

February 17, 2006

2040030

SUBJECT: FSP – Oklahoma Request to Waive 7 CFR 273.24

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

This is in response to your e-mail of January 31, 2006, forwarding the Oklahoma State Agency's request to extend the waiver of the work requirements of 7 CFR 273.24. This section limits the receipt of food stamp benefits to 3 months within a 3-year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workfare.

Our response approving the waiver is attached. If you have any questions, please contact Jennie Nelson of my staff via email or telephone at (703) 305-2446.

/s/

Patrick Waldron
Branch Chief
Certification Policy Branch
Program Development Division

Attachment

cc: All Regions w/ attachment
PAD/QC w/attachment
Bob Dalrymple w/attachment
David Young w/attachment

FINAL:USDA:FNS:FSP:PDD:CPB:JNELSON:02/15/06:je
DIR:I/CPB/Waivers/FY 2006 - 2040030 OK ABAWD Waiver

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

1. **Waiver serial number:** 2040030
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** Oklahoma
6. **Region:** Southwest Region
7. **Regulatory Requirements:** The regulation at 7 CFR 273.24(b) provides that no individual may be 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; did not participate in and comply with the requirements of a work program for 20 hours or more per week; or did not participate in and comply with the requirements of a program under Section 20 or a comparable program established by the State.

The regulations at 7 CFR 273.24(f) provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision for any group of individuals in the State if the Secretary determines that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have enough jobs to provide employment for the individuals.

8. **Description of proposed alternative procedures:** The Oklahoma State Agency is requesting a waiver for nineteen counties in Southeast Oklahoma based on an aggregate average unemployment rate of 6.9 percent for calendar years 2003 and 2004 which exceeds the national average by 20 percent. The nineteen counties included in this cluster are: Adair, Atoka, Cherokee, Choctaw, Coal, Haskell, Hughes, Johnston, Latimer, LeFlore, McCurtain, McIntosh, Muskogee, Okfuskee, Okmulgee, Pittsburg, Pushmataha, Seminole, and Sequoyah. The State agency has decided to cluster these counties for waiver purposes because they share a common labor market. The State agency is also seeking a waiver for two additional counties based on average unemployment rates that exceed the national average by 20 percent. These counties include: Woods County and Ponca City. In support of its request, the State agency provided labor market data for all of the counties listed in their waiver request.

9. **Action and reason for approval or denial:** We are approving the State agency's request for a waiver of the work requirements of 7 CFR 273.24 based on unemployment rates that exceed the national average by 20 percent in a 24 month period. The data is based on labor market data for calendar years 2003 and 2004 for the nineteen counties in the Southeast Region, Woods County and Ponca City, extracted from the website of the Bureau of Labor Statistics (BLS).

**Oklahoma Counties Eligible for Waiver
Calendar Years 2003 and 2004**

Southeast Region:

Area	Average Labor Force 2003-2004	Average Unemployment 2003-2004	Average Unemployment Rate 2003-2004
Adair County	238,012	16,802	
Atoka County	135,058	8,976	
Cherokee County	497,459	24,382	
Choctaw County	155,631	11,444	
Coal County	57,682	6,524	
Haskell County	131,822	7,860	
Johnston County	115,621	6,357	
Latimer County	100,677	6,152	
LeFlore County	519,593	31,820	
McCurtain County	358,240	30,012	
McIntosh County	196,987	14,116	
Muskogee County	698,040	49,178	
Okfuskee County	110,436	9,436	
Okmulgee County	408,877	30,781	
Pittsburg County	475,171	28,145	
Pushmataha County	124,585	8,457	
Seminole County	253,170	23,700	
Sequoyah County	435,436	27,782	
Total	5,142,146	353,476	6.9

The Oklahoma State Agency is requesting to exempt residents in Woods County and Ponca City based on having an average unemployment rate of at least 20 percent above the national average during calendar years 2003 and 2004.

Area	Average Labor Force 2002-2003	Average Unemployment 2002-2003	Average Unemployment Rate 2002-2003
Woods County	113,979	9,366	8.25
Ponca City	289,570	19,911	6.9

Source: BLS

National Unemployment Rate for 2003-2004: 5.8
 20% above the National Unemployment Rate: 6.9

10. **Regulatory or legislative basis for action:** These waivers are approved pursuant to 7 CFR 273.24(f), which allows the Secretary to waive the applicability of the requirement in for any group of individuals in the State if the Secretary 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 BLS data and/or methods and data indicating a lack of sufficient jobs. Please show calculations for unemployment rate averages over the 12-month or 24-month time frames.
13. **Expiration date:** The waivers are approved for a period of 1 year effective April 1, 2006 and will expire on March 31, 2007.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Oklahoma State Agency and the counties listed in this request.
15. **Quality Control Procedures:** N/A
16. **Date of State agency's request:** January 18, 2006
17. **Date of regional office transmittal to the national office:** January 31, 2006
18. **Date of national office action:**
19. **Date of regional transmittal to the State agency:**
20. **Date of implementation by State agency:**