



SEP 28 2012

United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Ms. Pamela Schoenrock
Administrator, Food Programs
Nebraska Department of Health & Human Services
P.O. Box 95026
Lincoln, Nebraska 68509

RE: SNAP – Nebraska Extension of Able-Bodied Adults without Dependents
(ABAWD) Waiver – Thurston County, Omaha Reservation, Winnebago Reservation –
FY 2013

This is in response to the Nebraska Division of Children and Family Services request to extend and modify waiver #970152 to exempt ABAWDs in certain areas of the State from Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24.

The Nebraska State agency has requested to exempt individuals residing in Thurston County and Omaha and Winnebago Reservations from ABAWD time limits for fiscal year 2013. The State agency is requesting this waiver based on Thurston County's designation as a Labor Surplus Area (LSA) for fiscal year 2012 by the US Department of Labor. SNAP regulations provide that waivers based on an LSA designation for the current fiscal year are readily approvable.

Based upon a review of the data provided, FNS is approving this waiver for a 1-year period, effective October 1, 2012 through September 30, 2013. Our detailed response is attached. If you have any questions, please contact Vicki Flores at Victoria.Flores@fns.usda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Kline", is written over a circular stamp or seal.

Angela Kline
Chief
Certification Policy Branch
Program Development Division

Attachment

SND

WAIVER RESPONSE

1. **Waiver serial number:** 970152
2. **Type of request:** Extension and modification
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **State:** Nebraska
5. **Region:** Mountain Plains
6. **Regulatory requirements:** 7 CFR 273.24 provides that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than three 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 under Section 20 of the Food and Nutrition Act or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f)(1) also provides that, 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 Secretary 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.

7 CFR 273.24(f)(3) lists waivers of the three month time limit that are readily approvable, including a waiver request that includes evidence that an area has been designated a Labor Surplus Area (LSA) for the current fiscal year.

7. **Description of alternative procedures:** The Nebraska State Agency is requesting a modification and extension of its waiver to exempt from ABAWD requirements individuals residing in Thurston County and Winnebago and Omaha Reservations. Thurston County has been designated as an LSA by the United States Department of Labor for fiscal year 2012. Winnebago and Omaha Reservations are primarily located in Thurston County.
8. **Action and reason for approval or denial:** We are approving the waiver as requested. Thurston County has been designated as a Labor Surplus Area (LSA) by the Department of Labor (DOL) for fiscal year 2012.

9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension, the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3).
12. **Expiration date:** The waiver is effective beginning on October 1, 2012 and will expire on September 30, 2013.
13. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Nebraska State agency.
14. **Quality control procedures:** N/A
15. **Date of State agency's request:** August 23, 2012
16. **Date of regional office transmittal of request to national office:** September 4, 2012
17. **Date of national office action:** SEP 28 2012
18. **Anticipated implementation date (*notify FNS if actual date differs*):** September 1, 2012
19. **State agency contact:** Pamela Schoenrock, Pam.Schoenrock@nebraska.gov
20. **FNS regional contact:** Vicki Flores, Victoria.Flores@fns.usda.gov
21. **FNS national office contact:** Stephanie Davis, Stephanie.Davis@fns.usda.gov