

MAY 07 2002

2020093

SUBJECT: FSP – California – Request to Waive 7 CFR 273.24

TO: Dennis Stewart
Regional Director
Food Stamp Program
Western Region

This is in response to your memorandum dated April 24, 2002, which included a request from the State of California to waive 7 CFR 273.24. California wishes to waive the work requirements for 7 CFR 273.24 for the counties of Fresno, Glenn, and Tulare, based on unemployment rates exceeding 10 percent for a twelve-month period.

Our response approving the waiver is attached. Please contact Patricia Maggi of my staff at (703) 305-2476 if you have any questions.

Arthur T. Foley

Arthur T. Foley
Director
Program Development Division

cc: PAD, SAB
PAD, QCB
Bob Dalrymple, OANE
Mike DePiro, OANE
FSP National Arbitrator
All Regions (except WRO)

FINAL:USDA:FNS:FSP:PDD:CPB:PMAGGI:5-1-02:jas
File:I:CPB:Waivers:2020093-Initial 2002-Request:Pmaggi:04-25-02

Symbol	Surname	Date		Date
	<i>P Maggi</i>	<i>5/3/02</i>		
<i>PD-100</i>	<i>P. W. H.</i>	<i>5/6/02</i>		
<i>NDL</i>	<i>CPB</i>	<i>5-6</i>		

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WAIVER RESPONSE

1. **Waiver serial number:** 2020093
2. **Type of request:** Initial
3. **Primary regulation citation:** 7 CFR 274.23(f)
4. **Secondary regulation citation:** None
5. **State:** California
6. **Region:** Western
7. **Regulatory requirements:** 7 CFR 273.24 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 requirements 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.

7 CFR 273.24 (f) allows States the opportunity to request a waiver when it is determined that the area in which the individual resides has an unemployment rate over 10 percent; or there are not sufficient jobs to provide employment for the individuals. The regulations at 7 CFR 273.24(f) establish the procedures for approving such waivers.
8. **Description of proposed alternative procedures:** California is requesting a waiver of the ABAWDs work requirements for residents residing in Fresno, Glenn, and Tulare Counties. California reports these counties' unemployment rates were over 10 percent for a 12-month period [Calendar Year (CY) 2001.]
9. **Action and reason for approval or denial:** We are approving California's request to exempt residents of Fresno, Glenn, and Tulare Counties from the work requirements of 7 CFR 273.24 based on unemployment greater than 10 percent for the 12-month period, CY 2001.
10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24 (f) which allows the Secretary to waive the applicability of the work requirement provision in 7 CFR 273.24 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 over 10 percent or has insufficient jobs.

11. **Conditions and reasons:** N/A
12. **Information required for extension:** For those counties that are exempt based on 10 percent unemployment, please submit supporting unemployment data which relies on standard Bureau of Labor Statistics (BLS) data and/or methods.
13. **Expiration date:** The waiver will expire on May 31, 2003.
14. **Limitation, if any, on regional office approval of like requests:** The waiver is limited to the California State Agency.
15. **Quality control procedures:** None
16. **Date of national office action:**
17. **Date of State agency's request:** April 19, 2002
18. **Date of regional office transmittal of request to national office:** April 24, 2002
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**