



FEB 14 2008

United States
Department of
Agriculture

2040059

Food and
Nutrition
Service

SUBJECT: Kansas -- Request to Waive 7 CFR 273.24

1101 Park
Center Drive

TO: Jody Cornwell
Regional Director
Mountain Plains Region

Alexandria, VA
22302-1500

This is in response to your email of January 30, 2008 transmitting the Kansas State Agency's request of January 22, 2008 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 27 counties and in one city based upon average unemployment rates of at least 20 percent above the national average during August 2005 through July 2007. If you have any questions, please contact Melissa Daigle Katz at 703-305-2501.

hr
Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

AN EQUAL OPPORTUNITY EMPLOYER

Thursday, February 14, 2008 (2).max

WAIVER RESPONSE

1. **Waiver serial number:** 2040059
2. **Type of request:** Modification and Extension
3. **Primary regulation citation, if any:** 7 CFR 273.24
4. **Secondary regulation citation, if any:**
5. **State:** Kansas
6. **Region:** Mountain Plains
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 Kansas requests an extension and modification of its current waiver to exempt individuals residing in a 27-county area within the state from work requirements based upon an average aggregate unemployment rate 20 percent above the national average from August 2005 through July 2007, when the national average unemployment rate plus 20 percent was 5.6 percent. Counties in which the waiver will be applied include: Anderson, Atchison, Bourbon, Brown, Chautauqua, Cherokee, Clay, Coffey, Crawford, Doniphan, Elk, Franklin, Geary, Greenwood, Jackson, Jefferson, Labette, Leavenworth, Linn, Lyon, Miami, Montgomery, Osage, Shawnee, Wabaunsee, Woodson, and Wyandotte Counties.

The State of Kansas also requests to extend the waiver for the city of Hutchinson, based on an average unemployment rate of 5.7 percent, which was also 20 percent above the national average for the same time period.

County Unemployment Data

County	Unemployment Rate, August 2005-July 2007	Area	Unemployment Rate, August 2005-July 2007
Anderson County	5.2	Jackson County	5.6
Atchison County	5.1	Jefferson County	4.9
Bourbon County	4.5	Labette County	5.6
Brown County	4.3	Leavenworth County	5.7
Chautauqua County	5.2	Linn County	6.5
Cherokee County	5.3	Lyon County	4.3
Clay County	3.7	Miami	4.7
Coffey County	5.3	Montgomery County	5.0
Crawford County	5.1	Osage County	5.6
Doniphan County	5.3	Shawnee County	4.9
Elk County	5.5	Wabaunsee County	4.0
Franklin County	5.4	Woodson County	5.6
Geary County	5.2	Wyandotte County	7.8
Greenwood	5.0	Total for Sub-region	5.6

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 August 2005 through July 2007.

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, 2008 through April 30, 2009.
- 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:** January 22, 2008
- 18. Date of regional office's transmittal of request to national office:** January 30, 2008
- 19. Date of regional office's transmittal or response to state agency:**
- 20. Actual implementation date:**