



TEXAS HEALTH AND HUMAN SERVICES COMMISSION

ALBERT HAWKINS
EXECUTIVE COMMISSIONER

April 16, 2008

Ms. Judy Barron, Regional Director
USDA, Food and Nutrition Service
1100 Commerce St., Room 522
Dallas, Texas 75242-1005

Dear Ms. Barron:

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

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 (PRWORA) of 1996 (P.L. 104-193), for the following four Texas counties: Loving, Maverick, Starr, and Zavala.

The current waiver will expire September 30, 2008. These four counties qualify as high unemployment areas under criteria specified in 7 CFR 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, 2008, so as to coincide with the federal fiscal year.

Attached are documents from The U.S. Department of Labor, Bureau of Labor Statistics website at <http://www.bls.gov/lau/home.htm#data> outlining the most recent data used to determine the applicable county unemployment rate. It is our understanding that FNS will consider this waiver using the employment data from this time period and source. 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. In order to complete computer programming for these changes we need your response by June 1, 2008.

Sincerely,

A handwritten signature in cursive script, reading "Joanne Molina".

Joanne Molina
Associate Commissioner
Office of Family Services

Attachments

cc: Eric McDaniel, 203-9

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 web-site at <http://www.bls.gov/lau/home.htm#data> (Attachment A) indicate that the 4 counties listed on Attachment A had unemployment rates exceeding 10 percent from February 1, 2007 through January 31, 2008. 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. In such areas, these households would otherwise be faced with losing such 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 2008, a total of 2,511,391 individuals (963,995 households) received Food Stamps statewide. The 468 Food Stamp recipients in the four counties who would be exempted by this waiver comprise about 0.02 percent of the State's total recipients. The 397 households that would be exempted comprise 0.04 percent of the State's Food Stamp households. (The statistics in this section include statewide Food Stamps individuals and households, not estimates for TIERS.) 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, 2008.
13. **Proposed quality control review procedures:** No special procedures will be necessitated by this waiver.
14. **Signature and title of requesting official:**



Joanne Molina
Associate Commissioner
Office of Family Services

15. **Date of request:** April 14, 2008

Attachment A

Loving

Year	Period	labor force	unemployment
2007	Feb	36	4
2007	Mar	35	4
2007	Apr	33	3
2007	May	35	4
2007	Jun	35	4
2007	Jul	36	4
2007	Aug	31	4
2007	Sep	35	4
2007	Oct	34	4
2007	Nov	35	4
2007	Dec	35	3
2008	Jan	46	4
Total		426	46

$$46 / 426 = .1079 \times 100 = 10.79$$

10.8% unemployment

Maverick

Year	Period	labor force	unemployment
2007	Feb	21087	3483
2007	Mar	20679	2912
2007	Apr	20272	2726
2007	May	19669	2086
2007	Jun	19632	2005
2007	Jul	19076	1936
2007	Aug	18525	1433
2007	Sep	19079	1477
2007	Oct	19350	1568
2007	Nov	19594	1797
2007	Dec	19905	2137
2008	Jan	21009	2769
Total		237877	26329

$$26329 / 237877 = .1106 \times 100 = 11.06$$

11.1% unemployment

Starr

Year	Period	labor force	unemployment
2007	Feb	22687	2905
2007	Mar	22303	2425
2007	Apr	21947	2234
2007	May	21540	1879
2007	Jun	21986	2174
2007	Jul	21637	2245
2007	Aug	20651	1632
2007	Sep	21067	1712
2007	Oct	21134	1604
2007	Nov	21867	2085
2007	Dec	22385	2627
2008	Jan	22301	2825
Total		261505	26347

$$26347 / 261505 = .1007 \times 100 = 10.07$$

10.1% unemployment

Zavala

Year	Period	labor force	unemployment
2007	Feb	3874	492
2007	Mar	3740	426
2007	Apr	3673	396
2007	May	3732	347
2007	Jun	3723	407
2007	Jul	3600	461
2007	Aug	3309	361
2007	Sep	3448	357
2007	Oct	3432	313
2007	Nov	3477	310
2007	Dec	3650	369
2008	Jan	3948	394
Total		43606	4633

$$4633 / 43606 = .1062 \times 100 = 10.62$$

10.6% unemployment

Attachment B

**Food Stamp Hardship Counties in Texas
Total Number of Food Stamp
Childless 18-49 Yr Olds
January 2008**

County	ABAWD Recipients	ABAWD Households
Loving	0	0
Maverick	100	84
Starr	300	252
Zavala	68	61
Total	468	397

Total Counties 4