

+-----+
| LOCAL COMMISSIONERS MEMORANDUM |
+-----+

DSS-4037EL (Rev. 9/89)

Transmittal No: 97 LCM-20

Date: February 28, 1997

Division: Commissioner's
Office

TO: Local District Commissioners

SUGGESTED DISTRIBUTION:

Income Maintenance Directors
Employment Coordinators
Food Stamp Coordinators

SUBJECT: Waiver of Food Stamp ABAWD Eligibility Requirements

ATTACHMENTS: None

Governor Pataki has directed the Department of Social Services to seek a waiver from USDA of the food stamp able-bodied adult without dependents (ABAWD) requirements in those areas where the unemployment rate is in excess of 10% by USDA standards, or in civil jurisdictions which meet USDA guidelines for designation as a labor surplus area. If approved by USDA, the waivers will be effective from November 22, 1996 to November 21, 1997 in the designated areas unless the chief elected official of the county or the mayor of New York City declines the waiver.

The State may self-certify areas which meet USDA guidelines for designation as having an unemployment rate of 10 percent or higher. Therefore, a waiver for Bronx and Hamilton counties, which meet these guidelines, is effective immediately unless the mayor of New York City or the chief elected official of Hamilton County choose to decline this waiver.

The civil jurisdictions of the State which meet the designation of a labor surplus area are identified below. The State must await approval from USDA for waivers of the ABAWD requirement in these areas. Affected local districts will be notified as soon as waiver approval is received. In the meantime, chief elected officials should consider whether or not they will choose to decline the waiver.

ELIGIBLE LABOR SURPLUS AREAS

ALLEGANY COUNTY
 AUBURN CITY
 BINGHAMTON CITY
 BRONX COUNTY
 BUFFALO CITY
 CATTARAUGUS COUNTY
 CHENANGO COUNTY
 CLINTON COUNTY
 CORTLAND COUNTY
 ELMIRA CITY
 ESSEX COUNTY
 FRANKLIN COUNTY
 FULTON COUNTY
 GREENE COUNTY
 HAMILTON COUNTY
 HEMPSTEAD VILLAGE
 BALANCE OF JEFFERSON COUNTY
 KINGS COUNTY
 LEWIS COUNTY
 MONTGOMERY COUNTY
 MOUNT VERNON CITY
 NEW YORK COUNTY
 NEWBURGH CITY
 NIAGARA FALLS CITY
 ORLEANS COUNTY
 OSWEGO COUNTY
 POUGHKEEPSIE CITY
 QUEENS COUNTY
 RICHMOND COUNTY
 ROCHESTER CITY
 SCHENECTADY CITY
 ST LAWRENCE COUNTY
 SYRACUSE CITY
 TROY CITY
 UTICA CITY
 BALANCE OF WARREN COUNTY
 WATERTOWN CITY
 WYOMING COUNTY

CIVIL JURISDICTIONS INCLUDED

ALLEGANY COUNTY
 AUBURN CITY IN CAYUGA COUNTY
 BINGHAMTON CITY IN BROOME COUNTY
 BRONX COUNTY
 BUFFALO CITY IN ERIE COUNTY
 CATTARAUGUS COUNTY
 CHENANGO COUNTY
 CLINTON COUNTY
 CORTLAND COUNTY
 ELMIRA CITY IN CHEMUNG COUNTY
 ESSEX COUNTY
 FRANKLIN COUNTY
 FULTON COUNTY
 GREENE COUNTY
 HAMILTON COUNTY
 HEMPSTEAD VILLAGE IN NASSAU COUNTY
 JEFFERSON COUNTY LESS WATERTOWN CITY
 KINGS COUNTY
 LEWIS COUNTY
 MONTGOMERY COUNTY
 MOUNT VERNON CITY IN WESTCHESTER COUNTY
 NEW YORK COUNTY
 NEWBURGH CITY IN ORANGE COUNTY
 NIAGARA FALLS CITY IN NIAGARA COUNTY
 ORLEANS COUNTY
 OSWEGO COUNTY
 POUGHKEEPSIE CITY IN DUTCHESS COUNTY
 QUEENS COUNTY
 RICHMOND COUNTY
 ROCHESTER CITY IN MONROE COUNTY
 SCHENECTADY CITY IN SCHENECTADY COUNTY
 ST LAWRENCE COUNTY
 SYRACUSE CITY IN ONONDAGA COUNTY
 TROY CITY IN RENSSELAER COUNTY
 UTICA CITY IN ONEIDA COUNTY
 WARREN COUNTY LESS QUEENSBURY TOWN
 WATERTOWN CITY IN JEFFERSON COUNTY
 WYOMING COUNTY

Date February 28, 1997

Trans. No. 97 LCM-20

Page No. 3

Districts listed in this LCM which choose to participate in the waiver should refrain from acting upon the ABAWD eligibility requirement until further clarification is received from the Departments. Notices of adverse action related to ABAWD eligibility should be held in abeyance, while notices which have already been sent should be withdrawn. Districts may, however, continue to assign ABAWDs to employment programs or offer them opportunities to meet the eligibility requirement.

A copy of this LCM is being sent to chief elected officials of affected counties Upstate and to the mayor of New York City.

If you have any questions please contact Mike Leonard at 518 485-6996.

John E. Sweeney
Commissioner
Department of Labor

Brian J. Wing
Acting Commissioner
Department of Social Services