

October 23, 1997

970164

SUBJECT: FSP - Washington State Agency's 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: Dennis Stewart, Program Director
Food Stamp Program
Western Region

This is in response your memo forwarding Washington State Agency's request of September 10, 1997, to modify waiver number 970164 which exempts individuals from Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

Waiver number 970164 approved an exemption for one county for 1 year and for two counties, Kitsap and Walla Walla for a period of 6 months. The State agency submitted additional information regarding these two counties and asked that the waiver for Kitsap and Walla Walla be extended for an additional 6 months to coincide with the expiration dates for the other county in the waiver.

Our response is attached. We are approving the requested modification for Kitsap (less Bremerton City and the Suquamish reservations which were approved in separate waivers) and Walla Walla (less Walla Walla City which was approved in a separate waiver) counties.

If you have any questions, please contact Moira Johnston of my staff at 703-305-2515.

/s/

Arthur T. Foley
Director
Program Development Division

Attachment

cc: Joseph Pinto, Retha Oliver, Joe Shea, Maurice Tracy, All Regions (except WRO), Civil Rights, CPB (circulate), OAE - Bob Dalrymple

FSP:FCS:FSP:CPB:MJohnston:Draft:10/21/97:FINAL:10/22/97:va

FC: ABAWDs
DIR: WP:WAIVERS:970164

Waiver Response

1. **Waiver serial number:** 970164
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, P.L. 104-193.
4. **Secondary regulation citation:**
5. **State:** Washington
6. **Region:** WRO
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 provisions 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:** Individuals in two counties (Kitsap and Walla Walla) would be exempt 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 fact that these counties have insufficient jobs.
9. **Action and reason for approval or denial:** Waiver number 970164 approved an exemption for one county for 1 year and for Kitsap and Walla Walla counties for 6 months. The State agency submitted additional information regarding these two counties and asked that the waiver be extended for an additional 6 months to coincide with the expiration dates for the other county in the waiver. The additional

information the State agency submitted for these counties indicates that both counties had unemployment rates 20 percent above the national average for calendar years 1995 and 1996, and for the period of June 1995 through May 1997. Based on this information, and in concurrence with your recommendation, we are approving an exemption for these counties for an additional 6 months.

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 provisions 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 over 10 percent or has insufficient jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Data which indicates that Kitsap and Walla Walla have insufficient jobs will be required for an extension of the waivers for those areas.
13. **Expiration date:** The modification of waiver 970164 for Kitsap and Walla Walla counties is approved retroactive to October 1, 1997 and will expire on March 31, 1998.
14. **Limitation on regional office approval of like requests:** This waiver is limited to Kitsap and Walla Walla counties in the State of Washington.
15. **Quality Control Procedures:** No special quality control procedures are needed in conjunction with this waiver.
16. **Date of national office action:**
17. **Date of State agency's request:** September 10, 1997
18. **Date of regional office transmittal of response to State agency:**