

October 21, 2005

2040061

SUBJECT: FSP – North Carolina Waiver Request – 7 CFR 273.24

TO: Peggy Fouts, Director  
Food Stamp Program  
Southeast Region

This is in response to the email from your office forwarding the North Carolina State agency's request of August 26, 2005, to extend and modify its current ABAWD waiver, which expires November 30, 2005. As the result of the State's prior eligibility for extended unemployment benefits, North Carolina has a statewide waiver exempting able-bodied adults without dependents (ABAWDs) from the work requirements of 7 CFR 273.24. Under the State agency's proposal, ABAWDs residing in 88 counties located in seven multi-county regions would be exempt based an unemployment rate greater than 20 percent above the national average in each region for the 24-month period ending December 31, 2003 (calendar years 2002 and 2003).

Our response approving the request is attached. If you have any questions, please contact Larry Tropp at (703) 305-2504.

/s/

Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

Attachment

cc: All Regions (except SERO)

FINAL:USDA:FNS:FSP:PDD:CPB:LTropp:10/21/05:je

FILE: North Carolina

DIR:I:CPB:Waivers: FY 2005: 2040061 North Carolina 2005 ABAWD Ext.

Symbol	Surname	Date	Symbol	Surname	Date

## WAIVER RESPONSE

1. **Waiver serial number:** 2040061
2. **Type of request:** Extension and modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** None
5. **State:** North Carolina
6. **Region:** Southeast Region (SERO)
7. **Regulatory requirements:** The Food Stamp Program regulations at 7 CFR 273.24(b), provide 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; or did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

The Food Stamp Program regulations at 7 CFR 273.24(f) also provide that, 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 we make 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 North Carolina State Agency is requesting an extension and modification of its current ABAWD waiver no.2040061. Under the State's current waiver all ABAWDs in the State are exempt from the work requirements of 7 CFR 273.24, based on the State's prior eligibility for extended unemployment benefits. Because the State no longer qualifies for extended unemployment benefits, it is requesting exemptions for individuals residing in 88 counties located in seven multi-county regions based on an unemployment rate greater than 20 percent above the national average for calendar years 2002 and 2003 (a threshold of 7.1 percent). Data supporting the State's request is set forth in the tables below:

Sub-region of the Advantage West Region:

Area	Unemployment Rate, CY 2002-2003	Area	Unemployment Rate, CY 2003-2003
Alleghany County	9.6	Macon County	3.9
Ashe County	8.3	Madison County	4.8
Avery County	4.6	McDowell County	8.7
Burke County	8.1	Mitchell County	10.3
Caldwell County	9.3	Rutherford County	10.5
Cherokee County	8.8	Swain County	8.2
Clay County	4.6	Transylvania County	9.1
Graham County	8.7	Watauga County	2.4
Haywood County	5.9	Wilkes County	8.3
Henderson County	4.0	Yancey County	10.7
Jackson County	4.2	<b>Total for Sub-region</b>	<b>7.1</b>

Alleghany, Ashe, Burke, Caldwell, Cherokee, Graham, McDowell, Mitchell, Rutherford, Swain, Transylvania, Wilkes, and Yancey Counties qualify based on having average unemployment rates of at least 20 percent above the national average for calendar years 2002 and 2003. Avery, Clay, Haywood, Henderson, Jackson, Macon, Madison, and Watauga Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for calendar years 2002 and 2003.

Sub-region of the Piedmont Triad Region:

Area	Unemployment Rate, CY 2002-2003	Area	Unemployment Rate, CY 2002-2003
Alamance County	7.1	Rockingham County	9.0
Caswell County	8.0	Stokes County	6.2
Davidson County	7.1	Surry County	8.7
Davie County	5.6	Yadkin County	6.0
Montgomery County	9.5	<b>Total for Sub-region</b>	<b>7.2</b>
Randolph County	6.2		

Alamance, Caswell, Davidson, Montgomery, Rockingham, and Surry Counties qualify based on having average unemployment rates of at least 20 percent above the national average for calendar years 2002 and 2003. Davie, Randolph, Stokes, and Yadkin Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for calendar years 2002 and 2003.

