



United States Department of Agriculture
Food and Consumer Service

Western Region

Paul
pm 10/17/02
Done 10/17/02

Reply to
Attn of:

FS-10-6-HI/Waiver #970050

OCT 03 2002

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 and modify waiver 970050. This waiver exempts the State's 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. This waiver applies to the counties of Hawaii, Kauai, and Maui.

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

The county of Maui, which includes the islands of Maui, Lanai, and Molokai, qualified for extended unemployment benefits under the Temporary Extended Unemployment Compensation (TEUC) Act of 2002. If we determine this designation does not justify an exemption for the entire county, Hawaii requests an exemption of the island of Molokai due to an unemployment rate in excess of 10% over the past 12 months.

Based on the information provided we recommend approval of the extension for the counties of Hawaii and Kauai. In addition, due to the qualification for extended unemployment benefits, we recommend approval of the request to exempt all of Maui county.

The State is requesting an extension of this waiver for a one year period, through December 31, 2003. We recommend approval of the extension.

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



DENNIS STEWART
Regional Director
Food Stamp Program
Western Region

Attachment



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

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

September 24, 2002

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 and Kauai as these counties are considered labor surplus areas. The most current data available on the Department of Labor website (ows.doleta.gov/employ/pdf/lsajurisdictions.pdf), for the period October 1, 2001 through September 30, 2002 lists Hawaii and Kauai counties as labor surplus areas (see enclosure 2).

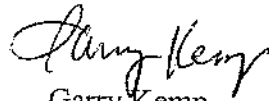
We are also requesting waiver for the county of Maui (includes the islands of Maui, Lanai and Molokai) as these islands qualified for extended unemployment benefits. The Temporary Extended Unemployment Compensation (TEUC) Act of 2002 allowed for 13 additional weeks of unemployment benefits and is in effect from March 10, 2002 through December 31, 2002. Although, the entire state qualified for these benefits, we are only requesting a waiver for Maui County based on this criteria.

If a waiver is not granted to Maui county for the above reasons, then we would like to request a waiver for the island of Molokai based on a recent 12-month unemployment average that exceeds 10 percent (see enclosure 3). For the period 4/01 to 3/02, Molokai's unemployment rate was 10.5 percent. These statistics were obtained from the Hawaii Department of Labor website, <http://www.state.hi.us/dlir/rs/loihi/>.

Mr. Dennis Stewart
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We are requesting a response to this waiver request by the last week of November 2002 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,

A handwritten signature in cursive script, appearing to read "Garry Kemp".

Garry Kemp
Acting 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:

Hawaii and Kauai: The counties of Hawaii and Kauai are considered "labor surplus areas". The most current data available on the Department of Labor website (ows.doleta.gov/employ/pdf/lajurisdictions.pdf), for the period October 1, 2001

through September 30, 2002 lists Hawaii and Kauai counties as labor surplus areas (see enclosure 2).

Maui: The county of Maui qualified for extended unemployment benefits. The Temporary Extended Unemployment Compensation (TEUC) Act of 2002 will allow Maui county residents to receive an additional 13 weeks of unemployment benefits effective March 10, 2002 through December 31, 2002.

Molokai: A recent 12-month average of Molokai's unemployment rate exceeded 10 percent. For the period April 2001 to March 2002, Molokai's unemployment rate was 10.5% (see enclosure 3)

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, 2003 through December 31, 2003.

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: 09/23/02