

970123

SUBJECT: FSP - California Request for an Extension of its 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

TO: Dennis Stewart, Regional Director
Food Stamp Program
Western Region

This is in response to your memorandum forwarding the California State Agency's request to extend and modify waiver no. 970123. Under the waiver, which expired March 31, 1998, residents of 28 counties were exempt from the work requirements 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, based on unemployment greater than 10 percent. The State agency is now requesting a waiver for residents of Del Norte, Glenn, Madera, Merced, Modoc, Mono, Monterey, Siskiyou, and Trinity Counties based on unemployment greater than 10 percent. Although 24 counties would qualify for the waiver, the State agency wishes to limit it to these 9 counties. The State agency has also requested that the waiver be approved retroactive to April 1, 1998.

Our response approving the waiver is attached. As requested by the State agency approval is for a 6-month period retroactive to April 1, 1998.

If you have any questions regarding this waiver, please call Larry Tropp at 703-305-2437.

Arthur T. Foley
Director
Program Development Division

Attachment

cc: Joseph Pinto
John Knaus
Joe Shea

Maurice Tracy
All Regions (except WRO)
Civil Rights
CPB (circulate)
Fran Heil

FINAL:FCS:FSP:PDD:LTropp:final:7/23/98:va
FILE: ABAWDs
DIR: I:Waivers/970123.MEM

Waiver Response

1. **Waiver serial number:** 970123
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:** California
6. **Region:** WRO
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. **Description of proposed alternative procedures:** The California State Agency is proposing to exempt from these requirements individuals in Del Norte, Glenn, Madera, Merced, Modoc, Mono, Monterey, Siskiyou, and Trinity Counties. According to the State agency all of the counties had unemployment rates exceeding 10 percent for fiscal year 1997.
9. **Action and reason for approval or denial:** We are approving the State agency's request to exempt individuals in Del Norte, Glenn, Madera, Merced, Modoc, Mono, Monterey, Siskiyou, and Trinity Counties based on unemployment greater than 10 percent. The State agency's request was based on averaged data for Federal fiscal years 1996 -1997.

Using more recent data (for calendar year 1997), we have determined that residents of the requested counties qualify for an exemption from the work requirements of section 6(o) of the Act. The unemployment rates for the affected counties is contained in the chart below.

COUNTY	UNEMPLOYMENT RATE (Calendar Year 1997)
Del Norte	10.003 percent
Glenn	12.4 percent
Madera	13.5 percent
Merced	15.5 percent
Modoc	11.4 percent
Mono	10.02 percent
Monterey	10.7 percent
Siskiyou	12.1 percent
Trinity	13.4 percent

10. **Regulatory or legislative basis for action:** The 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 has an unemployment rate over 10 percent or has insufficient jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension.** To receive an extension the State agency shall provide unemployment rate data for the affected areas compiled by its BLS cooperating agency.
13. **Expiration date:** This waiver is effective retroactive to April 1, 1998, and will expire on September 30, 1998 as requested by the State agency.
14. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the California State agency.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** July 6, 1998
18. **Date of regional office transmittal of response to State agency:**
19. **Actual Implementation Date:**