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United States Department of Agriculture

Food and Nutrition Service

Northeast Region

Date: May 13, 2003

Subject: Vermont ABAWD waiver

To: Art Foley, Director
Program Development Division

Attached is an April 29, 2003 waiver request from the Vermont Department of Prevention, Assistance, Transition and Health Access to exempt individuals from Section 6(o) of the Food Stamp Act, as amended by section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

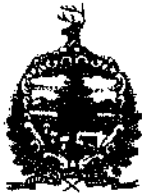
The State is requesting a modification and continuation of waiver #970228 to exempt individuals living in the counties of Essex and Orleans on the basis of their status as Labor Surplus Areas.(LSA). Although the town of Killington is also designated as an LSA, the State is not including this in its request because of the difficulty administering the waiver in one town.

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

A handwritten signature in black ink, appearing to read "Robert L. Canavan".

Robert L. Canavan, Director
Food Stamp Program
Northeast Region

Attachment



State of Vermont

AGENCY OF HUMAN SERVICES

April 29, 2003

Robert L. Canavan
Director, Food Stamp Program
USDA/FNS/NERO
10 Causeway Street, Room 501
Boston, MA 02222-1604

DEPARTMENT OF PREVENTION, ASSISTANCE,
TRANSITION, AND HEALTH ACCESS
COMMISSIONER'S OFFICE

103 South Main Street
Waterbury, Vermont 05671-1201
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**Request for extension of waiver #970228
to exempt ABAWDs in Labor Surplus Areas**

Dear Mr. Canavan:

Since inception of the three-month food stamp time limit for able-bodied adults without dependents, the Food and Nutrition Service has waived the rule in the area of our state most prone to unemployment. The most recent waiver expired March 31, 2003.

After giving consideration to the Labor Surplus Areas (LSAs) list published earlier this year by the U.S. Department of Labor, Vermont has decided to seek waiver authority for Essex and Orleans counties only, through March 31, 2004.

The department notes that Killington Town, home to a major ski area, is also eligible for exemption as it qualifies as a LSA. Other ski towns have seasonal employment fluctuations, a circumstance that may account for the formula-based designation. Some areas of Vermont have had chronic unemployment due to the decline of industry-specific manufacturing hubs.

To operate a coherent, statewide program, Vermont plans to maintain services to ABAWDs throughout the state with the exception of the two counties that fairly consistently have been designated as LSAs.

Vermont requests approval of the waiver request for our ABAWD population residing in the Northeast Kingdom counties of Essex and Orleans.

Please contact Judy Rosenstreich, Senior Policy and Planning Analyst, if you have any questions (802-241-2889; judy@wpgate1.ahs.state.vt.us).

Sincerely,

Patricia House, MPH, PhD
Commissioner

Enclosure

c: Renee W. Richardson
Judy P. Rosenstreich

- MAY 12 2003 -

FNS Waiver Request

State of Vermont

Department of Prevention, Assistance, Transition, and Health Access

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 a waiver to exempt individuals residing in Essex and Orleans counties, classified as labor surplus areas by the U.S. Department of Labor, from the regulatory requirements of § 6 (o)(2) of the Act. The Newport district office of the department is the primary service provider for this geographical area. This office is familiar with procedures for exempting ABAWDs and workers are trained to use the appropriate codes in the automated eligibility system.

9. JUSTIFICATION FOR REQUEST

The counties of Essex and Orleans are civil jurisdictions that have been designated by the Employment and Training Administration of the U.S. Department of Labor as Labor Surplus Areas. The classification of Essex and Orleans counties as Labor Surplus Areas conforms to the criteria established by the Food and Nutrition Service for an exemption from the work requirements of § 6 (o)(2) of the Act. Relatively high unemployment, averaging 6.0 percent or above in qualifying areas, makes it difficult for able-bodied adults with no dependents to obtain work necessary to comply with these work requirements.

10. ANTICIPATED IMPACT ON HOUSEHOLDS AND STATE AGENCY OPERATIONS

Extension of this waiver will have a continuing, positive impact on participation in the Food Stamp Program in the counties of Essex and Orleans.

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

11. CASELOAD INFORMATION

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

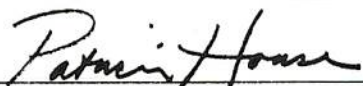
12. ANTICIPATED IMPLEMENTATION DATE AND TIME PERIOD FOR WHICH THE WAIVER IS NEEDED

Vermont requests that this waiver be extended through March 31, 2004.

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



Patricia House, Commissioner
Department of Prevention, Assistance, Transition, and Health
Access

15. DATE OF REQUEST

April 29, 2003