



United States
Department of
Agriculture

Food and
Nutrition
Service

Western Region

550 Kearny St.
Room 400
San Francisco, CA
94108-2518

FS-4-CA/Valley Freeze

JAN 28 1999

Mr. Bruce Wagstaff, Deputy Director
Welfare to Work Division
Department of Social Services
744 P Street, MS 17-08
Sacramento, CA 95814

Dear Mr. Wagstaff:

This is in response to your January 22, 1999 request to modify temporarily the Food Stamp Program (FSP) operations to meet the food needs of individuals affected by the recent freezing weather conditions in Fresno and Tulare Counties. These counties suffered severe crop damage from the freezing weather, resulting in temporary loss of employment for numbers of agricultural workers. We understand that four other counties—Kern, Kings, Madera, and Monterey—were also affected by the freeze but have not requested waivers of the rules to meet the emergency conditions at this time. To ease staff workload and in accordance with 7 CFR 272.3(c)(1)(i), which allows the Food and Nutrition Service (FNS) to approve waivers requested because of extraordinary temporary situations, we are approving your request for Fresno and Tulare Counties, as indicated below. We are not giving advance approval to the other counties at this time but will respond quickly to their requests for waivers of the rules.

Work registration. **Fresno and Tulare Counties only** are approved to deem all food stamp recipients, who are not exempt from work registration, in their respective county to have been automatically registered for work, to save staff time associated with completion of registration forms. We will work with staff members in California's Employment Bureau and Data Operations Branch Reports Unit to refine the procedures for work registrant reporting for the quarterly Employment and Training Program Report (FNS-583).

Eligibility Simplification Project (ESP). We cannot add Tulare County, or any other county, to the ESP waiver (#9500057), because FNS' policy is not to add areas for short terms to long-term projects. However, we are approving a waiver of the face-to-face interview at recertification for 3 months (from February 1 through April 30, 1999) in **Tulare County only**, to reduce processing time. This is provided that the county gathers enough information in addition to monthly reports to allow

Mr. Bruce Wagstaff, Deputy Director

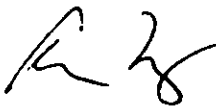
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redetermination of the cases. If the county wishes to extend this waiver, the county will need to show that there is a large enough influx of new cases to require an extension through July. An approval of an extension will not be considered, if the quality control (QC) error rate for Tulare County increases significantly. Tulare County's preliminary error rate at the end of Federal Fiscal Year 1998 is 9.81 percent, with 79.83 percent of the errors being caused by the agency. Your Food Stamp Bureau staff indicated that this solution will meet the County's needs.

Waiver of the able-bodied adults without dependents (ABAWD) work requirement. Your request to exempt individuals in the affected counties from the work requirements of section 6(o) of the Food Stamp Act, as amended, is approved for **Fresno and Tulare Counties only**, based on their average unemployment rate in the preceding 12-month period exceeding 10 percent. Except for Monterey County, the other affected counties would also qualify for this waiver. If Monterey County wishes to pursue this waiver, it will need to provide documentation to support that it is a Labor Surplus Area, i.e., an area that had an average unemployment rate for the most recent 24-month period that was 20 percent higher than the national average.

As mentioned earlier, we will respond quickly to requests from the other affected counties. If you have questions, please call Patricia Cruise of the Food Stamp Program at 415-705-1361, extension 307.

Sincerely,



ALLEN NG
Regional Administrator
Western Region

cc: Charr Lee Metsker, E&EB, CDSS, MS 16-26, Sacramento, CA
F. Patrick Sutherland, FSB, CDSS, MS 16-22, Sacramento, CA
Suzanne Nobles, EPB, CDSS, MS 16-33, Sacramento, CA
Gary Swanson, DOB, CDSS, MS 19-10, Sacramento, CA
Tom Benson, FOB, DOB, CDSS, Los Angeles, CA
Art Foley, PDD, FSP, Alexandria, VA ✓
Abigail Nichols, PAD, FSP, Alexandria, VA
Grace Sheffey, MA, Alexandria, VA
Janet Allen, SNP, WRO w/enc.

JAN 27 1999

SUBJECT: FSP—Food Stamp Assistance for California Counties Affected by the Freeze

TO: Allen Ng, Regional Administrator
Food and Nutrition Service
Western Region

This is in response to the January 22, 1999, request from the California Department of Social Services to modify Food Stamp Program operations to meet the food needs of individuals affected by the recent freezing weather conditions in Fresno and Tulare Counties in California. We understand that four other counties—Kern, Kings, Madera and Monterey—were also affected by the freeze, but have not requested waivers of the rules to meet the emergency conditions at this time.

Fresno and Tulare Counties suffered severe crop damage from the recent freezing weather, resulting in temporary loss of employment for numbers of agricultural workers. The State agency asked for authority, over the period from February 1 through July 31, 1999, to:

- deem all food stamp recipients in Fresno and Tulare Counties who are not exempt from work registration to have been automatically registered for work, in order to save staff time associated with completion of registration forms;
- include Tulare County in the Eligibility Simplification Project (ESP), allowing county officials to discontinue face-to-face interviews at recertification, and thereby reducing processing time; and
- exempt individuals in Fresno and Tulare Counties from the work requirements of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, based on information from the California Employment Development Department, which shows the unemployment rates in those counties averaged over 10 percent over the 12-month period ending January 1999.

We are approving the first and third waiver request, for the 6-month period from February 1 to July 31, 1999, as follows:

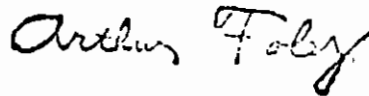
- Fresno and Tulare Counties may deem all food stamp recipients in those two counties who are not exempt from work registration to have been automatically registered for work;
- Fresno and Tulare Counties may exempt individuals from the requirements of Section 6(o) of the Food Stamp Act, as modified by Section 824 of the PRWORA, based on the fact that those counties have average unemployment of 10 percent or more.

We are not going to grant the State agency's request to add Tulare County to the ESP. We do not, as a matter of policy, add areas for short terms to long-term projects. However, after our discussion and your discussion with the State agency, we have determined that Tulare County may waive the requirement for a face-to-face interview at recertification for 3 months (from February 1 through April 30), provided that the county gathers enough information in addition to monthly reports to allow redetermination of the cases. If the county wants to extend this waiver, we ask that they show that there is a large enough influx of new cases to require an extension.

The State agency asked that we grant them flexibility to add other counties if they request changes. We are unwilling to grant such advance authority. However, we will respond quickly to further requests for waivers of the rules in the other four counties affected by the freeze.

We are approving this waiver under 7 CFR 272.3(c)(1)(i), which allows the Food and Nutrition Service to approve waivers requested because of extraordinary temporary situations.

If you have any questions about this waiver, please let us know immediately.



Arthur T. Foley
Director
Program Development Division

cc: Grace Sheffey, Abigail Nichols, Tim O'Connor, Maurice Tracy, All Regions

FINAL:FNS:FSP:PDD:CPB:DRWoodhead:1/25/99:sg:1-27-99
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