



KIM JOHNSON
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY
DEPARTMENT OF SOCIAL SERVICES
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GAVIN NEWSOM
GOVERNOR

Charles Tobin, Director
Supplemental Nutrition Assistance Program
Western Regional Office
Food and Nutrition Service
90 Seventh Street, Suite 10-100
San Francisco, CA 94103

Dear Mr. Tobin:

The California Department of Social Services (CDSS) is requesting a one-year Able Bodied Adult without Dependents (ABAWD) time limit waiver to replace California's current waiver which is scheduled to end on August 31, 2020. The CDSS is requesting this waiver as a result of the Final Rule "Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents," published by the United States Department of Agriculture, Food and Nutrition Service on December 5, 2019 (84 FR 66782).

If approved, the waiver would be effective April 1, 2020 through March 31, 2021, and would apply in 18 of the 58 California counties. California seeks timely approval of this waiver request in order to effectively plan for implementation of the ABAWD time limit in 40 California counties as of April 1, 2020.

This request is based on 17 Labor Market Areas having an average unemployment rate of at least six percent and at least 20 percent above the national average for the 24-month period of July 2017 through June 2019. The national average unemployment rate for this 24-month period was 3.9 percent; 20 percent above the national average unemployment rate for this 24-month period was 4.7 percent. The justification for this waiver request has been provided by the Center on Budget and Policy Priorities and is attached for your consideration.

This request has been approved and respectfully submitted on behalf of the Governor of the State of California.

If you have any questions regarding this waiver request, you may contact our Acting Branch Chief Alexis Fernandez at (916) 654-1493 or Alexis.Fernandez@dss.ca.gov.

Sincerely,


KIM JOHNSON
Director

Enclosures

STATE WAIVER REQUEST

- 1. Waiver Serial Number (if applicable):** 2150019
- 2. Type of request:** Amendment
- 3. Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 4. Regulatory citation:** 7 CFR 273.24 as amended by the Final Rule "Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents," published by the United States Department of Agriculture, Food and Nutrition Service on December 5, 2019 (84 FR 66782).
- 5. State:** California
- 6. Region:** WRO
- 7. Regulatory requirements:** Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides that no able-bodied adult without dependents (ABAWD) 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 full 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) also provides 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 these individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for these individuals.
- 8. Description of alternative procedures:** The State of California is requesting to exempt ABAWDs in 17 Labor Market Areas (LMAs) from the ABAWD time limit at 7 CFR 273.24 as amended by the Final Rule (84 FR 66782).
- 9. Justification for request:**
Under SNAP regulations at 7 CFR 273.24(f)(2), areas may support a claim of insufficient jobs to provide employment for these individuals by submitting evidence that an area has an average unemployment rate for a 24-month time period that exceeds the national average for the same 24-month period by 20 percent, but in no case may the 24-month average unemployment rate of the requested area(s) be less than 6 percent. 7 CFR 273.24(f)(4) provides that an LMA, the intrastate part of an interstate LMA, a reservation area, or a U.S. Territory may be considered areas for the purposes of waiver requests.

The State of California seeks a waiver for 17 LMAs based on each LMA having an average unemployment rate of at least 6 percent and at least 20 percent above the national average for the 24-month period of July 2017 through June 2019. The national average unemployment rate for this 24-month period was 3.9 percent; 20 percent above the national average unemployment rate for this 24-month period was 4.7 percent.

Bureau of Labor Statistics Local Area Unemployment Data July 2017 through June 2019			
Labor Market Areas	Unemployed Total	Labor Force Total	Unemployment Rate
Bakersfield, CA Metropolitan Statistical Area	761,050	9,293,990	8.2
Colusa County, CA	34,941	264,906	13.2
El Centro, CA Metropolitan Statistical Area	314,821	1,703,894	18.5
Fresno, CA Metropolitan Statistical Area	827,116	10,780,022	7.7
Glenn County, CA	20,557	307,242	6.7
Hanford-Corcoran, CA Metropolitan Statistical Area	111,361	1,388,405	8.0
Madera, CA Metropolitan Statistical Area	106,794	1,476,682	7.2
Merced, CA Metropolitan Statistical Area	235,251	2,773,282	8.5
Modesto, CA Metropolitan Statistical Area	382,422	5,835,564	6.6
Modoc County, CA	5,871	76,455	7.7
Plumas County, CA	14,927	188,788	7.9
Salinas, CA Metropolitan Statistical Area	347,991	5,372,759	6.5
Sierra County, CA	1,851	30,786	6.0
Siskiyou County, CA	28,794	420,167	6.9
Stockton-Lodi, CA Metropolitan Statistical Area	484,628	7,817,231	6.2
Visalia-Porterville, CA Metropolitan Statistical Area	483,358	4,920,797	9.8
Yuba City, CA Metropolitan Statistical Area	130,143	1,790,622	7.3

10. Anticipated impact on households and State agency operations:

This waiver will provide consistency for households and State agency operations in areas where there are insufficient jobs to provide employment for ABAWDs.

11. Caseload information, including percent, characteristics, and quality control error rate for affected portion (if applicable):

The caseload for the proposed areas waiving the ABAWD time limit, as of **November 2019**, represents **21.3%** of the caseload for the state. There are no quality control procedures involved.

12. Anticipated implementation date and time period for which waiver is needed:

The State is requesting a one-year waiver, from April 1, 2020 through March 31, 2021.

13. Proposed quality control review procedures:

There are no special quality control procedures needed in conjunction with this waiver.

14. State agency submitting waiver request and State contact person:

15. Signature and title of requesting official:



Kim Johnson, Director
California Department of Social Services
(916) 657-2598 | Kim.Johnson@dss.ca.gov

16. Date of request: January 23, 2020

17. State agency staff contact (name/email/telephone):

Alexis Fernández
Acting Chief, CalFresh and Nutrition Branch
California Department of Social Services
(916) 653-6162 | Alexis.Fernandez@dss.ca.gov

18. Regional office contact person (to be completed by FNS regional office):