

March 20, 2008

970051

SUBJECT: FSP – Rhode Island – ABAWD Waivers 970051

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

This is in response the Rhode Island State agency's request of January 30, 2008 to modify and extend its waiver exempting certain individuals from the work requirements of 7 CFR 273.24 based on insufficient jobs.

Although the State agency requested to include the areas of New Shoreham town and Central Falls, these areas have already been approved under waiver #2070033 through April 30, 2009.

The cities of Pawtucket, Providence, and Woonsocket are herein approved through April 30, 2009. 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/

Patrick Waldron  
Chief  
Certification Policy Branch  
Program Development Division

## 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:**
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 waiver of exempting certain individuals residing in New Shoreham town, and in the cities of Central Falls, Pawtucket, and Providence from the work requirements of 7 CFR 273.24. The State agency also seeks to modify its waiver by adding the city of Woonsocket. The State agency bases its determination of insufficient jobs for the city of Central Falls on its designation as a labor surplus area (LSA). All of the remaining requested areas have an unemployment rate of at least 20 percent above the national average of 4.7 percent, or 5.6 percent, for the 24-month period of June 2005 through May 2007 as follows:

Area	Total Labor Force	Total Unemployed	Unemployment Rate
New Shoreham town	26,154	1,611	6.2%
Pawtucket City	908,412	53,719	5.9%
Providence City	1,926,342	120,864	6.3%
Woonsocket City	534,373	29,744	5.6%

9. **Action and reason for approval or denial:** We are approving the State agency's request in part. Able-bodied adults without dependents residing in the cities of Pawtucket, Providence, and Woonsocket will be exempt from work requirements based on insufficient jobs. Because New Shoreham town and the city of Central Falls have already been approved under waiver #2070033 through April 30, 2009, we are not including these areas in this waiver approval. The cities of Pawtucket and Providence are approved based of each area's designation as a labor surplus area (LSA) for fiscal year 2008. The city of Woonsocket is approved based on having an unemployment rate of at least 20 percent above the national average for the 24-month period of June 2005 through May 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:** Because the cities of Pawtucket and Providence are already approved through April 30, 2008, these areas are approved for one year, from May 1, 2008 through April 30, 2009. In order to align the expiration dates for all areas approved under waiver numbers 970051 and 2070033, Woonsocket is approved for one additional month, from April 1, 2008 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:** March 17, 2008

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17. **Date of State agency's request:** January 15, 2008

18. **Date of regional office transmittal to the national office:** January 30, 2008

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

20. **Actual implementation date:**