

JUN 16 2000

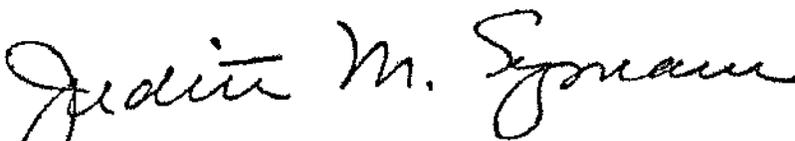
970228

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 L. Canavan  
Regional 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 Essex and Orleans Counties from the work  
requirement for able-bodied adults without dependents.

Our response is attached. If you have any questions, please contact Dan Woodhead of my  
staff at 703-305-2501.



Arthur T. Foley  
Director  
Program Development Division

Attachment

cc: Retha Oliver, Barbara Hallman, Joe Shea, Maurice Tracy, All Regions (except NERO),  
Civil Rights

FNS:FSP:PDD:CPB:DRWoodhead:DRAFT:6/14/00:Final:06/15/00:ebw

FILE: ABAWDS

DIR: I:\cpb\waiver\970228 Waiver&Memo for 2000.doc

Symbol	Surname	Date	Symbol	Surname	Date
PD120	DRWoodhead	6/15/00			

**OFFICIAL RECORD COPY**

## 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 will 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 of 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.

The State agency also asked that this waiver be extended through January 1, 2002, to establish a new cycle for submitting future requests. It noted the DOL is required to publish its annual list of LSAs, effective October 1, at the start of the fiscal year, and that DOL published the latest list on October 15, 1999. Such a change would allow it to submit its request in November each year, for a January 1 implementation date.

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.
10. **Regulatory or legislative basis for action:** This waiver is approved under Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, which allows the Secretary to waive the work requirement provision in Section 6(o) for any group of individuals in the State if the Secretary determines that the area in which the individuals reside does not have enough jobs to provide employment for the individuals.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** For those areas that 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, retroactive to the beginning of May 2000, the month in which it was requested, and expires on May 31, 2001. Although the State agency asked that the waiver be extended through January 1, 2002, we are not currently granting these waivers for longer than 1 year. If the State agency wishes to synchronize its waivers with the Federal fiscal year, it may request extension of these waivers early in the new fiscal year, rather than waiting for the renewal date.
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:** JUN 16 ENT'D (2K)
17. **Date of State agency's request:** May 19, 2000
18. **Date of regional office transmittal of response to State agency:** June 2, 2000



United States Department of Agriculture  
Food and Nutrition Service

Northeast Region

Date:

JUN - 2 2002

Subject:

ABAWD Extension Request, Vermont (VT)

To:

Art Foley, Director  
Program Development Division

Attached please find the May 19, 2000 request to extend waiver #970228. This waiver allows residents of Essex and Orleans counties to be exempt from the work requirements 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. The prior extension of waiver #970228 was granted through April 30, 2000 and has expired.

Vermont is requesting that waiver #970228 be extended for Essex and Orleans counties based on their classification as Labor Surplus Areas (LSAs) by the U.S. Department of Labor (DOL). They have requested that the waiver be approved retroactively without interruption and through January 1, 2002 in order to better coincide with DOL's annual release of LSAs. While we recommend approval of this waiver, please note that Vermont was reminded in advance of the waiver's pending expiration. Vermont was also advised of their ability to use their 15 percent ABAWD exemptions for any lapse in waiver coverage should you choose not to extend the waiver retroactively.

If you have any questions regarding this waiver request, please contact Laurie Hurd at (617) 565-6374.

Mary A. Ferris, Chief  
State Program Improvement Section  
Food Stamp Program  
Northeast Region

Attachment

*Handwritten notes:*  
Waiver #970228  
304-970228  
6/1/02