

STATE OF ALASKA

DEPT. OF HEALTH AND SOCIAL SERVICES

DIVISION OF PUBLIC ASSISTANCE

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August 13, 2012

Dennis Stewart
Regional Director
FNS/WRO/USDA
Food Stamp Program
90 Seventh Street, Suite 10-100
San Francisco, CA 94103

Dear Mr. Stewart:

The State of Alaska is submitting the enclosed request for approval of a waiver renewal concerning ABAWD work requirements.

We are seeking to renew our current year-round statewide waiver that exempts all able-bodied adults residing in Alaska from the ABAWD work requirements. Alaska requests this waiver be approved for two years, through September 30, 2013. Our current waiver expires on September 30, 2012.

FNS guidance issued March 21, 2012 stated states qualify for an ABAWD waiver if the Department of Labor's Unemployment Insurance Service determines it meets the criteria for extended unemployment benefits. States that meet the extended benefit criteria can qualify for a waiver up to 12 months after the trigger date.

Alaska triggered off Federal Extended Benefits in May 2012 due to the seasonal nature of work in Alaska. However, residents of Alaska are still eligible to receive extended unemployment benefits under Tiers I, II and III. Since Alaska has qualified for Federal extended benefits within the last 12 months, we believe we continue to qualify for the ABAWD Waiver.

If you have any questions or require additional information, please contact Monica Mitchell at (907) 465-5835.

Sincerely,



Erin Walker-Tolles
Program Officer
Chief of Policy & Program Development

Enclosure

**WAIVER REQUEST
STATE OF ALASKA**

ABAWD Work Requirements
August 13, 2012

1. Waiver Serial Number: 2030035 (expires September 30, 2012)

2. Type of Request: Request for Extension

3. Primary Regulation Citation:

7 CFR 273.24 – Time limit for able-bodied adults

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

4. State: Alaska

5. Region: Western Region

6. Regulatory Requirements:

The Food Stamp Program (FSP) Regulations at 7 CFR 273.24(b) provide that no individual shall be eligible to participate in the FSP 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; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with requirements of a program or a comparable program established by the State; or received benefits because he/she was exempt from these requirements.

The FSP Regulations at 7 CFR 273.24(f) also provide that, at 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 determines that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have enough jobs to provide employment for the individuals. Under 7 CFR 273.24(f)(2)(ii) states may support a claim of lack of sufficient jobs by submitting evidence of high unemployment as determined by the Department of Labor's Unemployment Insurance Service qualifying areas for extended unemployment benefits.

7. Description of the Proposed Alternative Procedures:

Alaska is seeking to renew its current year-round statewide waiver from Section 6(o) of the Food Stamp Act (7 CFR 273.24), exempting all able-bodied adults residing in Alaska from the ABAWD work requirements. Alaska requests this waiver be approved for two years, through September 30, 2013.

8. Justification for Request:

Under 7 C.F.R. 273.24(f)(1)(ii), FNS will approve state agency waivers where FNS confirms a state “does not have a sufficient number of jobs to provide employment to individuals.” According to 7 C.F.R. 273.24(f)(2)(ii), states can support this claim by verifying the Department of Labor’s Unemployment Services has determined resident’s eligibility for extended benefits.

The March 12, 2012, memorandum from Lizbeth Silbermann, Director of Program Development, states FNS can approve a waiver if the State’s unemployment triggers the criteria for extended benefit compensation. States that meet the EB criteria can qualify for a 12-month statewide ABAWD waiver up to 12 months after the trigger date.

Historically, Alaska triggers on EB in January or February and off in June or July due to the seasonal nature of employment in many communities. Alaska triggered off EB in May 2012. The fact that Alaska did trigger on EB in FY 12 qualifies Alaska for the statewide ABAWD waiver.

9. Anticipated Impact on Households and State Agency Operations:

Alaska has had an approved statewide waiver since March 2004 based on Labor Surplus Area designations and the 24-month unemployment rate, and most recently based on the 36-month unemployment rate. The year-round statewide waiver has benefited both households and state agency operations.

- It eases the hardship for low-income Alaskans caused by limiting food assistance when there are not enough jobs available for everyone wanting to work.
- Alaska is a vast state with a small population. Local economies in many areas, particularly remote rural regions, simply cannot provide sufficient year-round paid employment. This fact coupled with the severity and length of winter contributes to persistently high unemployment in Alaska’s rural areas.
- Application of Food Stamp Program policy is simplified for agency staff. With an approved waiver to exempt all areas of the state year-round, there is no longer a need to track countable months and three-year eligibility periods.

- Since the implementation of the statewide year-round waiver in March 2004, payment accuracy has improved. Alaska's Quality Control error rate was 13.9% in FFY 2003. Our error rate has continued to improve: FFY 2009 3.81%, FFY 2010 2.15%, and FFY 2011 .76%.

10. Anticipated Implementation Date and Time Period Waiver is Needed:

Alaska requests this waiver extension be approved for two years, effective October 1, 2012, through September 30, 2013.

Signature and Title of Requesting Official:



Erin Walker-Tolles, Program Officer
Chief of Policy & Program Development
Division of Public Assistance
Department of Health & Social Services
State of Alaska



Date