

FEB 09 2001

970069

SUBJECT: FSP - Colorado 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 Nickels, Director
Food Stamp Program
Mountain Plains Region

This is in response to the Colorado State Agency's request for an extension of waiver #970069 which exempted individuals residing in several counties from the work requirement for able-bodied adults without dependents.

Our response is attached. If you have any questions, please let us know.



Arthur T. Foley
Director
Program Development Division

Attachment

cc: PAD (QC), John Knaus, Maurice Tracy, All Regions (except MPRO), CRD, Michael DePiro, OANE

FINAL:FNS:FSP:PDD:CPB:Swiggins:cdh:2-6-01
FILE: ABAWDS
DIR: I:WAIVERS:970069 - Memo extension 2000

Symbol	Surname	Date	Symbol	Surname	Date
PAD-131	Swiggins	2/8			
PDD 100	Webster	2/9/01			

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Waiver Response

1. **Waiver serial number:** 970069
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:** Colorado
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 Colorado State Agency is requesting an extension of the previous waiver to its original waiver for food stamp recipients who reside in certain areas which do not have a sufficient number of jobs to provide employment for individuals subject to Section 824 of PRWORA. This waiver allows an exemption from this requirement for groups of individuals who reside in certain areas designated as Labor Surplus Areas (LSAs) by the Bureau of Labor Statistics (BLS) of the Department of Labor.

The Colorado State Agency requests that the counties of Conejos, Costilla, Rio Grande, Saguache, and San Juan be exempted from the provisions of Section 6(o) of the Food Stamp Act based on their designation by the Bureau of Labor Statistics of the Department of Labor as Labor Surplus Areas (LSAs) because it is not operating an Employment and Training Program in those counties.

9. **Action and reason for approval or denial:** We are approving this waiver extension for food stamp recipients who reside in the counties of Conejos, Costilla, Rio Grande, Saguache, and San Juan, based on their designation as LSAs by the Department of Labor.
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 has an insufficient number of jobs to provide employment for the affected individuals.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** 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. The waiver expires on March 1, 2002.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Colorado 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 10, 2001
18. **Date of regional office transmittal of response to State agency:**