

AUG 27 1999

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SUBJECT: FSP - Washington - 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 - Extension for the Tulalip Indian Reservation

TO: David H. Bailey, Acting Regional Director
Food Stamp Program
Western Region

This is in response to your memorandum of July 27, 1999, forwarding the Washington State Agency's request to extend its waiver of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, for the Tulalip Indian Reservation. 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.

In a memorandum dated June 10, 1999, we approved the State agency's request to extend its waiver for all of the requested areas with the exception of the Tulalip Reservation, located in Snohomish County. We denied the request for the reservation because it did not meet our usual criteria for approval. As we stated in the June 27 waiver response, the 2-year average unemployment rate for the reservation, calculated through census ratios was 4.0 percent for the period, and its employment to population ratio based on the most recent data from the BIA was 56 percent, well above our normal cutoff of 50 percent. We did grant a temporary extension through July 31, 1999, to enable the State agency to develop additional criteria to support an extension of the waiver.

We have reviewed the data which the State agency submitted and have determined that it is not sufficient to justify an extension. The data, which was developed by Tribal Data Resources, appears to use methodology similar to that used by the BIA. Although we may use BIA data to determine employment to population ratios, we may only use data from the Bureau of Labor Statistics (BLS) or one of its State cooperating agencies which uses BLS methodology to determine unemployment rates. Using the data developed by Tribal Data Resources we calculated an employment to population ratio of approximately 57%.

970153

Page 2

To enable the State agency to implement the provisions of Section 6(o) of the Act, we are granting a final temporary extension of the waiver for the reservation through September 30, 1999. If you have any questions, please contact Larry Tropp of my staff at 703-305-2437.

Signed

Arthur T. Foley
Director
Program Development Division

cc: SAB-PAD, John Knaus, Maurice Tracy, Retha Oliver, Bob Dalrymple - OAE
Mike DePiro - OAE, Civil Rights, All Regions (except WRO)

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