

WAIVER RESPONSE

1. **Waiver Serial Number:** 970057
2. **Type of Request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** Texas
6. **Region:** Southwest
7. **Regulatory Requirement:** Federal regulations at 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 Supplemental Nutrition Assistance Program (SNAP) benefits for not less than three 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; did not participate in and comply with requirements of a program under Section 20 of the Food and Nutrition Act or a comparable program established by the State; or received benefits because they were exempt from these requirements.

Federal regulations at 7 CFR 273.24(f) also provide that, upon the 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. **Description of proposed alternative procedures:**

The Texas State Agency proposes to extend and modify this waiver to exempt from this requirement individuals who reside in 27 counties listed in the table below, based upon an unemployment rate exceeding 10 percent.

County	Average Unemployment Rate February 2010 – January 2011
Cameron	11.3%
Cass	10.9%
Dickens	10.9%

Duval	11.1%
Hidalgo	11.9%
Jasper	11.5%
Jefferson	11.0%
Liberty	11.1%
Marion	10.1%
Matagorda	11.3%
Maverick	15.2%
Milam	10.3%
Morris	12.8%
Newton	13.1%
Orange	10.8%
Presidio	17.3%
Red River	11.1%
Reeves	10.7%
Sabine	16.3%
San Augustine	11.2%
San Jacinto	10.4%
San Patricio	10.3%
Starr	17.8%
Tyler	10.7%
Willacy	12.4%
Zapata	10.8%
Zavala	15.6%

9. **Action and reason for approval or denial:** Due to the unemployment rate exceeding an average of 10 percent from February 2010 through January 2011, The Food and Nutrition Service (FNS) agrees that for the 27 counties requested the State agency may waive the ABAWD time limit. The data submitted by the State agency meets the requirements of approval pursuant to 7 CFR 273.24(f)(3) and relevant FNS guidance.
10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i), (ii), and (iii).
11. **Conditions and reasons:** None.
12. **Information required for extension:** To receive an extension the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3). If Texas wishes to receive an extension based on unemployment rates, they must provide FNS with all supporting documentation, including spreadsheets in digital form.
13. **Expiration date:** This waiver is effective beginning October 1, 2011 and will expire on September 30, 2012.

14. **Limitation, if any, on regional office approval of like requests:** These waivers are limited to the Texas Health and Human Services Commission.
15. **Quality control procedures:** None.
16. **Date of national office action:** August 1, 2011
17. **Date of State agency's request:** May 12, 2011
18. **Date of regional office transmittal of request:** May 13, 2011
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**



AUG 2 2011

United States
Department of
Agriculture

970057

Food and
Nutrition
Service

SUBJECT: SNAP – Texas Request to Waive Able-bodied Adults Without Dependents (ABAWD) – Modification and Extension

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Center Drive

TO: Dwight Crudup
Regional Director
Supplemental Nutrition Assistance Program
Southwest Region

Alexandria, VA
22302-1500

The Food and Nutrition Service (FNS) has reviewed the Texas Health and Human Services Commission's request to extend and modify waiver #970057 to exempt individuals who reside in 27 counties that have unemployment rates in excess of 10 percent. FNS finds that the Texas request is consistent with Department of Labor Bureau of Labor Statistics data and those 27 counties will not be subject to the ABAWD time limit for fiscal year 2012.

The waiver is applicable to the following counties: Cameron, Cass, Dickens, Duval, Hidalgo, Jasper, Jefferson, Liberty, Marion, Matagorda, Maverick, Milam, Morris, Newton, Orange, Presidio, Red River, Reeves, Sabine, San Augustine, San Jacinto, San Patricio, Starr, Tyler, Willacy, Zapata, and Zavala.

FNS is approving the waiver request for one year, from October 1, 2011 through September 30, 2012, as described in the attachment. If you have any questions, please contact Elizabeth Weber of my staff at (703) 305-2407.

A handwritten signature in black ink, appearing to read "Angela Kline", is positioned above the typed name.

Angela Kline
Chief
Certification Policy Branch
Program Development Division

Attachment