Sub-region of the Charlotte Region:

Area	Unemployment Rate, CY 2002-2003	Area	Unemployment Rate, CY 2002-2003
Alexander County	7.9	Iredell County	6.6
Anson County	10.9	Lincoln County	7.4
Cabarrus County	6.7	Mecklenburg County	5.8
Catawba County	9.0	Rowan County	7.6
Cleveland County	11.5	Stanly County	8.5
Gaston County	7.9	<b>Total for Sub-region</b>	<b>7.1</b>

Alexander, Anson, Catawba, Cleveland, Gaston, Lincoln, Rowan, and Stanly Counties qualify based on having average unemployment rates of at least 20 percent above the national average for calendar years 2002 and 2003. Cabarrus, Iredell, and Mecklenburg Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for calendar years 2002 and 2003.

Sub-region of the Research Triangle Region:

Area	Unemployment Rate, CY 2002-2003	Area	Unemployment Rate, CY 2002-2003
Franklin County	6.1	Moore County	6.8
Granville County	7.0	Person County	9.0
Harnett County	7.9	Vance County	12.7
Johnston County	4.7	Warren County	9.9
Lee County	7.5	<b>Total for Sub-region</b>	<b>7.1</b>

Harnett, Lee, Person, Vance, and Warren Counties qualify based on having an average unemployment rate of at least 20 percent above the national average for calendar years 2002 and 2003. Franklin, Granville, Johnston, and Moore Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for calendar years 2002 and 2003.

Sub-region of the Northeast Region:

Area	Unemployment Rate, CY 2002-2003	Area	Unemployment Rate, CY 2002-2003
Beaufort County	9.9	Martin County	7.6
Bertie County	8.1	Northampton County	9.5
Chowan County	5.1	Pasquotank County	4.4
Currituck County	2.7	Perquimans County	4.0
Dare County	5.3	Tyrrell County	9.3
Halifax County	10.6	Washington County	8.6
Hertford County	5.0	<b>Total for Sub-region</b>	<b>7.1</b>
Hyde County	7.1		

Beaufort, Bertie, Halifax, Hyde, Martin, Northampton, Tyrrell, and Washington Counties qualify based on having average unemployment rates of at least 20 percent above the national average for calendar years 2002 and 2003. Chowan, Currituck, Dare, Hertford, Pasquotank, and Perquimans Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for calendar years 2002 and 2003.

Sub-region of the Eastern Region:

Area	Unemployment Rate, CY 2002-2003	Area	Unemployment Rate, CY 2002-2003
Craven County	5.6	Onslow County	5.8
Duplin County	7.5	Pamlico County	4.5
Edgecombe County	11.8	Pitt County	6.6
Greene County	6.2	Wayne County	5.9
Jones County	5.8	Wilson County	8.7
Lenoir County	7.5	<b>Total for Sub-region</b>	<b>7.1</b>
Nash County	8.1		

Duplin, Edgecombe, Lenoir, Nash, and Wilson Counties qualify based on having average unemployment rates of at least 20 percent above the national average for calendar years 2002 and 2003. Craven, Greene, Jones, Onslow, Pamlico, Pitt, and Wayne Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for calendar years 2002 and 2003.

**Southeast Region:**

Area	Unemployment Rate, CY 2002-2003	Area	Unemployment Rate, CY 2002-2003
Bladen County	7.4	Pender County	7.9
Brunswick County	6.4	Richmond County	12.2
Columbus County	9.3	Robeson County	10.8
Cumberland County	5.9	Sampson County	7.2
Hoke County	9.2	Scotland County	11.2
New Hanover County	5.7	<b>Total for Region</b>	<b>7.5</b>

Bladen, Columbus, Hoke, Pender, Richmond, Robeson, Sampson, and Scotland Counties qualify based on having average unemployment rates of at least 20 percent above the national average for calendar years 2002 and 2003. Brunswick, Cumberland, and New Hanover Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for calendar years 2002 and 2003.

9. **Action and reason for approval or denial:** We are approving North Carolina's request to exempt individuals residing in the above-described multi-county regions from the work requirements of 7 CFR 273.24 based on insufficient jobs as indicated by an unemployment rate greater than 20 percent above the national average for calendar years 2002 and 2003, the period used to determine the classification of areas for designation as labor surplus areas (LSAs).
10. **Regulatory or legislative basis for action:** This 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:**
12. **Information required for extension:** To receive an extension the State agency must provide data indicating that there are insufficient jobs in the State.
13. **Expiration date:** This waiver is approved effective December 1, 2005 and will expire on November 30, 2006.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the North Carolina State Agency.

15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** August 26, 2005
18. **Date of regional office transmittal of request to national office:** September 6, 2005 (via email)
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**