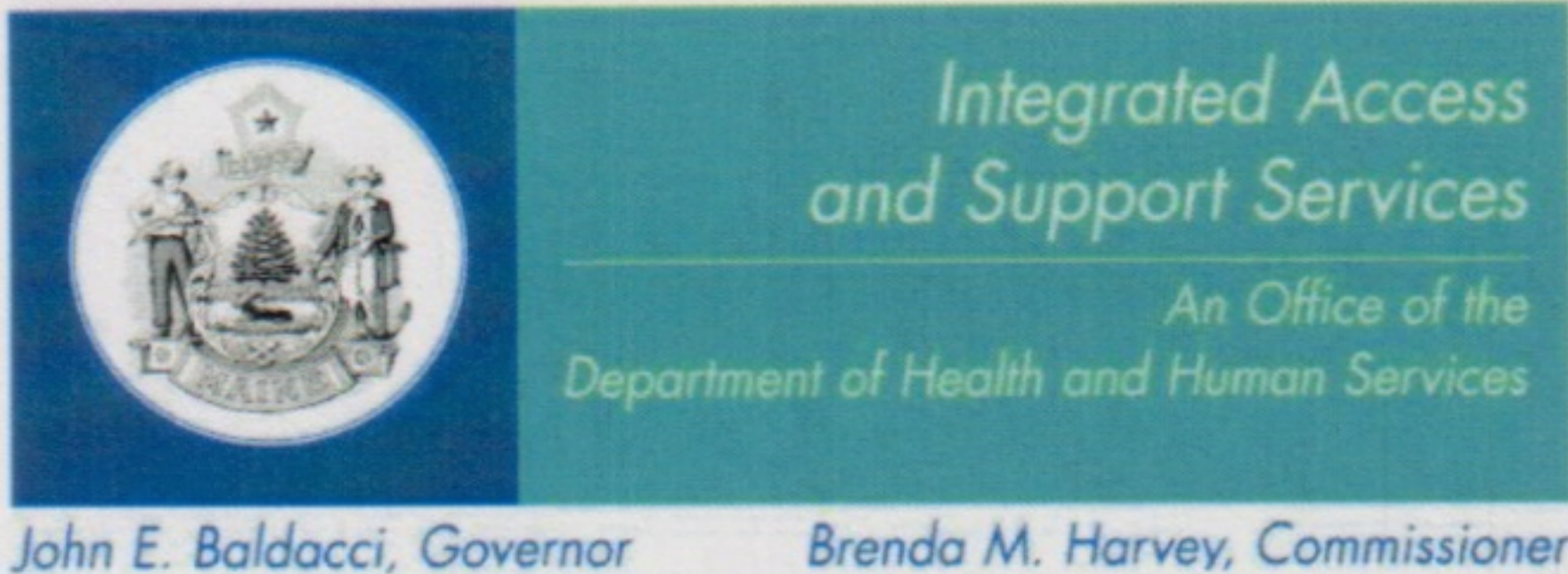




Department of Health and Human Services
Integrated Access and Support Services
268 Whitten Road
11 State House Station
Augusta, Maine 04333-0011
Tel: (207) 287-2826; Toll-Free: -800-442-6003
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February 10, 2009

MaryAnn Ferris
SNAP Director
Food & Nutrition Services
NERO
10 Causeway Street
Boston, MA 02222

Dear Ms. Ferris:

This is a request for a modification and extension for waiver #970315. This will ease our efforts in the administration of policies regarding the ABAWD population.

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

FNS recently issued new guidance regarding qualifying for a statewide ABAWD waiver based on triggering extended unemployment benefits. This guidance was used to write this request. The actual waiver background material for this request is being sent electronically.

We are in hopes of a quick response, as we will need to reprogram our ACES system and adopt new policies.

Thank you for any assistance you may provide. If you have any questions, please contact Bob Thibodeau at (207) 287-5054.

Sincerely,

Barbara J. VanBurgel, Director
Office of Integrated Access and Support

WAIVER REQUEST

1. Waiver serial number:

970135

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:

Maine

6. Region:

Northeast

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:

Maine 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 a State's seasonally adjusted TUR for the most recent three months reach at least 6.0 percent.

The Department of Labor's EUC Trigger Notice No. 2009 - 3³ shows the State's 3-month average total unemployment rate (TUR) was 6.3 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.

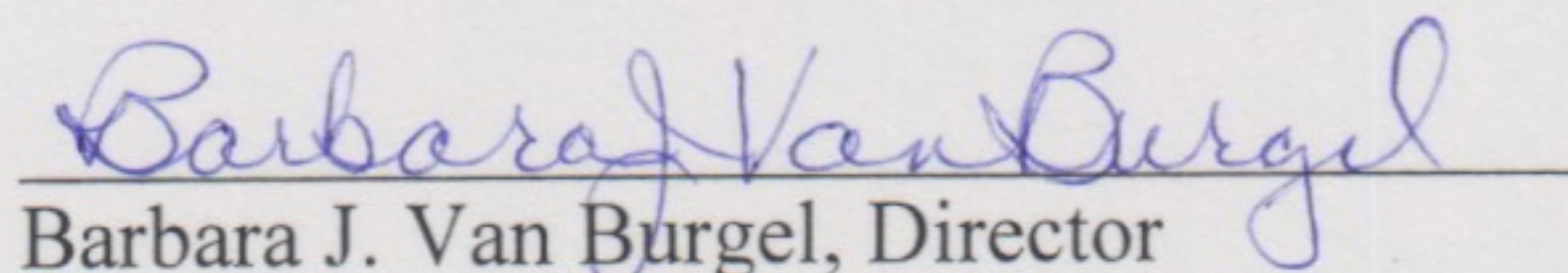
10. Anticipated implementation date and time period for which waiver is needed:

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

11. Proposed quality control review procedures:

There are no special quality control procedures needed in conjunction with this waiver.

12. Signature and title of requesting official:


Barbara J. Van Burgel, Director
Office of Integrated Access and Support

13. Date of request:

February 10, 2009

¹ SNAP-ABAWD Statewide Waivers-New Criteria for Unemployment Insurance Extended Benefits Trigger guidance issued by FNS on January 8, 2009. Please see attachment.

² http://www.workforcesecurity.doleta.gov/unemploy/euc_trigger/2008/euc_112308.pdf

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