

970228

SUBJECT: FSP - Vermont - 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: Robert Canavan, Director
Food Stamp Program
Northeast Region

This is in response to the Vermont State Agency's request for an extension of waiver #970228 which exempted individuals residing in the Newport service district from the work requirement for able-bodied adults without dependents.

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

Arthur T. Foley
Director
Program Development Division

Attachment

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

FNCS:FSP:PDD:CPII:JWalsh:final:4/28/98:va

FILE: ABAWDS

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Waiver Response

1. **Waiver serial number:** 970228
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:** Vermont
6. **Region:** NERO
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 groups of individuals who reside in the Newport service district, which includes Essex and Orleans Counties. Essex and Orleans Counties are designated as labor surplus areas (LSAs) by the U. S. Department of Labor (DOL), Employment and Training Administration.

9. **Action and reason for approval or denial:** We are approving an extension of the exemption of residents of Essex and Orleans Counties, based on their designation as LSAs, from the work requirement provisions of Section 824 of the PRWORA. We are approving the extension for both counties, rather than for the Newport service district as requested by the State agency, because after requested attempts, we were unable to clarify the exact geographic area of the service district. The State agency may choose to only implement the waiver in areas of the two counties that are in the service district.
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 it expires on April 30, 1999.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Vermont 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:** January 5, 1998.
18. **Date of regional office transmittal of response to State agency:**