

JAN 13 1999

970043

SUBJECT: FSP - Alabama - Request to Waive Section 6(o) of the Food Stamp Act, as Amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

TO: Crayton Langford, Acting Director
Food Stamp Program
Southeast Region

This is in response to the Alabama State Agency's request for an extension of waiver #970043 which exempted individuals residing in several counties from the work requirement for able-bodied adults without dependents based on unemployment exceeding 10 percent.

The State agency also requested a 3 month extension for Bullock, Conecuh, Dallas, Perry, and Sumter Counties. These counties no longer have unemployment rates exceeding 10 percent; however, they continue to be designated as Labor Surplus Areas (LSAs). We are transferring these counties to waiver #970225 which covers counties designated as LSAs.

Our response is attached. If you have any questions, please contact James A. Walsh of my staff at 703-305-2531.

Arthur T. Foley

Arthur T. Foley
Director
Program Development Division

Attachment

cc: John Knaus, Maurice Tracy, All Regions (except SERO), Civil Rights
CPB (circulate)

FCS:FSP:PDD:CPII:JWalsh:final:1/12/99:va

FILE: ABAWDS

DIR: I:970043 - Memo

Symbol	Surname	Date	Symbol	Surname	Date
970043	Walsh	1-12-99			
970043	Tracy	1/12/99			
970043	Knaus	1/12/99			

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Waiver Response

1. **Waiver serial number:** 970043
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:**
5. **State:** Alabama
6. **Region:** SERO
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; 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 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. **Description of proposed alternative procedures:** Under the current waiver, the State agency is approved until December 31, 1998, to exempt individuals residing in 11 counties from the work requirement provisions of Section 6(o) of the PRWORA based on unemployment over 10 percent. The counties are: Bullock, Choctaw, Conecuh, Dallas, Greene, Lowndes, Monroe, Perry, Sumter, Washington, and Wilcox.

Under this extension request, the State agency wants to extend the following counties for 1 year: Choctaw, Green, Lowndes, Monroe, Washington, and Wilcox, based on their continued unemployment over 10 percent.

Butler County is currently waived under waiver #970225 based on its designation as a Labor Surplus Area (LSA). However, unemployment for the period October 1997 through September 1998 exceeded 10 percent in this county, and therefore, the State agency is requesting that Butler County be included under waiver #970043.

The State agency is also requesting a 3-month extension under the current waiver for Bullock, Conecuh, Dallas, Perry, and Sumter Counties. These counties no longer have unemployment rates exceeding 10 percent; however, they were designated as LSAs in fiscal year 1998 and continue to be designated as LSAs for fiscal year 1999.

9. **Action and reason for approval or denial:** The State agency submitted unemployment data for the 12 month period ending September 1998 which was compiled by the Alabama Department of Industrial Relations. Based on this data we are approving the State agency's request to exempt individuals who live in the following counties from the work requirement provisions of Section 824 of the PRWORA based on unemployment rates over 10 percent: Butler, Choctaw, Greene, Lowndes, Monroe, Washington, and Wilcox Counties.

Because the following counties no longer have unemployment rates over 10 percent and they are currently designated as LSAs, we are transferring Bullock, Conecuh, Dallas, Perry, and Sumter Counties to waiver #970225 which covers counties designated as LSAs and which expires on March 31, 1999.

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, which allows the Secretary to waive the applicability of the work requirement provision in Section 6(o) for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside have an unemployment rate over 10 percent.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** For those counties which are exempt based on 10 percent unemployment, please submit supporting unemployment data which relies on standard BLS data and/or methods.
13. **Expiration date:** This waiver is extended for a period of 1 year and it expires on December 31, 1999.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Alabama State Agency.

15. **Quality Control Procedures:** There are no special quality control procedures needed in conjunction with this waiver.
16. **Date of national office action:**
17. **Date of State agency's request:** December 7, 1998
18. **Date of regional office transmittal of response to State agency:**