



United States Department of Agriculture
Food and Nutrition Service

Northeast Region

Joe
pw 8/6/03

2030062

Date: 08/26/03

Subject: New Hampshire ABAWD Waiver Request

To: Jerome Lindsay
Associate Administrator for Regional Operations

Attached is a request from the State of New Hampshire to waive the work requirements at 7 CFR 273.24 for able-bodied adults without dependents. The State has no designated Labor Surplus Areas at this time, but they provided Bureau of Labor Statistics data on areas with unemployment rates that exceed the national average by 20 percent. The State used data from four different 24 month periods. None of the data is from a period that is earlier than January 2000, the reference period used for the current Department of Labor data.

Based upon the information provided by the State agency, we recommend approval of this waiver. The State agency is requesting the waiver to be approved for the period beginning October 1, 2003 for a period of one year.

If you have any questions concerning this waiver, please contact Susan Mahan at (617) 565-6382.

Sincerely,

for Frances E. Zorn
Administrator
Northeast Region

Attachment

Rel 7/30/03 @ 5:07

New Waiver Summary Information

State Requesting	Date Received	Brief Summary Statement	Waiver Extraordinary or Unique (No/Yes-why)	Approvable (Yes/No)- What do we think?
NH	July 15, 2003	NH is requesting to waive several areas of the State from the work requirements on the basis of unemployment rates that exceed the national average by 20 percent for a 24-month period.	No. The State used four periods of BLS data.	We recommend approval. None of the four periods is earlier than January 2000, the reference point for the current year. HQ has approved a State for two different periods in the past.



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF FAMILY ASSISTANCE

129 PLEASANT STREET, CONCORD, NH 03301-3857
603-271-4580 1-800-852-3345 Ext. 4580
FAX: 603-271-4637 TDD Access: 1-800-735-2964

Nicholas J. Vailas
Commissioner

Mary Anne Broshek
Director

July 8, 2004

Robert L. Canavan
Director, Food Stamp Program
USDA/FNS, Northeast Region
10 Causeway Street
Boston, MA 02222

Dear Mr. Canavan:

Please find enclosed New Hampshire's request to waive ABAWD participation restrictions for portions of New Hampshire through at least FFY 2004 based on economic circumstances.

If you have any questions, please contact Terry R. Smith, Food Stamp Program Manager, at (603) 271-4256.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Anne Broshek".

Mary Anne Broshek
Director

Enclosure

WAIVER REQUEST

1. Waiver serial number:
2. Type of request: Initial
3. Primary regulation citation, if any: Section 6 (o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.
4. Secondary regulation citation, if any: 7 CFR 273.24 (f)(3)(iii)
5. State: New Hampshire
6. Region: NERO
7. Regulatory requirements: Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), P.L. 104-193, 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 requirement of a work program for 20 hours or more per week; or did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of PRWORA, 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.

In addition, 7 CFR 273.24 (f)(3)(iii) permits states to use "data from the BLS 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 periods the ETA used to designate LSA's for the current fiscal year."

8. Proposed alternative procedures: The State of New Hampshire is requesting to waive ABAWD requirements for individuals residing in Coos County based on having an average unemployment rate of at least 20 percent above the national average during the previous two federal fiscal years (federal fiscal years 2001 and 2002). In addition, the State wishes to exclude the residents in the following 14 new areas based on having an average unemployment rate of at least 20 percent above the national average for various 24 month periods: Atkinson, Boston MA-NH PMSA (NH part),

Danville, Ellsworth, Greenville, Hart's Location, Newton, Pelham, Plaistow, Rindge, Salem, Seabrook, Sharon and Wakefield.

9. Justification for request: For this request, the State has used four different 24 month time periods:

January 2000-December 2001. The national average for this time period was 4.4, plus 20% equals 5.2.

Ellsworth: 5.6

Hart's Location: 5.4

Rindge: 5.3

Sharon: 5.2

October 2000-September 2002. The national average for this time period was 5.0, plus 20% equals 6.0.

Boston MA-NH PMSA (NH part): 7.4

Coos County: 6.2

Greenville: 6.2

Newton: 7.0

Pelham: 6.0

Plaistow: 6.2

Salem: 6.2

Seabrook: 7.8

January 2001-December 2002. The national average for this time period was 5.3, plus 20% equals 6.3.

Atkinson: 6.3

Wakefield: 6.3

February 2001-January 2003. The national average for this time period was 5.3, plus 20% equals 6.4.

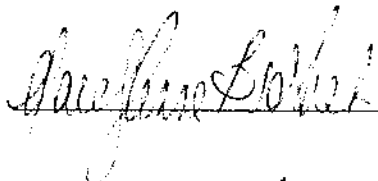
Danville: 6.5

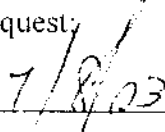
As stated in number 8 above, these areas have an average unemployment rate of at least 20 percent above the national average during the various 24 month time periods. All of the raw data supporting our numbers that we have used are from the Bureau of Labor Statistics (BLS) website.

10. Anticipated impact on households and State agency operations: This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.
11. Caseload information, including percent, characteristic, and quality control error rate for affected portion: The caseload for each of these areas and percentage of statewide total as of June, 2003 is as follows:

<u>Affected Area</u>	<u>Cases</u>	<u>% Total Caseload</u>
• Ellsworth: 5.6	1	0.005%
• Hart's Location: 5.4	0	0.000%
• Rindge: 5.3	25	0.124%
• Sharon: 5.2	1	0.005%
• Boston MA-NH PMSA (NH part): 7.4	209	1.029%
❖ Seabrook	207	
❖ South Hampton	2	
• Coos County: 6.2	1254	6.172%
• Greenville: 6.2	43	0.212%
• Newton: 7.0	32	0.157%
• Pelham: 6.0	30	0.148%
• Plaistow: 6.2	67	0.330%
• Salem: 6.2	217	1.068%
• Atkinson: 6.3	19	0.094%
• Wakefield: 6.3	13	0.064%
• Danville: 6.5	33	0.162%

12. Anticipated implementation data and time period for which waiver is needed: New Hampshire is requesting the waiver effective October 1, 2003 through September 30, 2004.
13. Proposed quality control review procedures: There are no special quality control procedures needed in conjunction with this waiver.
14. Signature and title of requesting official:

_____, Director, Division of Family Assistance

15. Date of request:
_____