

August 30, 2007

970315

SUBJECT: FSP – Maine ABAWD Waiver Request – 7 CFR 273.24

TO: Mary Ann Ferris, Director
Food Stamp Program
Northeast Region

This is in response to the Maine State agency's request to modify and extend its waiver of the work provisions of 7 CFR 273.24 for residents that live in a combined 11-county area, in the Sanford Micropolitan NECTA, and in the towns of Clinton, Livermore Falls, Ogunquit, and Vienna. The State agency bases its determination of insufficient jobs on Bureau of Labor Statistics data.

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

/S/

Harriet Kornegay
Assistant Chief
Certification Policy Branch
Program Development Division

Attachment

cc: Dan Wilusz, QCB, PAD
Bob Dalrymple, OANE (w/attachments)
All Regions (except SWRO) w/attachments
Dave Young, FNS National Arbitrator
Mike Watts, Civil Rights

WAIVER RESPONSE

1. **Waiver serial number:** 970315
2. **Type of request:** Modification and Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** None
5. **State:** Maine
6. **Region:** Northeast
7. **Regulatory requirements:** 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.
8. **Description of proposed alternative procedures:** The State agency has requested to extend its waiver of the work requirements of 7 CFR 273.24 for individuals residing in the requested areas. The State agency modified its waiver request by increasing its combined area from 9 to 11 counties with the addition of Lincoln and Penobscot Counties. The combined area has an aggregate average unemployment rate of at least 20 percent above the national average of 4.7 percent, or 5.6 percent, for the 24-month period of June 2005 through May 2007 as follows:

County	Labor Force	Unemployed	Area Unemployment Rate (UER)
Aroostook	862,385	55,222	5.6
Franklin	351,625	19,914	
Hancock	727,775	38,839	
Knox	519,972	21,924	
Lincoln	446,656	19,200	
Oxford	685,493	39,241	
Penobscot	1,897,235	93,961	
Piscataquis	184,735	12,746	
Somerset	608,817	42,167	
Waldo	470,443	24,403	
Washington	373,122	28,222	
Total	7,128,258	395,839	

The State agency also requested to extend the towns of Clinton, Livermore Falls, and Ogunquit and to add the town of Vienna. In addition, the Sanford Micropolitan NECTA, which includes the towns of Sanford and Shapleigh, has been added. All of the aforementioned areas have an average unemployment rate of at least 20 percent above the national average of 4.7 percent, or 5.6 percent, for the 24-month period of June 2005 through May 2007 as follows:

Area	Labor Force	Unemployed	Area Unemployment Rate (UER)
Clinton town	40,699	2,532	6.2
Livermore Falls town	32,674	2,415	7.4
Ogunquit town	17,817	1,173	6.6
Sanford Micropolitan NECTA	271,230	15,214	5.6
Vienna town	6,850	431	6.3

9. **Action and reason for approval or denial:** We are approving the Maine State agency's request in full. Able-bodied adults without dependents (ABAWDs) who reside in the preceding areas will be exempt from work requirements based on high unemployment.
10. **Regulatory or legislative basis for action:** This waiver is approved under the authority in 7 CFR 273.24(f) which allows the 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 unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the affected individuals.
11. **Conditions and reasons:** Not applicable.
12. **Information required for extension:** To receive an extension the State agency must provide verifiable data indicating that there are insufficient jobs in the affected areas.
13. **Expiration date:** This waiver is effective from November 1, 2007 and will expire on October 31, 2008.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Maine State agency.
15. **Quality control procedures:** Not applicable.

16. **Date of national office action:** August 14, 2007
17. **Date of State agency's request:** August 10, 2007
18. **Date of regional office transmittal of request to national office:** August 13, 2007
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**