



MAY 25 2012

**United States
Department of
Agriculture**

970057

**Food and
Nutrition
Service**

SUBJECT: SNAP – Texas Request to Waive Able-bodied Adults without Dependents
Time Limits – Modification and Extension – Approval

**3101 Park
Center Drive**

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

**Alexandria, VA
22302-1500**

This is in response to the Texas Health and Human Services Commission's request to extend and modify waiver #970057 to exempt Able-bodied Adults without Dependents (ABAWDs) in certain areas of the State from Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24.

The Texas State agency has proposed to exempt ABAWDs residing in 23 counties based on a recent 12-month average unemployment rate that exceeds 10 percent. The waiver is applicable to the following 23 counties: Cameron, Cass, Dickens, El Paso, Hidalgo, Houston, Jasper, Jefferson, Liberty, Matagorda, Maverick, Morris, Newton, Orange, Presidio, Red River, Reeves, Sabine, San Augustine, Starr, Tyler, Willacy and Zavala.

Based upon a review of the data provided, Food and Nutrition Service (FNS) is approving this waiver for a 1-year period, effective October 1, 2012 through September 30, 2013. Our detailed response is attached. If you have any questions, please contact Stephanie Davis at Stephanie.Davis@fns.usda.gov.

Angela Kline
Chief
Certification Policy Branch
Program Development Division

Attachment

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 provide that no individual shall be eligible to participate in SNAP as a member of any household if, during the preceding 36-month period, the individual received program benefits for more than three months during any three year period in which the individual was subject to, but did not comply with the SNAP work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

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 23 counties listed in the table below, based upon an unemployment rate exceeding 10 percent.

County	Average Unemployment Rate February 2011 – January 2012
Cameron	11.7%
Cass	10.5%
Dickens	19.3%
El Paso	10.3%
Hidalgo	12%

Houston	10.4%
Jasper	11.6%
Jefferson	11.2%
Liberty	10.5%
Matagorda	11.5%
Maverick	13.9%
Morris	11.4%
Newton	13.9%
Orange	11.1%
Presidio	14.1%
Red River	11.8%
Reeves	10.9%
Sabine	16.2%
San Augustine	12.3%
Starr	16.7%
Tyler	11.5%
Willacy	14.4%
Zavala	15.4%

9. **Action and reason for approval or denial:** Due to the unemployment rate exceeding an average of 10 percent from February 2011 through January 2012 for the counties listed above, FNS is approving this waiver request. 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, 2012 and will expire on September 30, 2013.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Texas Health and Human Services Commission.
15. **Quality control procedures:** None.

16. **Date of national office action:** May 24, 2012
17. **Date of State agency's request:** May 4, 2012
18. **Date of regional office transmittal of request:** May 7, 2012
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**