

March 31, 2006

970084

SUBJECT: FSP – Tennessee – Request to Waiver 7 CFR 273.24

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

This is in response to the Tennessee State Agency’s memorandum of February 27, 2006, requesting to modify and extend its waiver of 7 CFR 273.24 to exempt individuals residing in certain counties from the work requirements based on insufficient jobs. The State bases its determination of insufficient jobs on U.S. Department of Labor data.

Our response approving the State agency’s request is attached. If you have any questions, please contact Vicky Robinson at vicky.robinson@fns.usda.gov or at (703) 305-2476.

/s/ for
Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachments

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

FINAL:USDA:FNS:FSP:PDD:CPB:VRobinson:3-20-06:so
DIR:I/CPB/Waivers/FY2006/970084 TN ABAWD mod & ext

Symbol	Surname	Date	Symbol	Surname	Date

WAIVER RESPONSE

1. **Waiver Serial Number:** 970084
2. **Type of Request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** Tennessee
6. **Region:** Southeast
7. **Regulatory Requirement:** 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

Description of proposed alternative procedures: The Tennessee State agency is requesting to continue extend its waiver to exempt individuals residing in certain counties from the work requirements of 7 CFR 273.24 based on insufficient jobs. The State has combined the majority of counties requested into workforce areas and modified its waiver request by adding Claiborne, Hamblen, Jefferson, and Union Counties to Workforce Area 2 and Roane County to Workforce Area 4. Shelby County has been added to new Workforce Area 13. Warren County has also been added, but is not part of any workforce area. The areas being removed are Bedford, Carter, Trousdale, and Unicoi Counties and Memphis and Morristown Cities. Total number of counties requested is 70.

The State is requesting that individuals residing in counties in the following workforce areas be exempt from work requirements based on the counties having an aggregate unemployment rate of 20 percent above the national average of 5.8, or 6.9 percent, for the 24-month period of January 2003 through December 2004:

Workforce Area 10

County	Labor Force (CY03/04)	Unemployment (CY03/04)	Area Unemployment Rate
Giles	330,949	27,126	
Hickman	241,740	14,124	
Lawrence	443,218	39,551	
Lewis	127,741	9,609	
Marshall	313,855	26,323	
Maury	876,213	49,986	
Perry	76,766	5,191	
Wayne	159,217	14,738	
Total/Average	2,569,699	186,648	

Workforce Area 11

County	Labor Force (CY03/04)	Unemployment (CY03/04)	Area Unemployment Rate	
Benton	166,047	14,782		
Carroll	332,708	28,713		
Chester	180,634	10,384		
Decatur	132,440	10,133		
Hardeman	272,089	21,965		
Hardin	276,635	22,982		
Haywood	228,683	20,409		
Henderson	317,032	23,346		
Henry	346,161	28,084		
Madison	1,111,529	63,383		
McNairy	293,339	18,809		
Weakley	387,328	29,879		
Total/Average	4,044,625	292,869		7.2 percent

Workforce Area 12

County	Labor Force (CY03/04)	Unemployment (CY03/04)	Area Unemployment Rate
Crockett	163,049	13,743	
Dyer	423,899	27,289	
Gibson	525,672	43,501	
Lake	65,832	4,446	
Lauderdale	245,992	25,507	
Obion	384,806	25,837	
Tipton	626,181	39,158	
Total/Average	2,435,431	179,481	7.4 percent

The State is requesting to add Humphreys County based on an unemployment rate of 20 percent above the national average of 5.8, or 6.9 percent, for the 24-month period of January 2003 through December 2004:

County	Labor Force (CY03/04)	Unemployment (CY03/04)	Unemployment Rate
Humphreys	211,725	14,698	6.9

The State is also requesting that individuals residing in counties in the following workforce areas be exempt from work requirements based on the counties having an aggregate unemployment rate of 20 percent above the national average of 5.3, or 6.4 percent, for the 24-month period of December 2003 through November 2005:

