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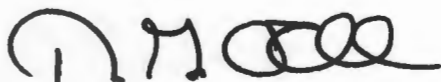
SUBJECT: FSP - Idaho - ABAWD - Waiver of the Requirements of 7 CFR 273.24

TO: Dennis Stewart, Director
Food Stamp Program
Western Region

This is in response to your memorandum dated April 6, 2006, transmitting Idaho's request to modify and extend its waiver of the work requirements of 7 CFR 273.24. We are approving Idaho's request for all of the areas listed in the waiver except Gem and Power counties.

Because of the difficulty in verifying Idaho's raw data, we reconstructed the State agency's computations and made certain mathematical adjustments to the final unemployment rate figures. To avoid delay next year, we strongly urge the Idaho State agency to seek assistance with its computations and supporting documentation.

Our detailed response is attached. If you have any questions, please contact Vicky Robinson of my staff at vicky.robinson@fns.usda.gov or at (703) 305-2476.



fr Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachments

cc: All Regions (except WRO)
Bob Dalrymple, OANE
John Knaus
Civil Rights

FINAL:USDA:FNS:FSP:PDD:CPB:VROBINSON:mcl:11/27/06:
FILE:I/CPB/Waivers/FY2006/2010190 ID ABAWD mod & ext.

WAIVER RESPONSE

1. **Waiver serial number:** 2010190
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:**
5. **State:** Idaho
6. **Region:** Western
7. **Regulatory requirements:** 7 CFR 273.24 provides 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; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f) 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.

Proposed alternative procedures: The Idaho State Agency is requesting to extend its waiver to exempt all able-bodied adults residing in the following counties from the work provisions of 7 CFR 273.24 based on their designation as labor surplus areas:

Adams County	Minidoka County
Benewah County	Payette County
Boundary County	Shoshone County
Clearwater County	Valley County
Idaho County	Washington County

The State agency is also requesting to exempt individuals residing in the following areas based on having an unemployment rate of 20 percent above the national average of 5.8, or 7 percent, for the 24-month period of January, 2003 through December, 2004:

Coeur D'Alene Reservation	Gem County
Fort Hall Reservation	Power County
Nez Perce Reservation	

Idaho modified its waiver by requesting to remove Bonner, Caribou, Cassia, Custer, and Lemhi Counties and Duck Valley Reservation.

9. **Action and reason for approval or denial:** We are approving Idaho's request for all of the areas listed except Gem and Power counties. Our computations of Coeur D'Alene, Fort Hall, and Nez Perce Reservations are attached for the State's review.

The counties of Gem and Power are denied because the State agency failed to provide sufficient documentation of its data to approve these areas. The State agency had computed the unemployment rate for Gem and Power at 7.2 percent and 9.2 percent, respectively, for the 24-month period of January 2003 through December 2004.

Because the State agency's raw figures did not match BLS data nor did the State provide verification of the source of its data, we conducted our own computations using data obtained from the Idaho Department of Labor website at <http://lmi.idaho.gov/> and determined the unemployment rates for Gem and Power to be 5.7 and 6.3, respectively, for the same time period. When we used BLS data, we came up with the same percentages, even though the raw data obtained from the Idaho web site differed slightly from data obtained from BLS.

For us to consider approval of Gem and Power counties, Idaho must submit either verification of the source of the data provided or, at a minimum, a detailed explanation as to why the numbers obtained from the Idaho DOL website differs from the data the State agency submitted. If the State agency provides this information to us by November 30, 2006, we will reconsider their request to approve Gem and Power counties.

10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f), 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 has insufficient jobs.
11. **Conditions and reasons:** None.

12. **Information required for extension:** To receive an extension the State agency must provide data for the affected areas indicating that there continue to be insufficient jobs for individuals subject to 7 CFR 273.24.
13. **Expiration date:** The waiver is approved for one year from April 1, 2006 and will expire March 31, 2007.
14. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Idaho State agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:** November 9, 2006
17. **Date of State agency's request:** March 16, 2006
18. **Date of regional office transmittal of response to State agency:** April 6, 2006
19. **Actual implementation date:**