

MAY - 8 2007

980013

SUBJECT: Arkansas – Request to Waive 7 CFR 273.24

TO: Judy Barron, Regional Director  
Food Stamp Program  
Southwest Region

This is in response to your email of April 23, 2007 transmitting the Arkansas State Agency's request of April 23, 2007 to extend and modify their current waiver exempting residents of certain areas from the work requirement for Able-Bodied Adults without Dependents (ABAWD).

Attached is our response. We are approving the State's request to waive work requirements in two regions that together comprise 47 counties based upon aggregate average unemployment rates of at least 20 percent above the national average during November 2004 through October 2006 and in the city of Hot Springs, which was designated a Labor Surplus Area in 2007. If you have any questions, please contact Melissa Daigle Katz at 703-305-2501.



Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

Attachment

FINAL:USDA:FNS:FSP:PDD:CPB:MDaigleKatz:04/24/07:05/04/07:nc  
DIR:I:CPB/Waivers/2007: 980013Arkansas (ABAWD Mod and Ext)

Symbol	Surname	Date	Symbol	Surname	Date
	Daigle Katz	05-08-2007			

## WAIVER RESPONSE

1. Waiver serial number: 980013
2. Type of request: Modification and Extension
3. Primary regulation citation, if any: Section 6 (o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.
4. Secondary regulation citation, if any: 7 CFR 273.24 (f)(3)(iii)
5. State: Arkansas
6. Region: SWRO
7. Regulatory requirements:

Under 7 CFR 273.24(b) individuals are not 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; participate in and comply with the requirements of a work program for 20 hours or more per week; or participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

Under 7 CFR 273.24(f), upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if the FNS 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 procedures:

The State of Arkansas requests to waive individuals residing in the two regions of the state composed of contiguous counties, which are a sub-region of the Western region and the Delta Regional Authority (DRA) region.

The State seeks eligibility for both regions based upon aggregate average unemployment rates of at least 20 percent above the national average during November 2004 through October 2006, when the national average unemployment rate was 4.9. The national average unemployment rate plus twenty percent is 5.9.

## Sub-region of Western Region:

Area	Unemployment Rate, NOV 2004–OCT 2006	Area	Unemployment Rate, NOV 2004–OCT 2006
Clark County	5.7	Lafayette County	7.2
Columbia County	6.0	Nevada County	5.8
Hempstead County	5.5	<b>Total for Sub-region</b>	<b>5.9</b>

## Delta Regional Authority Region:

Area	Unemployment Rate, NOV 2004–OCT 2006	Area	Unemployment Rate, NOV 2004–OCT 2006
Arkansas County	7.1	Lawrence County	7.0
Ashley County	8.0	Lee County	10.4
Baxter County	4.9	Lincoln County	7.6
Bradley County	7.5	Lonoke County	4.1
Calhoun County	6.7	Marion County	4.8
Chicot County	9.6	Mississippi County	8.6
Clay County	8.0	Monroe County	7.1
Cleveland County	5.7	Ouachita County	7.2
Craighead County	4.6	Phillips County	9.1
Crittenden County	6.5	Poinsett County	6.4
Cross County	7.3	Prairie County	5.8
Dallas County	6.9	Pulaski County	4.7
Desha County	9.0	Randolph County	7.3
Drew County	8.0	Searcy County	5.0
Fulton County	4.8	Sharp County	6.5
Grant County	4.6	St. Francis County	8.7
Greene County	5.5	Stone County	6.0
Independence County	5.7	Union County	6.6
Izard County	6.1	Van Buren County	5.7
Jackson County	7.9	White County	5.7
Jefferson County	7.5	Woodruff County	8.8
		<b>Total for Region</b>	<b>5.9</b>

The State agency should note that FNS has amended the figures in the above table given for the Delta Regional Authority to make them consistent with the figures contained in the Excel spreadsheet that accompanied the waiver request, as the figures in the spreadsheet are correct.

The State also requests a waiver for the city of Hot Springs, which is eligible based on its designation as a Labor Surplus Area (LSA) for Federal fiscal year 2007.

9. **Action and reason for approval or denial:** The request is approved based upon insufficient jobs, as demonstrated by the labor force and unemployment data compiled by the Bureau of Labor Statistics and the Labor Surplus Areas designated

by the Employment and Training Administration. The State agency has provided documentation that indicates that the requested area had unemployment rates that exceeded 20 percent of the national average for the accounting period November 2004 through October 2006 and that the city of Hot Springs was indeed a Labor Surplus Area.

10. **Regulatory or legislative basis for action:** This waiver is approved under 7 CFR273.24 (f), which allows FNS to waive the applicability of the work requirement provision for any groups of individuals in the State if FNS determines that the area in which the individual resides does not have sufficient number of jobs to provide employment for the affected areas, or the areas exceeded the national unemployment average by 20 percent for 24 consecutive months.
11. **Conditions and reasons:** None
12. **Information required for extension:** Provide unemployment rate data for the affected areas, which is compiled by the Bureau of labor statistics, or its cooperating agency, which indicates an unemployment rate of 10 percent or a lack of sufficient jobs.
13. **Expiration date:** This waiver is effective May 1, 2007 through April 30, 2008.
14. **Limitation , if any, on regional office approval of like requests:** The waiver is limited to the Arkansas State Agency
15. **Quality Control procedures:** None
16. **Date of national office action:**
17. **Date of state agency's request:** April 23, 2007
18. **Date of regional office's transmittal of request to national office:** April 23, 2007
19. **Date of regional office's transmittal or response to state agency:**
20. **Actual implementation date:**