

970117 and 970129

SUBJECT: FSP - Missouri - 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: Allan C. Nickels, Director
Food Stamp Program
Mountain Plains Region

This is in response to the Missouri State Agency's requests for an extension of
waivers #970117 and #970129, which exempted individuals residing in a number of areas
from the work requirement for able-bodied adults without dependents.

Our responses are attached. You will note that we placed the request to extend the
waiver for the residents of Wright County under Waiver #270129, based on the county's
designation as an LSA. Using the unemployment data furnished by the State agency we
based our determination on the last twelve months shown on the printout, December 1996
through November 1997. The average unemployment in Wright County for that period was
9.41 percent.

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

Arthur T. Foley
Director
Program Development Division

Attachments

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

FNS:FSP:PDD:JWalsh:final:2/12/98:va
FILE: ABAWDS
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Waiver Response

1. **Waiver serial number:** 970117
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:** Missouri
6. **Region:** MPRO
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:** The State agency is requesting an extension to its original waiver for food stamp recipients residing in Wayne County and Wright County. The State agency is adding two additional counties: Douglas County and Stone County. All 4 counties have unemployment rates in excess of 10 percent when averaged for the entire fiscal year ending June 1997.

9. **Action and reason for approval or denial:** The State agency submitted unemployment data for December 1995 through November 1997 which was compiled by the Missouri Division of Employment Security. We used the last 12 months' data (December 1996 through November 1997) submitted by the State agency in determining which of the counties have unemployment rates in excess of 10 percent. 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: Douglas, Stone, and Wayne Counties.
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 February 28, 1999.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Missouri 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:** February 2, 1998.
18. **Date of regional office transmittal of response to State agency:**