

May 19, 2008

970283

SUBJECT: FNS – Virginia Request to Extend ABAWD Waiver 970283

TO: William Kluxen, Director
Food Stamp Program
Mid-Atlantic Region

This is in response to the Virginia State Agency's request of April 9, 2008, to modify and extend its waiver which exempts certain individuals from the work requirements of 7 CFR 273.24.

The State of Virginia is requesting an ABAWD waiver for 31 jurisdictions representing 28 local agencies (a few jurisdictions are combined): Charlotte, Danville, Emporia, Greensville, Halifax, Henry, Martinsville, Patrick, Petersburg, Sussex, Williamsburg, Alleghany, Brunswick, Buchanan, Carroll, Dickenson, Grayson, Lee, Lunenburg, Mecklenburg, Pittsylvania, Prince Edward, Russell, Scott, Smyth, Bristol, Covington, Galax, Franklin, Hopewell and Norton. These geographic areas qualify for waivers based on the area's aggregate unemployment rate that is at least 20 percent above the national average for the period March 2005 – February 2007. The raw data supporting the figures come from the Bureau of Labor Statistics (BLS) website.

Our response approving the waiver is attached. If you have any questions, please contact Jennie Nelson of my staff at (703) 305-2446.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

cc: All Regions w/attachment
PAD/QC w/attachment
Bob Dalrymple w/attachment
David Young w/attachment

FINAL:FNS:FSP:PDD:CPB:JNELSON:703-305-2446:vw:04-30-08
DIR:I:CPB:WAIVER:FY 08: 970283 - VA ABAWD (mod & ext)

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 3 months (consecutive or otherwise), and 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 this 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 requests to extend its ABAWD waiver for 31 counties and cities having a collective unemployment rate of 5.7 percent which is 20 percent above the national average of 4.8 percent for the 24-month period of March 2005 to February 2007, based on data from the U.S. Department of Labor. The 31 counties and cities are in the southern part of the State and have been grouped into one area called the Southern Region.
9. **Justification for request:** To ensure the equitable distribution of food stamp benefits in areas experiencing high unemployment.

- 10. Action and reason for approval or denial:** We are approving the Virginia State Agency's request to extend and modify its waiver for the following 31 counties and cities, based on the areas having an aggregate unemployment rate of 5.7 percent for the 24-month period of March 2005 to February 2007, which is at least 20 percent above the national average.

Virginia
Southern Region (31 Counties and Cities)
March 2005 – February 2007

County/City	Average Labor Force	Average Number of Unemployed	Average Unemployment Rate for Area
Alleghany	178,915	8,363	
Bristol City	189,441	9,455	
Brunswick	164,536	7,616	
Buchanan	202,151	10,141	
Carroll	341,898	18,387	
Charlotte	128,293	9,540	
Covington City	68,519	4,396	
Danville City	495,337	45,269	
Dickenson	136,852	7,405	
Emporia City	61,195	3,354	
Franklin City	90,261	4,316	
Galax City	74,550	4,230	
Grayson	177,148	9,024	
Greensville	98,238	4,472	
Halifax	381,687	22,435	
Henry	610,913	32,890	
Hopewell City	250,478	12,344	
Lee	222,155	10,033	
Lunenburg	134,625	6,145	
Martinsville City	141,621	11,665	
Mecklenburg	317,391	17,344	
Norton City	36,729	1,915	
Patrick	211,811	11,091	
Petersburg City	339,898	21,901	
Pittsylvania	756,317	43,757	
Prince Edward	209,089	10,624	
Russell	285,674	16,464	
Scott	239,481	11,677	
Smyth	379,107	17,342	
Sussex	107,199	5,203	
Williamsburg City	115,466	7,195	
Total	7,146,975	405,993	5.7 percent

U.S. Average

4.8 percent

- 11. Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f), which allows the Secretary to waive the applicability of the work requirement provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has insufficient jobs.
- 12. Conditions and reasons:** N/A
- 13. Information required for extension:** To receive an extension, the State agency must provide data for the affected areas indicating that there continues to be insufficient jobs for individuals subject to the requirements of 7 CFR 273.24.
- 14. Expiration date:** This waiver modification is approved retroactively to May 1, 2008 through April 30, 2009.
- 15. Limitation on regional office approval of like requests:** This waiver is limited to the Virginia State Agency.
- 16. Quality control procedures:** N/A
- 17. Date of national office action:** April 30, 2008
- 18. Date of State agency's request:** April 9, 2008
- 19. Date of regional office transmittal of request to the national office:**
April 17, 2008
- 20. Actual implementation date:**