

April 7, 2006

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 March 15, 2006, forwarding Rhode Island's March 3, 2006 request to modify and extend its waiver to exempt individuals residing in the City of Central Falls and the Town of New Shoreham from the work requirements of 7 CFR 273.24 based on insufficient jobs. The State agency bases its determination of insufficient jobs on U.S. Department of Labor data.

Our response approving the State agency's request is attached. If you have any questions, please contact Vicky Robinson at [vicky.robinson@fns.usda.gov](mailto:vicky.robinson@fns.usda.gov) or at (703) 305-2476.

/s/

Harriet Kornegay  
Assistant Branch Chief  
Certification Policy Branch  
Program Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:VRobinson:04-05-06:je  
FILE:I:CPB:Waivers:FY 2005/970051 RI ABAWD mod & ext.

## WAIVER RESPONSE

1. **Waiver serial number:** 970051
2. **Type of request:** Modification and Extension
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 its current waiver of 7 CFR 273.24 for individuals residing in Central Falls based on its designation as a Labor Surplus Area for fiscal year 2006. The State agency is modifying its waiver request by requesting that individuals residing in the Town of New Shoreham be exempt from work requirements based on having an average unemployment rate of at least 20 percent above the national average of 5.3 percent, or 6.4 percent, for the 24-month period of December 2003 through November 2005. The State agency bases its determination of insufficient jobs on data obtained from the U.S. Department of Labor.

9. **Action and reason for approval or denial:** We are approving the State agency's request. Able-bodied adults without dependents (ABAWDs) residing in the city of Central Falls will be exempt from the work requirements of 7 CFR 273.24 based on the city's designation as a Labor Surplus Area (LSA). In addition, individuals residing in the Town of New Shoreham are exempt based on insufficient jobs, as evidenced by DOL data showing an average unemployment rate of 6.4 percent, or 20 percent above the national average of 5.3 percent for the 24-month period of December 2003 through November 2005.

LSA			
City of Central Falls			
20 percent			
City or Town	Labor Force (12-03 thru 11-05)	Unemployment (12-03 thru 11-05)	Unemployment Rate*
Town of New Shoreham	25,650	1,640	6.4

\*Note that although the State agency's waiver request lists in a chart that the unemployment rate for the Town of New Shoreham is for FY 2003-2005, we believe this to be an error by the State agency which has been corrected in this waiver approval.

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:** To receive an extension the State agency must provide verifiable data indicating that there are insufficient jobs in the affected areas.
13. **Expiration date:** This waiver extension and modification are approved for May 1, 2006 through April 30, 2007.
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 national office action:** April 5, 2006

17. **Date of State agency's request:** March 3, 2006

18. **Date of regional office transmittal to the national office:** March 15, 2006

19. **Date of regional office transmittal of response to State agency:**

20. **Actual implementation date:**