; Salt River: unemployment at 10.01%; and San Carlos: unemployment at 20.8%.

In addition to the above, and in accordance with Section 6(o) of the Food Stamp Act, Arizona provides notice of its intention to continue its existing ABAWD 15 percent individual exemptions criteria. Arizona's 15 percent exemptions will continue to be granted to participants who reside more than a three hour round trip to the nearest Food Stamp Employment & Training office, and to nonexempt ABAWD individuals whose initial three month time period has expired, allowing them three additional months.

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Dennis Stewart

Arizona requests that these waiver extensions from the ABAWD work requirement provisions be approved based on the attached FFY 2002 DOL labor surplus area designations and the January - December 2001, Arizona Native American Reservations report.

Your prompt attention to this request is greatly appreciated. If you have questions or require additional information, please contact Vince Wood, Assistant Director, Division of Benefits and Medical Eligibility at (602) 542-3596.

Sincerely,


John L. Clayton

Enclosure

Waiver Request1. **Waiver serial number:**

970148

2. **Type of request:**

Modification and extension

3. **Primary regulation citation:**

Section 6 of the Food Stamp Act 1977 (7 U.S.C. 2015); HR 3734 "The Personal Responsibility and Reconciliation Act of 1996", Section 824, Work Requirement.

4. **Secondary regulation citation:**

Not applicable

5. **State:**

Arizona

6. **Region:**

Western Region

7. **Regulatory requirements:**

Work Requirement: - 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 during which the individual did not (A) work 20 hours or more per week, averaged monthly; (B) participate in and comply with the requirements of a work program for 20 hours or more per week. Exception to the work requirements are that the individual is (A) under 18 or over 50 years of age; (B) medically certified as physically or mentally unfit for employment; (C) a parent or other member of a household with the responsibility for a dependent child; (D) otherwise exempt under subsection (d)(2), Section 6 of the Food Stamp Act; or (E) a pregnant woman.

8. **Proposed alternative procedures:**

The State of Arizona, Department of Economic Security requests a modification and extension of waiver # 970148 to exclude from the Work Requirements, individuals residing in the DOL annual listing of Arizona labor surplus areas for FY 2002.

Justification for request:

The extension will continue to ensure equitable distribution of food stamp benefits in areas suffering from a high incidence of unemployment.

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 mandates that all individuals shall be ineligible to participate in the food stamp program as a member of any household if, during the preceding 36 month period, they received food stamp benefits for three months or more during which the individuals did not work a minimum of 80 hours per month or 20 hours weekly (average monthly).

For fiscal year (FY) 2002 the Department of Labor (DOL), identifies the following Arizona Counties as labor surplus areas: Apache, Coconino (less Flagstaff), Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma. The DOL Labor Surplus Area list is attached.

Approval of this waiver extension request will allow Arizona to exclude from the ABAWD work requirements, individuals residing in labor surplus areas where the unemployment rate is over 10%.

9. **Anticipated impact on households and State agency operations:**

- A. Client Benefits: Will not penalize individuals living in labor surplus areas who lack the same opportunity to find employment as others.
- B. Worker Benefits: Monitoring and tracking of work compliance in labor surplus areas will not be required.

10. **Caseload information, including percent, characteristics, and quality control error rate for affected portion:**

All individuals residing in Apache, Coconino (less Flagstaff), Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma counties will be exempt.

11. **Anticipated implementation date and time period for which waiver is needed:**

The waiver extension is requested for a period of one year upon approval from FNS. The proposed extension date is effective May 1, 2002.

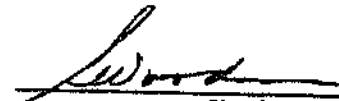
12. **State agency submitting waiver request:**

Arizona Department of Economic Security, Family Assistance Administration

Contact Person:

Vince Wood, Assistant Director
Arizona Department of Economic Security
Division of Benefits & Medical Eligibility
1789 West Jefferson
Phoenix, Arizona 85007
(602) 542-3596

13. **Signature and title of requesting official:**


Signature


Title

14. **Date of State agency request:**