



Food and
Nutrition
Service

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Date: August 1, 2019

Alexis Fernández
Chief, CalFresh and Nutrition Branch
California Department of Social Services
744P Street
Sacramento, California 95814

Supplemental Nutrition Assistance Program (SNAP) – California Request to Waive Able-Bodied Adults Without Dependents Time Limit – Approval

Dear Ms. Fernández:

This is in response to the California State agency's September 27, 2018, request to waive the SNAP time limit for able-bodied adults without dependents in 52 counties from September 1, 2019, through August 31, 2020.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving the State to waive the time limit for a 12-month period as requested. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. Please contact your FNS Regional Office with any questions.

FNS notes that the State agency followed up with FNS in April 2019. In the letter, the State agency asked for timely approval of the waiver request so that California can plan to implement program policy in impacted counties. The State also indicated that any delay in these activities could impact quality control and program integrity, and require a shift in State and county staffing resources. Based on these points, we are concerned that California mistakenly thinks that its responsibility to track ABAWDs time limit is contingent upon FNS's response to its pending waiver request. To be clear, this is not the case.

ABAWD waivers are temporary, and do not permit a State to ignore ABAWD tracking. Generally speaking, tracking means identifying ABAWDs, or screening all household members for exemptions, as well as documenting whether or not an ABAWD is meeting the work requirement and measuring the 3-year period. States must continue to track ABAWDs, even in waived areas, so that they will be ready transition off-of the temporary waiver and reintroduce the time limit when a waiver expires.

As you may be aware, FNS has proposed regulations that would strengthen the standards by which areas can qualify for these waivers so that the statutory ABAWD work requirement is applied more broadly. The rule, once finalized, could change the qualifying areas and approval period for this waiver.

Moving forward, FNS will be taking actions to support the Administration's priority to provide able-bodied Americans a path to self-sufficiency. This goal requires that we establish a clear and mutual commitment to moving SNAP participants to meaningful employment.

Sincerely,



Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

1. **Serial Number:** 2150019
2. **Request Type:** Amendment and Extension
3. **Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory Citation:** 7 CFR 273.24
5. **State:** California
6. **Food and Nutrition Service (FNS) Region:** Western
7. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008 and 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 3 months during any 3-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) and 7 CFR 273.24 also provide that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit 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.
8. **Requested Area(s) and Support:** The California State agency requested to waive the ABAWD time limit in a total of 52 counties from September 1, 2019, through August 31, 2020. The State agency grouped 52 counties for consideration as an economically tied, combined area. The State agency supported its request based upon these areas having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of January 2016 through December 2017. During this time period the national average unemployment rate was 4.6 percent; 20 percent above that rate is 5.5 percent. The unemployment rate for the 52 county combined area was 5.5 percent during the same time period (areas listed below in Table 1).

Table 1: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data January 2016 through December 2017)

Counties
1. Alpine County
2. Amador County
3. Butte County
4. Calaveras County
5. Colusa County
6. Del Norte County
7. El Dorado County

Counties
8. Fresno County
9. Glenn County
10. Humboldt County
11. Imperial County
12. Inyo County
13. Kern County
14. Kings County
15. Lake County
16. Lassen County
17. Los Angeles County
18. Madera County
19. Mariposa County
20. Mendocino County
21. Merced County
22. Modoc County
23. Mono County
24. Monterey County
25. Napa County
26. Nevada County
27. Orange County
28. Placer County
29. Plumas County
30. Riverside County
31. Sacramento County
32. San Benito County
33. San Bernardino County
34. San Diego County
35. San Joaquin County
36. San Luis Obispo County
37. Santa Barbara County
38. Santa Cruz County
39. Shasta County
40. Sierra County
41. Siskiyou County
42. Solano County
43. Sonoma County
44. Stanislaus County
45. Sutter County
46. Tehama County
47. Trinity County

Counties
48. Tulare County
49. Tuolumne County
50. Ventura County
51. Yolo County
52. Yuba County
Combined Area Unemployment Rate: 5.5%
Data extracted from http://www.bls.gov on July 16, 2019

- 9. FNS Action and Justification:** FNS is approving the State agency to waive the ABAWD time limit as requested. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 10. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 11. Implementation Date:** September 1, 2019
- 12. Expiration Date:** August 31, 2020
- 13. Information Required for Amendment or Extension:** To receive an amendment or extension the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.

- 14. State Agency Contact Information:**
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- 15. FNS Regional Office Contact Information:**
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