

Subject: FSP - North Carolina Waiver Request – 7 CFR 273.24

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

This is in response to the State of North Carolina's waiver request, 2040061, which requests a two year extension, and modification to its existing ABAWD waiver. The State is requesting a waiver for seven sub-areas, which are located in the States economic development regions. The waiver has been approved for two years, effective December 1, 2006.

The State has utilized data from 36 consecutive months, which indicates the sub-areas were at least 20 percent above the national average for the accounting period July 2003-June 2006.

The waiver has been approved as requested. For your review, attached is our waiver response. If you have any questions, please contact Dwight Ricker, 703- 305- 2468.

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Policy Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:DRicker:101006:mcl:10-17-06
DIR:I:CPPB:WAIVERS:FY2007 2040061:NC EXT.

WAIVER RESPONSE

1. Waiver serial number:
2040061
2. Type of request:
Modification and Extension
3. Primary regulation citation, if any:
7 CFR 273.24(f) (3) (iii)
4. Secondary regulation citation, if any:
N/A
5. State:
North Carolina
6. Region:
Southeast
7. Regulatory requirements:

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.

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. Proposed procedures:

North Carolina is seeking waivers for seven areas within the state. Each of these areas is a contiguous sub-area of one of the seven economic development regions in the state. The North Carolina Department of Commerce collects economic information and develops economic development strategies for these seven economic development regions.

North Carolina is seeking waivers for contiguous sub-areas of these economic development regions based on aggregate average unemployment rates of at least 20 percent above the national average during the 36-month period July 2003-June 2006. During this period, the national average unemployment rate plus 20 percent was 6.3.

Sub-region of the Advantage West Region:

Area	Unemployment Rate, July 2003-June 2006	Area	Unemployment Rate, July 2003-June 2006
Alleghany County	6.0	Macon County	4.4
Ashe County	5.5	Madison County	4.9
Avery County	5.1	McDowell County	6.8
Burke County	6.6	Mitchell County	7.2
Caldwell County	7.9	Rutherford County	8.9
Cherokee County	5.9	Swain County	6.6
Clay County	3.9	Transylvania County	6.1
Graham County	7.3	Wilkes County	6.1
Haywood County	4.4	Yancey County	6.7
Jackson County	3.8	Total for Sub-region	6.3

Burke, Caldwell, Graham, McDowell, Mitchell, Rutherford, Swain, and Yancey Counties qualify based on having average unemployment rates of at least 20 percent above the national average during the 36-month period July 2003-June 2006. Alleghany, Ashe, Avery, Cherokee, Clay, Haywood, Jackson, Macon, Madison, Transylvania, and Wilkes Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average during the 36-month period July 2003-June 2006.

Sub-region 1 of the Piedmont Triad Region:

Area	Unemployment Rate, July 2003-June 2006	Area	Unemployment Rate, July 2003-June 2006
Alamance County	6.0	Stokes County	5.1
Caswell County	8.0	Surry County	6.1
Rockingham County	7.2	Total for Sub-region	6.3

Caswell and Rockingham Counties qualify based on having average unemployment rates of at least 20 percent above the national average during the 36-month period July 2003-June 2006. Alamance, Stokes, and Surry Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the National average during the 36-month period July 2003-June 2006.

Sub-region 2 of the Piedmont Triad Region:

Area	Unemployment Rate, July 2003-June 2006	Area	Unemployment Rate, July 2003-June 2006
Davidson County	6.4	Montgomery County	7.3

Total for Sub-region 6.5

Davidson and Montgomery Counties qualify based on having average unemployment rates of at least 20 percent above the national average during the 36-month period July 2003-June 2006.

Sub-region of the Charlotte Region:

Area	Unemployment Rate, Area July 2003-June 2006	Unemployment Rate, Area July 2003-June 2006	Unemployment Rate, Area July 2003-June 2006
Alexander County	5.8	Iredell County	5.2
Anson County	8.3	Lincoln County	5.9
Catawba County	6.4	Rowan County	6.6
Cleveland County	7.3	Stanly County	6.0
Gaston County	6.3	Total for Sub-region	6.3

Anson, Catawba, Cleveland, Gaston, and Rowan Counties qualify based on having average unemployment rates of at least 20 percent above the national average during the 36-month period July 2003-June 2006. Alexander, Iredell, Lincoln, and Stanly Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average during the 36-month period July 2003-June 2006.

