

January 21, 2008

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 on January 7, 2008, 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.

SIGNED

Harriet Kornegay
Assistant 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:vw:01/10/08
DIR:I/CPB/Waivers/FY 2008 - 2040030 OK ABAWD Waiver (Ext. & Mod.)

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

1. **Waiver serial number:** 2040030
2. **Type of request:** Extension and Modification
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 14 counties in Southeast Oklahoma based on an aggregate average unemployment rate of 5.6 percent for the period covering October 2005 – September 2007 which exceeds the national average by 20 percent. The 14 counties included in this cluster are: Adair, Atoka, Choctaw, Coal, Hughes, Latimer, McCurtain, McIntosh, Muskogee, Okfuskee, Okmulgee, 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: Caddo County and Woods County. 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 October 2005 – September 2007 for the 14 counties in the Southeast Region, Caddo County and Woods County, extracted from the website of the Bureau of Labor Statistics (BLS).

**Oklahoma Counties Eligible for Waiver
October 2005 – September 2007**

Southeast Region:

Area	Total Labor Force 2005-2007	Total Unemployment 2005-2007	Average Unemployment Rate 2005-2007
Adair County	252,054	11,706	
Atoka County	135,303	7,246	
Choctaw County	158,744	8,464	
Coal county	55,824	3,528	
Hughes County	118,632	7,646	
Latimer County	95,599	5,049	
McCurtain County	327,189	21,171	
McIntosh County	196,310	10,864	
Muskogee County	690,470	38,312	
Okfuskee County	104,463	6,049	
Okmulgee County	408,109	22,041	
Pushmataha County	129,576	6,015	
Seminole County	242,442	14,424	
Sequoyah County	443,526	24,767	
Total	3,358,241	187,282	5.6

The Oklahoma State Agency is requesting to exempt residents in Woods County and Caddo County based on having an average unemployment rate of at least 20 percent above the national average during October 2005 – September 2007.

Area	Total Labor Force 2005 - 2007	Total Unemployment 2005 - 2007	Average Unemployment Rate 2005-2007
Woods County	98,106	5,650	5.8
Caddo County	276,905	15,674	5.7

Source: BLS

National Unemployment Rate for 2005-2007: 4.6

20% above the National Unemployment Rate: 5.6

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, 2008 and will expire on March 31, 2009.
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 7, 2008
17. **Date of regional office transmittal to the national office:** December 13, 2008
18. **Date of national office action:** January 11, 2008
19. **Date of regional transmittal to the State agency:**
20. **Date of implementation by State agency:**