

WAIVER REQUEST

1. **Waiver serial number:**
2010190
2. **Type of request:**
Modification and Extension
3. **Primary regulation citation, if any:**
7 CFR 273.24
4. **Secondary regulation citation, if any:**
5. **State:**
Idaho
6. **Region:**
Western
7. **Regulatory requirements:**

Under 7 CFR 273.24(b) individuals are not 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.

Under 7 CFR 273.24(f), upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if the FNS 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. **Proposed procedures:**

Idaho is requesting a modification and extension of its existing waiver to exempt residents residing in the entire State from the work requirements of 7 CFR 273.24 due to having insufficient jobs based on the U.S. Department of Labor data that the State qualifies for extended unemployment benefits.

26 USC 3304 (Public Law 102-318) allows States the option of providing an additional alternative trigger for the extended benefits program, based on the State's seasonally adjusted total unemployment rate (TUR) for the most recent three months reaching at least: (1) 6.5 percent; and (2) 110 percent of such TUR for the corresponding three-month periods ending in either or both of the two preceding calendar years.

The 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.¹ The Department of Labor's Department of Unemployment Insurance Service began determining and publishing which states trigger extended benefits under the revised criteria on November 23, 2008² as the EUC Trigger Notice. The revised criteria require: 1) a State's seasonally adjusted TUR for the most recent three months reach at least 6.0 percent or 2) a State's Insured Unemployment Rate (IUR) for the most recent 13 weeks reach at least 4.0 percent.

The Department of Labor's EUC Trigger Notice No. 2009-1³ shows the State's 13-week average insured unemployment rate (IUR) was 4.13 percent, making the State eligible for extended unemployment benefits.

9. Justification for request:

This request to exempt residents residing in the entire State from the work requirements of 7 CFR 273.24 due to having insufficient jobs is based on the State qualifying for extended unemployment benefits within the past 12 months.

10. Anticipated implementation date and time period for which waiver is needed:

The State is requesting a one-year waiver from March 1, 2009 through February 28, 2010.

11. Signature and title of requesting official:

Russell S. Barron, Administrator

12. Date of request:

1/27/09

¹ SNAP-ABAWD Statewide Waivers-New Criteria for Unemployment Insurance Extended Benefits Trigger guidance issued by FNS on January 8, 2009. <http://www.fns.usda.gov/fsp/rules/Memo/09/010809.pdf>

² http://www.workforcesecurity.doleta.gov/unemploy/euc_trigger/2009/euc_011809.html

³ Extended Benefits Trigger Notices can be found at http://www.workforcesecurity.doleta.gov/unemploy/claims_arch.asp Trigger notice 2009-1 was issued the week of January 18, 2009.