

MAY 24 2002

970044 and 970112

SUBJECT: FSP - South Carolina - Request to Waive 7 CFR 273.

TO: Gil Camacho, Director
Food Stamp Program
Southeast Region

This is in response to the South Carolina State Agency's letter of March 26, 2002, asking to extend and modify two waivers of the work requirements of 7 CFR 273.24. 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) at least 20 hours or more each week or participating in workfare.

Our response is attached. Please let us know if you have any questions.

SIGNED

Arthur T. Foley
Director
Program Development Division

Attachment

cc: All Regions (except SERO)
Mike DePiro and Bob Dalrymple, OAE
John Knaus
Civil Rights

FINAL:USDA:FNS:FSP:PDD:CPB:JPack:5/16/02:jas
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WAIVER RESPONSE

1. **Waiver serial number:** 970044 and 970112
2. **Type of request:** Modification and Extension
3. **Primary regulation citation:** 7 CFR 273
4. **Secondary regulation citation:**
5. **State:** South Carolina
6. **Region:** SERO
7. **Regulatory Requirements:** 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 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 South Carolina State Agency is requesting to extend and modify its waivers to exempt residents in certain areas from the work requirement of 7 CFR 273.24 based on insufficient jobs Fiscal Year 2001.

Under current waiver #970044, Dillon, Marion, 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 State agency is requesting an extension of the waiver for residents residing in Dillon, Marion, Marlboro and Williamsburg counties. Additionally, the State agency is requesting to modify its waiver to exempt individuals residing in Fairfield County on the basis that there is an unemployment rate over 10 percent in the area.

Average unemployment for the period October 2000 through September 2001 was 10.4 percent for Dillon County, 15.1 percent for Marion County, 11 percent for Marlboro County and 12.3 percent for Williamsburg County, and 10.3 percent for Fairfield County based on data furnished by the State's Employment Security Commission, a cooperating agency with the U.S. Bureau of Labor Statistics.

Under current waiver #970112, Allendale, Bamberg, Barnwell, Calhoun, Chester, Chesterfield, Clarendon, Darlington, Fairfield, Georgetown, Greenwood, Lee, McCormick, Orangeburg, and Union Counties were exempt from the requirements on the basis being designated as Labor Surplus Areas (LSAs) by the Department of Labor. The State agency is requesting an extension for the waiver for residents residing in Allendale, Bamberg, Barnwell, Calhoun, Chester, Chesterfield, Clarendon, Darlington, Georgetown, Greenwood, Lee, McCormick, Orangeburg, and Union counties based on having unemployment rates of over 10 percent or an insufficient number of jobs.

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 for the period ending September 2001, and a modification and extension of waiver #970112, based on insufficient jobs, for individuals residing in the following areas:

970044 (10 Percent Unemployment) <i>expires 2/28/03</i>			
COUNTIES			
Dillon 10.4 Percent	Fairfield 10.3 Percent	Marion 15.1 Percent	Marlboro 11.0 Percent
Williamsburg 12.3 Percent			

970112 (Insufficient Jobs) <i>expires 2/28/03</i>			
COUNTIES			
Allendale	Bamberg	Barnwell	Calhoun
Chester	Chesterfield	Clarendon	Darlington
Fairfield	Georgetown	Greenwood	Lee
McCormick	Orangeburg	Union	

10. **Regulatory or legislative basis for action:** These waivers are approved pursuant to 7 CFR 273.24(f)(ii), which allows FNS to waive the applicability of the work requirement provisions for any group of individuals in the State if the area in which the individuals reside does not have an insufficient number of jobs to provide employment for the individuals.

11. **Conditions and reasons:** N/A

12. **Information required for extension:** To receive an extension the State agency shall provide unemployment rate data for the affected areas compiled by the BLS or its cooperating agency or calculated using census share data and labor force data supplied by BLS or its cooperating agency indicating either an unemployment greater than 10 percent or a lack of sufficient jobs.
13. **Expiration date:** Waivers #970044 and #970112 will expire on February 28, 2003.
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:** March 26, 2002
18. **Date of regional office transmittal of response to National office:** April 4, 2002
19. **Actual implementation date:**