



United States
Department of
Agriculture

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Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

2020120

SUBJECT: SNAP - Mississippi – Able-bodied Adults without Dependents
(ABAWDs) Statewide Waiver 2020120 – 7 CFR 273.24 – Extension --
Approval

TO: Peggy Fouts, Regional Director
Supplemental Nutrition Assistance Program (SNAP)
Southeast Region

This is in response to the Mississippi State agency's request to extend its current waiver (2020120), which exempts all individuals residing in the entire state from the work requirements of 7 CFR 273.24 based on insufficient jobs. Under the waiver extension, all residents of the entire State would continue to be exempt from work requirements, based on Department of Labor data which shows the State had an unemployment rate that was at least 20 percent above the national average for the 36-month period of November 2005 through October 2008. The Southeast Regional Office recommends approval of this request.

Food and Nutrition Service (FNS) is approving this waiver extension for two years, effective April 1, 2009 through March 31, 2011, as requested by the State agency. However, Section 101(e) of the recently-enacted American Recovery and Reinvestment Act of 2009 (ARRA) suspends the work requirements of 7 CFR 273.24 for eighteen months, from April 1, 2009 through September 30, 2010 (unless State agencies choose to impose specific work requirements) so waivers are not required to exempt ABAWDs from the time limit during this period. Because Mississippi's request covers a two-year time period that extends six months beyond the expiration of the ARRA's suspension of the work requirements, this waiver approval allows the State to continue to exempt ABAWDs on a statewide basis for an additional six months after the ARRA provision expires.

Additional information about the approval is provided in the attached waiver response form. If you have any questions, please contact Linda Jupin at Linda.Jupin@fns.usda.gov or by phone at (703) 305-2468.

Angela Kline
Assistant Branch Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 2020120
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** None
5. **State:** Mississippi
6. **Region:** Southeast Region
7. **Regulatory Requirements:** Under 7 CFR 273.24(b), an individual is not 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 SNAP 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; 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, 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.
8. **Description of proposed alternative procedures:** Mississippi is requesting a statewide waiver of SNAP regulations at 273.24(b), based on a 36-month unemployment rate that is 20 percent above the national average. Mississippi's unemployment rate for November 2005 through October 2008 was 6.7 percent, which exceeds the applicable national threshold. During this period the national average unemployment rate was 4.9 percent. The 20 percent threshold based on this rate is 5.9 percent.
9. **Action and reason for approval or denial:** The waiver is approved pursuant to 7 CFR 273.24(f), which allows FNS to waive the applicability of the work requirement provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has insufficient jobs.
10. **Regulatory or legislative basis for action:** This waiver is approved under the authority of 7 CFR 273.24(f), which allows FNS to waive the applicability of the work requirement provision for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has insufficient jobs.

11. **Conditions and reasons:** None
12. **Information required for extension:** To receive an extension, the State agency must provide data indicating that there are insufficient jobs in the State.
13. **Expiration date:** This waiver extension is approved effective April 1, 2009 and will expire on March 31, 2011.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Mississippi Department of Human Services.
15. **Quality Control Procedures:** None
16. **Date of national office action:** February 25, 2009
17. **Date of State Agency's request:** December 17, 2008
18. **Date of regional office transmittal of request to National Office:** January 21, 2009
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**