

August 16, 2007

2030027

SUBJECT: Washington Able-bodied Adults Without Dependents (ABAWD)
Waiver of 7 CFR 273.24

TO: Dennis Stewart, Director
Food Stamp Program
Western Region

This is in response to your memorandum dated August 2, 2007, transmitting the Washington State agency's request to modify and extend their waiver which exempts certain individuals from the work requirements of 7 CFR 273.24.

Our response approving the State's request is attached. If you have any questions, please contact Melissa Daigle Katz at Melissa.DaigleKatz@fns.usda.gov or at (703) 305-2501.

SIGNED

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

cc: All Regions (except WRO) w/Attachment
Bob Dalrymple, OANE w/Attachment
John Knaus
Civil Rights

WAIVER RESPONSE

1. **Waiver serial number:** 2030027
2. **Type of request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24 (f)
4. **Secondary regulation citation:** 7 CFR 273.24 (f) (3) (iii)
5. **State:** Washington
6. **Region:** Western
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; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f) also 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 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.

7 CFR 273.24 (f) (3) (iii) permits State agencies to use “data from the BLS (Bureau of Labor Statistics) or the BLS cooperating agency that an area has a 24-month average unemployment rate that exceeds the national average by 20 percent for any 24-month period no earlier than the same period the ETA used to designate LSAs for the current fiscal year.”

8. **Proposed alternative procedures:** The Washington State Agency is requesting to extend their waiver for one year only in the following 35 counties and 2 cities:
 - Adams, Asotin, Benton, Chelan, Clallum, Clark, Columbia, Cowlitz, Douglas, Ferry, Franklin, Garfield, Grant, Grays Harbor, Island, Jefferson, Kitsap, Kittitas, Klickitat, Lewis, Lincoln, Mason, Okanogan, Pacific, Pend Oreille, Pierce, San Juan, Skagit, Skamania, Spokane, Stevens, Thurston, Whakiakum, Walla Walla, Whatcom, Whitman, and Yakima Counties.

The chart below illustrates data obtained from the BLS that shows that the selected counties collectively had an unemployment rate of at least 20 percent above the national unemployment rate of 4.8 percent, or 5.7 percent, for the 24-month period of March 2005 through February 2007.

Combined Counties	March 2005 – February 2007 Average Unemployment Rate
Adams County	6.7
Asotin County	5.3
Benton County	5.7
Chelan County	5.4
Clallam County	6.0
Clark County	6.0
Columbia County	8.1
Cowlitz County	6.8
Douglas County	5.2
Ferry County	9.2
Franklin County	7.1
Garfield County	5.4
Grant County	6.9
Grays Harbor County	7.3
Island County	5.4
Jefferson County	5.1
Kitsap County	4.9
Kittitas County	5.4
Klickitat County	7.3
Lewis County	7.2
Lincoln County	5.8
Mason County	6.0
Okanogan County	6.8
Pacific County	6.7
Pend Oreille County	7.6
Pierce County	5.4
San Juan County	4.0
Skagit County	5.4
Skamania County	7.2
Spokane County	5.3
Stevens County	7.4
Thurston County	4.8
Wahkiakum County	6.7
Walla Walla County	5.5
Whatcom County	4.7
Whitman County	4.1
Yakima County	7.2
Total for Sub-region	5.7

National Unemployment Rate	4.8
20% Threshold	5.7

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 State agency's request in full. Able-bodied adults without dependents (ABAWDs) who reside on the aforementioned counties will be exempt from work requirements based on the areas having an unemployment rate at least 20 percent above the national average of 4.8, or 5.7 percent, for the 24-month period of March 2005 through February 2007.
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:** None.
13. **Information required for extension:** To receive an extension the State agency must provide data for the affected areas indicating that there continue to be insufficient jobs for individuals subject to 7 CFR 273.24.
14. **Expiration date:** The waiver is approved for one year, effective October 1, 2007 through September 30, 2008.
15. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Washington State agency.
16. **Quality control procedures:** N/A
17. **Date of national office action:**
18. **Date of State agency's request:** July 18, 2007
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**