

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2150019
2. **Type of request:** Modification 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. **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 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 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 alternative procedures:** The State of California is requesting to exempt able-bodied adults without dependents (ABAWDs) in the entire state from SNAP time limits at 7 CFR 273.24 for 24 months. This waiver would replace the existing waiver ending in June of 2023.
9. **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 of California having an average unemployment rate greater than 20 percent above the national average for the 36-month period of May 2019 through April 2022. 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.” <https://www.fns.usda.gov/snap/ABAWD/two-year-waiver-approval>

The State of California seeks a two-year waiver based on the state having an average unemployment rate greater than 20 percent above the national average for the 36-month period of August 2019 through July 2022. California's average unemployment rate for this 36-month period was 7.2 percent. The national average for this period was 5.7 percent; 20 percent above this was 6.8 percent.

Bureau of Labor Statistics Local Area Unemployment Data August 2019 through July 2022		
	Unemployed	Labor force
California	49,309,176	686,322,053
Unemployment Rate	7.2%	
20% Above the National Average Unemployment Rate Threshold	6.8%	

10. Anticipated impact on households and State agency operations:

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

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

The caseload for these areas, as of **October 1, 2021**, represent **5.18%** 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 two-year waiver, from November 1, 2022 through October 31, 2024.

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:

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15. Signature and title of requesting official:



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16. Date of request: September 21, 2022

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

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