



**United States
Department of
Agriculture**

Food and
Nutrition
Service

Northeast Region

10 Causeway St.
Room 501
Boston, MA 02222

JAN 16 2009

Phuoc Cao, Director
Supplemental Nutrition Assistance Program
Massachusetts Department of Transitional Assistance
600 Washington Street, 6th Floor
Boston, MA 02111

Dear Mr. Cao:

This is in response to your recent request for a waiver to exempt certain individuals from the work requirements of 7 CFR 273.24 based on insufficient jobs. We are approving your request as two separate waivers.

Waiver no. 2080005 is approved for one year, January 1, 2009 to December 31, 2009, and covers 14 separate areas from work requirements based on U.S. Department of Labor and Massachusetts Department of Workforce Development data as well as data obtained from the U.S. Census Bureau.

Waiver no. 2090010 is approved for two years, January 1, 2009 to December 31, 2010, and covers three counties in one combined region, and 26 separate areas from work requirements based on U.S. Department of Labor and Massachusetts Department of Workforce Development data as well as data obtained from the U.S. Census Bureau.

If you have any questions, please contact Christopher Nasados at (617)565-6341.

Sincerely,

Mary Ann Ferris, Director
Supplemental Nutrition Assistance Program
Northeast Region

Enclosure

WAIVER RESPONSE

1. **Waiver serial numbers:** 2080005 (1-year waiver) & 2090010 (2-year waiver)
2. **Type of request:** Extension and modification
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:** None
5. **State:** Massachusetts
6. **Region:** Northeast
7. **Regulatory requirements:** Federal Regulations at 7 CFR 273.24 provides that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if, during the preceding 36-month period, the individual received SNAP 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 was 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. **Proposed alternative procedures:** The Massachusetts State Agency is requesting two separate ABAWD waivers. Under the first waiver, designated as no. 2090010, the State agency is requesting an exemption from work requirements for individuals residing in three counties in one combined region and in 26 separate areas from work requirements based on an unemployment rate of at least 20 percent above the national average of 4.8 percent, or 5.7 percent for the 36-month period of August 2005 through July 2008. The areas and the supporting data are set forth in the tables below:

National Unemployment Rate (UER) – August 2005 through July 2008

Labor Force	Unemployed	UER	20 percent
5,482,904,000	262,646,000	4.8	5.7

**Waiver no. 2090010 – 2-year waiver based on data for a 36-month period
Combined Counties**

County	Labor Force	Unemployed	UER
Bristol	10,380,310	621,276	
Dukes	396,175	14,900	
Nantucket County/Town	302,726	7,171	
Total	11,079,211	643,347	5.8

Other Areas

Area	Labor Force	Unemployed	UER
Hampden County	8,037,522	462,987	5.8
Adams town	158,164	9,882	6.2
Athol town	189,462	12,105	6.4
Brockton city	1,606,739	96,731	6.0
Brookfield town	61,024	3,662	6.0
Chelsea city	476,714	30,713	6.4
Cummington town	18,875	1,123	5.9
Fitchburg city	661,989	43,812	6.6
Florida town	14,346	943	6.6
Gardner city	354,159	22,306	6.3
Lawrence city	1,038,758	97,827	9.4
Leominster-Fitchburg-Gardner Metropolitan NECTA	2,606,070	156,035	6.0
Lowell city	1,791,708	105,329	5.9
Lynn city	1,490,158	86,005	5.8
Monroe town	962	91	9.5
New Bedford Metropolitan NECTA	3,040,608	201,720	6.6
North Adams city	255,170	14,823	5.8
Provincetown town	78,214	12,866	16.4
Shelburne town	39,270	2,263	5.8
Southbridge town	291,280	18,679	6.4
Templeton town	135,988	8,424	6.2
Truro town	43,891	3,573	8.1
Warren town	89,978	5,947	6.6
Webster town	301,778	18,244	6.0
Wellfleet town	59,358	3,949	6.7
Winchendon town	174,895	10,641	6.1

Under the second waiver, designated as no. 2080005, the State agency is requesting an exemption from work requirements for individuals residing in 14 separate areas from work requirements based on an unemployment rate of at least 20 percent above the national average of 4.6 percent, or 5.5 percent for the 24-month period of January 2006 through December 2007. The areas and the supporting data are set forth in the tables below:

Waiver no. 2080005 – 1-year waiver based on data for a 24-month period

National Unemployment Rate (UER) – Jan 2006 through December 2007

Labor Force	Unemployed	UER	20 percent
3,654,621,000	168,939,000	4.6	5.5

Area	Labor Force	Unemployed	UER
Ashburnham town	75,615	4,207	5.6
Athol Micropolitan NECTA	250,940	14,211	5.7
Gloucester city	395,341	22,119	5.6
Hardwick town	32,008	1,832	5.7
Holbrook town	139,531	7,944	5.7
Leominster city	495,368	27,872	5.6
Methuen city	553,587	30,937	5.6
Middleborough town	278,422	15,634	5.6
New Braintree town	15,261	852	5.6
North Adams-VT Micropolitan NECTA part	404,045	22,037	5.5
Revere city	536,634	30,140	5.6
Royalston town	16,097	931	5.8
Ware town	128,937	7,448	5.8
Warwick town	8,615	494	5.7
Worcester city	1,985,626	110,513	5.6

9. **Action and reason for approval or denial:** We are approving both of the waivers as requested by the State agency.
10. **Regulatory or legislative basis for action:** Waivers no. 2080005 and no. 2090010 are approved pursuant to 7 CFR 273.24(f)(1)(ii), which allows the Secretary to waive the applicability of the work requirement provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has insufficient jobs.
11. **Conditions and reasons:** None.
12. **Information required for extension:** To receive an extension the State agency must provide data for the affected areas indicating that there are insufficient jobs for those individuals subject to 7 CFR 273.24.

13. **Expiration date:** Waiver no. 2080005 is approved for one year. The waiver is effective January 1, 2009 and will expire December 31, 2009. Waiver no. 2090010 is approved for a 2-year period with an effective date of January 1, 2009 and an expiration date of December 31, 2010.
14. **Limitation on regional office approval of like requests:** Approval of these waivers is limited to the Massachusetts State agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** October 21, 2008
18. **Date of regional office's transmittal of request to national office:** November 5, 2008 (via email)
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**