

May 5, 2006

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 an extension and modification of waiver 2020019. Under the proposed waiver modification individuals residing in 32 counties and 5 cities would be exempt from the work requirements of 7 CFR 273.24 based on insufficient jobs to provide employment for the affected individuals.

We note that this request was originally prepared by the State agency for submittal to your office by the State agency on November 7, 2005 and was forwarded to us by email on February 7, 2006. Because the supporting data for several of the areas included in the State agency's original request was based on labor force data for calendar years 2002 and 2003 and could not be utilized, the State agency submitted a revised request which was forwarded to us by email on March 8, 2006. Based on emails with your staff we included areas that qualify for exemptions, but were not specifically mentioned by the State agency in its most recent request.

Our response partially approving the State's waiver request is attached. If you have any questions please contact Larry Tropp by email or by telephone at 703-305-2504.

/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

USDA:FNS:FSP:PDD:CPB:LTropp:so
FILE: ABAWDS - Pennsylvania
DIR:I:CPB:WAIVER:2020019 PA ABAWD extension 2006

Symbol	Surname	Date	Symbol	Surname	Date

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. Under the waiver Armstrong, Bedford, Berks, Cambria, Cameron, Carbon, Clarion, Clearfield, Clinton, Columbia, Crawford, Delaware, Elk, Fayette, Forest, Huntingdon, Jefferson, Lawrence, Luzerne, McKean, Mifflin, Northumberland Schuylkill, Somerset, Venango, Warren and Westmoreland Counties and the cities of Allentown, Erie, Harrisburg, Hazleton, McKeesport, New Castle, Reading, Wilkes-Barre, Williamsport, and York based on an average unemployment rate of at least 20 percent above the national average during a recent 24-month period.

Listed below are all of the areas in the State that qualify for exemptions based on the data submitted by the State agency. As the result of an oversight some of the areas listed below may not have been included in the text of the State's request although the supporting data extracted from the Bureau of Labor Statistics was provided by the State.

Susquehanna Valley sub-region:

Area	Labor Force	Unemployed	Unemployment Rate, Sep. 2003-Aug 2005 (6.5%)
Northumberland County	1,104,302	70,411	
Schuylkill County (LSA)	1,692,914	112,030	
Total	2,797,216	182,441	6.5%

Central sub-region:

Area	Labor Force	Unemployed	Unemployment Rate, Sep. 2003-Aug 2005 (6.5%)
Bedford County (LSA)	582,202	44,592	
Cambria County	1,625,186	109,159	
Cameron County (LSA)	63,564	4,679	
Clearfield County (LSA)	996,976	66,828	
Clinton County	458,864	29,766	
Elk County	422,187	23,638	
Fulton	182,868	8,962	
Huntingdon County (LSA)	524,576	35,734	
Indiana	1,071,242	64,116	
Jefferson County	537,651	31,986	
Potter (LSA)	210,190	14,204	
Somerset County	958,222	60,385	
Total for Sub-region	7,633,728	494,049	6.5%

Greater Philadelphia sub-region:

Area	Labor Force	Unemployed	Unemployment Rate, Sept. 2003-Aug 2005 (6.5%)
Delaware County	6,757,469	337,479	
Philadelphia County/city (LSA)	15,168,102	1,112,638	
Total for Sub-region	21,925,571	1,450,117	6.6%

Sub-region of Greater Pittsburgh Region

Area	Labor Force	Unemployed	Unemployment Rate, Sept. 2003-Aug 2005 (6.5%)
Fayette County (LSA)	1,579,330	119,674	
Greene County	416,738	27,478	
Washington County	2,441,993	140,283	
Total for Sub-region	4,438,061	287,435	6.5%

Northwest Region:

Area	Labor Force	Unemployed	Unemployment Rate, Dec. 2003-Nov 2005 (6.4%)
Crawford County	1,024,403	64,611	
Mercer County	1,340,404	85,609	
Total	2,364,807	150,220	6.4%

Other areas:

Area	Labor Force	Unemployed	Unemployment Rate, Dec. 2003-Nov 2005 (6.4%)
Forest County (LSA)	54,091	5,271	9.7
Allentown city (LSA)	1,234,043	83,922	6.8
Erie city (LSA)	1,156,682	74,452	6.4
Harrisburg city	559,028	35,684	6.4
Hazleton city (LSA)	252,579	18,565	7.4
McKeesport city (LSA)	224,489	16,444	7.3
New Castle city (LSA)	256,930	20,695	8.1
Reading city (LSA)	814,161	63,857	7.8
Wilkes-Barre city (LSA)	464,156	30,849	6.6
Williamsport city	346,613	22,976	6.6
York city (LSA)	462,003	33,034	7.2
			Unemployment Rate, Sept. 2003-Aug 2005 (6.5%)
Armstrong County	809,935	55,110	6.8
Mifflin County	548,914	35,796	6.5
			Unemployment Rate CY2003/2004 (6.9%)
Carbon County	720,019	49,743	6.9%

In addition to the areas listed in the tables above, the state of Pennsylvania is requesting waivers for the following additional areas based on high unemployment for adjacent cities and counties:

- Berks County based on the high unemployment rate in the city of Reading.
- Columbia County based on the high unemployment rate of Carbon County
- Venango, Warren, Elk, Jefferson and Clarion Counties based on the unemployment rate of Forest County.
- Lawrence County based on the unemployment rate of the City of New Castle.
- Luzerne County based on the unemployment rate of the City of Hazleton.
- McKean County based on the unemployment rate of Cameron County.
- Northumberland County based on the unemployment rate of Schuylkill County.
- City of Chester based on the unemployment rate for rate of Philadelphia City/County, combined with the high unemployment rate of Delaware County.

- Somerset County based on the high unemployment rate of Bedford County.
- Westmoreland County based on the high unemployment rate of Fayette County.

9. **Action and reason for approval or denial:** We are approving the State agency's request insofar as it applies to those areas (both the counties and cities listed separately as well as those included in multi-area sub-regions) based on an unemployment rate greater than 20 percent above the national average for specific 24-month periods. The periods utilized by State are included in the tables as are the thresholds of 20 percent above the national average for the respective periods.

With the exception of Elk, Jefferson and Northumberland Counties, all of which are also included in the multi-county sub-regions, we are denying the State's request to exempt residents of the areas for which the State has requested exemptions based on their proximity to or location within areas with higher unemployment. The appropriate procedure to exempt areas with relatively low unemployment based on their proximity to adjacent to areas with high unemployment is to include all of the requested areas in multi-county regions, which, except as noted above, the State agency has failed to do. If the State wishes to exempt residents of the areas which do not qualify for waivers under the normal criteria of 7 CFR 1273.24, we suggest that the State utilize its 15 percent ABAWD exemption allocation to exclude the affected individuals.

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:** NA
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.
13. **Expiration date:** For areas that qualify based on the data submitted with the State agency's request this waiver extension and modification are retroactive to December 1, 2005, and to more closely coincide with the release the updated LSA list by DOLETA, will expire on January 31, 2007.

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:** February 21, 2006
18. **Date of regional office transmittal of request to national office:** Forwarded by the regional office by email on March 8, 2006.
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**