

SEP 22 1999

980063

SUBJECT: FSP - Pennsylvania - 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: Joseph Weingart, Regional Director
Food Stamp Program
Mid-Atlantic Region

This is in response to your August 23, 1999, memorandum transmitting the Pennsylvania State Agency's request to modify their current waiver #980063, which waives Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This section limits the receipt of food stamp benefits to 3 months within a 3-year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workfare.

Our response is attached. We are approving the State's waiver modification to add three additional cities to their current waiver that exempts able-bodied adults without dependents from the work requirement.

Arthur T. Foley

Arthur T. Foley
Director
Program Development Division

Attachments

cc: Carolyn Foley Bob Dalrymple - OAE
John Knaus Mike DePiro - OAE
Maurice Tracy Civil Rights
All Regions (except MARO)

FCS:FSP:PDD:CPB:JPack:9/14/99:final:9/16/99:va

DIR: I:CPB:PA ABAWD-modification 99

Symbol	Signature	Date
PODIAK	<i>[Signature]</i>	9/17/99
POBIC	<i>[Signature]</i>	9/17/99
POIN	<i>[Signature]</i>	9/21/99

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Waiver Response

1. **Waiver serial number:** 980063
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 (PRWORA) of 1996 (PL 104-193)
4. **Secondary regulation citation:**
5. **State:** Pennsylvania
6. **Region:** MARO
7. **Regulatory requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, 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. **Proposed alternative procedures:** The Pennsylvania State Agency is requesting a modification of their current waiver. Under the current waiver the State agency is allowed to waive the requirements of Section 6(o) of the Food Stamp Act as amended by Section 824 of the PRWORA for individuals residing in 39 counties and 5 cities. Thirty one counties and five cities were approved based on their being identified as Labor Surplus Areas (LSAs) in the September 1998 issue of the U.S. Department of Labor's "Area Trends in Employment and Unemployment", 3 counties were approved based on 24-month average unemployment rates that were 20 percent above the national average for the same period, and 5 counties were approved based on adverse job growth.

In the State's modification request it wants to include the cities of New Castle, Reading, and York in Lawrence, Berks, and York counties respectively which have also been identified as LSAs by the U.S. Department of Labor's Employment and Training Administration for fiscal year 2000.

9. **Action and reason for approval or denial:** We are approving the State agency's request to exempt individuals residing in the cities of New Castle (Lawrence County), Reading (Berks County), and York (York County) from the work requirement provisions of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA based on the counties designation as LSAs. We are only approving this modification request until May 31, 2000, so it can be consistent with the expiration date given to the State's waiver extension.
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 or has insufficient jobs.
11. **Conditions and reasons:**
12. **Information required for extension.** Please submit information which indicates that these areas have insufficient jobs.
13. **Expiration date:** This waiver expires May 31, 2000.
14. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Pennsylvania State Agency.
15. **Quality Control Procedures:**
16. **Date of national office action:**
17. **Date of State agency's request:** August 19, 1999.
18. **Date of regional office transmittal of response to State agency:** August 23, 1999.
19. **Actual Implementation Date:**