

WAIVER REQUEST

1. **Waiver serial numbers:** 970044 and 970112
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24(b)
4. **Secondary 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.
5. **State:** South Carolina
6. **Region:** Southeast Region
7. **Regulatory requirements:** Regulations at 7 CFR 273.24(b) state that able-bodied adults are not eligible to participate in the Food Stamp (FS) Program as a member of any household if the individual received FS for more than three countable months during any three-year period, except that individual may be eligible for up to three additional countable months in accordance with paragraph (e) of this section.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of PRWORA, P.L. 104-193 provides that no individual shall be eligible to participate in the FS Program as a member of any household if, during the preceding 36 month period, the individual received FS benefits for not less than three months during which the individual did not:

- a. work 20 hours or more per week, averaged monthly;
- b. participate in and comply with the requirements of a work program for 20 hours or more per week; or
- c. 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 areas in which the individuals reside has an unemployment rate of over 10%, or does not have a sufficient number of jobs to provide employment for the individuals.

8. **Proposed alternative procedures:** South Carolina is requesting a waiver to exempt individuals who reside in nine counties from the work requirement provision of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA. These counties had an annual average unemployment rate over 10% for the period of October 2001-September 2002. South Carolina is also requesting in this waiver to exempt individuals who live in 18 counties and 3 cities from the work requirement provision of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA as these areas have been identified as Labor Surplus Areas (LSA) by the Department of Labor, Employment and Training (ETA). South Carolina's total exempted population is comprised of 19 counties and 3 cities. Please note that 8 of the counties with an annual average unemployment rate over 10% are also Labor Surplus counties.
9. **Justification for request:** Statistics secured from the South Carolina Employment Security Commission, a cooperating agency with the Bureau of Labor Statistics, show the following areas with an average unemployment rate of 10% or more for FFY 2002. The counties listed (with the exception of Laurens County) also appear on the DOL list of Labor Surplus counties.

**FFY 2002 S.C. Counties with 10 % Unemployment Rate
Covered by Waiver 97044**

County	Unemployment Rate	County	Unemployment Rate
Chester	11.6	Marlboro	10.3
Fairfield	11.7	Orangeburg	10.3
Laurens	10.1	Union	12.3
McCormick	11.5	Williamsburg	14.3
Marion	13.6		

Source: www.sces.org/lmi (S.C. Monthly Unemployment Rates)

Statistics secured from the U.S. Department of Labor, Employment and Training Administration show the following counties as labor surplus areas.

**FFY 2003 List of S.C. Labor Surplus Areas
Covered by Waiver 970112**

Abbeville	Darlington	Marion	City of Anderson
Barnwell	Dillon	Marlboro	City of Florence
Cherokee	Fairfield	McCormick	City of Sumter
Chester	Georgetown	Orangeburg	
Chesterfield	Greenwood	Union	
Clarendon	Lee	Williamsburg	

Source: <http://workforcesecurity.doleta.gov/employ/lsa.asp>

- 10. Anticipated impact on households and State agency operations:** The extension of this waiver will allow individuals who reside in areas with unemployment rates of 10% or more the opportunity to participate in the FS Program without being required to meet unrealistic work requirements. In addition, South Carolina will be able to exempt areas in which there are not enough jobs for groups of individuals who may be affected by the new time limits in the FS Program.
- 11. Caseload information, including percent, characteristics, and quality of error rate for affected population:** An estimated number of 1,856 clients will be exempted due to unemployment rates of 10% or more or residence in labor surplus areas.
- 12. Anticipated implementation date and time period for which waiver is needed:** These waivers are requested for a one-year time period to begin May 1, 2003.
- 13. Proposed quality control review procedures:** There are no special quality control procedures needed in conjunction with this waiver.
- 14. Signature and title of requesting official:**

Laurel R. Addy, Director, Family Nutrition Programs

- 15. Date of Request:**
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