

April 28, 2003

2020120

SUBJECT: FSP –Mississippi – Request to Waive 7 CFR 273.24

TO: Charlie Simmons, Regional Director
Food Stamp Program
Southeast Regional Office

This is in response to the Mississippi Department of human Services request to exempt individuals residing in 47 counties of the State from the work requirements of 7 CFR 273.24. The counties have been designated as Labor Surplus Areas by the U.S. department of Labor.

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

Patrick Waldron
Chief
Certification Policy Branch
Program Development Division

Attachment

cc: PAD w/Attachment
All Regions (except MWRO) w/Attachment

FINAL:USDA:FNS:FSP:PDD:CPB:DRICKER:4-24-03:jas
FILE:I:CPB:Waivers:FY 2003:2020120

WAIVER RESPONSE

1. Waiver serial number: 2020120
2. Type of request: Modification and Extension
3. Primary regulation citation: 7 CFR 273.24
4. Secondary regulation citation: N/A
5. State: Florida
6. Region: Southeast
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 the 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 Food and Nutrition Service (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 Mississippi Department of Human Services is requesting a waiver which will allow them to exempt residents in 47 counties from the work requirement of 7 CFR 273.24 based on their designation as Labor Surplus Areas (LSAs). The counties are: Adams, Attala, Benton, Bolivar, Calhoun, Carroll, Chickasaw, Choctaw, Claiborne, Clarke, Clay, Coahoma, Copiah, Franklin, George, Greene, Grenada, Holmes, Humphreys, Issaquena, Jefferson, Jefferson Davis, Kemper, Lawrence, Leflore, Marshall, Monroe, Montgomery, Noxubee, Panola, Perry, Pike, Quitman, Sharkey, Stone, Sunflower, Tallahatchie, Tishomingo, Tunica, Walthall, Washington, Wayne, Webster, Wilkinson, Winston, Yalobusha, and Yazoo.
9. Action and reason for approval or denial: The request is approved based on insufficient jobs, as shown by their designation as Labor Surplus Areas by the Bureau of Labor Statistics (BLS) of the U.S. Department of Labor.

10. Regulatory or legislative basis for action: This waiver is approved under 7 CFR 273.24(f), which allows FNS to waive the applicability of the work requirement provision in 7 CFR 273.24 for any group of individuals in the State if FNS makes a determination that the area in which the individual reside does not have a sufficient number of jobs to provide employment for the affected individuals, or the areas exceeded the national unemployment average by 20 percent for 24 consecutive months.
11. Conditions and reasons: N/A
12. Information required for extension: To receive an extension the State agency must provide unemployment rate data for the affected areas compiled by the BLS or its cooperating agency or by calculations using census 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: March 31, 2004.
14. Limitation, if any, on regional office approval of like requests: This waiver is limited to the Mississippi Department of Human Services.
15. Quality Control Procedures: N/A
16. Date of national office action:
17. Date of State agency's request: March 26, 2003
18. Date of regional office transmittal of response to State agency:
20. Actual implementation date: