



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

ALBERT HAWKINS
EXECUTIVE COMMISSIONER

April 6, 2007

Ms. Judy Barron,
Food Stamp Director
United States Department of Agriculture
Food and Nutrition Service
1100 Commerce Street, Room 522
Dallas, Texas 75242-1005

Re: Food Stamp Program-Request for Extension of Waiver (#970057)

Dear Ms. Barron:

The Health and Human Services Commission requests an extension of the existing waiver of Section 6(o) of the Food Stamp Act as amended by Section 824 of the Personal Responsibility and Work Opportunity Act of 1996 (Public Law 104-193), for the following five Texas counties: Loving, Maverick, Presidio, Starr, and Zavala.

The current waiver will expire September 30, 2007. These five counties qualify as high unemployment areas under criteria specified in 7 Code of Federal Regulations 273.24(f)(i), which allows the Secretary to approve state requests for exemption from work requirements for individuals residing in areas with unemployment rates exceeding 10 percent. We request that this extension be for a one-year period beginning October 1, 2007, so as to coincide with the federal fiscal year.

Attached are documents from The U.S. Department of Labor, Bureau of Labor Statistics, website (found at <http://www.bls.gov/lau/home.htm#data>) outlining the most recent data used to determine the applicable county unemployment rates. It is our understanding that FNS will consider this waiver using the employment data from this time period and source.

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The method used is in compliance with the United States Department of Agriculture memo FSP-SO-2004-14 dated May 7, 2004. Details are contained in the attached, standard-format waiver request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Franco".

Linda Franco
Associate Commissioner
Office of Family Services

LF:em

Attachments

cc: Eric McDaniel, Manager for Texas Works

WAIVER REQUEST

1. **Waiver serial number (if request is extension):** 970057
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:** N/A
5. **State:** Texas
6. **Region:** SWRO
7. **Regulation 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 the requirements of a program under Section 20 or a comparable program established by the state.

It also provides that, upon request of a state agency, the Secretary may waive the applicability of the above provision 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 of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.

8. **Proposed alternative procedures:** Texas proposes to exempt from this requirement individuals who reside in counties that have an unemployment rate in excess of 10 percent. Historical unemployment figures were obtained from the U.S. Department of Labor, Bureau of Labor Statistics, website at <http://www.bls.gov/lau/home.htm#data>. Attachment A indicates five counties had unemployment rates exceeding 10 percent from February 1, 2006, through January 31, 2007. Each year the state plans to revise the list of waiver counties with an annual effective date of October 1. Approval to request a waiver for additional counties may be requested by the state if circumstances warrant during the year.
9. **Justification for request:** This waiver is requested under 7 CFR 273.24(f). Approval of this waiver would allow individuals who reside in areas, where unemployment rates are over 10 percent, the opportunity to participate in the Food Stamp Program without being required to meet unrealistic program work requirements.

10. **Anticipated impact on households and state agency operations:** Approval of this waiver would mitigate the adverse effects experienced by households in economically depressed areas by allowing them to continue receiving basic nutritional sustenance through the Food Stamp Program. These households would otherwise be faced with losing basic support due to circumstances beyond their control since complying with work requirements in such local economic environments may not be a reasonable expectation.
11. **Caseload information, including percent, characteristics, and quality control error rate for affected portion:** In January 2007, a total of 2,458,697 individuals (934,978 households) received food stamps statewide. The 424 food stamp recipients in the five counties who would be exempted by this waiver comprise about 0.02 percent of the state's total recipients. The 364 households that would be exempted comprise 0.04 percent of the state's food stamp households. (The statistics in this section include statewide food stamp individuals and households, but not estimates for TIERS clients.) Attachment B provides caseload data on the affected population for these counties.

There are no applicable quality control error rates to report for this waiver request.

12. **Anticipated implementation date and time period for which waiver is needed:**
The waiver is requested for a one-year period commencing October 1, 2007.
13. **Proposed quality control review procedures:** No special procedures will be necessitated by this waiver.
14. **Signature and title of requesting official:**

Linda Franco
Associate Commissioner
Office of Family Services
15. **Date of request:** April 6, 2007

Attachment A

Loving			
Year	Period	Labor force	Unemployment
2006	Feb	27	4
2006	Mar	32	4
2006	Apr	35	4
2006	May	31	4
2006	Jun	36	4
2006	Jul	37	4
2006	Aug	31	4
2006	Sep	39	4
2006	Oct	30	4
2006	Nov	33	4
2006	Dec	35	4
2007	Jan	33	4
Total		399	48

$$48 / 399 = .1203 \times 100 = 12.03$$

12.0% unemployment

Maverick			
Year	Period	Labor force	Unemployment
2006	Feb	20837	3518
2006	Mar	20725	3306
2006	Apr	20296	3096
2006	May	19764	2543
2006	Jun	19824	2445
2006	Jul	19259	2228
2006	Aug	18842	1867
2006	Sep	18689	1691
2006	Oct	19186	1958
2006	Nov	19653	2298
2006	Dec	20116	2716
2007	Jan	21044	3487
Total		238235	31153

$$31153 / 238235 = .1308 \times 100 = 13.08$$

13.1% unemployment

Presidio			
Year	Period	Labor force	Unemployment
2006	Feb	3128	327
2006	Mar	3109	321
2006	Apr	3126	340
2006	May	3133	374
2006	Jun	3326	435
2006	Jul	3326	446
2006	Aug	3171	395
2006	Sep	3115	375
2006	Oct	3025	283
2006	Nov	3005	278
2006	Dec	3091	306
2007	Jan	3232	330
Total		37787	4210

$$4210 / 37787 = .1114 \times 100 = 11.14$$

11.1% unemployment

Starr			
Year	Period	Labor force	Unemployment
2006	Feb	21966	3178
2006	Mar	21525	2798
2006	Apr	21505	2589
2006	May	20914	2330
2006	Jun	21860	2547
2006	Jul	21700	2534
2006	Aug	20852	2163
2006	Sep	20813	1948
2006	Oct	20858	1983
2006	Nov	21292	2468
2006	Dec	21950	2737
2007	Jan	22727	2981
Total		257962	30256

$$30256 / 257962 = .1173 \times 100 = 11.73$$

11.7% unemployment

Zavala			
Year	Period	Labor force	Unemployment
2006	Feb	4064	495
2006	Mar	4016	489
2006	Apr	3950	454
2006	May	3962	421
2006	Jun	4077	473
2006	Jul	3901	565
2006	Aug	3763	495
2006	Sep	3749	404
2006	Oct	3911	411
2006	Nov	3856	405
2006	Dec	4076	483
2007	Jan	4017	508
Total		47342	5603

$5603 / 47342 = .1184 \times 100 = 11.84$

11.8% unemployment

Attachment B

**Food Stamp Hardship Counties in Texas
Total Number of Food Stamp
Childless 18-49 Yr Olds
January 2007**

County	ABAWD Recipients	ABAWD Households
Loving	0	0
Maverick	112	95
Presidio	0	0
Starr	286	247
Zavala	26	22
Total	424	364

Total Counties 5