

APR 11 2000

970044 and 970112

SUBJECT: FSP - South Carolina - Request to Waive Section 6 (o) of the Food Stamp Act, as Amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

TO: Gil Camacho, Regional Director
Food Stamp Program
Southeast Region

This is in response to the South Carolina State Agency's request to waive Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This section limits the receipt of food stamp benefits to 3 months within a 3 year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workfare. Our response is attached.

Please let us know if you have any questions.

Arthur Foley

Arthur T. Foley
Director
Program Development Division

Attachment

cc: ALRO w/att (except MPRO)
PAD/SAB w/att
PAD/QC w/att
Bob Dalrymple-OAE w/att
Mike DePiro-OAE w/att
Civil Rights w/att

FINAL:FNS:FSP:PDD:CPB:JPack:cdh:4/6/00
DIR: Waivers/970044, 970112ext & Memo

Symbol	Surname	Date	Symbol	Surname	Date
PDD/ALC	Post	4/6/00			
PDD/IC	McBride	4/10/00			
PDD/W	Lyman	4/11/00			

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Waiver Response

1. **Waiver serial number:** 970044 & 970112
2. **Type of request:** Modification & Extension
3. **Primary regulation citation:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P. L. 104-193.
4. **Secondary regulation citation:**
5. **State:** South Carolina
6. **Region:** SERO
7. **Regulatory Requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, 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; or did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, 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:** Under current waiver #970044, Marlboro and Williamsburg counties were exempt on the basis that there was an unemployment rate of over 10 percent in those areas based on data furnished by the State agency. The waiver for these areas expired on February 29, 2000.

The South Carolina State Agency submitted an undated fax to extend and modify waiver #97044 to exempt individuals residing in Marion, Marlboro and Williamsburg Counties, on the basis that there is an unemployment rate over 10 percent in those areas. The average unemployment rate for the period of February 1999 to January 2000 was 11.8 percent for Marlboro County, 11.6 percent for Marion County, and 11.6 percent for Williamsburg County, based on data furnished by the State agency.

Under the current waiver #970112 the following counties/cities were exempt from the requirements of Section (6)(o), based on their status as Labor Surplus Areas (LSAs). Abbeville, Aiken, Allendale, Bamberg, Barnwell, Calhoun, Chester, Chesterfield, Clarendon, Darlington, Dillon, Fairfield, Florence (including the City of Florence), Georgetown, Hampton, Lee, McCormick, Marion, Orangeburg, and Union Counties, and the Cities of Anderson and North Charleston.

The State agency is requesting to extend and modify waiver #970112 to exempt individuals residing in Allendale, Bamberg, Barnwell, Chester, Chesterfield, Clarendon, Darlington, Dillon, Fairfield, Georgetown, Lee, McCormick, Orangeburg, and Union Counties, on the basis of insufficient jobs. The State agency has defined areas with "insufficient jobs" to mean geographic areas that have been designated by the Federal Government as LSAs. The counties of Abbeville, Aiken, Calhoun, Florence (including the City of Florence), Hampton, Anderson, and North Charleston were removed from the waiver because they do not qualify as LSAs for Fiscal Year 2000.

- 9. **Action and reason for approval or denial:** We are approving a modification and extension of waiver #970044, based on unemployment rates that exceed 10 percent, and a modification and extension of waiver #970112, based on insufficient jobs, for individuals residing in the following areas:

Unemployment) <i>expires 3/1/01</i>	(Insufficient Jobs) <i>expires 3/1/01</i>
COUNTIES	COUNTIES
Marion Marboro Williamsburg	Allendale Bamberg Barnwell Chester Chesterfield Clarendon Darlington Dillon Fairfield Georgetown Lee McCormick Orangeburg Union

10. **Regulatory or legislative basis for action:** These waivers are approved pursuant to Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, which allows the Secretary to waive the applicability of the work requirement provision in Section 6(o) 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 an insufficient number of jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data which relies on standard BLS data and/or methods and data indicating an unemployment exceeding 10 percent or a lack of sufficient jobs.
13. **Expiration date:** Waivers #970044 and #970112 are approved for a period of 1 year, retroactive to March 1, 2000, and expire on February 28, 2001.
14. **Limitation on regional office approval of like requests:** These waivers are limited to the South Carolina State Agency.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** February 16, 2000.
18. **Date of regional office transmittal of response to State agency:**
19. **Actual implementation date:**