

April 12, 2007

2040059

SUBJECT: Kansas – Request to Waive 7 CFR 273.24

TO: Jody Cornwell  
Regional Director  
Mountain Plains Region

This is in response to your email of March 16, 2007 transmitting the Kansas State Agency's request of February 19, 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 an area comprised of 25 counties based upon aggregate average unemployment rates of at least 20 percent above the national average during June 2004 through May 2006 and in the city of Hutchinson, which was designated a Labor Surplus Area in 2007. If you have any questions, please contact Melissa Daigle Katz at 703-305-2501.

/s/

Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:MDaigleKatz:03/26/07.  
DIR:I:CPB/Waivers/2007:2040059 Kansas (ABAWD Mod and Ext)

## WAIVER RESPONSE

1. **Waiver serial number:** 2040059
2. **Type of request:** Modification and Extension
3. **Primary regulation citation, if any:** 7CFR 274.24
4. **Secondary regulation citation, if any:** None
5. **State:** Kansas
6. **Region:** Mountain Plains
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 exempt individuals residing in a 25-county area within the state from work requirements based upon an average unemployment rate 20 percent above the national average from June 2004 through May 2006, when the national average unemployment rate plus 20 percent was 6.1 percent. Counties in which the waiver will be applied include: Anderson, Atchison, Brown, Chautauqua, Cherokee, Clay, Coffey, Crawford, Doniphan, Douglas, Elk, Franklin, Geary, Greenwood, Jackson, Jefferson, Labette, Leavenworth, Linn, Montgomery, Osage, Shawnee, Wabaunsee, Woodson, and Wyandotte Counties.

The State of Kansas also requests to extend the waiver for the city of Hutchinson, which was designated a Labor Surplus Area by the Department of Labor's Employment and Training Administration for 2007.

## County Unemployment Data

County	Unemployment Rate, June 2004 - May 2006	Area	Unemployment Rate, June 2004 - May 2006
Anderson County	5.9	Greenwood County	5.6
Atchison County	5.5	Jackson County	5.7
Brown County	4.9	Jefferson County	5.2
Chautauqua County	5.0	Labette County	6.4
Cherokee County	6.3	Leavenworth County	6.1
Clay County	4.0	Linn County	7.2
Coffey County	5.5	Montgomery County	6.1
Crawford County	5.5	Osage County	6.1
Doniphan County	6.5	Shawnee County	5.7
Douglas County	4.0	Wabaunsee County	4.6
Elk County	5.5	Woodson County	6.2
Franklin County	5.7	Wyandotte County	8.8
Geary County	6.3	<b>Total for Sub-region</b>	<b>6.1</b>

The above counties qualify based on their aggregate average unemployment rate of 6.1 percent, which is at least 20 percent above the national average unemployment rate of 5.1 percent during June 2004 through May 2006.

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 has provided documentation that indicates that the requested area had unemployment rates that exceeded 20 percent of the national average for the noted accounting period June 2004 through May 2006 and that the city of Hutchinson 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 Kansas State Agency
15. **Quality Control procedures:** None
16. **Date of national office action:**
17. **Date of state agency's request:** February 19, 2007
18. **Date of regional office's transmittal of request to national office:** March 16, 2007
19. **Date of regional office's transmittal or response to state agency:**
20. **Actual implementation date:**