



United States Department of Agriculture
Food and Nutrition Service

Western Region

November 16, 2015

Reply to: SNAP – 10-6 CA/Waiver
Attn of:

Subject: California Request to Extend Able-Bodied Adults without Dependents Time Limits Waiver

To: Sasha Gersten-Paal, Chief
Certification Policy Branch
Program Development Division

Attached is California's request to modify and extend its current statewide waiver exempting Able-Bodied Adults without Dependents (ABAWD) from the time limits under 7 CFR 273.24, from January 1, 2017 to December 31, 2017. California's request is based on insufficient jobs and an unemployment rate greater than twenty (20) percent.

The regulations at 7 CFR 273.24(f)(2)(ii) stipulates that an area with a 24-month average unemployment rate that is twenty (20) percent above the national average for the same 24-month period qualifies for a waiver of ABAWD time limits. The request also cites FNS guidance from February 2006 stating that areas can be eligible for two-year waivers if they demonstrate that an area has "an unemployment rate greater than 20 percent above the national average for a 36-month period, ending no earlier than three months prior to the request." To support their request, California submitted Labor Surplus Area data from the Department of Labor, and unemployment statistics for a 36-month period through August 2015.

FNS Western Region has verified the supporting documentation for this request and recommends approval to extend California's ABAWD time limits waiver for an additional twelve (12) months from its current expiration date to September 30, 2017.

If you have any questions regarding the waiver request, please contact me at (415) 645-1923 or Shahdy.Monemzadeh@fns.usda.gov

Sincerely,

SHAHDY MONEMZADEH
Acting Team Leader, Self Sufficiency & Access
Supplemental Nutrition Assistance Program
Western Region

Attachment

cc: Casey McConnell, SNAP
Maribelle Balbes, WRO SNAP
Barbara Utuchian, WRO SNAP



CDSS

WILL LIGHTBOURNE
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
744 P Street • Sacramento, CA 95814 • www.cdss.ca.gov



EDMUND G. BROWN JR.
GOVERNOR

October 30, 2015

Mr. Dennis Stewart, Division Director
Supplemental Nutrition Assistance Program
Western Region
Food and Nutrition Service
90 Seventh Street, Suite 10-100
San Francisco, CA 94103

Dear Mr. Stewart:

The California Department of Social Services (CDSS) is requesting a modification and extension of its Able-Bodied Adult Without Dependents (ABAWD) waiver. Presently the State of California presently has a 1-year ABAWD waiver with FNS with a 3-month extension which runs through December 31, 2016. This new waiver would continue in all counties in California and would last for two year's beginning January 1, 2016 and ending December 31, 2017. The waiver modification is based on an unemployment rate greater than 20 percent above the national average for the 36-month period of September 2012 through August 2015.

Federal regulations at 7 CFR 273.7 (f) (2) (ii) list those waiver criteria that qualify a geographic region for an ABAWD waiver based on lack of sufficient jobs. These criteria include having a 24-month average unemployment rate that is 20 percent above the national average for the same 24-month period. This 24-month period may not be any earlier than the same 24-month period the Department of Labor's Employment and Training Administration (ETA) uses to designate Labor Surplus Areas (LSAs) for the current fiscal year. Guidance issued by FNS in February 2006 states that areas can be eligible for two-year waivers if they demonstrate that an area has "an unemployment rate greater than 20 percent above the national average for a 36-month period, ending no earlier than three months prior to the request".

California's average unemployment rate for the 36-month period of October 2012-September 2015 was 8.0 percent. The national average for this time period was 6.57 percent; 20 percent above that was 7.9 percent. The end date of this 36-month time period, September 2015, falls within three months of the request date. If granted, this wavier would supersede California's current ABAWD wavier.

Our waiver request along with supporting documentation is attached for review and consideration by the Food and Nutrition Service (FNS). Please respond to this request as soon as possible. If you have any questions concerning this letter or our waiver request, please contact Larry Lewis, Manager, CalFresh Policy Unit C at (916) 651-5255.

Sincerely,

KIM MCCOY WADE
Branch Chief
CalFresh Branch

STATE WAIVER REQUEST

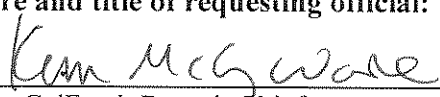
1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Extension
3. **Regulatory citation:** 7 CFR 273.24
4. **State:** California
5. **Region:** WRO
6. **Regulatory requirements:** Under 7 CFR 273.24(b) individuals are not eligible to participate in the Supplemental Nutrition Assistance 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, the Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if the 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.
7. **Description of alternative procedures:** The State of California presently has a 1-year ABAWD waiver with FNS with 3-month extension which runs through December 31, 2016. The State of California is requesting a 2-year statewide waiver from the time limit in lieu of the existing waiver.
8. **Justification for request:** This request to exempt residents residing in the entire State from the time limit in 7 CFR 273.24 due to having insufficient jobs is based on the State having an unemployment rate greater than 20 percent above the national average for the 36-month period of October 2012-September 2015. 7 CFR 273.24 (f)(2)(ii) states that, "To support a claim of lack of sufficient jobs, a State may submit evidence that an area (...) has a 24-month average unemployment rate 20 percent above the national average for the same 24-month period." Guidance issued by FNS in February 2006 states that areas can be eligible for two-year waivers if they demonstrate that an area has "an unemployment rate greater than 20 percent above the national average for a 36-month period, ending no earlier than three months prior to the request".¹

¹ Memo dated February 3, 2006. "FSP – 2-Year Approval of Waivers of the Work Requirements for ABAWDs under 7 CFR 273.24." <http://www.fns.usda.gov/sites/default/files/020306.pdf>

California's average unemployment rate for the 36-month the period of October 2012-September 2015 was 8.0 percent. The national average for this time period was 6.57 percent; 20 percent above that was 7.9 percent. The end date of this 36-month time period, August 2015, falls within three months of the request date.

	Labor Force Totals, September 2012-August 2015	Unemployment Totals, September 2012-August 2015	Average Unemployment Rate, September 2012-August 2015
California	676,201,892	53,942,114	8.0
20% Above the National Average Threshold	7.9		

9. **Anticipated impact on households and State agency operations:** This waiver will provide consistency for state operations.
10. **Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):** This waiver affects the entire state.
11. **Anticipated implementation date and time period for which waiver is needed:**
The State is requesting a two-year waiver, from January 1, 2016 through December 31, 2017.
12. **Proposed quality control review procedures:** There are no quality control procedures involved.
13. **State agency submitting waiver request and State contact person:**
California Department of Social Services/ CalFresh Branch
Ryan Fruchtenicht, Policy Bureau Chief
14. **Signature and title of requesting official:**

Title: CalFresh Branch Chief
Email for transmission of response: KimMcCoy.Wade@dss.ca.gov
15. **Date of request:** 10/821/15
16. **State agency staff contact (name/email/telephone):**
Larry Lewis
Laurence.Lewis@dss.ca.gov
916-651-5255
17. **Regional office contact person (to be completed by FNS regional office):**