



United States
Department of
Agriculture

JAN 29 2010

Food and
Nutrition
Service

SUBJECT: Supplemental Nutrition Assistance Program (SNAP)-Able Bodied Adults Without Dependents Waivers for Fiscal Year 2011

3101 Park
Center Drive

TO: All Regional Directors
Supplemental Nutrition Assistance Program

Alexandria, VA
22302-1500

The American Recovery and Reinvestment Act of 2009 (P.L. 111-5), provides that State agencies can suspend the SNAP time limits on Able-Bodied Adults without Dependents (ABAWDs) through September 30, 2010. At that time, regular program rules under Section 6(o) of the Food and Nutrition Act of 2008 will apply. Nearly all States, however, may continue to suspend the 3 month time limits through September 30, 2011 because they qualify for a waiver from the time limit under SNAP program rules.

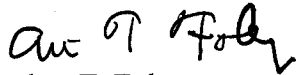
Under federal regulations at 7 CFR 273.24(f)(2), a State can qualify for a 12-month statewide ABAWD waiver if the Department of Labor's Unemployment Insurance Service determines it meets the criteria for extended unemployment benefits. FNS can approve a waiver if the State's unemployment triggers the criteria for extended benefits (EB), regardless of whether the State has elected the option to offer EB itself. Under longstanding guidance, States that meet the EB criteria can qualify for a 12-month statewide ABAWD waiver, up to 12 months after the trigger date. **The DOL Trigger Notice 2010-2, effective January 24, 2010, indicates that 49 States or geographic areas met the EB criteria:**

Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virgin Islands, Virginia, Washington, West Virginia, Wisconsin, Wyoming

Thus, the 49 qualifying States or geographic areas may suspend the time limits on ABAWDs through at least September 30, 2011. In addition, State agencies that appear on a subsequent DOL Trigger Notice would also qualify for an ABAWD waiver through at least September 30, 2011. These States may lift the ABAWD restrictions without requesting an FNS approved waiver in advance, although States must notify their FNS regional office of the statewide implementation. We request that States inform their FNS regional office of their decision to adopt this waiver by August 30, 2010.

All Regional Directors
Page 2

If you have any questions, please contact Angela Kline at (703) 305-2495 or via email at Angela.Kline@fns.usda.gov.



Arthur T. Foley
Director
Program Development Division