Workforce Area 2

County	Labor Force (12/03 thru 11/05)	Unemployment (12/03 thru 11/05)	Area Unemployment Rate
Claiborne	307,382	17,261	
Cocke	371,822	30,313	
Grainger	237,766	14,464	
Greene	777,313	63,168	
Hamblen	709,381	40,913	
Hancock	58,694	5,581	
Hawkins	602,338	37,413	
Jefferson	560,633	33,748	
Sevier	1,061,301	65,616	
Union	211,994	11,076	
Total/Average	4,898,624	319,553	6.5 percent

Workforce Sub-Area 4

County	Labor Force (12/03 thru 11/05)	Unemployment (12/03 thru 11/05)	Area Unemployment Rate
Campbell	406,921	24,695	
Cumberland	527,818	33,660	
Monroe	429,468	27,514	
Morgan	193,601	15,375	
Roane	604,688	35,841	
Scott	202,232	14,962	
Total/Average	2,364,728	152,047	6.4 percent

Workforce Sub-Area 5

County	Labor Force (12/03 thru 11/05)	Unemployment (12/03 thru 11/05)	Area Unemployment Rate
Bledsoe	115,741	8,735	
Marion	311,160	19,877	
McMinn	573,195	36,877	
Meigs	114,566	8,563	
Polk	176,941	10,425	
Rhea	320,075	20,928	
Sequatchie	132,527	7,482	
Total/Average	1,744,205	112,887	6.5 percent

Workforce Sub-Area 7

County	Labor Force	Unemployment	Area Unemployment Rate
Cannon	154,232	7,424	
Clay	87,474	8,866	
DeKalb	231,157	12,682	
Fentress	173,141	12,004	
Jackson	127,733	9,750	
Macon	249,715	13,770	
Overton	235,407	13,498	
Pickett	46,730	3,967	
Smith	217,859	13,959	
Van Buren	59,314	4,517	
White	256,420	20,330	
Total/Average	1,839,182	120,767	6.6 percent

Workforce Area 13

County	Labor Force (12/03 thru 11/05)	Unemployment (12/03 thru 11/05)	Area Unemployment Rate
Fayette	263,551	23,642	
Shelby	10,439,987	662,030	
Total/Average	10,703,538	685,672	6.4 percent

The State is also requesting to add the following counties based on an unemployment rate of 20 percent above the national average of 5.3, or 6.4 percent, for the 24-month period of December 2003 through November 2005:

County	Labor Force (12/03 thru 11/05)	Unemployment (12/03 thru 11/05)	Unemployment Rate
Marion	311,160	19,877	6.4
Warren	462,663	29,599	6.4

The State is also requesting to exempt individuals residing in the following counties based on having an unemployment rate of 20 percent above the national average of 5.4 or 6.5 percent, for the 24-month period of October 2003 through September 2005:

County	Labor Force (10/03 thru 09/05)	Unemployment (10/03 thru 09/05)	Unemployment Rate
Grundy	139,080	9,278	6.7 percent
Stewart	141,954	9,859	7.0 percent

Finally, the State is requesting to exempt individuals residing in the counties of Houston and Johnson based on their status as Labor Surplus Areas.

8. **Action and reason for approval or denial:** We are approving the State Agency's request to modify and extend its waiver to exempt individuals residing in the aforementioned 70 counties from work requirements of 7 CFR 273.24 based on Department of Labor, Bureau of Labor Statistics data provided by the State agency that showed these areas have insufficient jobs.
9. **Regulatory or legislative basis for action:** This waiver is approved under the authority in 7 CFR 273.24(f) which allows the FNS to waive the applicability of the work requirement provision in 7 CFR 273.24 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 affected individuals.
10. **Conditions and reasons:** N/A
12. **Information required for extension:** To receive an extension the State agency must provide verifiable data indicating that there are insufficient jobs in the affected areas.

13. **Expiration date:** The waiver is approved from April 1, 2006 through March 31, 2007.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Tennessee State Agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:** March 22, 2006
17. **Date of State agency's request:** February 27, 2006
18. **Date of regional office transmittal of request to national office:** March 1, 2006
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**