

April 12, 2007

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 5, 2007, transmitting the Wisconsin State Agency's request to continue the exemptions for 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. A total of 21 counties (Adams, Juneau, Forrest, Langlade, Ashland, Bayfield, Iron, Rusk, Marquette, Menominee, Florence, Marinette, Oconto, Oneida, Vilas, Burnett, Sawyer, Taylor, Milwaukee, Racine, and Washburn) and 7 cities (Beloit, Green Bay, Kenosha, Manitowoc, West Bend, Appleton, and Janesville) in Wisconsin qualify for waivers from the three-month ABAWD time limits. In addition, the State agency will use its 15 percent exemption allocations for the non-waived areas.

Our response is attached. Please contact Celeste Perkins of my staff at (703) 305-2507 if you have any questions.

/s/

Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

Attachment

cc: All Regions w/attachments  
OAE - Bob Dalrymple, w/attachments

FINAL:FNS:FSP:PDD:CPB:CPERKINS:03/27/07  
DIR:I:CPB:WAIVERS: 2020071 WI ABAWD Ext. & Mod. 2007

Symbol	Surname	Date	Symbol	Surname	Date

## 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 21 counties (Adams, Juneau, Forrest, Langlade, Ashland, Bayfield, Iron, Rusk, Marquette, Menominee, Florence, Marinette, Oconto, Oneida, Vilas, Burnett, Sawyer, Taylor, Milwaukee, Racine, and Washburn) and seven cities (Beloit, Green Bay, Kenosha, Manitowoc, West Bend, Appleton, and Janesville).

Wisconsin wants to modify and extend its current waiver for individuals residing in

four 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 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 November 2004 through October 2006, when the national average unemployment rate plus 20 percent was 5.9.

Sub-region of Bay-Lake Region:

Area	Unemployment Rate, NOV 04 – OCT 06	Area	Unemployment Rate, NOV 04 – OCT 06
Florence County	6.3	Oconto County	5.8
Marinette County	6.0	<b>Total for sub-region</b>	<b>5.9</b>

Sub-region 1 of North Central Region:

Area	Unemployment Rate, NOV 04 – OCT 06	Area	Unemployment Rate, NOV 04 – OCT 06
Adams County	6.6	Juneau County	5.7
		<b>Total for sub-region</b>	<b>6.1</b>

Sub-region 2 of North Central Region:

Area	Unemployment Rate, NOV 04 – OCT 06	Area	Unemployment Rate, NOV 04 – OCT 06
Forest County	6.8	Oneida County	5.7
Langlade County	6.0	Vilas County	5.8
		<b>Total for sub-region</b>	<b>5.9</b>

Sub-region of Northwest Region:

Area	Unemployment Rate, NOV 04 – OCT 06	Area	Unemployment Rate, NOV 04 – OCT 06
Ashland County	5.9	Rusk County	6.2
Bayfield County	6.1	Sawyer County	5.9
Burnett County	5.4	Taylor County	5.3
Iron County	7.9	Washburn County	5.9
<b>Total for sub-region</b>			<b>5.9</b>

Sub-region of Southeastern Region:

Area	Unemployment Rate, NOV 04 – OCT 06	Area	Unemployment Rate, NOV 04 – OCT 06
Milwaukee County	5.9	Racine County	5.8
<b>Total for sub-region</b>			<b>5.9</b>

In addition, the State requests waivers for Marquette and Menominee Counties, which are eligible based on their average unemployment rates, which are at least 20 percent above the national average during November 2004 through October 2006.

Area	Unemployment Rate, NOV 04 – OCT 06
Marquette County	6.1
Menominee County	10.6

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 November 2004 through October 2006: Appleton, Janesville, and West Bend city.

Area	Unemployment Rate, NOV 04 – OCT 06	Area	Unemployment Rate, NOV 04 – OCT 06
Appleton city	5.9	West Bend city	6.0
Janesville city	5.9		

The cities of Beloit, Green Bay, Kenosha, and Manitowoc are eligible based on their designation as Labor Surplus Areas in FY 2007.



9. **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 in the aforementioned areas will be exempt from work requirements due to insufficient jobs based on BLS data.
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 expire March 31, 2008.
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 1, 2007
18. **Date of regional office transmittal of request to national office:** March 5, 2007
19. **Date of regional office transmittal of response to state agency:**