

May 13, 2005

970084

SUBJECT: FSP – Tennessee – Request to Extend Waiver No. 970084 (ABAWDS – 7 CFR 273.24)

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

This is in response to the Tennessee State Agency's memorandum of April 29, 2005, requesting a modification of its currently approved waiver of 7 CFR 273.24. The State agency is requesting modification for the purpose of adding Campbell and Cumberland Counties to the 63 counties currently exempt.

Our response approving the State agency's request is attached. If you have any questions, please contact Larry Tropp by email or telephone at (703) 305-2504.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachments

cc: ALLRO w/Attachment (except SERO)
Kate Fink - OAE w/Attachment

FINAL:USDA:FNS:FSP:PDD:CPB:LTropp:5-11-05:je
DIR:I/Cpb/Waivers/FY 2005/970084 TN (2005 modification)

WAIVER RESPONSE

1. **Waiver Serial Number:** 970084
2. **Type of Request:** Extension/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

8. **Description of proposed alternative procedures:** The Tennessee State agency is requesting the addition of Campbell and Cumberland Counties to the existing 63 counties that are currently ABAWD exempt counties. This will bring the total number of exempt areas to 65 counties and 2 cities (which are designated as LSAs). To receive exemptions for the counties the State agency is adding them to the multi-county area that it designated as the Sub-area of Workforce Area 4. As the table below indicates the unemployment rate for the sub-area was 7.5 percent, well over the 20 percent above the national average threshold of 7.1 percent for the 24-month period of calendar years 2002 and 2003.

Sub-area of Workforce Area 4

County	02/03 Labor Force	02/03 Unemployment	02/03 Percentage
Campbell	415,603	25,341	6.10%
Cumberland	587,733	33,578	5.71%
Monroe	448,036	35,000	7.81%
Morgan	161,595	18,131	11.22%
Scott	214,278	24,093	11.24%
Totals	1,827,245	136,143	42.70%
Unemployment divided by labor force	3,654,490	272,286	7.5%

9. **Action and reason for approval or denial:** Based on the information provided by the State agency, which we verified from the website of the Bureau of Labor Statistics (BLS), we are approving the State agency's request to add Campbell and Cumberland Counties to its currently approved waiver of 7 CFR 273.24. The data, as indicated in the table above, show that both counties qualify for exemption from the work requirements of 7 CFR 273.24, based on the 24-month unemployment rate (7.5 percent) of the designated sub-area of Workforce Area 4, which exceeds the waiver approval threshold of 120 percent of the national average (7.1 percent).
10. **Regulatory or legislative basis for action:** This waiver modification 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.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** To receive an extension the State agency must provide verifiable data as outlined in 7 CFR 273.24(f) indicating that there are insufficient jobs in the affected areas.

13. **Expiration date:** The modification is retroactive to April 1, 2005; the original expiration date of March 31, 2006 will remain in effect.
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:**
17. **Date of State agency's request:** April 29, 2005
18. **Date of regional office transmittal of request to national office:** May 3, 2005 (via email)
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**