

May 18, 2005

970051

SUBJECT: FSP – Rhode Island – Request to Modify and Extend Waiver 970051

TO: Mary Ann Ferris, Director
Food Stamp Program
Northeast Region

This is in response to your memorandum of May 4, 2005, forwarding Rhode Island's March 30, 2005 request to extend and modify waiver # 970051, which would waive the work requirement for Able-Bodied Adults Without Dependents (ABAWDs).

Please see our response attached. If you have any questions, please contact Celeste Perkins of my staff via email or telephone at (703) 305-2507.

/s/

Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:CPerkins:05-12-05:so
FILE:I:CPB:Waivers:FY 2005/970051 RI ABAWD LSA Ext.

WAIVER RESPONSE

1. **Waiver serial number:** 970051
2. **Type of request:** Extension/Modification
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:** N/A
5. **State:** Rhode Island
6. **Region:** NERO
7. **Regulatory Requirements:** The Food Stamp Program Regulations at 7 CFR 273.24(f) provide 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, 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.

The Food Stamp Program Regulations at 7 CFR 273.24(f) also provide 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:** The Rhode Island State agency is requesting to extend and modify its current waiver to exempt from the work requirements of 7 CFR 273.24(f) based on its designation as Labor Surplus Area (LSA) by the Employment and Training Administration of the U. S. Department of Labor to include individuals residing in the City of Central Falls,

and the Town of New Shoreham based on their designation as LSAs by the Department of Labor for Federal Fiscal Year 2005.

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The Rhode Island State Agency is also requesting to extend its waiver for residents of the City of Woonsocket based on an unemployment rate of more than 20 percent above the national average for fiscal years 2003 and 2004. To be 20 percent above the national average for fiscal years 2003 and 2004, this city would need to have an unemployment rate of at least 7.0 percent. The city of Woonsocket had an average unemployment rate for this period of 7.0 percent; therefore, it qualifies for the 20 percent exemption.

9. **Action and reason for approval or denial:** We are approving the State agency's request to extend and modify its waiver for individuals residing in the City of Central Falls and the Town of New Shoreham based on their designation as LSAs. Also, we are approving the State agency's request to exempt individuals residing in the City of Woonsocket based on the unemployment rate being more than 20 percent above the national average for fiscal years 2003 and 2004.

City	Labor Force	UR	UR Rate
City of Woonsocket	525,346	36,522	7.0

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(1)(ii), which allows Food and Nutrition Service (FNS) to waive the applicability of the work requirement provision in 7 CFR 273.24(f) for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has unemployment rate of over 10 percent or an insufficient number of jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment

data that relies on standard Bureau of Labor Statistics data and/or methods and data indicating unemployment over 10 percent, or they do not have a sufficient number of jobs.

13. **Expiration date:** This waiver extension and modification are approved for May 1, 2005, through April 30, 2006.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Rhode Island State Agency.
15. **Quality Control Procedures:** N/A

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16. **Date of State agency's request:** March 30, 2005
17. **Date of regional office transmittal to the national office:**
18. **Date of national office action:**