

970283

SUBJECT: FNS – Virginia Request to Extend ABAWD Waiver 970283

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

This is in response to the Virginia State Agency's request of April 15, 2005, to extend and modify waiver #970283, which exempted individuals residing in several counties and cities from the work requirement for able-bodied adults without dependents.

Our response approving the request is attached. If you have any questions, please contact Celeste Perkins of my staff at 703-305-2507.

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

FINAL:USDA:FNS:FSP:PDD:CPB:CPERKINS:05/17/05:je
FILE: ABAWDS (VA)
DIR:I:CPB:WAIVER:970283 VA ABAWD (Ext. 2005)

WAIVER RESPONSE

1. **Waiver serial number:** 970283
2. **Type of request:** Modification and Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** Virginia
6. **Region:** MARO
7. **Regulatory requirements:** The Food Stamp Program regulations at 7 CFR 273.24, provide that no individual will 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 of the Food Stamp Act or a comparable program established by the State.

The Food Stamp Program Regulations at 7 CFR 273.24(f) also provide 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 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 Virginia State Agency has asked for an extension and modification of waiver 970283 to include 51 counties and cities based on these areas having a 24-month average unemployment rate 20 percent above the national average during calendar years 2002 through 2003. The national threshold is 7.1 and the State's southern region unemployment rate was 7.1 during the above mentioned period. This waiver allows residents in the southern part of the state to be exempt from the time-limited benefits required with the work requirement for the able-bodied population. The State requested 33 counties based on these areas having a 24-month average unemployment rate of 20 percent above the national average during calendar years 2002 through 2003. They requested 18 counties for an extension based on their designation as labor surplus areas (LSAs) by the Bureau of Labor Statistics: Appomattox, Buchanan, Carroll, Danville, Dickenson, Galax,

Grayson, Halifax, Henry, Martinsville, Mecklenburg, Page, Patrick, Petersburg, Pittsylvania, Pulaski, Smyth, and Williamsburg.

However, 16 LSAs are included in the southern region's aggregate average unemployment rate of 7.1, which is at least 20 percent above the national average during calendar years 2002 through 2003. Therefore, we are combining all 49 counties. (Please see complete listing below in chart) Since Page County and Williamsburg City are in a different area, we are approving them based on their designation as LSAs by the Bureau of Labor Statistics.

- 9. Action and reason for approval or denial:** We are approving the Virginia State Agency's request to extend and modify waiver 970283 to include the 49 counties and cities based on the southern region's aggregate average unemployment rate of 7.1 which is at least 20 percent above the national average during calendar years 2002 through 2003. We are approving Page County and Williamsburg City based on their designation as LSAs by the Bureau of Labor Statistics. The following localities qualify for the waiver:

LSA's (2 County/City)

County	City
Page County	Williamsburg City

Southern Region (49 Counties)

Counties:			
Amelia	Amherst	Appomattox	Bedford
Bland	Brunswick	Buchanan	Buckingham
Campbell	Carroll	Charles City	Charlotte
Cumberland	Danville	Dickenson	Dinwiddie
Franklin	Galax	Giles	Grayson
Greensville	Halifax	Henry	Lee
Lunenburg	Martinsville	Mecklenburg	Nottoway
Patrick	Petersburg	Pittsylvania	Prince Edward
Prince George	Pulaski	Russell	Scott
Smyth	Surry	Sussex	Tazewell
Washington	Wise	Wythe	
Cities:			
Bedford	Bristol	Emporia	Hopewell
Lynchburg	Norton		
Total Unemployed	Total Labor Force	UR	20 % Threshold
41,829	588,832	7.1	7.1

We are not approving a formal extension of the waiver that expires on April 30, 2005; however it will remain in effect for the current waived jurisdictions until the date of approval for this request. Therefore, the current waiver extension will be effective May 1, 2005 and not July 1, 2005 as requested by the State agency.

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(1)(ii), which allows the Food and Nutrition Service (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 of over 10 percent or an insufficient number of jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data that relies on standard Bureau of Labor Statistics data and/or methods and data indicating unemployment over 10 percent or a lack of sufficient jobs.
13. **Expiration date:** This waiver modification is approved for the southern region of the state from May 1, 2005 through April 30, 2006.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Virginia State Agency.
15. **Quality control procedures:** There are no special quality control procedures needed in conjunction with this waiver.
16. **Date of national office action:**
17. **Date of State agency's request:** April 15, 2005
18. **Date of regional office transmittal of request to the national office:** April 28, 2005