

April 7, 2006

2020071

SUBJECT: FSP - Wisconsin Request to Modify Waiver of ABAWD Requirements
under 7 CFR 273.24

TO: Tim English, Regional Director
Food Stamp Program
Midwest Region

This is in response to your e-mail of March 21, 2006, transmitting the Wisconsin State Agency's request to continue to exempt able-bodied adults without dependents (ABAWDS) in certain areas within the State from the work requirements of 7 CFR 273.24 because of insufficient jobs. In addition, the State agency is requesting to use its 15 percent exemption allocations for the non-waived areas.

Our response is attached. Please contact Jennie Nelson of my staff at (703) 305-2446 if you have any questions.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

cc: All Regions w/attachments
PAD-QC w/attachment
OAE - Bob Dalrymple, w/attachments
John Knaus w/attachments
David Young w/attachments

FINAL:FNS:FSP:PDD:CPB:JNELSON:03/30/06:so
DIR:I:CPB:WAIVERS: 2020071 WI ABAWD (Modify & Extend).2006

WAIVER RESPONSE

1. **Waiver serial number:** 2020071
2. **Type of request:** Modification and Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** Wisconsin
6. **Region:** MWRO
7. **Regulatory requirements:** The Food Stamp Program regulations at 7 CFR 273.24 provide 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 the requirements of a program under Section 20 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 Food and Nutrition Service 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 Wisconsin State Agency has asked to modify and extend waiver #2020071 for the following ten counties and seven cities:

Counties				
Adams	Ashland	Bayfield	Forest	Iron
Juneau	Langlade	Marquette	Menominee	Rusk
Cities				
Beloit City	Green Bay	Kenosha	Manitowoc	Milwaukee
Racine	West Bend			

The waiver is modified as detailed below.

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Wisconsin wants to modify and extend its current waiver for individuals residing in two sub-regions within the State. Each one of these sub-regions is a contiguous part of one of the nine geographic regions served by Regional Planning Commissions (RPCs).

The State is requesting to exempt residents in the Langlade County and the West Bend city based on having an average unemployment rate of at least 20 percent above the national average during March 2003 through February 2005.

Area	Unemployment Rate, MAR 03-FEB 05
Langlade County	6.8
West Bend city	6.8

Wisconsin seeks waivers for contiguous sub-regions that are eligible based on aggregate average unemployment rates of at least 20 percent above the national average during March 2003 through February 2005, when the national average unemployment rate plus 20 percent was 6.8 percent.

The State seeks waivers for contiguous sub-regions that are eligible based on aggregate average unemployment rates of at least 20 percent above the national average during December 2003 through November 2005, when the national average unemployment rate plus 20 percent was 6.4 percent.

Sub-region of North Central Region:

Area	Unemployment Rate, DEC 03-NOV 05	Area	Unemployment Rate, DEC 03-NOV 05
Adams County	6.6	Juneau County	6.2
		Total for sub-region	6.4

Adams County qualifies based on having average unemployment rates of at least 20 percent above the national average for December 2003-November 2005. Juneau County qualifies based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for December 2003-November 2005.

Sub-region of Northwest Region:

Area	Unemployment Rate, DEC 03-NOV 05	Area	Unemployment Rate, DEC 03-NOV 05
Ashland County	5.9	Iron County	8.4
Bayfield County	6.1	Total for sub-region	7.1

Iron County qualifies based on having average unemployment rates of at least 20 percent above the national average for December 2003-November 2005. Ashland and Bayfield Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for December 2003-November 2005.

In addition, the State requests waivers for Marquette, Menominee, Forest, and Rusk Counties, which are eligible based on their average unemployment rates, which are at least 20 percent above the national average during December 2003-November 2005.

Area	Unemployment Rate, DEC 03-NOV 05	Area	Unemployment Rate, DEC 03-NOV 05
Marquette County	6.4	Forest County	6.4
Menominee County	10.3	Rusk County	6.4

The State also requests waivers for the following cities, which are not included in any counties mentioned above, and which are eligible based on their average unemployment rates, which are at least 20 percent above the national average during December 2003-November 2005: Beloit, Green Bay, Kenosha, Manitowoc, Milwaukee and Racine.

Area	Unemployment Rate, DEC 03-NOV 05	Area	Unemployment Rate, DEC 03-NOV 05
Beloit city	7.9	Manitowoc city	6.6
Green Bay city	6.7	Milwaukee city	7.5
Kenosha city	6.6	Racine city	9.4

The areas listed above have an average unemployment rate of at least 20 percent above the national average during a recent 24-month time period. All of the raw data supporting the numbers are from the Bureau of Labor Statistics (BLS) website.

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9. **Action and reason for approval or denial:** We are approving the Wisconsin State agency's request to modify and extend its ABAWD waiver #2020071, based on the above areas having an average unemployment rate of at least 20 percent above the national average for the appropriate time periods.

The State does not need a waiver to use whatever 15 percent exemptions it has if the State chooses to exempt the remaining ABAWDS in the rest of the State that are not covered under this waiver.

10. **Regulatory or legislative basis for action:** The waiver is approved under the authority of 7 CFR 273.24(f), which allows FNS to waive the applicability of the work requirement provision for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has insufficient jobs.
11. **Conditions and reasons:** n/a
12. **Information required for extension:** To receive an extension the State agency must provide data as outlined in 7 CFR 273.24(f) indicating that there are insufficient jobs in the affected areas.
13. **Expiration date:** This waiver will be retroactive to April 1, 2006 through March 31, 2007.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Wisconsin State Agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** March 17, 2006
18. **Date of regional office transmittal of request to national office:** March 21, 2006

19. **Date of regional office transmittal of response to state agency:**