

March 31, 2006

2040059

SUBJECT: Kansas – Request to Waive 7 CFR 273.24

TO: Jody Cornwell  
Regional Director  
Mountain Plains Region

This is in response to the Kansas State Agency's memorandum of March 7, 2006 requesting an extension and modification of its 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 two Sub-Area Local Workforce Areas based on aggregate average unemployment rates of at least 20 percent above the national average during October 2003 through September 2005. If you have any questions, please contact Celeste Perkins at 703-305-2507.

/s/

Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:CPerkins:03/29/06:je  
DIR:I:CPB/Waivers/2006:2040059 Kansas (ABAWD)

## WAIVER RESPONSE

1. **Waiver serial number:** 2040059
2. **Type of request:** Modification and Extension
3. **Primary regulation citation, if any:** 7CFR 274.24(f)
4. **Secondary regulation citation, if any:** None
5. **State:** Kansas
6. **Region:** Mountain Plain
7. **Regulatory Requirement:** 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 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 Kansas requests an extension and modification of its current waiver to waive individuals residing in two regions within the state. Both of these regions are a contiguous part (sub-area) of a Local Workforce Investment Area or a contiguous combination of such sub-areas. The Local Workforce Investment Areas are part of the Workforce Network of Kansas, which is advised by a board whose members are appointed by the Governor.

The State requests to extend waivers for contiguous areas that are eligible based on aggregate average unemployment rates of at least 20 percent above the national average during October 2003 through September 2005 when the national average unemployment rate plus 20 percent was 6.5. These contiguous areas include 19 counties and one city (Anderson, Atchison, Cherokee, Coffey, Doniphan, Douglas, Greenwood, Geary, Jefferson, Labette, Leavenworth, Linn, Montgomery, Osage, Shawnee, Wabaunsee, Wilson, Woodson, Wyandotte Counties and Hutchinson City)

that qualify by having a 24 month average unemployment rate that exceeds the national average 6.5 by 20 percent.

Sub-region of Local Workforce Investment Area Five:

Area	Unemployment Rate, Oct 2003-Sep 2005	Area	Unemployment Rate, Oct 2003-Sep 2005
Anderson County	5.9	Linn County	7.6
Cherokee County	7.0	Montgomery County	6.5
Coffey County	5.7	Wilson County	5.1
Greenwood County	5.9	Woodson County	6.9
Labette County	6.7	<b>Total for Sub-region</b>	<b>6.5</b>

All of the above counties qualify based on the sub-region's aggregate average unemployment rate of 6.5, which is at least 20 percent above the national average of 6.5 during October 2003 through September 2005.

Combined sub-regions of Local Workforce Investment Areas Two and Three:

Area	Unemployment Rate, Oct 2003-Sep 2005	Area	Unemployment Rate, Oct 2003-Sep 2005
Atchison County	5.8	Osage County	6.6
Doniphan County	7.2	Shawnee County	5.9
Douglas County	4.1	Wabaunsee County	4.8
Geary County	6.6	Wyandotte County	9.3
Jefferson County	5.5	<b>Total for Combined Sub-regions</b>	<b>6.5</b>
Leavenworth County	6.4		

All of the above counties qualify based on the sub-region's aggregate average unemployment rate of 6.5, which is at least 20 percent above the national average of 6.5 during October 2003 through September 2005.

Area	Unemployment Rate, Oct 2003-Sep 2005
Sumner County	6.5
Hutchinson City	6.5
Wichita City	6.7

Finally, Hutchinson is eligible based on its average unemployment rate of 6.5, which is at least 20 percent above the national average during October 2003 through September 2005.

Exemption status for residents of Hutchinson City and Wichita City will be based on the person's legal address in the city.

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. The state has provided extensive documentation that indicates that the requested contiguous areas which include (Anderson County, Atchison County, Cherokee County, Coffey County, Doniphan County, Douglas County, Greenwood County, Geary County, Jefferson County, Labette County, Leavenworth County, Linn County, Montgomery County, Osage County, Shawnee County, Wabaunsee County, Wilson County, Woodson County, Wyandotte County, and Hutchinson City) had unemployment rates that exceeded 20 percent of the national average for the noted accounting period October 2003 through September 2005.

We are approving Sumner County and Wichita City in Segwick for a 2- year period under a separate waiver # 2060031 based on their designation as LSAs.

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, 2006 through April 30, 2007.
14. **Limitation , if any, on regional office approval of like requests:** The waiver is limited to the Kansas State Agency

15. **Quality Control procedures:** None  
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16. **Date of national office action:**

17. **Date of state agency's request:** March 5, 2006

18. **Date of regional office's transmittal of request to national office:**

19. **Date of regional office's transmittal or response to state agency:**

20. **Actual implementation date:**

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