

**WAIVER REQUEST
STATE OF ALASKA**

ABAWD Work Requirements
July 31, 2008

1. **Waiver Serial Number:** 2030035 (expires September 30, 2008)
2. **Type of Request:** Request for Extension
3. **Primary Regulation Citation:**

7 CFR 273.24 – Time limit for able-bodied adults

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Act (PRWORA) of 1996, P.L. 104-193

4. **State:** Alaska
5. **Region:** Western Region
6. **Regulatory Requirements:**

The Food Stamp Program (FSP) Regulations at 7 CFR 273.24(b) provide that no individual shall be eligible to participate in the FSP 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; did not participate in and comply with requirements of a program or a comparable program established by the State; or received benefits because he/she was exempt from these requirements.

The FSP Regulations at 7 CFR 273.24(f) also provide that, at the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if FNS determines that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have enough jobs to provide employment for the individuals. Under 7 CFR 273.24(f)(2)(ii) states may support a claim of lack of sufficient jobs by submitting evidence 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 period the Employment and Training Administration used to designate the Labor Surplus Areas (LSAs) for the current fiscal year, or is determined by the Department of Labor's Unemployment Insurance Service as qualifying for extended unemployment benefits.

7. Description of the Proposed Alternative Procedures:

Alaska is seeking to renew its current year-round statewide waiver from Section 6(o) of the Food Stamp Act (7 CFR 273.24), exempting all able-bodied adults residing in Alaska from the ABAWD work requirements. Alaska requests this waiver be approved for two years, through September 30, 2010.

8. Justification for Request:

Alaska has an unemployment rate for the 36-month period ending June 2008 at least 20% greater than the national average for this same period. This is based on data from the State of Alaska Department of Labor and Workforce Development and the federal Bureau of Labor Statistics (BLS). This criterion is listed in the federal regulations and automatically qualifies the state for a waiver from Section 6(o) of the Food Stamp Act.

Under 7 C.F.R. 273.24(f)(3)(iii), FNS will approve state agency waivers where FNS confirms "Data from the BLS or 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 period the ETA uses to designate LSAs for the current fiscal year."

The February 3, 2006, memorandum from Arthur T. Foley, Director of Program Development, provided three criteria for 2-year ABAWD waiver approvals:

- An unemployment rate of greater than 10 percent for the 2-year period immediately prior to the request;
- Designation as a labor surplus area (LSA) by the Department of Labor's Employment and Training Administration (DOLETA) for a minimum of two consecutive fiscal years (the year of the request and the fiscal year prior to the request; or,
- An unemployment rate greater than 20 percent above the national average for a 36-month period, ending no earlier than three months prior to the request.

The data from the 36-month period July 2005 through June 2008 indicates that Alaska's average monthly unemployment rate of 6.49% exceeds the national average monthly unemployment rate of 4.76% for the same period by more than 20%. Attached to this request for extension is a spreadsheet providing this information.

9. Anticipated Impact on Households and State Agency Operations:

Alaska has had an approved statewide waiver since March 2004 based on Labor Surplus Area designations and the 24-month unemployment rate, and most recently based on the 36-month unemployment rate. The year-round statewide waiver has benefited both households and state agency operations.

- It eases the hardship for low-income Alaskans caused by limiting food assistance when there are not enough jobs available for everyone wanting to work.
- Alaska is a vast state with a small population. Local economies in many areas, particularly remote rural regions, simply cannot provide sufficient year-round paid employment. This fact coupled with the severity and length of winter contributes to persistently high unemployment in Alaska's rural areas.
- Application of Food Stamp Program policy is simplified for agency staff. With an approved waiver to exempt all areas of the state year-round, there is no longer a need to track countable months and three-year eligibility periods.
- Since the implementation of the statewide year-round waiver in March 2004, payment accuracy has improved. Alaska's Quality Control error rate was 13.9% in FFY 2003. This rate was significantly reduced in FFY 2004 to 7.0% and continues to go down. In FFY 2005 it was 6.5%, in FFY 2006 it was 5.8%, and in FFY 2007 it was 4.0%.

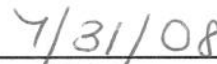
10. Anticipated Implementation Date and Time Period Waiver is Needed:

Alaska requests this waiver extension be approved for two years, effective October 1, 2008, through September 30, 2010.

Signature and Title of Requesting Official:



Carolyn Spalding, Program Officer
Chief of Policy & Program Development
Division of Public Assistance
Department of Health & Social Services
State of Alaska


Date