



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard, Suite 903
Denver, Colorado 80204-3585

JUL 29 2010

To: Lizbeth Silbermann
From: Jody Cornwell
Subject: SNAP – Request to Renew Waiver No. 970152 – Nebraska

Attached is a waiver extension request dated June 29, 2010 from the Nebraska Department of Health and Human Services requesting extension of waiver #970152 that allows the State agency to waive Section 6(0) 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. This section limits the receipt of food stamp benefits to 3 months within a 3-year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workforce. The waiver allows the State agency to waive work requirements in areas in a state that do not have sufficient jobs to provide employment for individuals.

Based on the justification submitted and the previous approval of this waiver, we recommend approval of the wavier extension. If there are any questions concerning this request or if additional information is needed, please contact Lisa Amaro-Rife at (303) 844-0340 or by e-mail at lisa.amaro-rife@fns.usda.gov.

Sincerely,

JODY CORNWELL
Regional Director
Supplemental Nutrition Assistance Program

Encl: Nebraska's Request for Extension of Waiver #970152 of Section 6(0) of the Food Stamp Act, amended by Section 824 of PRWORA of 1996 dated June 29, 2010

cc: Angela Kline
Patrick Lucrezio

MPSNAP: FS 10-1-1 LAR

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June 29, 2010

Jody Cornwell, Regional Director
Supplemental Nutrition Assistance Program
Food and Nutrition Service
Mountain Plains Region
1244 Speer Boulevard, Suite 903
Denver, CO 80204-35881

RE: Request for Extension of Waiver 970152

Dear Ms. Cornwell,

Section 6 (0) 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, provides that upon request of a State Agency the Secretary may waive the applicability of the above provision for areas in a state that do not have sufficient jobs to provide employment for individuals.

Enclosed is Nebraska Department of Health and Human Services' request for an extension of our waiver for the areas in Nebraska that continue to meet this criterion. The areas are the Omaha and Winnebago Reservations.

Please feel free to contact Teri Chasten, SNAP Administrator, at (402) 471-2738 or by e-mail at teri.chasten@nebraska.gov.

Respectfully,

Jill Schreck, EA Unit Administrator
Department of Health and Human Services

cc: Teri Chasten, Economic Assistance Administrator
Ed Matney, Policy Section Administrator

WAIVER REQUEST

1. **Waiver serial number:**
970152
2. **Type of request:**
Modification and Extension
3. **Primary regulation citation, if any:**
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, if any:**
7 CFR 273.24 (f)(3)(iii)
5. **State:**
Nebraska
6. **Region:**
Mountain Plains
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 requirement of a work program for 20 hours or more per week; or did not participate in and comply with requirements of a program under section 20 or a comparable program established by the State.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of 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 resides has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.

In addition, the FNS will approve two-year State agency waivers under limited circumstances, targeting areas that qualified for waivers for two consecutive past years. In order to be eligible for a two-year waiver, the area must meet at least one of the following criteria indicating that the area has experienced and will probably continue chronic high unemployment: an unemployment rate greater than 10 percent for the two-year period immediately prior to the request; designation as a Labor Surplus Area (LSA) by the Department of Labor's Employment and Training Administration (DOLETA) for a minimum of two consecutive fiscal years (the year of the request and the fiscal year prior to the request); or an unemployment rate

greater than 20 percent above the national average for a 36-month period, ending no earlier than three months prior to the request.

8. Proposed procedures:

The State is requesting a 2-year waiver for individuals residing in Thurston County. Thurston County has been designated a Labor Surplus Area (LSA) by the United States Department of Labor for both fiscal years 2009 and 2010 and thus is eligible for a 2-year waiver. Finally, the State requests to waive for 2-years the residents of the Omaha and Winnebago Reservations. These two reservations make up an overwhelming majority of area and population within Thurston County.

9. Justification for request:

Thurston County (where the overwhelming majority of the area and population of both the Omaha and Winnebago Reservations are located) has been designated a Labor Surplus Areas (LSA) by the United States Department of Labor for fiscal years 2009 and 2010. Very small portions of both of these reservations are located in other counties (the Omaha Reservation in Burt and Cuming Counties, the Winnebago Reservation in Dixon County). We believe that these areas are so small that they would not affect the eligibility of these reservations as a whole for exemptions. Based on the 2000 U. S. Census, the Native American populations of Burt, Cuming, and Dixon Counties are very small: 1.1 percent, 0.3 percent, and 0.5 percent of the total populations of the respective counties. See attached supporting information.

10. Anticipated impact on households and State agency operations:

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average and employment to population ration continues to be low compared to the national average.

11. Caseload information, including percent, characteristic, and quality control error rate for affected portion:

Please see part 9. There are no quality control procedures involved

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

October 1, 2010 through September 30, 2012.

13. Proposed quality control review procedures:

There are no special quality control procedures needed in conjunction with this waiver.

14. Signature and title of requesting official:



Jill Schreck, EA Unit Administrator
Department of Health and Human Services

15. Date of request:

6.29.2010