



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF HUMAN SERVICES  
LANSING

MAURA D. CORRIGAN  
DIRECTOR

July 12, 2013

Trish Solis, Director  
Supplemental Nutrition Assistance Program  
Midwest Regional Office  
USDA Food & Nutrition Service  
77 West Jackson Blvd., 20th Floor  
Chicago, IL 60604-3591

Dear Ms. Solis,

Pursuant to the Jan 8, 2009 memorandum *SNAP- ABAWD Statewide Waivers - New Criteria for Unemployment Insurance Extended Benefits Trigger*, please consider this Michigan's official request to extend the state's waiver to the Able Bodied Adults Without Dependents restrictions, as set forth in 7 CFR 273.24 through September 30, 2014. We believe Michigan meets the eligibility for this waiver extension on the basis of the aforementioned memo, as well as its eligibility for at least second tier of Emergency Unemployment Compensation (EUC) benefits, as outlined in the June 23, 2013 trigger notice from the Department of Labor (DOL). Both of these items are attached to this document for your reference.

Outlined below are the specific details to support Michigan's request for the extension of this waiver, as well as supporting verification of the state's continued eligibility.

**Waiver serial number:** 2040026      **Type of request:** Extension

**State:** Michigan      **Region:** MWRO

**Primary regulation citation:** Section 6 (o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.

**Secondary regulation citation:** 7 CFR 273.24 (f)(2)(ii)

**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 for more than 3 months, if during the preceding 36-month period, 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 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.

**Description of the proposed alternative procedures:**

Under SNAP regulations at 7 CFR 273.24(f)(2), a State can qualify for a 12-month statewide ABAWD waiver if the Department of Labor (DOL)'s Unemployment Insurance Service determines it meets the criteria for extended unemployment benefits (EB) as evidence of insufficient jobs. The Unemployment Compensation Extension Act of 2008 (P.L. 110-449), which was signed into law on November 21, 2008, introduced new criteria used by DOL for the EB program.

As a result, some States qualify for extended unemployment benefits based on the criteria of the Emergency Unemployment Compensation (EUC) program, rather than the traditional EB criteria. States may be eligible for statewide waivers if the state is listed on the DOL Extended Benefits Trigger Notice as being "ON" extended benefits, regardless of whether the State qualified based on the traditional EB criteria or the revised EUC criteria.<sup>i</sup>

The DOL began determining and publishing which states were eligible for the different levels of EUC in November 2008 on the EUC Trigger Notice. The criteria for EUC have been modified several times<sup>ii</sup>, but currently to qualify for the second tier of benefits<sup>iii</sup>, states must have a 3-month average Total Unemployment Rate (TUR) of 6 percent or more.

The Department of Labor's EUC Trigger Notice No. 2013 - 23<sup>iv</sup> on June 23, 2013 shows the State's 3-month TUR was 8.4 percent, making the State eligible for the third tier of emergency unemployment compensation benefits.

**Justification for request:** As stated above, 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.

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

The State is requesting a one-year waiver from October 1, 2013 through September 30, 2014.

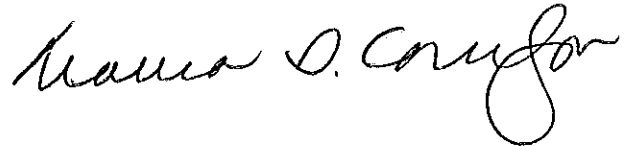
**Proposed quality control review procedures:**

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

July 12, 2013

If you require additional information, please contact Kimberly Keilen, Director, Michigan Department of Human Services (MDHS), Division of Adult and Family Services, at (517) 373-6351 or [keilenk@michigan.gov](mailto:keilenk@michigan.gov).

Sincerely,



Maura D. Corrigan

c: Kimberly Keilen, MI Department of Human Services  
Paul Smith, MI Department of Human Services  
Angela Byron, USDA Food and Nutrition Service

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<sup>i</sup> 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/snap/rules/Memo/2009/010809.pdf>.

<sup>ii</sup> <http://www.ows.doleta.gov/unemploy/pdf/euc08.pdf> lists the different modifications to the program. The most recent, the American Taxpayer Relief Act of 2012 (P.L. 112-240), extended the expiration date of the EUC program to January 1, 2014.

<sup>iii</sup> Currently, all states are eligible for the first tier of benefits; Tier 2 requires a 6% TUR, Tier 3 requires a 4% 13-week Insured Unemployment Rate (IUR) or a 7% TUR, and Tier 4 requires a 6% IUR or a 9% TUR.

<sup>iv</sup> Extended Benefits Trigger Notices can be found at: [http://www.workforcesecurity.doleta.gov/unemploy/claims\\_arch.asp](http://www.workforcesecurity.doleta.gov/unemploy/claims_arch.asp). This trigger notice is located at [https://ows.doleta.gov/unemploy/euc\\_trigger/2013/euc\\_062313.html](https://ows.doleta.gov/unemploy/euc_trigger/2013/euc_062313.html). Trigger notice was issued the week of June 23, 2013.