

August 21, 2008

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 DeSoto, Glades, Hendry, Indian River, Okeechobee, St. Lucie, Flagler and Madison Counties based on an unemployment rate greater than 20 percent above the national average for the 24-month period ending April 2008.

Attached is our response approving the State's waiver request. 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/

Patrick Waldron
Branch Chief
Certification Policy Branch
Program Development Division

cc: Bob Dalrymple
Mike DePiro, OANE
Civil Rights

FINAL:USDA:FNS:FSP:PDD:CPB:LTROPP:JRagan:08/20/08:305-2519
FILE:I:CPB:Waivers:FY 2008/970134 FL ABAWD 2008 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 6-county region consisting of DeSoto, Glades, Hendry, Indian River, Okeechobee and St. Lucie Counties plus Flagler and Madison Counties as stand alone areas, based on an unemployment rate greater than 20 percent above the national average for the 24-month period ending April 30, 2008. The counties and the supporting data are set forth in the tables, below. The average national unemployment rate for the period was 4.66 percent, based on data from the Bureau of Labor Statistics, resulting in a waiver approval threshold of 5.6 percent.

Central Florida Region

Area (County)	Labor Force	Unemployed	Unemployment Rate
DeSoto	336,039	15,894	4.7
Glades	111,157	5,188	4.7
Hendry	428,949	31,128	7.3
Indian River	1,447,927	79,444	5.5
Okeechobee	416,357	21,304	5.1
St. Lucie	2,874,624	159,639	5.6
Total for Region	5,615,053	312,597	5.6

Stand-Alone Counties

Area (County)	Labor Force	Unemployed	Unemployment Rate
Flagler	734,880	45,287	6.2
Madison	164,527	10,073	6.1

9. **Action and reason for approval or denial:** Based on the data submitted by the State agency we are approving its request to exempt residents of all of the areas listed above based on insufficient jobs as indicated by an average unemployment rate at least 20 percent above the national average for the 24-month period ending April 30, 2008. The raw data supporting the request is from the BLS web site.
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 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, 2008, as requested by the State agency and will expire on September 30, 2009.
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:** June 17, 2008
18. **Date of regional office transmittal of request to national office:** June 25, 2008 (via email)
20. **Actual implementation date:**