

January 28, 2005

970073

SUBJECT: FSP – Maryland - Request to Extend ABAWD Waiver 970073

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

This is in response to the Maryland State Agency's request of January 5, 2005, for an extension of waiver #970073, which exempted individuals residing in three jurisdictions: the counties of Dorchester and Worcester, and Baltimore City, from the work requirement for able-bodied adults without dependents. The three jurisdictions have been designated as Labor Surplus Areas (LSA) by the U.S. Department of Labor for the time period from October 1, 2004, through September 30, 2005.

Our response is attached. If you have any questions, please contact Jennie Nelson of my staff at 703-305-2446.

/s/

Harriet Kornegay
Acting Branch Chief
Program Development Division

Attachment

cc: All Regions (except MARO) w/Attachment
PAD-QC w/Attachment
Bob Dalrymple-OANE w/Attachment
Kate Fink-OANE w/Attachment
David Young w/Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 970073
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:** N/A
5. **State:** Maryland
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 Maryland State Agency has requested extension of waiver #970073 for three jurisdictions: the counties of Dorchester and Worcester, and Baltimore City, based on their designation as Labor Surplus Areas (LSAs) by the Employment and Training Administration (ETA) of the Department of Labor for the period October 1, 2004, through September 2005.
9. **Action and reason for approval or denial:** We are approving the Maryland State agency's request to extend waiver #970073 for an exemption for the three jurisdictions, based on their designation as LSAs for the period October 1, 2004, through September 2005.

10. **Regulatory or legislative basis for action:** The 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:** For those areas for which the State requests future exemption based on an insufficient number of jobs, please submit verified data which is the most current, such as population and unemployment data, and analysis (i.e. employment-to-population ratios) which relies on standard BLS data and/or methods. Please show all calculations to verify results.
13. **Expiration date:** This waiver is extended for a period of 1 year and expires on March 1, 2006.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Maryland State Agency.
15. **Quality Control Procedures:** There are no special quality control procedures needed in conjunction with this waiver.
16. **Date of national office action:**
17. **Date of State agency's request:** January 5, 2005
18. **Date of regional office transmittal of request to the National office:** January 18, 2005