

WAIVER RESPONSE

1. **Waiver Serial Number:** 970073
2. **Type of Request:** 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:** Maryland
6. **Region:** MARO
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.** Under the current waiver, the State agency is approved to exempt individuals from the requirements of Section 6(o) of the PROWRA for 3 counties (Allegany, Cecil and Worcester) and 2 cities (Annapolis and Baltimore) based on these areas being identified as Labor Surplus Areas (LSAs) by the Employment and Training Administration (ETA) of the Department of Labor.

The State agency is requesting a modification of the current waiver to include Kent County. Kent County has recently been identified as an LSA by the ETA for FY 1998. The original waiver expires January 28, 1998. The State agency has not yet completed the necessary work to request an extension of the original waiver and

prefers to modify the waiver at this time to include Kent County for the period of October 1, 1997 through September 30, 1998.

9. **Action and reason for approval or denial.** Based on information provided by the State agency and our review of recent data from the Employment and Training Administration (ETA) of the Department of Labor, we are approving the State agency's request to modify waiver no. 970073 to exempt individuals who reside in Kent County from the work requirement provisions of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PROWRA. Approval is based on this County being identified as an LSA by the ETA, effective October 1, 1997.
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 supporting unemployment data which indicates insufficient jobs.
13. **Expiration date:** This waiver is effective retroactive to October 1, 1997 for Kent County only and will expire on December 31, 1998. Waiver approval for all other areas covered under waiver no. 970073 expire on January 28, 1998.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Maryland State Agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** October 31, 1997.
18. **Date of regional office transmittal of request to national office:**
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**