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| LOCAL COMMISSIONERS MEMORANDUM |  
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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

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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.

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John E. Sweeney  
Commissioner  
Department of Labor

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Brian J. Wing  
Acting Commissioner  
Department of Social Services