

APR 1 1999

970044 and 970112

SUBJECT: FSP - South Carolina - Request to Waive Section 6(o) of the Food Stamp Act, as Amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

TO: Gil Camacho, Director
Food Stamp Program
Southeast Region

This is in response to the South Carolina State Agency's letter of February 25, 1999, requesting to waive Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. 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) 20 hours or more each week or participating in workfare. Our response is attached.

If you have any questions regarding this matter, please contact Margaret Batko of my staff at 703-305-2516.

Arthur Foley

Arthur T. Foley
Director
Program Development Division

Attachment

cc: John Knaus, Maurice Tracy, Fran Hei, Mike DePiro - OAE
All Regions (except SERO), Civil Rights

FNS:FSP:PDD:CPB:JWALSH:FINAL:3/31/99:va
DIR: I:CPB:970044 & 970112 ext memo/response

Symbol	4/1/99	Date
970044	Walsh	
970112	John Batko	
	J. Knaus	

OFFICIAL RECORD COPY

Waiver Response

1. **Waiver serial number:** 970044 & 970112
2. **Type of request:** Modification & Extension
3. **Primary 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.
4. **Secondary regulation citation:**
5. **State:** South Carolina
6. **Region:** SERO
7. **Regulatory Requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, provides that no individual shall be 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; did not participate in and comply with the requirements of a work program for 20 hours or more per week; or did not 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 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:** Under waiver #970044 the South Carolina State Agency is requesting to exempt individuals residing in Marlboro and Williamsburg Counties, on the basis that there is an unemployment rate over 10 percent in those areas. Average unemployment for the period February 1998 through January 1999 was 10.4 percent for Marlboro County and 10.3 percent for Williamsburg County, based on data furnished by the State agency. The waiver originally included Chester, Georgetown, Lee, Marion, Marlboro and Williamsburg Counties.

Under waiver #970112 the State agency is requesting to extend the exemption of individuals residing in Aiken, Allendale, Bamberg, Barnwell, Calhoun, Chesterfield, Clarendon, Darlington, Dillon, Fairfield, Florence (including the City

of Florence), Hampton, McCormick, Orangeburg, and Union Counties, and the City of North Charleston, on the basis of insufficient jobs. The State agency is requesting to add to the waiver Abbeville, Chester, Georgetown, Lee, and Marion Counties and the City of Anderson. The State agency has defined areas with "insufficient jobs" to mean geographic areas that have been designated by the Federal Government as Labor Surplus Areas (LSAs). The counties of Colleton and Edgefield were removed from the waiver because they do not qualify as LSAs for Fiscal Year 1999.

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

970044 (10% Unemployment) <i>expires 2/29/00</i>	970112 (Insufficient Jobs) <i>expires 2/29/00</i>
COUNTIES	COUNTIES
Marlboro Williamsburg	Abbeville Aiken Allendale Bamberg Barnwell Calhoun Chester Chesterfield Clarendon Darlington Dillon Fairfield Florence (includes the City of Florence) Georgetown Hampton Lee McCormick Marion Orangeburg Union
	CITIES
	Anderson North Charleston

10. **Regulatory or legislative basis for action:** These waivers are approved pursuant to Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, which allows the Secretary to waive the applicability of the work requirement provision in Section 6(o) for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent or an insufficient number of jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data which relies on standard BLS data and/or methods and data indicating an unemployment exceeding 10 percent or a lack of sufficient jobs.
13. **Expiration date:** Waivers #970044 and #970112 are approved for a period of 1 year and expire on February 29, 2000. Both waivers are retroactive to March 1, 1999.
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:** February 25, 1999.
18. **Date of regional office transmittal of response to State agency:**
19. **Actual implementation date:**