



Food and
Nutrition
Service

DEC 30 2015

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

Ms. Kim McCoy Wade
Branch Chief
CalFresh Branch
California Department of Social Services
744 P Street
Sacramento, California 95814

RE: SNAP – California Request to Waive Able-Bodied Adults without Dependents
Time Limit – Extension – Approval

Dear Ms. McCoy Wade:

This is in response to the California Department of Social Services' request to extend waiver number 2150019, which would allow California to continue to exempt able-bodied adults without dependents (ABAWD) throughout the State from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24 through December 31, 2017. The California State agency has already requested and received Food and Nutrition Service (FNS) approval for a 12-month waiver extension covering calendar year 2016. Now the State has requested a 24-month waiver extension based upon having an average unemployment rate 20 percent above the national average for a recent 36-month period. Following longstanding FNS policy, areas may qualify for a 24-month waiver based upon having an average unemployment rate 20 percent above the national average for a recent 36-month period.

The data provided by the State demonstrates that California had an unemployment rate of 20 percent above the national average for the 36-month time period of September 2012 through August 2015. Therefore, FNS is approving the California State agency's request to extend its ABAWD time limit waiver in California for 24 months, effective January 1, 2016 through December 31, 2017. This waiver replaces the above referenced 12-month extension approval issued by FNS on July 20, 2015. The detailed waiver response is attached. Please contact Shahdy Monemzadeh at Shahdy.Monemzadeh@fns.usda.gov with any questions.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

WAIVER RESPONSE

1. **Waiver serial number:** 2150019
2. **Type of request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** California
5. **Region:** Western
6. **Regulatory requirement:** Federal regulations at 7 CFR 273.24 provide 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 36-month period in which the individual was subject to, but did not comply with the ABAWD work requirement. Regulations at 7 CFR 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program at least 20 hours per week; any combination of working and participating in a work program for a total of 20 hours per week; or participating in and complying with a workfare program.

Regulations at 7 CFR 273.24(f) also provide that, upon the request of a State agency, the Secretary may waive the applicability of the above provision 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.

7. **Description of proposed alternative procedures:** The California State agency has requested to waive the ABAWD time limit at 7 CFR 273.24 throughout the State for the 24-month period of January 1, 2016 through December 31, 2017. The State agency has supported its request based upon California having an average unemployment rate 20 percent above the national average for the 36-month period of September 2012 through August 2015. During this 36-month period the national average unemployment rate was 6.57 percent; 20 percent above this is 7.9 percent. As detailed in the following table, California's average unemployment rate for the selected 36-month period was 8.0 percent.

Bureau of Labor Statistics Data September 2012 – August 2015*		
	Labor Force Total	Unemployment Total
California	676,201,246	53,942,432
Unemployment Rate	8.0%	
20% Above National Average Unemployment Rate Threshold	7.9%	

* Extracted from <http://www.bls.gov> on December 2, 2015

8. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the California State agency's request to waive the ABAWD time limit because the State meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance. The State qualifies for a 24-month waiver based upon having an average unemployment rate 20 percent above the national average for the 36-month period of September 2012 through August 2015.
9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension the State agency must provide FNS with a formal waiver request supported by data or other information as described in 7 CFR 273.24(f). If the State requests an extension based upon unemployment rates, it must provide FNS with all supporting documentation, including data spreadsheets.
12. **Implementation date and expiration date:** The waiver extension is effective from January 1, 2016 through December 31, 2017.
13. **Limitation, if any, on regional office approval of like requests:** The waiver is limited to the California State agency.
14. **Date of national office action:** **DEC 30 2015**
15. **Date of State agency's request:** October 30, 2015
16. **Date of regional office transmittal of request:** November 16, 2015

17. State agency contact:

Larry Lewis

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(916) 651-5255

18. FNS regional contact:

Shahdy Monemzadeh

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