

February 5, 2007

2040052

SUBJECT: FSP - South Carolina - Request to Extend Waiver 2040052

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

This is in response to the South Carolina State Agency's request to extend waiver 2040052, which exempts individuals residing in the entire state from the work requirements of 7 CFR 273.24 because of insufficient jobs. The request is for two years.

The State bases its determination of insufficient jobs on U.S. Department of Labor data that shows the State had an employment rate of at least 20 percent above the national average for the 36 month period of December 2003 through November 2006.

Our response approving the State's request is attached. If you have any questions please contact Dwight Ricker at (703) 305-2468.

/s/

Patrick Waldron  
Chief  
Certification Policy Branch  
Program Development Division

Attachment

cc: All Regions (except SERO)

FINAL:USDA :FNS:FSP:PDD:CPB:DRicker013107  
DIR:I: CPB/Waivers/2007 :2040052 SC ABAWD

Symbol	Surname	Date	Symbol	Surname	Date

## WAIVER RESPONSE

1. **Waiver serial number:** 2040052
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** South Carolina
6. **Region:** Southeast Region
7. **Regulatory Requirements:** Under 7 CFR 273.24(b), an individual is 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, Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if 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:** South Carolina is seeking a statewide waiver from Section 6(o) of The Food Stamp Act, based on having a 36 month unemployment rate that is 20 percent above the national average. South Carolina's unemployment rate for December 2003 to November 2006 is 6.7 percent, which is 20 percent greater than the national unemployment rate for the same time period. The corresponding threshold is 6.1 percent.
9. **Action and reason for approval or denial:** The waiver is approved pursuant to 7 CFR 273.24(f), which allows the Secretary to waive the applicability of the work requirement provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has insufficient jobs.

Since all able-bodied adults without dependents (ABAWDS) residing in the State are exempted from the work requirements of 7 CFR 273.24 for two years, there is no need to seek further exemptions for individuals living in specific jurisdictions within the State on other grounds.

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:** 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 State.
13. **Expiration date:** This waiver extension is approved effective March 1, 2007 and will expire on February 28, 2009.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the South Carolina Department of Social Services.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State Agency's request:** January 17, 2007
18. **Date of regional office transmittal of request to National Office:** January 22, 2007
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**