

January 22, 2007

970046

SUBJECT: Kentucky Able-bodied Adults Without Dependents (ABAWD)
Waiver of 7 CFR 273.24

TO: Peggy Fouts, Director
Food Stamp Program
Southeast Region

This is in response to your memorandum of January 10, 2007 transmitting the Kentucky State agency's request to modify and extend its waiver which exempts certain individuals from the work requirements of 7 CFR 273.24 based on insufficient jobs. The State based its determination of insufficient jobs on U.S. Department of Labor data.

Our response approving the State's request is attached. If you have any questions, please contact Vicky Robinson at vicky.robinson@fns.usda.gov or at (703) 305-2476.

/s/

Harriet Kornegay
Acting Branch Chief
Certification Policy Branch

Attachment

cc: All Regions (except SERO)
Bob Dalrymple OAE
John Knaus
Civil Rights

FINAL:FNS:FSP:PDD:CPB:VROBINSON:01/12/07:mcl
DIR:I:CPB:WAIVERS:FY2007:970046 KY ABAWD mod & ext

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

1. **Waiver serial number:** 970046
2. **Type of request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:**
5. **State:** Kentucky
6. **Region:** Southeast
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.

8. **Proposed alternative procedures:** The Kentucky State Agency is requesting a two-year extension of its current ABAWD waiver for fourteen areas, with each area being a contiguous Sub-region of one of the fifteen Area Development Districts in the State. Some areas have been modified with the addition or subtraction of certain counties. Based on data obtained from the Bureau of Labor Statistics, each of the following areas has an aggregate average unemployment rate (UER) of at least 20 percent above the national average of 5.1 percent, or 6.2 percent, for the 36-month period of November 2003 through October 2006:

National Unemployment Rate (UER):

Labor Force	Unemployed	UER
5,366,098,000	276,032,000	5.1

Purchase Area Development District

County	Labor Force	Unemployed	UER
Ballard	150,579	10,261	
Calloway	627,226	34,104	
Carlisle	84,081	6,038	
Fulton	106,794	9,228	
Graves	589,398	49,097	
Hickman	73,885	6,118	
Marshall	517,447	33,886	
McCracken	1,121,455	64,950	
Total	3,270,865	213,682	

Pennyrile Area Development District

County	Labor Force	Unemployed	UER
Caldwell	228,067	12,819	
Christian	983,613	69,337	
Crittenden	145,912	9,099	
Hopkins	816,422	48,426	
Livingston	174,552	10,771	
Lyon	114,395	8,265	
Muhlenberg	464,553	39,805	
Todd	199,049	13,439	
Trigg	234,615	13,829	
Total	3,361,178	225,790	

Sub-region of the Barren River Area Development District

County	Labor Force	Unemployed	UER
Allen	309,576	20,495	
Butler	209,096	15,710	
Edmonson	194,097	12,999	
Hart	282,926	17,273	
Logan	443,357	27,332	
Metcalfe	162,798	8,499	
Monroe	183,685	11,189	
Simpson	317,270	17,409	
Total	2,102,805	130,906	

Lincoln Trail Area Development District

County	Labor Force	Unemployed	UER
Breckinridge	321,719	22,121	
Grayson	415,646	34,190	
Hardin	1,657,387	96,575	
Larue	244,365	14,542	
Marion	332,543	18,862	
Meade	436,456	28,188	
Nelson	730,217	42,836	
Washington	185,642	10,972	
Total	4,323,975	268,286	

Sub-region 1 of Bluegrass Area Development District

County	Labor Force	Unemployed	UER
Boyle	460,435	31,387	
Garrard	271,552	15,787	
Lincoln	383,288	27,437	
Mercer	374,899	21,520	
Total	1,490,174	96,131	

Sub-region 2 of Bluegrass Area Development District

County	Labor Force	Unemployed	UER
Bourbon	352,813	18,315	
Clark	612,181	33,130	
Estill	217,395	16,279	
Harrison	320,081	18,900	
Nicholas	108,018	8,407	
Powell	199,960	16,370	
Total	1,810,448	111,401	

Buffalo Trace Area Development District

County	Labor Force	Unemployed	UER
Bracken	160,673	9,578	
Fleming	238,552	14,923	
Lewis	202,213	18,268	
Mason	314,113	18,566	
Robertson	38,727	2,391	
Total	954,278	63,726	

Gateway Area Development District

County	Labor Force	Unemployed	UER	
Bath	181,182	14,165		
Menifee	94,484	7,761		
Montgomery	415,816	27,576		
Morgan	182,111	16,897		
Rowan	439,274	23,432		
Total	1,312,867	89,831		6.8

Kentucky River Area Development District

County	Labor Force	Unemployed	UER	
Breathitt	199,770	15,594		
Knott	238,979	16,317		
Lee	96,570	7,740		
Leslie	130,550	11,781		
Letcher	325,345	25,292		
Owsley	56,444	4,606		
Perry	401,709	30,912		
Wolfe	84,208	8,589		
Total	1,533,575	120,831		7.9

FIVCO Area Development District

County	Labor Force	Unemployed	UER
Boyd	833,561	50,402	
Carter	487,960	40,902	
Elliott	105,877	10,290	
Greenup	621,427	38,883	
Lawrence	209,672	17,389	
Total	2,258,497	157,866	

Big Sandy Area Development District

County	Labor Force	Unemployed	UER
Floyd	539,543	39,559	
Johnson	352,276	23,936	
Magoffin	162,602	19,660	
Martin	133,426	10,829	
Pike	884,758	59,284	
Total	2,072,605	153,268	

Sub-region of Green River Area Development District

County	Labor Force	Unemployed	UER
Hancock	148,383	9,195	
McLean	169,836	12,228	
Ohio	410,112	26,708	
Webster	240,501	11,974	
Total	968,832	60,105	6.2

Lake Cumberland Area Development District

County	Labor Force	Unemployed	UER	
Adair	311,679	17,299		
Casey	254,291	16,657		
Clinton	165,621	11,170		
Cumberland	107,109	8,314		
Green	199,491	11,654		
McCreary	219,152	19,906		
Pulaski	963,813	57,923		
Russell	281,030	18,491		
Taylor	446,878	23,253		
Wayne	318,619	20,063		
Total	3,267,683	204,730		6.3

Cumberland Valley Area Development District

County	Labor Force	Unemployed	UER
Bell	341,353	26,858	
Clay	261,104	23,512	
Harlan	366,600	30,696	
Jackson	170,796	13,687	
Knox	430,990	29,899	
Laurel	932,887	54,774	

Rookcastle	268,034	17,681	
Whitley	548,791	32,935	
Total	3,320,555	230,042	6.9

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9. **Justification for request:** To ensure the equitable distribution of food stamp benefits in areas experiencing high unemployment.
10. **Action and reason for approval or denial:** We are approving the State agency's request in full. Able-bodied adults without dependents (ABAWDs) who reside in the aforementioned areas will be exempt from work requirements based on the areas having an unemployment rate at least 20 percent above the national average of 5.1, or 6.2 percent, for the 36-month period of November 2003 through October 2006.
11. **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.
12. **Conditions and reasons:** None.
13. **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.
14. **Expiration date:** The waiver is approved for two years, effective May 1, 2007 through April 30, 2009.
15. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Kentucky State agency.
16. **Quality control procedures:** N/A
17. **Date of national office action:** January 12, 2007
18. **Date of State agency's request:** January 10, 2007
19. **Date of regional office transmittal of response to State agency:** January 11, 2007.
20. **Actual implementation date:**