



SEP 12 2012

United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Ms. Terry R. Smith
Director
Division of Family Assistance
New Hampshire Department of Health and Human Services
129 Pleasant Street
Concord, New Hampshire 03301-3857

Dear Ms. Smith:

RE: SNAP – New Hampshire Request to Waive Work Requirements for Able-Bodied Adults without Dependents

This letter is in response to the New Hampshire Department of Health and Human Services' request (2120040) for a statewide waiver of the Supplemental Nutrition Assistance Program (SNAP) participation time limit for able-bodied adults without dependants (ABAWDs).

The Food and Nutrition Act of 2008 establishes that requests such as yours must be supported by "an unemployment rate of over 10 percent" or a lack of "sufficient number of jobs to provide employment for the individuals" [§6(o)(4)(a)]. In reviewing your request, we did not find evidence of the necessary unemployment rate or of an insufficient number of jobs, pursuant to the ABAWD waiver guidelines provided in SNAP regulations at 7 CFR 273.24(f). Unfortunately, the Food and Nutrition Service (FNS) cannot approve your request based upon the data submitted.

In considering unemployment rates, FNS looks for (1) standard Bureau of Labor Statistics (BLS) data of an unemployment rate above 10 percent or (2) standard BLS data of an unemployment rate 20 percent higher than the national average. Your request uses BLS data that includes underemployment as well as unemployment (the U-6 rate) above 10 percent. However, the table provided in Attachment 1 of your request does not indicate actual *unemployment* (the U-3 rate) above 10 percent, nor does it indicate an unemployment rate 20 percent higher than the national average. The U-3 rate, the official unemployment rate, must exceed 10 percent or reach 20 percent above the national average to warrant approval. You also included academic studies to support your request. Though this data indicates a decline in some employment areas, it shows growth in others, and does not adequately indicate an absence of sufficient number of jobs to provide employment. Though the data included in Attachment 6 of your request is credible, FNS does not consider data from fiscal year (FY) 2010 to be recent enough to support a claim of continued lack of employment opportunities for FY 2013.

Guidance for States Seeking Waivers for Food Stamp Limits, created in 1996 and available online at <http://www.fns.usda.gov/snap/rules/memo/1996/961203-1.htm>, offers

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a detailed explanation of the standards by which FNS evaluates requests to waive work requirements for ABAWDs. We encourage you to consult this guidance when preparing future requests. If you have any questions, please contact Alison Mickiewicz at (617) 565-6344.

Sincerely,

A handwritten signature in black ink, reading "Lizbeth Silberman". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Lizbeth Silberman

Director

Program Development Division