

March 4, 2005

970118

SUBJECT: FNS – District of Columbia – Request to Renew ABAWD
Waiver 970118

TO: Joseph Weingart, Director
Food Stamp Program
Mid-Atlantic Region

This is in response to the District of Columbia State Agency's request to renew waiver #970118, which exempted individuals residing in the District from the work requirement for able-bodied adults without dependents.

Our response is attached. If you have any questions, please contact Joseph M. Shea of my staff at 703-305-2513.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

FINAL:USDA:FNS:FSP:PDD:CPB:JMShea:2/25/05:je
FILE: ABAWDS (DC)
DIR:I:CPB:WAIVERS:970118—DC Memo & Ext.2005

WAIVER RESPONSE

1. **Waiver serial number:** 970118
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** District of Columbia
6. **Region:** MARO
7. **Regulatory Requirements:** The Food Stamp Program Regulations at 7 CFR 273.24 provide 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.

The Food Stamp Program Regulations at 7 CFR 273.24(f) also provide 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 District of Columbia State Agency is requesting an extension to its waiver for food stamp recipients who reside in the District of Columbia, based on its having an unemployment rate 20 percent above the national average for the 24 month period December 2002 through November 2004. The District of Columbia submitted statistical data from the United States Department of Labor, Bureau of Labor Statistics (BLS) in support of its request via an electronic Excel spreadsheet.
9. **Action and reason for approval or denial:** The national unemployment rate for the 24 month period December 2002 through November 2004 was 5.7875 percent. The Food Stamp Program Regulations at 7 CFR 273.24(f)(3)(iii)

970118

Page 2

provide that waivers are readily approvable if data from the BLS establishes that an area has a 24 month average unemployment rate that exceeds the national average by 20 percent for any 24 month period no earlier than the same period that the Department of Labor's Employment and Training Administration (ETA) uses to designate Labor Surplus Areas for the current fiscal year. The period used for the current list of Labor Surplus Areas is January 2002 through December 2003. The District of Columbia would need to have an unemployment rate for the requested 24 month period of at least 6.9450 percent to be 20 percent above the nation average for the same 24 month period. Since it had an unemployment rate of 7.1852 percent for the qualifying requested 24 month period, we are approving this waiver extension request.

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f), which allows the Food and Nutrition Service (FNS) to waive the applicability of the work requirement provision in 7 CFR 273.24 for any group of individuals in the State if the FNS 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:** If the area is not designated as an LSA by the Department of Labor, please submit data indicating that the area included in this waiver either experiences unemployment greater than 10 percent or has insufficient job opportunities. Supporting unemployment data must rely on standard Bureau of Labor Statistics data and/or methods.
13. **Expiration date:** February 28, 2006.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the District of Columbia State Agency.
15. **Quality Control Procedures:** There is no special quality control procedures needed in conjunction with this waiver.
16. **Date of national office action:**
17. **Date of State agency's request:** February 3, 2005
18. **Date of regional office transmittal to national office:** February 3, 2005

