

MAR 21 2007

970155

SUBJECT: FSP – Indiana – Request to Waive 7 CFR 273.24

TO: Tim English, Director
Food Stamp Program
Midwest Region

This is in response to the Indiana State Agency's request to continue to exempt individuals residing in 26 counties and three cities from the work requirements of 7 CFR 273.24 based on insufficient jobs. In addition, the State agency is requesting to add 20 additional counties to the sub-regions. Certain counties have been combined into 8 contiguous sub-regions of the twelve Workforce Investment Planning Regions in the state.

Although, the revised cover letter from the State agency indicated 42 additional counties, only 24 of those counties: Jasper, Lake, Newton, Dekalb, Noble, Steuben, Whitley Tipton, Clay, Parke, Putnam, Sullivan, Vigo, Dearbon, Decatur, Franklin, Jefferson, Ohio, Ripley, Brown, Jackson, Jennings, Clark, and Harrison were additions. The rest had been previously approved in the current waiver.

Our response is attached. If you have any questions, please contact Celeste Perkins at (703) 305-2507.

Harriet Komegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

cc: ALL RO w/Attachment (except MWRO)
John Knaus – w/Attachment
Bob Dalrymple - OAE w/Attachment
Civil Rights w/Attachment

FINAL: USDA:FNS:FSP:PDD:CPB:CPerkins:mcl:3-21-07
FILE: ABAWDS DIR:I:CPB/Waivers/FY2007:970155 IN Ext.

Symbol	Surname	Date	Symbol	Surname	Date

Perkins 03-21-07
Komegay 03/21/07

WAIVER RESPONSE

1. **Waiver serial number:** 970155
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** Indiana
6. **Region:** Midwest
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 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.

8. **Description of proposed alternative procedures:** Indiana is requesting to continue to extend its current ABAWD waiver for 26 counties: Laporte, Pulaski, Starke, Cass, Fulton, Howard, Wabash, Miami, Delaware, Grant, Henry, Jay, Madison, Randolph, Blackford, Union, Wayne, Fayette, Greene, Lawrence, Owen, Crawford, Scott, Washington, Vermillion, Orange and three cities: Elkhart, New Albany, and South Bend based on insufficient jobs. The State agency is also requesting 24 additional counties: Jasper, Lake, Newton, Dekalb, Noble, Steuben, Whitley, Tipton, Clay, Parke, Putnam, Sullivan, Vigo, Dearbon, Decatur, Franklin, Jefferson, Ohio, Ripley, Brown, Jackson, Jennings, Clark, and Harrison that are combined into the 8 contiguous sub-regions of the twelve Workforce Investment Planning Regions in the state.

The above listed areas are approved based on having an average unemployment

rate of at least of at least 20 percent above the national average for November 2004 – October 2006. During this period, the national average unemployment rate plus 20 percent was 5.9.

9. **Action and reason for approval or denial:** We are approving the State Agency's request for an extension of the current waiver. In addition to the 26 counties and one city previously approved. We are approving the additional counties which are part of the 8 contiguous sub-regions of the twelve Workforce Investment Planning Regions in the state.

The areas listed below are approved based on having an average unemployment rate of at least of at least 20 percent above the national average for November 2004 – October 2006. During this period, the national average unemployment rate plus 20 percent was 5.9.

Workforce Investment Planning Region 1:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
Jasper County	5.3	Newton County	5.1
Lake County	6.1	Pulaski County	4.8
LaPorte County	5.9	Starke County	6.9
		Total for Region	6.0

Sub-region of Workforce Investment Planning Region 3:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
DeKalb County	6.1	Steuben County	6.2
Noble County	6.2	Whitley County	5.0
		Total for Region	5.9

Workforce Investment Planning Region 5:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
Cass County	5.7	Miami County	6.3
Fulton County	5.3	Tipton County	5.6
Howard County	6.7	Wabash County	6.1
		Total for Sub-region	6.2

Workforce Investment Planning Region 6:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
Blackford County	6.9	Jay County	5.1
Delaware County	6.5	Madison County	6.4
Grant County	7.9	Randolph County	7.2
Henry County	6.5	Total for Region	6.7

Workforce Investment Planning Region 7:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
Clay County	6.3	Sullivan County	6.9
Parke County	6.1	Vermillion County	7.1
Putnam County	6.1	Vigo County	6.7
		Total for Region	6.5

Sub-region of Workforce Investment Planning Region 9:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
Dearborn County	5.4	Ohio County	5.2
Decatur County	4.8	Ripley County	5.0
Fayette County	7.9	Union County	5.6
Franklin County	6.0	Wayne County	6.8
Jefferson County	5.1	Total for Sub-region	5.9

Sub-region of Workforce Investment Planning Region 10:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
Brown County	5.3	Jennings County	6.4
Greene County	6.1	Lawrence County	7.5
Jackson County	4.7	Owen County	5.6
		Total for Sub-region	6.0

Sub-region of Workforce Investment Planning Region 12:

Area	Unemployment Rate, NOV 2004 – OCT 2006	Area	Unemployment Rate, NOV 2004 – OCT 2006
Clark County	5.2	Orange County	7.4
Crawford County	7.4	Scott County	6.4
Harrison County	6.0	Washington County	6.3
		Total for Sub-region	5.9

In addition, the State is requesting to exempt residents in three cities: Elkhart, New Albany, and South Bend based on having an average unemployment rate of at least 20 percent above the national average during November 2004 – October 2006.

Area	Unemployment Rate, NOV 2004 – OCT 2006
Elkhart city	6.2
New Albany	6.1
South Bend	6.4

10. **Regulatory or legislative basis for action:** The waiver is approved under the authority of 7 CFR 273.24(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 agency must provide data indicating that there are insufficient jobs in the affected areas.
13. **Expiration date:** This waiver is approved from April 1, 2007, and will expire on March 31, 2008
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Indiana State Agency.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** February 8, 2007
18. **Date of regional office transmittal of response to State agency:**