

SUBJECT: FSP – Michigan – Waiver Request to Extend 7 CFR 273.24

TO: Tim English
Regional Director
Food Stamp Program
Midwest Region

This is in response to Angela Bryan’s email of December 7, 2007, forwarding the Michigan State Agency’s request to extend waiver number 2040026. The State is requesting to exempt Able Bodied Adults Without Dependents (ABAWDS) statewide from the work requirements of 7 CFR 273.24. The State has submitted a 2-year request to extend its waiver from March 1, 2008 through February 28, 2010, based on having a 36-month unemployment rate that is at least 20 percent above the national average.

We are approving the State’s request for a two-year waiver from March 1, 2008 through February 28, 2010.

Please contact Patrick Lucrezio at 703-305-2498 or via email at Patrick.Lucrezio@fns.usda.gov should you have any questions.

Patrick Waldron
Branch Chief
Certification Policy Branch
Program Development Division

Attachment

cc: PAD/QC w/attachment
John Knaus w/attachment
All Regions w/attachment

FINAL:PLucrezio:7033052498:
I: CPB: WAIVERS: FY2008: 2040026-MIABAWD WAIVER REQUEST (2 –YEAR)

Symbol	Surname	Date	Symbol	Surname	Date

OFFICIAL RECORD COPY

WAIVER REQUEST

1. **Waiver serial number:** 2040026
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** Michigan
6. **Region:** MWRO
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 in and comply 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.

In addition, the FNS will approve two-year State agency waivers under limited circumstances, targeting areas that qualified for waivers for two consecutive past years. In order to be eligible for a two-year waiver, the area must meet at least one of the following criteria indicating that the area has experienced and will probably continue chronic high unemployment: an unemployment rate greater than 10 percent for the two-year period immediately prior to the request; designation as a Labor Surplus Area (LSA) by the Department of Labor's Employment and Training Administration (DOLETA) for a minimum of two consecutive fiscal years (the year of the request and the fiscal year prior to the request); or an unemployment rate greater than 20 percent above the national average for a 36-month period, ending no earlier than three months prior to the request.

- 8. Description of the proposed alternative procedures:**
Michigan is seeking a 2-year statewide waiver from Section 6(o) of the Food Stamp Act, based on having a 36-month unemployment rate that is at least 20 percent above the national average. Michigan's unemployment rate for October 2004 through September 2007 is 6.9 percent; this is at least 20 percent greater than the national unemployment rate for the same time period. The corresponding waiver threshold for October 2004 through September 2007 is 5.8 percent.
- 9. Action and reason for approval or denial:** We are approving Michigan's statewide waiver request based upon the State's having an average unemployment rate of 6.9 percent during the 36-month period from October 2004 through September 2007. This rate is more than 20 percent higher than the National rate of 4.8 percent. The 20 percent threshold is 5.8 percent. All of the raw data supporting the State request was based upon Bureau of Labor Statistics (BLS) data on their website.
- 10. Regulatory or legislative basis for action:**
This waiver is approved under the authority of 7 CFR 273.24(f)(2)(ii), 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 Michigan State agency must provide verifiable data indicating that there are insufficient jobs in the State as outlined in 7 CFR 273.24(f).
- 13. Expiration date:** This waiver is approved effective March 1, 2008, through February 28, 2010.
- 14. Limitation on Regional Office approval of like requests:** This waiver is limited to the Michigan State agency.
- 15. Quality Control Procedures:** N/A
- 16. Date of National Office action:**
- 17. Date of State Agency's request:** November 19, 2007
- 18. Date of Regional Office transmittal of request to National Office:**
December 7, 2007

- 19. Date of Regional Office transmittal of response to State agency:**
- 20. Actual implementation date:**