



United States
Department of
Agriculture

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Food and
Nutrition
Service

3101 Park
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Alexandria, VA
22302-1500

SUBJECT: SNAP – ABAWD Statewide Waivers - New Criteria for Unemployment Insurance Extended Benefits Trigger

TO: All Regional Directors
Supplemental Nutrition Assistance Program

Federal regulations allow FNS to waive the three-month time limit on SNAP benefits for Able Bodied Adults Without Dependents (ABAWDS) if FNS determines that the area in which the individual resides does not have a sufficient number of jobs. Under current regulations at 7 CFR 273.24(f)(2), a State agency qualifies for a 12-month statewide waiver of the ABAWD time limit if the Department of Labor's (DOL) Unemployment Insurance Service determines that the State qualifies for extended unemployment benefits. FNS approves State requests for a statewide waiver if the State is listed on the Department of Labor Extended Benefits Trigger Notice as being "ON" Extended Benefits, meaning the State meets the DOL criteria for Extended Benefits (EB). During the current economic downturn, a growing number of States qualify for statewide ABAWD waivers through this means.

The recently-enacted Unemployment Compensation Extension Act of 2008 (P.L. 110-449), which was signed into law on November 21, 2008, modified the criteria used by DOL for the EB program for the duration of the legislation. As a result, some States qualify for an EB program based on the recently-revised criteria rather than the traditional criteria. The Department of Labor's Trigger Notice includes States that qualify under the traditional and new criteria.

Consistent with Federal regulations, FNS will continue to approve State requests for statewide waivers based on the State's qualifying for EB, as indicated by the DOL Trigger Notice, regardless of the criteria by which the State qualified for EB. Please inform your State agencies of this policy.

If you have any questions, please contact me at (703)305-2494 or Sandy Clark, Certification Policy Branch Chief, at (703)305-2495.

Arthur T. Foley
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