



United States Department of Agriculture

Food and Nutrition Service

Northeast Region

EPB
Joe
pw 2/14/02

Date: FEB - 4 2002

Subject: ABAWD Waiver Renewal Request, Vermont (VT)

To: Art Foley, Director
Program Development Division

Attached please find the November 14, 2001 request to renew waiver #970228. This waiver will exempt residents of Orleans County from the work requirements of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The prior extension of waiver #970228 expired May 31, 2001, and Vermont, in accordance with Section 6(o)(6) of the Food Stamp Act, has applied its unused exemptions to ABAWDs in the labor surplus area during the lapse in waiver coverage.

Vermont requests the renewal of waiver #970228 for Orleans County based on the U.S. Department of Labor's classification of the county as a Labor Surplus Area. We recommend that this waiver be renewed retroactively to November 14, 2001, the date of the original request to renew.

If you have any questions regarding this waiver request, please contact Jane DiBiasio at (617) 565-6401.

Mary A. Ferris, Chief
State Program Improvement Section
Food Stamp Program
Northeast Region

Attachment

**FNS Waiver Request
State of Vermont
Department of PATH**

1. WAIVER SERIAL NUMBER

970228

2. TYPE OF REQUEST

Extension

3. PRIMARY REGULATION CITATION

Section 6 (o)(4)(A)(ii) of the Food Stamp Act of 1977, as amended ("the Act").

4. SECONDARY REGULATION CITATION

None

5. STATE

Vermont

6. REGION

Northeast

7. REGULATORY REQUIREMENTS

Section 6 (o)(2) of the Act requires compliance with work, work participation, or other comparable program requirements during the preceding 36-month period for an individual to remain eligible for the Food Stamp Program as a member of any household.

Section 6 (o) of the Act also allows the Secretary to waive the applicability of the work requirement in this section for any group of individuals in the state if the Secretary makes a determination that the area in which the individuals reside does not have a sufficient number of jobs to provide employment for the individuals.

8. PROPOSED ALTERNATIVE PROCEDURES

Vermont requests to renew a waiver for the purpose of exempting individuals residing in communities that lack a sufficient number of jobs from the regulatory requirements of § 6 (o)(2) of the Act. The Newport service district includes towns in Essex and Orleans counties, classified as labor surplus areas by the U.S. Department of Labor. The waiver will apply primarily to the Newport service district. It also affects a few communities in these counties served by other district offices.

9. JUSTIFICATION FOR REQUEST

Labor surplus areas are classified on the basis of civil jurisdictions. The Department of Labor lists qualifying areas on a fiscal year basis. The listing becomes effective each October 1 and remains in effect through the following September 30. The counties of Essex and Orleans in Vermont are on the current list.

The classification of Essex and Orleans counties by the Employment and Training Administration of the U.S. Department of Labor as Labor Surplus Areas qualifies the Newport service area for an exemption from the work requirements of § 6 (o)(2) of the Act. There are no towns in this service district outside Essex and Orleans counties. As referenced in # 8 above, there are a few qualifying communities in Essex and Orleans counties that are served by other district offices.

10. ANTICIPATED IMPACT ON HOUSEHOLDS AND STATE AGENCY OPERATIONS

Renewal of this waiver will have a continuing, positive impact on participation in the Food Stamp Program in the counties of Essex and Orleans, the only areas of Vermont classified by the U.S. Department of Labor as Labor Surplus Areas.

Procedures and computer system requirements to implement this waiver are in place.

11. CASELOAD INFORMATION

Individuals residing in the counties of Essex and Orleans, who would otherwise be required to comply with the work requirements of § 6 (o)(2), are exempt under the authority of this waiver.

12. ANTICIPATED IMPLEMENTATION DATE AND TIME PERIOD FOR WHICH WAIVER IS NEEDED

Vermont requests that this waiver be renewed following notice in the Federal Register of areas classified as Labor Surplus Areas (LSA) by the U.S. Department of Labor (DOL) pursuant to 20 C.F.R. § 654.5(b).

13. PROPOSED QC REVIEW PROCEDURES

The department will not be required to initiate any new quality control review procedures as a result of this waiver.

14. SIGNATURE AND TITLE OF REQUESTING OFFICIAL



Eileen I. Elliott, Commissioner

Department of Prevention, Assistance, Transition, and Health Access (PATH)

15. DATE OF REQUEST

November 14, 2001