

April 2, 2007

970225

SUBJECT: FSP – Alabama – Request to Waive 7 CFR 273.24

TO: Peggy Fouts, Regional Director
Food Stamp Program
Southeast Region

This is in response to the Alabama State Agency's request to for an extension of modification of its current waiver exempting individuals residing in certain areas from the work requirements of 7 CFR 273.24 based on insufficient jobs. The States agency's request is based on data from the Bureau of Labor Statistics.

Our response approving the State's request is attached. If you have any questions, please contact Larry Tropp by email at larry.tropp@fns.usda.gov or by telephone at (703) 305-2504.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver Serial Number:** 970225
2. **Type of Request:** Modification and Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** Alabama
6. **Region:** Southeast
7. **Regulatory Requirement:** 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 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 Alabama State Agency is requesting waivers for contiguous regions and sub-regions that qualify based on aggregate average unemployment rates of at least 20 percent above the national average during February 2004 – January 2006. To qualify for a waiver, an area must have an average unemployment rate of at least 6.3 during February 2004 – January 2006. The areas included in the request, all of which have an aggregate average unemployment rate, at least 20 percent above the national average for the 24-month period from February 2004 through January 2006 are listed below.

Sub-Region 1 of Region 5:

Area	Unemployment Rate, FEB 2004-JAN 2006	Area	Unemployment Rate, FEB 2004- JAN 2006
Bullock County	9.7	Macon County	5.6
		Total for Sub-region 1	6.8

Sub-Region 2 of Region 5:

Area	Unemployment Rate, FEB 2004-JAN 2006	Area	Unemployment Rate, FEB 2004- JAN 2006
Butler County	7.2	Lowndes County	7.8
Crenshaw County	5.1	Total for Sub-region 2	6.7

Region 6:

Area	Unemployment Rate, FEB 2004-JAN 2006	Area	Unemployment Rate, FEB 2004-JAN 2006
Choctaw County	7.0	Monroe County	6.2
Clarke County	7.0	Perry County	8.7
Conecuh County	6.6	Sumter County	7.7
Dallas County	8.6	Washington County	7.1
Marengo County	5.5	Wilcox County	9.7
		Total for region	7.3

Area	Unemployment Rate, FEB 2004-JAN 2006	Area	Unemployment Rate, FEB 2004-JAN 2006
Greene County	6.9	Birmingham city	6.3
Lamar County	6.3	Gadsden city	6.3
Anniston city	6.6	Prichard city	7.3
Bessemer city	8.2		

- 9. Action and reason for approval or denial:** We are approving the State agency's request to modify and extend its waiver to exempt ABAWDS who live in the requested counties from the work requirements of 7 CFR 273.24. Although the State agency mentioned that some of the areas may qualify for exemptions based on their individual labor markets, our approval is based on the unemployment rates for the designated multi-county areas.
- 10. Regulatory or legislative basis for action:** The waiver is approved under the authority of 7 CFR 273.24(f), which allows FNS to waive the applicability of the work requirement provision for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has insufficient jobs.
- 11. Conditions and reasons:** N/A
- 12. Information required for extension:** To receive an extension, the State agency

must provide data indicating that there are insufficient jobs in the affected areas.

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- 13. Expiration date:** This waiver is effective April 1, 2007 and will expire on March 31, 2008.
- 14. Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Alabama State Agency.
- 15. Quality control procedures:** N/A
- 16. Date of national office action:**
- 17. Date of State agency's request:** February 20, 2007
- 18. Date of regional office transmittal of request:** February 22, 2007
- 19. Date of regional office transmittal of response to State agency:**
- 20. Actual implementation date:**