

FEB 10 1999

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 request for an extension of waiver no. 970129, which exempts individuals residing in a number of areas from the work requirement of Section 6(o) of the Food Stamp Act of 1977, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, for able-bodied adults without dependents.

Our response approving the waiver is attached. If you have any questions, please contact Larry Tropp of my staff at 703-305-2437.

Arthur T. Foley

Arthur T. Foley
Director
Program Development Division

Attachment

cc: John Knaus, Maurice Tracy, All Regions (except MPRO), Civil Rights
CPB (circulate), Mike DePiro (OAE)

FNS:FSP:PDD:LTropp:final:2/9/99:va

FILE: ABAWDS

DIR: I:970129 1999 ext - memo

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PD 11	W. B. ...	2/5/99		
PDD 10	W. B. ...	2/10/99		

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Waiver Response

1. **Waiver serial number:** 970129
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 individuals who reside in areas which do not have a sufficient number of jobs to provide employment for individuals subject to Section 824 of the PRWORA.

This waiver would allow an exemption from this requirement for residents of 28 counties and 1 city. Twenty-seven of the counties and St. Joseph City and St. Louis City are designated as labor surplus areas (LSAs) by the Employment and Training Administration (ETA) of U. S. Department of Labor.

Residents of Buchanan County are included in this waiver based on the designation of St. Joseph City, which includes 86.4 percent of the population of the county, as an LSA. The State agency has elected not to seek an extension of waiver no. 970117, which was based on unemployment greater than 10 percent. Residents of Wayne, Douglas, and Stone Counties, who are currently exempt under that waiver, will be included in this waiver.

Benton, Dallas, Howell, Pike, Pulaski, and St. Clair Counties are no longer designated LSAs for Fiscal Year 1999. Residents of those counties, which are exempt under the current expiring waiver, have not been included in this extension request, and will lose their exemptions when the current waiver expires February 28, 1999.

9. **Action and reason for approval or denial:** We are approving the State agency's request to exempt residents of Bollinger, Caldwell, Camden, Carter, Crawford, Douglas, Dunklin, Hickory, Iron, Laclede, Linn, Madison, Miller, Mississippi, New Madrid, Ozark, Pemiscot, Ripley, Shannon, St. Francois, Stoddard, Stone, Taney, Texas, Washington, Wayne, and Wright Counties, and the City of St. Louis from the work requirement provisions of Section 6(o)(2) of the Food Stamp Act, as amended by Section 824 of the PRWORA, based on based on their designation as LSAs by the ETA.

We are also approving the State agency's request to exempt residents of Buchanan County, including St. Joseph City, as an expansion of a partial county LSA. St. Joseph City, which is a designated LSA, contains 86.4 percent of the County's population.

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 does not have a sufficient number of jobs to provide employment for the individuals.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** For those areas which are exempt based on an insufficient number of jobs, 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 will expire on February 29, 2000.

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:** December 29, 1998.
18. **Date of regional office transmittal of response to State agency:**