

February 28, 2007

2070002

SUBJECT: FSP – Missouri Request to Waive 7 CFR 273.24 – Work Requirements (ABAWDs)

TO: Jody Cornwell, Director  
Food Stamp Program  
Mountain Plains Region

This is in response to your email of February 8, 2007, forwarding the Missouri State Agency's request to further modify waiver #2070002, which exempts certain individuals from the work requirements of 7 CFR 273.24. The State bases its determination of insufficient jobs on U.S. Department of Labor data. Under the proposed waiver, residents of the counties and sub-regions subject to the provisions of 273.24 would be exempt for a period of one year based on an unemployment rate greater than 20 percent above the national average for a 24-month period prior to the date of the request.

Please find attached our response approving the further modification of waiver #2070002. If you have any questions, please contact Melissa Daigle Katz of my staff at (703) 305-2501.

/s/

Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

Attachment

cc: All Regions (except MPRO)  
Mike DePiro (OANE)  
John Knaus  
Civil Rights

Final: USDA: FNS: FSP: PDD: CPB: MDaigleKatz: 02/27/07  
DIR:I:CPB:Waivers: 2007: 2070002 Missouri ABAWD Ext and Mod II.

## WAIVER RESPONSE

1. **Waiver serial number:** 2070002
2. **Type of request:** Modification
3. **Primary regulation citation:**  
Food Stamp Regulations 7 CFR 273.24
4. **Secondary regulation citation:**  
Food Stamp Regulations 7 CFR 273.24 (f) (3) (iii)
5. **State:** Missouri
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 determines 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.

In addition, 7 CFR 273.24 (f) (3) (iii) permits states to use “data from the BLS or the BLS cooperating agency that an area has a 24-month average unemployment rate that exceeds the national average by 20 percent for any 24-month period no earlier than the same periods the ETA used to designate LSAs for the current fiscal year.”

8. **Description of Proposed Alternative Procedures:**

On January 30, 2007, FNS approved a waiver to allow Missouri to waive the time limit for receiving food stamps for individuals residing in two counties and six sub-regions within the state based on an aggregate average unemployment rate of at least 20 percent above the national average during the period of August 2004 to July 2006. The counties receiving waivers for their individual unemployment rates were Dent and Wright Counties. The counties receiving waivers based on

the unemployment rates for the sub-region to which they belonged included Bates, Caldwell, Cass, Jackson, Lafayette, Ray, Henry, St. Clair, Crawford, Gasconade, Miller, Morgan, Bollinger, Madison, Ste. Genevieve, St. Francois, Carter, and Ripley Counties. Each one of these areas is either a region defined by the Missouri Economic Research and Information Center of the Missouri Department of Economic Development or a contiguous part (sub-region) thereof.

The State agency proposes to add the following counties to the waiver previously approved: Clinton, Montgomery, and Schuyler Counties. Clinton will be added to the sub-region of Greater Kansas City. Montgomery will be added to the sub-region of Greater St. Louis. Schuyler will be added independently. The dates of the unemployment data that supports the waiver request have been changed from the period of August 2004 through July 2006 to November 2004 through October 2006 for these two sub-regions and for Schuyler County. The data for the remainder of the sub-regions and counties that were previously approved remains unchanged.

**9. Action and reason for approval or denial:**

We are approving the State’s request to waive residents of Schuyler County based on having an average unemployment rate of 20 percent above the national average during November 2004 through October 2006, when the national average unemployment rate plus 20 percent was 5.9.

Area	Unemployment Rate, Nov. 04 - Oct. 06
Schuyler County	5.9

We are approving the State’s request to waive residents of two contiguous sub-regions that are eligible based on 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 plus 20 percent was 5.9.

In each of the sub-regions, there is at least one county that has an average unemployment rate at least 20 percent above the national average during November 2004 through October 2006. Due to the proximity of the surrounding counties and the location of employers, the unemployment rate of individual counties has an impact on counties in the region.

**Sub-region of Greater Kansas City Region:**

Area	Unemployment Rate, Nov. 04 - Oct. 06	Area	Unemployment Rate, Nov. 04 - Oct. 06
Bates County	6.0	Jackson County	6.1
Caldwell	5.6	Lafayette County	5.1

County			
Cass County	4.6	Ray County	5.3
Clinton County	5.0	<b>Total for sub-region</b>	<b>5.9</b>

Sub-region of Greater St. Louis Region:

Area	Unemployment Rate, Nov. 04 - Oct. 06	Area	Unemployment Rate, Nov. 04 - Oct. 06
Crawford County	6.0	Gasconade County	5.8
Montgomery County	5.7	<b>Total for region</b>	<b>5.9</b>

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(1)(ii), which allows the Food and Nutrition Service (FNS) to waive the applicability of the work requirement provision in 7 CFR 273.24 for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent or an insufficient number of jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data that relies on standard Bureau of Labor Statistics data and/or methods and data indicating unemployment over 10 percent or a lack of sufficient jobs.
13. **Expiration date:** This waiver is effective April 1, 2007 through March 31, 2008.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Missouri State Agency.
15. **Quality Control Procedures:** N/A.
16. **Date of national office action:**
17. **Date of State agency's request:** February 6, 2007.
18. **Date of regional office transmittal of State agency's request to the national office:** February 8, 2007.
19. **Date of regional office transmittal of response to State agency:**

