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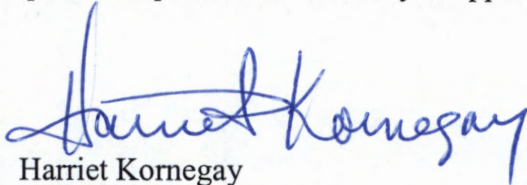
970051 and 2070033

SUBJECT: FSP – Rhode Island – ABAWD Waivers 970051 and 2070033

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

This is in response the Rhode Island State agency's request of March 1, 2007, to modify and extend its waiver exempting individuals from the work requirements of 7 CFR 273.24. The waiver request is based on insufficient jobs for the requested areas, specifically Labor Surplus Area (LSA) designation by the Employment and Training Administration of the Department of Labor for fiscal year 2007 or an unemployment rate greater than 20 percent above the national average for 24-month period ending November 30, 2006. In addition, to a 1-year waiver for three of the areas, the State has advised your office that it is requesting a 2-year waiver (designated as 2070033) for the city of Central Fall, based on its designation as an LSA for both fiscal years 2006 and 2007.

Our response approving the State agency's request is attached. If you have any questions, please contact Larry Tropp at larry.tropp@fns.usda.gov or at (703) 305-2504.



Harriet Kornegay
Assistant Branch Chief
Certification Policy Branch
Program Development Division

FINAL:USDA:FNS:FSP:PDD:CPB:LTropp
FILE:I:CPB:Waivers:FY 2007/970051 and 2070033 RI ABAWD mod & ext.

Symbol	Surname	Date	Symbol	Surname	Date
PO 121	Tropp	3-26-07			
	Kornegay	3/26/07			

WAIVER RESPONSE

1. **Waiver serial number:** 970051 and 2070033
2. **Type of request:** Modification and Extension (970051) Initial (2070033)
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 modification and extension its current waiver of 7 CFR 273.24. Currently, residents of the cities of New Shoreham and Central Falls are exempt based on an unemployment rate greater than 20 percent above the national average for a recent 24-month period and designation by the Employment and Training Administration of the Department of Labor as a Labor Surplus Areas (LSA) for fiscal year 2006, respectively. Based on its designation as an LSA for both fiscal years 2006 and 2007, the State is requesting a 2-year exemption for residents of Central Falls (under a new waiver, designated as no. 207003).

The State agency is proposing to extend the exemption for residents of New Shoreham based on its designation as an LSA for FY 2007. In addition, the State agency is requesting exemptions for residents of the cities of Pawtucket and Providence based on an unemployment rate at least 20 percent above the national average for the 24-month period from December 2004 through November 2006.

The national average for the period was 4.9 percent; the approval threshold (120 percent of 4.9 percent) is 5.9 percent. As indicated in the following table, both cities qualify for waivers based their 24-month unemployment rates.

Area	Labor Force (24-month total)	Unemployed (24-month total)	Unemployment Rate
Pawtucket City	906,905	55,510	6.1%
Providence City	1,922,856	123,997	6.4%

9. **Action and reason for approval or denial:** We are approving the State agency's waivers as requested. We are approving the State agency's request to extend waiver no. 970051 for residents of the city of New Shoreham based on its designation as an LSA for FY 2007; and for residents of the cities of Pawtucket and Providence based on an unemployment rate greater than 20 percent above the national average for the 24-month period ending November 30, 2006. We are approving waiver no. 2070033 exempting residents Central Falls based the city's designation as an LSA for both FY 2006 and FY 2007.
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:** The waiver extension/modification for waiver no. 970051 is approved for the period from May 1, 2007 through April 30, 2008. Waiver no. 2070033, which will apply to residents of New Shoreham, is approved for the 2-year period running from May 1, 2007 through April 30, 2009.

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
16. **Date of national office action:**
17. **Date of State agency's request:** March 1, 2007 for extension of waiver no. 970051; March 21, 2007 for waiver no. 2070033
18. **Date of regional office transmittal to the national office:** March 8, 2007
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**