

JAN 13 2000

970046

SUBJECT: FSP - Kentucky - Request to Extend Waivers 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: Gil Camacho, Director
Food Stamp Program
Southeast Region

This is in response to the Kentucky State Agency's request for a modification and extension of waiver no. 970046 which exempts individuals residing in several counties from the work requirement for able-bodied adults without dependents.

Our response approving the waiver as requested is attached. If you have any questions, please contact Margaret Batko at 703-305-2516.

Arthur T. Foley

Arthur T. Foley
Director
Program Development Division

Attachment

cc: Mike DePiro (OAE), QC, Maurice Tracy, All Regions (except MWRO),
Civil Rights, CPB (circulate)

FNS:FSP:PDD:PDB:Kimberly Sullivan:305-2766:12/22/99:va

FC:

DIR: I:CPB:Kentucky ABAWD Waiver Response

Symbol	Surname	Date	Symbol	Surname	Date
PD/110	Marzotto	1/12/00			
PD/110	J. Ginn	1/13/00			

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WAIVER RESPONSE

1. **Waiver Serial Number:** 970046
2. **Type of Request:** Extension/Modification
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 (PROWRA) of 1996, P.L. 104-193.
4. **Secondary regulation citation:** N/A
5. **State:** Kentucky
6. **Region:** Southeast
7. **Regulatory Requirement:** Section 6(o) of the Food Stamp Act, as amended, by Section 824 of the PROWA, 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, average 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 PROWRA, 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 Kentucky State Agency currently has a waiver to exempt individuals residing in 64 counties, 1 partial county, and 2 cities from the work requirement provisions of Section 6(o) of the Food Stamp Act. The State agency is requesting to extend its waiver for 56 counties, 1 partial county, and 1 city and to add 1 new county, Lee, to the waiver, based on their designation as Labor Surplus Areas for FY 2000 by the U.S. Department of Labor. The State agency is not requesting an extension for Allen, Caldwell, Hart, Hickman, Hopkins, Laurel, Monroe, Nelson, and Rockcastle counties and Owensboro City.

9. **Action and reason for approval or denial:** We are approving the State agency's request in its entirety. Under the waiver residents of the following areas, all of which are designated LSAs, would be exempt from the work requirements of Section 6(o) of the Food Stamp Act based on insufficient job opportunities:

Table I

Adair	Clinton	Hancock	Lyon	Pike
Ballard	Crittenden	Harlan	Magoffin	Powell
Bath	Cumberland	Henderson City	Marion	Russell
Bell	Edmonson	Johnson	Marshall	Taylor
Boyd	Elliott	Knott	Martin	Union
Breathitt	Fleming	Knox	McCreary	Warren - less Bowling Green City
Breckinridge	Floyd	Lawrence	McLean	Wayne
Butler	Fulton	Lee	Menifee	Webster
Carlisle	Graves	Leslie	Morgan	Whitley
Carter	Grayson	Letcher	Muhlenberg	Wolfe
Casey	Green	Lewis	Ohio	
Clay	Greenup	Livingston	Perry	

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 PROWRA, 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 of over 10 percent, or does not have a sufficient number of jobs to provide employment for individuals residing in the area.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** To receive an extension the State agency must provide data indicating that the areas included in this waiver have unemployment rates of over 10 percent or do not have a sufficient number of jobs to provide employment for the individuals residing in the areas.
13. **Expiration date:** This waiver will expire February 28, 2001. The waiver for Allen, Caldwell, Hart, Hickman, Hopkins, Laurel, Monroe, Nelson, Rockcastle counties and Owensboro city continues to expire February 28, 2000.

14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Kentucky State Agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** December 2, 1999
18. **Date of regional office transmittal of request:** December 21, 1999 (via fax)
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**