

May 4, 2005

2030027

SUBJECT: FSP - Washington - Request to Waive Section 6(o) of the Food Stamp Act, as Amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

TO: Dennis Stewart, Regional Director
Food Stamp Program
Western Region

This is in response to your memorandum of February 23, 2005, forwarding the Washington State Department of Social and Health Services' request for a waiver of the work requirements of 7 CFR 273.24. This section limits the receipt of food stamp benefits to 3 months within a 3-year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workfare.

The State agency is requesting an extension of waiver number 2030027 based on an unemployment rate greater than 20 percent above the national average for the last two years. We have approved the request because the State's unemployment rate for calendar years 2002/2003, the current benchmark years for Labor Surplus Areas, exceeded the national average by 20 percent.

Our response approving the waiver is attached. If you have any questions, please contact Dwight Ricker at (703) 305-2803.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:Dricker:so
DIR:I/CPB/Waivers/FY 2005/2030027 WA ABAWD Extension

WAIVER RESPONSE

1. **Waiver serial number:** 2030027
2. **Type of request:** Extension.
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** Washington
6. **Region:** Western Region (WRO)
7. **Regulatory Requirements:** 7 CFR § 273.24(b) provides that no individual may 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 the requirements of a program under Section 20 or a comparable program established by the State.

7 CFR § 273.24(f) 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 determines that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have enough jobs to provide employment for the individuals.
8. **Description of proposed alternative procedures:** The State agency is requesting a statewide waiver based on an employment rate greater than 20 percent above the national average for calendar years 2002/2003, the current Labor Surplus Area benchmark.
9. **Action and reason for approval or denial:** We are approving the State agency's request for a statewide waiver of the work requirements of 7 CFR 273.24 based on a Statewide unemployment rate greater than 20 percent above the national average as indicated in the table below. The data in the table is based on labor market data for calendar years 2002 and 2003, extracted from the website of the Bureau of Labor Statistics (BLS). This approval includes all recognized American Indian reservations, which habitat lands within the State.

**Washington State Labor Market Data
Calendar Years 2002 and 2003**

Year	Period	labor force	employment	unemployment	unemployment rate
2002	Jan	3055448	2805832	249616	8.2
2002	Feb	3065464	2819947	245517	8
2002	Mar	3078280	2839718	238562	7.7
2002	Apr	3075348	2842283	233065	7.6
2002	May	3098056	2872819	225237	7.3
2002	Jun	3128003	2903103	224900	7.2
2002	Jul	3173958	2947378	226580	7.1
2002	Aug	3121477	2908462	213015	6.8
2002	Sep	3106076	2898146	207930	6.7
2002	Oct	3157015	2944874	212141	6.7
2002	Nov	3119882	2899790	220092	7.1
2002	Dec	3133313	2908993	224320	7.2
2003	Jan	3131158	2880382	250776	8
2003	Feb	3124465	2871781	252684	8.1
2003	Mar	3122444	2876327	246117	7.9
2003	Apr	3107517	2866904	240613	7.7
2003	May	3123823	2885719	238104	7.6
2003	Jun	3146280	2905905	240375	7.6
2003	Jul	3196754	2953519	243235	7.6
2003	Aug	3141230	2910234	230996	7.4
2003	Sep	3116759	2893910	222849	7.2
2003	Oct	3176658	2952830	223828	7
2003	Nov	3135886	2910213	225673	7.2
2003	Dec	3155549	2927220	228329	7.2

SUM	74990843	69426289	5564554
Average	3124618.458	2892762.042	231856.4167

State Unemployment Rate	National Average Unemployment Rate	20% Above the National Average
7.4203% = 7.4%	205825(unemp)/3496471(labor force) = 5.8866% = 5.9%	7.0639% = 7.1%

Source: BLS

10. **Regulatory or legislative basis for action:** These waivers are approved pursuant to 7 CFR § 273.24(f), which allows the Secretary to waive the applicability of the requirement in 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 an insufficient number of jobs. Although the State Agency submitted additional justifications for this waiver, they qualified for a statewide waiver based on an unemployment rate that was 20% above the national average. Therefore, there was no need to examine the alternatives.

11. **Conditions and reasons:** NA
12. **Information required for extension:** Please submit supporting unemployment data that relies on standard BLS data and/or methods and data indicating a lack of sufficient jobs. Please show calculations for unemployment rate averages over the 12-month or 24-month time frames.
13. **Expiration date:** The waivers are approved retroactively, for a period of 1 year, effective April 1, 2005, and will expire on March 31, 2006.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Washington State Agency.
15. **Quality Control Procedures:** N/A
16. **Date of State agency's request:** January 26, 2005
17. **Date of regional office transmittal to the national office:** April 25, 2005.
18. **Date of national office action:**
19. **Date of regional transmittal to the State agency:**
20. **Date of implementation by State agency:**