



JUL 29 2013

United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Ms. Stephanie Muth
Deputy Executive Commissioner, Office of Social Services
Texas Health and Human Services Commission
4900 North Lamar Blvd.
Austin, Texas 78751

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

Dear Ms. Muth:

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 time limits at 7 CFR 273.24 for Fiscal Year 2014.

The Texas State agency has proposed to exempt ABAWDs residing in 12 counties based on a recent 12-month average unemployment rate that exceeds 10 percent. The waiver is applicable to the following 12 counties: Cameron, Hidalgo, Jefferson, Maverick, Newton, Presidio, Red River, Sabine, San Augustine, Starr, Willacy and Zavala.

Based upon a review of the data provided, Food and Nutrition Service is approving this waiver for a 1-year period, effective October 1, 2013 through September 30, 2014. Our detailed response is attached. If you have any questions, please contact Anne Snell at Anne.Snell@fns.usda.gov.

Elizabeth Weber
Acting 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. **State:** Texas
5. **Region:** Southwest
6. **Regulatory Requirement:** Federal regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in Supplemental Nutrition Assistance Program (SNAP) as a member of any household if 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.

Regulations at 7CFR 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.

7. **Description of proposed alternative procedures:**

The Texas State Agency proposes to extend and modify this waiver to exempt individuals who reside in the 12 counties listed in the table below from ABAWD participation time limits, based upon an unemployment rate exceeding 10 percent.

County	Average Unemployment Rate February 2012 – January 2013
Cameron	10.4%
Hidalgo	10.9%
Jefferson	10.7%
Maverick	12.4%
Newton	11.7%
Presidio	12.4%
Red River	10.2%
Sabine	15.2%
San Augustine	10.4%
Starr	14.9%
Willacy	13.9%
Zavala	13.9%

8. **Action and reason for approval or denial:** Due to the unemployment rate exceeding an average of 10 percent from February 2012 through January 2013 for the counties listed above, the Food and Nutrition Service (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.
9. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i),(ii) and (iii).
10. **Conditions and reasons:** None.
11. **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 a waiver request along all supporting documentation, including spreadsheets.
12. **Expiration date:** This waiver is effective beginning October 1, 2013 and will expire on September 30, 2014.
13. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Texas Health and Human Services Commission.
14. **Quality control procedures:** None.
15. **Date of national office action:** JUL 29 2013
16. **Date of State agency's request:** June 19, 2013
17. **Date of regional office transmittal of request:** June 19, 2013
18. **Implementation date (notify FNS if actual date differs):** October 1, 2013
19. **State agency contact:** Cathy Rose, Cathy.Rose@hhsc.state.tx.us, 512-206-4542
20. **FNS regional contact:** Anne Snell, Anne.Snell@fns.usda.gov, 214-290-9931