

January 22, 2008

Subject: FSP – District of Columbia ABAWD Waiver Request

To: William Kluxen, Regional Director  
Food Stamp Program  
MARO

This is in response to the District of Columbia’s ABAWD waiver request, 970118, which requests a two year extension, because it has been classified as a Labor Surplus Area for Fiscal years 2007 and 2008.

The waiver has been approved as requested, effective March 1, 2008 through February 28, 2010.

For your review, attached is our waiver response. If you have any questions, please contact Dwight Ricker, 703-305-2486.

/s/

Harriet Kornegay  
Assistant branch Chief  
Certification Policy branch  
Policy Development Division

FINAL: FNS: FSP: PDD: CPB: DRicker: LAJ: 01/22/08  
DIR: I: WAIVERS: FY 2008 970118 DC ABAWD

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## WAIVER RESPONSE

1. **Waiver serial number:** 970118
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** District of Columbia
6. **Region:** MARO
7. **Regulatory Requirements:**

Under 7 CFR 273.24(b) individuals are not 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; participate in and comply with the requirements of a work program for 20 hours or more per week; or participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

Under 7 CFR 273.24(f), upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if the FNS 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.

In addition, the FNS will approve two-year State agency waivers under limited circumstances, targeting areas that qualified for waivers for two consecutive past years. In order to be eligible for a two-year waiver, the area must meet at least one of the following criteria indicating that the area has experienced and will probably continue chronic high unemployment: an unemployment rate greater than 10 percent for the two-year period immediately prior to the request; designation as a Labor Surplus Area (LSA) by the Department of Labor's Employment and Training Administration (DOLETA) for a minimum of two consecutive fiscal years (the year of the request and the fiscal year prior to the request); or an unemployment rate greater than 20 percent above the national average for a 36-month period, ending no earlier than three months prior to the request.

8. **Proposed Procedures:**

The District of Columbia is seeking a 24-month waiver because the District has been designated a Labor Surplus Area (LSA) by the United States Department of Labor for both fiscal years 2007 and 2008.

9. **Action and Reason for Approval or Denial for request:**  
This waiver is approved, effective March 1, 2008 through February 28, 2010, based on insufficient jobs, as demonstrated statistically by labor force and unemployment data compiled by the Bureau of Labor statistics.
10. **Regulatory or legislative basis for action:** This waiver is approved under the authority of 7 CFR.24(f), which allows FNS to waive the applicability of the work requirement provision for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has insufficient jobs.
11. **Conditions and Reasons:** N/A
12. **Information Required for Extension:** To receive an extension, the State must provide data indicating that there are insufficient jobs in the District.
13. **Expiration date:** This waiver is approved effective March 1, 2008, and it will expire on February 28, 2010.
14. **Limitation on regional office approval of all like requests:** This waiver is limited to the District of Columbia.
15. **Quality Control procedures:** There are no special quality control procedures needed in conjunction with this waiver.