

May 26, 2006

970057

SUBJECT: FSP –Texas – ABAWD Waiver

TO: Judy Barron
Regional Director
Food Stamp Program
Southwest Regional Office

This is in response to your April 28, 2006, memorandum forwarding a request from the Texas Health and Human Services Commission to extend waiver 970057. We are approving this request.

Please find attached our detailed response. Please contact Susan Burgess if you have questions or need additional information.

/s/
Patrick Waldron
Branch Chief
Certification Policy Branch
Program Development Division

Attachment(s)

cc: All Regions (except SWRO) w/Attachment
Dan Wilusz, QC, PAD w/Attachment
Bob Dalrymple, OANE w/Attachment

FINAL:FNS:FSP:PDD:CPB:SBurgess:5/25/06:so
DIR:I:CPB:Waivers:FY2006: 970057 TX ABAWD: 970057 2006 extension

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

- 1. **Waiver Serial Number:** 970057
- 2. **Type of Request:** Extension and Modification
- 3. **Primary regulation citation:** 7 CFR 273.24
- 4. **Secondary regulation citation:** N/A
- 5. **State:** Texas
- 6. **Region:** Southwest
- 7. **Regulatory Requirement:** 7 CFR 273.24 provides that no individual shall 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; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or received benefits because they were exempt from these requirements.

7 CFR 273.24(f) also 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 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. Description of proposed alternative procedures:

The State is requesting a 1-year waiver of the regulatory requirements listed in paragraph 7 for the counties listed in the table below, based upon an unemployment rate exceeding 10 percent.

County	Average Unemployment Rate February 2005 – January 2006
Maverick	13.4%
Presidio	10.3%
Starr	12.3%
Willacy	10.2%
Zavala	11.4%

- 9. **Action and reason for approval or denial:** We are approving the waiver for the jurisdictions listed in paragraph 8 in accordance with the request submitted by the

State. All of the data submitted by the State meets the requirements of approval pursuant to 7 CFR 273.24(f)(3) and additional FNS guidance.

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i), (ii), and (iii).
11. **Conditions and reasons:** None.
12. **Information required for extension:** To receive an extension the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3). If Texas wishes to receive an extension based on unemployment rates, they must provide us with all supporting documentation, including spreadsheets in digital form.
13. **Expiration date:** This waiver is effective beginning October 1, 2006 and will expire on September 30, 2007.
14. **Limitation, if any, on regional office approval of like requests:** These waivers are limited to the Texas Health and Human Services Commission.
15. **Quality control procedures:** None.
16. **Date of national office action:**
17. **Date of State agency's request:** April 28, 2006.
18. **Date of regional office transmittal of request:** May 8, 2006.
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**