



DEC 30 2015

United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Ms. Kimberly A. Nikolaidis
Acting SNAP Administrator
Rhode Island Department of Human Services
Louis Pasteur Building
57 Howard Avenue
Cranston, Rhode Island 02920

RE: SNAP – Rhode Island Request to Waive Able-Bodied Adults without Dependents
Time Limit – Extension – Approval

Dear Ms. Nikolaidis:

This is in response to the Rhode Island Department of Human Services' request to extend waiver number 2150035, which would allow Rhode Island to continue to exempt able-bodied adults without dependents (ABAWD) throughout the State from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24 through December 31, 2017. The Rhode Island State agency has already requested and received Food and Nutrition Service (FNS) approval for a 12-month waiver extension covering calendar year 2016. Now the State has requested a 24-month waiver extension based upon having an average unemployment rate 20 percent above the national average for a recent 36-month period. Following longstanding Food and Nutrition Service (FNS) policy, areas may qualify for a 24-month waiver based upon having an average unemployment rate 20 percent above the national average for a recent 36-month period.

The data provided by the State agency demonstrates that Rhode Island had an unemployment rate 20 percent above the national average for the 36-month period of October 2012 through September 2015. Therefore, FNS is approving the Rhode Island State agency's request to extend its ABAWD time limit waiver in Rhode Island for 24 months, effective January 1, 2016 through December 31, 2017. The detailed waiver response is attached. Please contact Kevin Pasquaretta at Kevin.Pasquaretta@fns.usda.gov with any questions.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

WAIVER RESPONSE

1. **Waiver serial number:** 2150035
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** Rhode Island
5. **Region:** Northeast
6. **Regulatory requirement:** Federal regulations at 7 CFR 273.24 provide that no able-bodied adult without dependents (ABAWD) shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than 3 months during any 36-month period in which the individual was subject to, but did not comply with the ABAWD work requirement. Regulations at 7 CFR 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program at least 20 hours per week; any combination of working and participating in a work program for a total of 20 hours per week; or participating in and complying with a workfare 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.

7. **Description of proposed alternative procedures:** The Rhode Island State agency has requested to waive the ABAWD time limit at 7 CFR 273.24 throughout the State for the 24-month period of January 1, 2016 through December 31, 2017. The State agency has supported its request based upon Rhode Island having an average unemployment rate 20 percent above the national average for the 36-month period of October 2012 through September 2015. During this 36-month period the national average unemployment rate was 6.5 percent; 20 percent above this is 7.8 percent. As detailed in the following table, Rhode Island's unemployment rate for the selected 36-month period was 7.9 percent.

Bureau of Labor Statistics Data October 2012 – September 2015*		
	Labor Force Total	Unemployment Total
Rhode Island	20,003,226	1,589,849
Unemployment Rate	7.9%	
20% Above National Average Unemployment Rate Threshold	7.8%	

* Extracted from <http://www.bls.gov> on December 2, 2015

8. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the Rhode Island State agency's request to waive the ABAWD time limit because the State meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance. The State qualifies for a 24-month waiver based upon having an average unemployment rate 20 percent above the national average for the 36-month period of October 2012 through September 2015.
9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension the State agency must provide FNS with a formal waiver request supported by data or other information as described in 7 CFR 273.24(f). If the State requests an extension based upon unemployment rates, it must provide FNS with all supporting documentation, including data spreadsheets.
12. **Implementation and expiration date:** The waiver extension is effective from January 1, 2016 through December 31, 2017.
13. **Limitation, if any, on regional office approval of like requests:** The waiver is limited to the Rhode Island State agency.
14. **Date of national office action:** DEC 30 2015
15. **Date of State agency's request:** October 29, 2015
16. **Date of regional office transmittal of request:** November 5, 2015
17. **State agency contact:**
Kimberly Nikoladis
Kimberly.Nikolaidis@dhs.ri.gov
(401) 462-2256
18. **FNS regional contact:**
Kevin Pasquaretta
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(617) 565-5402