

February 10, 2006

2030065

SUBJECT: FSP – Ohio ABAWD – Request to Modify Waiver of 7 CFR 273.24

TO: Tim English, Regional Director
Food Stamp Program
Midwest Regional Office

This is in response to your memorandum of January 9, 2006, forwarding the Ohio State agency's request to modify waiver #2030065. Our response is attached. If you have any questions, please contact Celeste Perkins at (703) 305-2507.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

cc: All Regions (except MWRO)
Bob Dalrymple, OANE
Civil Rights

FINAL:FNS:FSP:PDD:CPB:CPerkins:02/10/06:je
File:I:CPB:Waivers:FY 2006: 2030065 OH 2006 mod (26 counties)

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

1. **Waiver Serial Number:** 2030065
2. **Type of Request:** Modification
3. **Primary Regulation Citation:** 7 CFR 273.24
4. **Secondary Regulation Citation:** None
5. **State:** Ohio
6. **Region:** Midwest
7. **Regulatory requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), P.L. 104-193, 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 requirement 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.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of PRWORA, 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 resides 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, 7 CFR 273.24 (f)(3)(iii) permits states to use “data from the BLS or the BLS cooperating agency that an area has a 24-month average unemployment rate that exceeds the national average by 20 percent for any 24-month period no earlier than the same periods the ETA used to designate LSAs for the current fiscal year.”

8. **Description of proposed alternative procedures:** Ohio is seeking to amend its current waiver by adding waivers for counties in eight regions within the state. Each of these regions is a contiguous sub-area of one of the twelve Economic Development Regions (EDRs) in the state. The Ohio Department of Development

uses EDRs to organize and implement regional economic development strategy throughout the state.¹

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Ohio is seeking waivers for contiguous sub-areas of these Economic Development Regions based on aggregate average unemployment rates of at least 20 percent above the national average for November 2003 through October 2005. During this period, the national average unemployment rate plus 20 percent was 6.4 percent.

We are approving the eight average unemployment rates of at least 20 percent above the national average for November 2003 through October 2005. During this period, the national average unemployment rate plus 20 percent was 6.4 percent.

Sub-region of Central EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Fayette County	5.7	Pickaway County	7.3
Madison County	5.9	Total for Sub-region	6.4

Pickaway County qualifies based on having average unemployment rates of at least 20 percent above the national average for November 2003 through October 2005. Fayette and Madison Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

Northwest EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Defiance County	6.1	Ottawa County	8.0
Erie County	6.3	Sandusky County	6.4
Fulton County	6.3	Williams County	6.4
Henry County	6.2	Wood County	5.7
Lucas County	7.2	Total for Region	6.7

Lucas, Ottawa, Sandusky and Williams Counties are currently waived. Defiance, Erie, Fulton, Henry and Wood Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

Sub-region of West Central EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Allen County	6.4	Total for Sub-region	6.4
Putnam County	6.1		

¹ Please refer to the following link for more on Economic Development Regions:
<http://lmi.state.oh.us/maps/MapofEDRs.htm>

Allen County is currently waived. Putnam County qualifies based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

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Sub-region of Southwest Central EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Champaign County	5.9	Montgomery County	6.5
Clark County	6.6	Preble County	6.0
Darke County	6.0	Total for Sub-region	6.5
Miami County	5.7		

Clark County is currently waived. Montgomery County qualifies based on having average unemployment rates of at least 20 percent above the national average for November 2003 through October 2005. Champaign, Darke, Miami, and Preble Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

North Central EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Ashland County	6.6	Morrow County	6.1
Crawford County	7.3	Richland County	7.0
Huron County	7.8	Seneca County	6.4
Knox County	5.7	Wyandot County	5.5
Marion County	6.5	Total for Region	6.7

Ashland, Crawford, Huron, Richland, and Seneca Counties are currently waived. Marion County qualifies based on having average unemployment rates of at least 20 percent above the national average for November 2003 through October 2005. Knox, Morrow, and Wyandot Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

Southern EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Adams County	9.0	Pike County	10.2
Brown County	6.8	Ross County	7.6
Gallia County	7.9	Scioto County	8.9
Highland County	6.1	Vinton County	8.5
Jackson County	8.1	Total for Region	7.7
Lawrence County	6.3		

Adams, Brown, Gallia, Jackson, Pike, Ross, Scioto, and Vinton Counties are currently waived. Highland and Lawrence Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

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East Central EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Belmont County	6.6	Holmes County	4.1
Carroll County	7.0	Jefferson County	7.8
Columbiana County	7.3	Muskingum County	8.1
Coshocton County	8.6	Tuscarawas County	5.9
Guernsey County	7.6	Total for Region	7.0
Harrison County	6.8		

Carroll, Columbiana, Coshocton, Guernsey, Harrison, Jefferson, and Muskingum Counties are currently waived. Belmont qualifies based on having average unemployment rates of at least 20 percent above the national average for November 2003 through October 2005. Holmes and Tuscarawas Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

Southeast EDR:

Area	Unemployment Rate, Nov03-Oct05	Area	Unemployment Rate, Nov03-Oct05
Athens County	6.2	Noble County	8.5
Hocking County	7.6	Perry County	8.5
Meigs County	10.5	Washington County	6.2
Monroe County	9.6	Total for Region	7.5
Morgan County	10.1		

Hocking, Meigs, Monroe, Morgan, Noble, and Perry Counties are currently waived. Athens and Washington Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for November 2003 through October 2005.

In addition, the State is requesting to exempt residents in Stark County based on having an average unemployment rate of at least 20 percent above the national average of at least 6.4 during November 2003 through October 2005.

Area	Unemployment Rate, Nov. 2003 – Oct. 2005
Stark County	6.5

9. Action and reason for approval or denial: We are approving the State agency's

request to modify its current waiver to include 26 additional counties based upon these counties belonging to eight sub-areas of Economic Development Regions (EDRs) that have an aggregate average unemployment rate that is at least 20 percent above the national average during the 24-month period of November 2003 through October 2005.

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The statistical data used to make our decision was based on information available from the U.S. Department of Labor (DOL), Bureau of Labor Statistics (BLS) for the requested 24-month period of November 2003 through October 2005.

10. **Regulatory or legislative basis for action:** The waiver is approved under the authority of 7 CFR 273.24(f), 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 State agency must provide data indicating that there are insufficient jobs in the affected areas.
13. **Expiration date:** This waiver is approved effective February 1, 2006 through June 30, 2006.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Ohio State Agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** January 9, 2006
18. **Date of regional office fax transmittal of request:** January 17, 2006
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**