

2030035

SUBJECT: FSP - Alaska – ABAWD Waiver Extension - 7 CFR 273.24

TO: Dennis Stewart, Regional Director
Food Stamp Program
Western Region

This is in response to your March 16, 2005, memo forwarding the Alaska State Agency's request to extend waiver 2030035. Alaska wishes to waive 7 CFR 273.24, which 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.

Alaska is requesting an exemption for the entire State for two years. They provided data showing it has a 24-month unemployment rate that is 20 percent above the national average for the 24-month period, January 2002 through December 2003, and also for the 24-month period, January 2003 through December 2004.

Alaska further supports its request by submitting evidence that it qualifies for extended unemployment benefits as determined by the Unemployment Insurance Service, Department of Labor.

Because the submitted documentation supports an extended approval, we are approving the waiver through September 30, 2006, which will align the waiver with the proper Federal fiscal years. The requested end date, April 1, 2007, exceeds the applicability of the unemployment numbers.

Our response is attached. If you have any questions, please contact Dwight Ricker at 703-305-2803.

Patrick Waldron
Chief
Certification Policy Branch
Program Development Division

Attachment

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WAIVER RESPONSE

1. **Waiver serial number:** 2030035
2. **Type of request:** Extension and modification.
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** Alaska
6. **Region:** WRO
7. **Regulatory Requirements:** 7 CFR 273.24 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 a week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more a week; or did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

7 CFR 273.24 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 enough jobs to provide employment for the individuals.
8. **Description of proposed alternative procedures:** Alaska is seeking to renew its current year-round statewide waiver of 7 CFR 273.24, exempting all able bodied adults residing in Alaska from the ABAWD work requirements. Alaska requests this waiver be renewed for two years, through March 31, 2007
9. **Action and reason for approval or denial:** We are approving the statewide waiver until September 30, 2006, which will align the waiver with the proper Federal fiscal year.

The national average unemployment rate for the period January 2002 through December 2003 is 5.9 percent. The unemployment rate threshold for this 24-month period is 7.0 (20 percent over the 5.9 national average). The national average unemployment rate for the period January 2003 through December 2004 is 5.8 percent. The unemployment rate threshold for this 24-month period is 7.0 (20 percent over the 5.8 national average).

Based on data obtained from the BLS website (<http://www.bls.gov>), we calculated the unemployment rate for the entire State as follows:

2002 – 2003 average unemployment rate = 7.9 %

2003 – 2004 average unemployment rate = 7.6%

Alaska's unemployment rate for both 24-month periods is greater than 20 percent above the national average.

10. **Regulatory or legislative basis for action:** 7 CFR 273.24, which allows the Secretary to waive the applicability of the work requirement provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside as an unemployment rate of over 10 percent or an insufficient number of jobs.
11. **Conditions or Reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data that relies on standard BLS data and/or methods that indicates unemployment rates over 10 percent or a lack of sufficient jobs. When submitting data that indicates an unemployment rate 20 percent above the national average, please submit data for a 24-month period.
13. **Expiration date:** The waiver is approved retroactive to April 1, 2005 and expires on September 30, 2006. Please remind the State to submit future requests no later than 60 days prior to the expiration date.
14. **Limitation on regional office approval of like requests:** The waiver is limited to the Alaska State Agency.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** February 28, 2005
18. **Date of regional office transmittal of response to National office:** March 16, 2005.
19. **Date of regional office transmittal of response to State agency:**

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20. Actual implementation date: