

August 16, 2007

970134

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

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

This is in response to Florida's request for an extension and modification of waiver number 970134 exempting individuals from the work requirements of 7 CFR 273.24. The State agency is requesting exemptions from the work requirements for residents of Glades and Hendry Counties and the City of Ft. Pierce based on an unemployment rate greater than 20 percent above the national average for calendar years 2005 and 2006.

Attached is our waiver response. Because the State agency's request was based on labor market data for a 24-month period rather than for a 36-month period as required under our guidance for 2-year waivers, we are approving the waiver for a 1-year period rather than the 2-year period requested by the State agency. If the State agency provides the requisite data, we will extend the approval period for an additional year.

If you have any questions, please contact Larry Tropp of my staff via email at larry.tropp@fns.usda.gov or telephone at (703) 305-2504.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

cc: Bob Dalrymple
Mike DePiro, OANE
Civil Rights

FINAL:USDA:FNS:FSP:PDD:CPB:LTROPP:vw:08/13/07
FILE:I:CPB:Waivers:FY 2007/970134 FL ABAWD 2007 Extension

WAIVER RESPONSE

1. **Waiver serial number:** 970134
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), an individual is 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 Food and Nutrition Service (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. **Proposed Alternative Procedures:** The Florida Department of Children and Families (DCF) is requesting exemptions for individuals residing in the 2-county region consisting of Glades and Hendry Counties and for the City of Ft. Pierce based on an unemployment rate greater than 20 percent above the national average for the 24-month period ending December 2006. The average national unemployment rate for the period was 4.9 percent resulting in a waiver approval threshold of 5.8 percent. As the table below indicates, both areas (the 2-county region and the Ft. Pierce City) qualify for waivers.

South Central Florida Region and Ft. Pierce City

Area (County)	Labor Force	Unemployed	Unemployment Rate (Percent)
Glades	105,429	4,667	4.4
Hendry	418,442	28,458	6.8
Total for Region	523,871	33,125	6.3
Ft. Pierce City	408,849	25,398	6.3

9. **Action and reason for approval or denial:** We are approving the State request for exemptions from the work requirements of 7 CFR 273.24 for residents of the two areas, described in paragraph 8, above. Because the State agency's request was based on labor market data for a 24-month period rather than for a 36-month period as required under our guidance for 2-year waivers, we are approving the waiver for a 1-year period rather than the 2-year period requested by the State agency.
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 individuals reside 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 unemployment rate data for the affected areas compiled by the Bureau of Labor Statistics (BLS) or its cooperating agency or by calculations using census data and labor force data supplied by BLS or its cooperating agency indicating either unemployment greater than 10 percent or a lack of sufficient jobs.
13. **Expiration date:** The waiver will be effective October 1, 2007, as requested by the State agency and will expire on September 30, 2008.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Florida Department of Children and Families.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** July 9, 2007
18. **Date of regional office transmittal of request to national office:** August 1, 2007
20. **Actual implementation date:**