

March 9, 2005

970050

**SUBJECT:** FSP – Hawaii – Request to Extend ABAWDs Waiver 970050 Due to Insufficient Jobs

**TO:** Dennis Stewart  
Regional Director  
Food Stamp Program  
Western Region

This is in response to your February 18, 2005 memo forwarding a request from the Hawaii State agency to modify and extend waiver 970050. Hawaii wishes to waive 7 CFR 273.24 for the Island of Molokai. 7 CFR 273.24 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.

Hawaii provided data from its Department of Labor and Industrial Relations. The data proves the Island's unemployment rate for calendar year (CY) 2004 is greater than 10 percent.

Our response is attached. If you have any questions, please contact Patricia Maggi at (703) 305-2468.

/s/

Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

Attachment

cc: All Regions (except WRO) w/Attachment  
Dan Wilucz, QC, PAD w/Attachment  
Bob Dalrymple, OANE w/Attachment  
Kate Fink, OANE w/Attachment  
FNS National Arbitrator w/Attachment

File:I:CPB:Waivers:FY2005:970050 HI 2005 extension:Pmaggi:3-2-05:so

## WAIVER RESPONSE

1. **Waiver Serial Number:** 970050
2. **Type of Request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** Hawaii
6. **Region:** Western
7. **Regulatory Requirement:** 7 CFR 273.24 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; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or received benefits because they were exempt from these requirements.

7 CFR 273.24(f) 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.** Hawaii's fiscal year (FY) 2004 waiver exempts individuals residing in Hawaii County and the Island of Molokai from the ABAWD work requirement.

In its FY2005 request, Hawaii wishes to exempt the Island of Molokai from the ABAWD work requirement. The island has an average unemployment rate of over 10 percent for calendar year (CY) 2004. Hawaii supplied data from its Department of Labor and Industrial Relations website as documentation.

9. **Action and reason for approval or denial:** We are approving the waiver.

We calculated the Island of Molokai's 12-month unemployment rate as follows:

		LABOR FORCE	EMP	UNEMP
2004	JAN	2600	2400	200
	FEB	2600	2350	300
	MAR	2550	2350	250
	APR	2650	2350	300
	MAY	2650	2350	300
	JUN	2800	2350	450
	JUL	2900	2450	450
	AUG	2800	2450	350
	SEP	2800	2400	400
	OCT	2750	2450	300
	NOV	2700	2400	300
	DEC	2650	2400	250
	<b>Total</b>	32450	28700	3850
	<b>Total UER</b>			0.118644 11.8644

Using data from the Hawaii Department of Labor and Industrial Relations website (<http://www.hiwi.org>), we added up totals for the civilian labor force, employed and unemployed populations for a total amount for the 12-month period, January to December 2004. We then divided the total monthly unemployed population by the total labor force (3850 / 32450) and then multiplied the answer by 100 (0.118644 x 100 = 11.8644). The Island of Molokai's average unemployment rate for CY 2004 is 11.8644, rounded to 11.9 percent.

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 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 has an unemployment rate 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 data from their State Department of Labor and Industrial Relations, its Bureau of Labor Statistics (BLS) cooperating agency, indicating that these areas had unemployment rates over 10 percent or do not have a sufficient number of jobs to provide employment for individuals residing in these areas.
13. **Expiration date:** This waiver will expire April 30, 2006.

14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the Hawaii State Agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** February 9, 2005
18. **Date of regional office transmittal of request:** February 18, 2005
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**