



United States General Accounting Office  
Washington, DC 20548

Office of the General Counsel

B-286699

November 7, 2000

The Honorable Richard G. Lugar  
Chairman  
The Honorable Tom Harkin  
Ranking Minority Member  
Committee on Agriculture, Nutrition, and Forestry  
United States Senate

The Honorable Larry Combest  
Chairman  
The Honorable Charles W. Stenholm  
Ranking Minority Member  
Committee on Agriculture  
House of Representatives

Subject: Department of Agriculture, Food and Nutrition Service: Food Stamp Program: Non-Discretionary Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Agriculture, Food and Nutrition Service (FNS), entitled "Food Stamp Program: Non-Discretionary Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996" (RIN: 0584-AC41). We received the rule on October 23, 2000. It was published in the Federal Register as a final rule on October 30, 2000. 65 Fed. Reg. 64581.

The final rule implements certain nondiscretionary provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 that affect the Food Stamp Program. The rule includes changes in the minimum and maximum allotments, the standard shelter deductions, household composition, the fair market value of vehicles, the definition of homeless, and expedited service.

Enclosed is our assessment of the FNS' compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. Our review indicates that FNS complied with the applicable requirements.

If you have any questions about this report, please contact James W. Vickers, Assistant General Counsel, at (202) 512-8210. The official responsible for GAO

evaluation work relating to the subject matter of the rule is Cindy Fagnoni, Managing Director, Education, Workforce, and Income Security. Ms. Fagnoni can be reached at (202) 512-7215.

Kathleen E. Wannisky  
Managing Associate General Counsel

Enclosure

cc: The Honorable Shirley R. Watkins  
Under Secretary  
Food, Nutrition, and Consumer Services  
Department of Agriculture

ANALYSIS UNDER 5 U.S.C. § 801(a)(1)(B)(i)-(iv) OF A MAJOR RULE  
ISSUED BY THE  
DEPARTMENT OF AGRICULTURE,  
FOOD AND NUTRITION SERVICE  
ENTITLED  
"FOOD STAMP PROGRAM: NON-DISCRETIONARY PROVISIONS  
OF THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY  
RECONCILIATION ACT OF 1996"  
(RIN: 0584-AC41)

(i) Cost-benefit analysis

The Food and Nutrition Service estimates that the total savings in food stamps issued from the rule for the 5 years from fiscal year 1998 to 2002 to be \$9.039 billion.

(ii) Agency actions relevant to the Regulatory Flexibility Act, 5 U.S.C. §§ 603-605, 607, and 609

The Under Secretary has certified that the final rule will not have a significant economic impact on a substantial number of small entities.

(iii) Agency actions relevant to sections 202-205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532-1535

The final rule does not impose an intergovernmental or private sector mandate, as defined in title II, of over \$100 million in any one year.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 et seq.

The final rule was issued using the notice and comment procedures contained at 5 U.S.C. 553. On July 12, 1999, a Notice of Proposed Rulemaking was published in the Federal Register. 64 Fed. Reg. 37454. Comments were received from 10 state agencies and an advocacy group.

Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520

The final rule does not contain any information collections that are subject to review and approval by the Office of Management and Budget under the Paperwork Reduction Act.

**Statutory authorization for the rule**

**The final rule was promulgated under the authority contained in 7 U.S.C. 2011-2036 and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104-193.**

**Executive Order No. 12866**

**The final rule was reviewed by the Office of Management and Budget and found to be an “economically significant” regulatory action.**

**Executive Order No. 13132 (Federalism)**

**The final rule does not have sufficient federalism implications to require the preparation of an impact statement under the order.**