

April 11, 2006

970073 and 2060034

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

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

This is in response your email message forwarding letters of January 20 and February 9, 2006, from the Maryland State Agency requesting an extension and modification of waiver no. 970073, which exempted individuals residing in certain specified jurisdictions from the work requirements of 7 CFR 273.24. In its original request of January 20, the State agency requested exemptions for all areas based on unemployment greater than 20 percent above the national average for the 24-month period ending November 30, 2005. In a letter dated February 9, 2006, the State agency requested 2-year waivers for Baltimore City and Worcester County based their designation as Labor Surplus Areas for three consecutive fiscal years. Based on email messages with your staff, rather than treating Worcester County as a separate area for a 2-year waiver, we are treating Worcester and Somerset Counties as a part of a single multi-county region as originally requested by the State agency in its letter of January 20, 2006, letter to your office. We also note that because Worcester County was not designated as an LSA for Fiscal Year 2006 it would not have qualified for a 2-year waiver based on LSA designation for two consecutive fiscal years. We are treating the request for Baltimore City a separate waiver designated no. 2060034.

Our response approving the State agency's request is attached. If you have any questions, please contact Larry Tropp at 703-305-2504.

/s/

Patrick Waldron
Branch Chief
Certification Policy Branch
Program Development Division

Attachment

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

FILE: USDA:FNS:FSP:PDD:CPB:LTropp:so

FILE: ABAWDS - Maryland

DIR:I:CPB:WAIVER:970073 & 2060034 - MD ABAWD extension 2006

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

1. **Waiver serial number:** 970073 and 2060034
2. **Type of request:** Extension and modification
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 no. 970073 for following areas based on an unemployment rate greater than 20 percent over the national average for the 24-month period ending November 30, 2005. Somerset and Worcester Counties have been evaluated based on their inclusion in a single multi-county region.

Sub-region of Lower Shore Workforce Investment Area:

Area	Labor Force	Unemployed	Unemployment Rate, Dec. 2003-Nov 2005 (6.4%)
Somerset County	271,136	16,880	
Worcester County	680,916	43,594	
Total	952,052	60,474	6.4%

Other areas:

Area	Labor Force	Unemployed	Unemployment Rate, Dec. 2003-Nov 2005 (6.4%)
Allegany County	783,931	51,055	6.5
Hagerstown city	459,882	29,464	6.4
Salisbury city	328,570	21,464	6.5
Allegany County	783,931	51,055	6.5

The State has requested in a 2-year waiver for residents of Baltimore City based on the city's designation as a Labor Surplus Area (LSA) by the Department of Labor Employment and Training Administration (DOLETA) for last three consecutive fiscal years (FY 2004 through FY 2006). We have designated this request as separate waiver under no. 2060039.

9. **Action and reason for approval or denial:** We are approving the Maryland State agency's request to extend waiver no. 970073 and are granting exemptions for the six jurisdictions listed in the tables above, based on an unemployment rate greater than 6.4 percent (120 percent of the national average) for the Lower Shore Workforce Investment Area (Worcester and Somerset Counties) and for each of the four separate jurisdictions for the 24-month period ending November 30, 2005. We are approving a 2-year waiver for the City of Baltimore based on its designation as an LSA by DOLETA for the last three fiscal years.
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:** The waive no. 970073 is extended for a period of 1 year and will expire on February 28, 2007. Waiver no. 2060034 is approved for a 2-year period and will expire on February 29, 2008. Both waivers are approved retroactive to 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 20, 2005 and February 9, 2006
18. **Date of regional office transmittal of request to the National office:**
February 27, 2006