

January 13, 2005

2020019

SUBJECT: FSP – Pennsylvania Request for Extension and Modification of Waiver
2020019

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

This is in response to the Pennsylvania State Agency's request for extension and modification of waiver 2020019 to exempt individuals residing in 27 counties and 11 cities from the work requirements of 7 CFR 273.24 based on insufficient jobs to provide employment for the affected individuals. Pennsylvania has already submitted figures for the City of Allentown on the unemployment rates of 20 percent above the national average for a 24-month period.

We are approving Pennsylvania State Agency's request for Allentown City based upon it having an unemployment rate exceeding the national average by 20 percent for the 24-month period of July 2001 through June 2003.

Please note that Pennsylvania does not have to submit spreadsheets for counties and cities that are Labor Surplus Areas (LSAs). We only need spreadsheets for counties and cities that are 20 percent above the national average for a 24-month period. As requested by your office, we are extending this waiver for one-year retroactive to December 1, 2004.

Our response is attached. Please contact Jennie Nelson of my staff at 703-305-2513 if you have any questions.

/s/

Harriet Kornegay, Assistant Chief
Certification Policy Branch
Program Development Division

cc: All Regions (except MARO) w/attachments
PAD-QC w/attachment
Bob Dalrymple – OAE w/attachments
David Young w/attachments

FINAL:USDA:FNS:FSP:PDD:CPB:JNELSON:12/27/04:je:1-12-05

FILE: ABAWDS - Pennsylvania

DIR:I:CPB:WAIVER:2020019 PA ABAWD Modify Ext. 2004

WAIVER RESPONSE

1. **Waiver serial number:** 2020019
2. **Type of request:** Extension and modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** Pennsylvania
6. **Region:** MARO
7. **Regulatory requirements:** 7 CFR 273.24 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 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.

7 CFR 273.24(f) also provides that, 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 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 Pennsylvania State Agency is requesting an extension and modification of waiver 2020019, to exempt individuals residing in 18 counties and 10 cities. The counties are: Armstrong, Bedford, Cameron, Carbon, Clearfield, Clinton, Crawford, Elk, Erie, Fayette, Forest, Huntingdon, Mifflin, Monroe, Northumberland, Schuylkill, Somerset, and Susquehanna. The cities are: Chester, Erie in Erie County, Hazleton in Luzerne County, Johnstown in Cambria County, McKeesport in Allegheny County, New Castle in Lawrence County, Philadelphia in Philadelphia County, Reading in Berks County, Williamsport in

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Lycoming County and York in York County based on their unemployment rate exceeding the average U.S. employment rate by 20 percent above the national average for a 24-month period. However, since these counties and cities are designated as Labor Surplus Areas, we are approving them on that basis.

The Pennsylvania State Agency has also asked for an extension and modification of the counties of Cambria, Fulton, Indiana, Jefferson, Lawrence, Lycoming, Sullivan, Tioga, Warren and the city of Allentown as well since they have a 24-month average unemployment rate of 20 percent above the national rate.

9. **Action and reason for approval or denial:** We are approving the Pennsylvania State Agency’s request for extension and modification of waiver 2020019 to include the currently waive counties and cities listed in No. 8, based on their unemployment rate exceeding the average U.S. employment rate by 20 percent.

We are also approving the below 9 counties and 1 city based on them having a 24-month unemployment rate that exceeds the national average by 20 percent for the following 24-month periods (the counties with a 24-month period from **3/01 - 2/03** is approve if they are 20 percent above the national average of **5.4** percent; counties with a 24-month period from **6/01 - 5/03** is approve if they are 20 percent above the national average of **5.6**; the city and counties with a 24- month period from **7/01 - 6/03** are approved if they are 20 percent above the national average of **5.7**; and the county with a 24-month period for **11/01 - 10/03** is approve if it is 20 percent above the national average of **5.9**):

<u>24-Mth Period</u> <u>(3/01 – 2/03)</u>	<u>24-Mth Period</u> <u>(6/01 – 5/03)</u>	<u>24-Mth Period</u> <u>(7/01 – 6/03)</u>	<u>24-Mth Period</u> <u>(11/01 – 10/03)</u>
Lycoming County (6.5)	Indiana County (6.7)	Allentown City (7.0)	Warren County (7.0)
Sullivan County (6.5)	Lawrence County (6.7)	Cambria County (7.0)	
		Fulton County (8.1)	
		Jefferson County (6.9)	
		Tioga County (6.9)	

The above statistical data used by Pennsylvania was based on information available from the U.S. Department of Labor, Bureau of Labor Statistics (BLS). Pennsylvania has also submitted spreadsheets data to support the data.

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f), which allows FNS to waive the applicability of the work requirement provision in 7 CFR 273.24 for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has an unemployment rate over 10 percent, or does not have a sufficient number of jobs to provide employment for the affected individuals as provided for at 7 CFR 273.24(f)(3)(iii).
11. **Conditions and reasons:**
12. **Information required for extension:** To receive an extension the State agency must provide verifiable data as outlined in 7 CFR 273.24(f) indicating that there are insufficient jobs in the affected areas. Such data can be found on the State DOL or Federal DOL BLS web sites.
13. **Expiration date:** This waiver extension and modification is retroactive from December 1, 2004 and it will expire on November 30, 2005.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Pennsylvania State Agency.
15. **Quality control procedures:** There is no special quality control procedures needed in conjunction with this waiver.
16. **Date of national office action:**
17. **Date of State agency's request:** December 23, 2004
18. **Date of regional office transmittal of request to national office:** December 23, 2004
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**