



JAN - 9 2009

United States
Department of
Agriculture

970138

Food and
Nutrition
Service

SUBJECT: SNAP – Utah Request to Waive 7 CFR 273.24 – Work Requirements

TO: Jody Cornwell
Regional Director
Supplemental Nutrition Assistance Program
Mountain Plains Region

3101 Park
Center Drive

Alexandria, VA
22302-1500

This is in response to the Utah State agency's request to modify and extend waiver 970138, which exempts individuals residing in certain counties from the work requirements for able-bodied adults without dependents (ABAWD). The Utah State agency is requesting to amend their existing waiver by exempting individuals in San Juan County only from ABAWD requirements from March 1, 2009 to February 28, 2010.

Our response approving this request is attached. If you have any questions, please contact Melissa Daigle Katz at (415) 705-1323, ext. 304 or via email at Melissa.daiglekatz@fns.usda.gov.

A handwritten signature in black ink, appearing to read "Sandra Clark".

Sandra Clark, Chief
Certification Policy Branch

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 970138
2. **Type of request:** Modification & Extension
3. **Primary regulation citation:** 7 CFR 273.24(f)(iii)
4. **Secondary regulation citation:** None
5. **State:** Utah
6. **Region:** Mountain Plains
7. **Regulatory Requirements:** Pursuant to 7 CFR 273.24(b) individuals are not eligible to participate in the Supplemental Nutrition Assistance 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 it 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.

8. **Description of proposed alternative procedures:** The Utah State Agency is requesting a modification and extension of its current waiver for individuals who reside in areas that do not have a sufficient number of jobs to provide employment for individuals subject to 7 CFR 273.24.

The State of Utah requests a modification and extension of waiver 970138 to exempt from work requirements individuals residing in San Juan County based upon their unemployment rate for June 2006 through May 2008, a 24-month period. San Juan County's unemployment rate was 5.6 percent, which was 20 percent above the national average of 4.7 percent during that same time period.

9. **Action and reason for approval or denial:** We are approving this request, as the Utah State agency has provided data from the Department of Labor Bureau of Labor Statistics (BLS) that confirms that the unemployment rate in San Juan County exceeded the national average by 20 percent from June 2006 to May 2008.
10. **Regulatory legislative basis for action:** This waiver is approved under 7 CFR 273.24(f), which allows 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 does not have a sufficient number of jobs to provide employment for the affected individuals.
11. **Conditions and reasons:** N/A
12. **Information required for future extension:** To receive an extension the State agency must provide unemployment rate data for the affected areas compiled by the BLS or its cooperating agency or by calculations using census data and labor force data supplied by BLS or its cooperating agency indicating either unemployment greater than 10 percent or a lack of sufficient jobs.
13. **Expiration date:** February 28, 2010.
14. **Limitation on regional office approval of like requests:** N/A
15. **Quality Control Procedures:** N/A
16. **Date of national office action:** January 8, 2009
17. **Date of State agency's request:** December 22, 2008
18. **Date of regional office transmittal of State agency's request to the national office:** December 22, 2008
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**