Sub-region of the Research Triangle Region:

Area	Unemployment Rate, Area July 2003-June 2006	Unemployment Rate, Area July 2003-June 2006	Unemployment Rate, Area July 2003-June 2006
Franklin County	4.8	Vance County	9.4
Granville County	6.4	Warren County	7.4
Person County	6.5	Total for Sub-region	6.7

Granville, Person, Vance, and Warren Counties qualify based on having an average unemployment rate of at least 20 percent above the national average during the 36-month period July 2003-June 2006. Franklin County qualifies based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average during the 36-month period July 2003-June 2006.

Sub-region of the Northeast Region:

Area	Unemployment Rate, July 2003-June 2006	Area	Unemployment Rate, July 2003-June 2006
Beaufort County	6.9	Martin County	6.5
Bertie County	7.5	Northampton County	7.0
Camden County	3.5	Pasquotank County	4.6
Chowan County	4.9	Perquimans County	4.7
Gates County	4.0	Tyrrell County	6.9
Halifax County	7.8	Washington County	7.2
Hertford County	5.7	Total for Sub-region	6.3

Hyde County 6.4

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 during the 36-month period July 2003-June 2006.

Camden, Chowan, Gates, 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 during the 36-month period July 2003-June 2006.

Sub-region of the Eastern Region:

Area	Unemployment Rate, July 2003-June 2006	Area	Unemployment Rate, July 2003-June 2006
Duplin County	6.0	Nash County	6.3
Edgecombe County	8.7	Pitt County	5.7
Greene County	6.0	Wayne County	5.4
Jones County	4.8	Wilson County	8.0
Lenoir County	6.2	Total for Sub-region	6.3

Edgecombe, Nash, and Wilson Counties qualify based on having average unemployment rates of at least 20 percent above the national average during the 36-month period July 2003-June 2006. Duplin, Greene, Jones, Lenoir, Pitt, and Wayne Counties qualify based on the area's aggregate average unemployment rate.

Sub-region of Southeast Region:

Area	Unemployment Rate, July 2003-June 2006	Area	Unemployment Rate, July 2003-June 2006
Bladen County	7.3	Pender County	4.7
Brunswick County	4.9	Richmond County	8.2
Columbus County	6.6	Robeson County	7.3
Cumberland County	5.6	Scotland County	10.2
Hoke County	5.9	Total for Region	6.3

Bladen, Columbus, Richmond, Robeson, and Scotland Counties qualify based on having average unemployment rates of at least 20 percent above the national average during the 36-month period July 2003-June 2006. Brunswick, Cumberland, Hoke, and Pender Counties qualify based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average during the 36-month period July 2003-June 2006.

9. Action and reason for approval or denial:
The request is approved based upon insufficient jobs, as demonstrated statistically by labor force and unemployment data compiled by the Bureau of Labor Statistics. The State has submitted extensive documentation that indicates the aggregate work areas had unemployment rates that exceeded 20 percent of the national average for the 36 month accounting period July 2003 – June 2006.
10. Regulatory or legislative basis for action:
This waiver is approved under 7 CFR 273.24(f), which allows FNS to waive the applicability of its work requirement for any group of individuals in the State if FNS determines that the area in which the individual reside does not have a sufficient number of jobs to provide employment for the affected individuals, or areas that exceed the national unemployment average by 20 percent.
11. Conditions and reasons
N/A
12. Information required for extension
Provide unemployment rate data for the affected areas, which is compiled by the Bureau of Labor Statistics, or a cooperating agency, which indicate an unemployment rate of 10 percent or a lack of sufficient jobs.
13. Expiration date:
November 30, 2008
14. Limitation, if any, on regional office approval of like requests:
The waiver is limited to the North Carolina Department of Health and Human Services
15. Quality Control Procedures: None
16. Date of national office action:
17. Date of state agency's request
18. Date of regional office's transmittal of request to national office:
19. Date of regional office's transmittal or response to state agency:
20. Actual implementation date: