



United States Department of Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

NOV 29 2013

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

RE: SNAP – New Hampshire Request to Waive Able-bodied Adults without
Dependents Time Limits – Partial Approval

Dear Ms. Smith:

This is in response to the New Hampshire Department of Health and Human Services' request to exempt able-bodied adults without dependents (ABAWDs) in the towns of Clarksville, Dummer, Errol, Hart's Location, Randolph, Stark, Stewartstown, Stratford, and Wentworth Location from the Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24 for Federal Fiscal Year (FY) 2014.

Based upon the supporting data that the State agency has provided, the Food and Nutrition Service (FNS) has determined that seven of the nine requested towns qualify for a waiver of the ABAWD time limits for FY 2014. The towns of Dummer, Errol, Stark, and Wentworth Location qualify based upon having average unemployment rates 20 percent above the national average during the 24-month period of July 2011 through June 2013. The towns of Clarksville and Stewartstown qualify based upon having average unemployment rates over 10 percent during the recent three-month period of April through June 2013. Furthermore, the town of Randolph also qualifies based upon having an average unemployment rate over 10 percent during the recent three-month period of February through April 2013. Unfortunately, the towns of Hart's Location and Stratford do not qualify for a waiver of the ABAWD time limits, as the data provided is not recent enough to support approval. However, FNS would reconsider a request for these locations if the State provides more recent data.

As indicated above, FNS is partially approving this waiver for the eligible towns for a one-year period, effective October 1, 2013 through September 30, 2014.

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Our detailed response is attached. If you have any questions, please contact
Alison Mickiewicz at alison.mickiewicz@fns.usda.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'A Kline', with a stylized flourish at the end.

Angela Kline
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver Serial Number:** 2130035
2. **Type of Request:** Initial
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** New Hampshire
5. **Region:** Northeast
6. **Regulatory Requirement:** Federal regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than three months during any three year period in which the individual was subject to, but did not comply with the SNAP work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

Regulations at 7 CFR 273.24(f) also provide that, upon the request of a State agency, the Secretary 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. **Description of proposed alternative procedures:** The State of New Hampshire is requesting to exempt able-bodied adults without dependents (ABAWDs) from SNAP time limits at 7 CFR 273.24 for Federal Fiscal Year (FY) 2014 in nine towns.

The State has requested to exempt ABAWDs in the towns of Dummer, Errol, Stark, and Wentworth Location based upon having average unemployment rates 20 percent above the national average during the 24-month period of July 2011 through June 2013. The national average plus 20 percent during this period was 9.8 percent.

AREA	UNEMPLOYMENT RATE: JUL 2011 – JUN 2013
Dummer town	9.9
Errol town	10.5
Stark town	12.5
Wentworth Location	14.2
National Average Plus 20 Percent	9.8

The State has also requested to exempt individuals in the towns of Hart's Location and Stratford based on having an average unemployment rate 20-percent above the national average during the 24-month period of April 2010 through March 2012. The national average plus 20 percent during this period was 10.9 percent.

AREA	UNEMPLOYMENT RATE: APR 2010-MAR 2012
Hart's Location town	13.4
Stratford Town	11.4
National Average Plus 20 Percent	10.9

The State has also requested to exempt ABAWDs in the towns of Clarksville and Stewartstown based upon having average unemployment rates over 10 percent for a recent three-month period. These towns had average unemployment rates over 10 percent for the three-month period of April through June 2013.

AREA	UNEMPLOYMENT RATE: APR 2013 – JUN 2013
Clarksville town	10.6
Stewartstown town	12.5
Threshold	10.0

Furthermore, the State has requested to exempt individuals in the town of Randolph based on an average unemployment rate over 10 percent for the three-month period of February through April 2013.

AREA	UNEMPLOYMENT RATE: FEB 2013 - APR 2013
Randolph town	10.7
Threshold	10.0

8. **Action and reason for approval or denial:** FNS is approving the New Hampshire State agency's request to waive ABAWD time limits in the towns of Clarksville, Dummer, Errol, Randolph, Stark, Stewartstown, and Wentworth Location, as these areas meet the requirements of approval pursuant to 7 CFR 273.24(f)(3) and relevant FNS guidance.

The towns of Dummer, Errol, Stark, and Wentworth Location qualify based upon having average unemployment rates 20 percent above the national average during the 24-month period of July 2011 through June 2013. The towns of Clarksville and Stewartstown qualify based upon having unemployment rates over 10 percent for the recent three-month period of April 2013 through June 2013. Furthermore, the town of Randolph qualifies based upon having an unemployment rate over 10 percent for the recent three-month period of February 2013 through April 2013.

However, the towns of Hart's Location and Stratford do not qualify for a waiver of the ABAWD time limits because the data the State agency has provided is not recent enough. FNS policy requires that the 24-month time period used to demonstrate that an area's unemployment rate has reached 20 percent above the national average begin no earlier than the period that the Department of Labor Employment and Training Administration (DOLETA) uses to designate labor surplus areas (LSA) for the current Federal Fiscal Year. DOLETA's 24-month period for FFY 2014 LSA list runs from January 1, 2011 through December 31, 2012. Because the unemployment data that the State provided for the towns of Hart's Location and Stratford begins in April 2010, it does not adequately support an approval.

9. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i),(ii) and (iii).
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). If New Hampshire wishes to receive an extension based on unemployment rates, they must provide FNS with a waiver request along with all supporting documentation, including spreadsheets.
12. **Expiration date:** This waiver is effective beginning October 1, 2013, and will expire on September 30, 2014.

13. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the New Hampshire Department of Health and Human Services.
14. **Quality control procedures:** None
15. **Date of national office action:** NOV 29 2013
16. **Date of State agency's request:** October 24, 2013
17. **Date of regional office transmittal of request:** October 24, 2013
18. **Implementation date (notify FNS if actual date differs):**
October 1, 2013
19. **State agency contact:**
Laurie A. Green
LAGreen@dhhs.state.nh.us
(603) 271-9283
20. **FNS regional contact:**
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