

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):**
2. **Type of request:** Renewal
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** Delaware
6. **Region:** MARO
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:** Delaware is requesting a waiver for one city and two counties from SNAP time limits at 7 CFR 273.24.
9. **Justification for request:** Under SNAP regulations at 7 CFR 273.24(f)(2), states may support a claim of insufficient jobs 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. 7 CFR 273.24(f)(6) provides that States may define areas to be waived.

Delaware seeks a waiver for one city based on its average unemployment rate of at least 20 percent greater than the national average for the 24-month period of February 2022 through January 2024. The national average for this period was 3.6 percent; 20 percent above this was 4.3 percent. The city's unemployment rate for this period was 5.8 percent.

Bureau of Labor Statistics Local Area Unemployment Data February 2022 through January 2024			
Individual Cities	Unemployed Total	Labor Force Total	Unemployment Rate
Wilmington city, DE	48,059	828,025	5.8%
20% Above National Average Threshold	4.3%		

Delaware seeks a waiver for a region of two counties based on the region’s aggregate average unemployment rate of at least 20 percent greater than the national average for the 24-month period of February 2022 through January 2024. The national average for this period was 3.6 percent; 20 percent above this was 4.3 percent. The region’s aggregate average unemployment rate for this period was 4.3 percent.

Bureau of Labor Statistics Local Area Unemployment Data February 2022 through January 2024		
Counties	Unemployed Total	Labor Force Total
Kent County, DE	90,878	1,943,738
Sussex County, DE	108,162	2,725,314
Combined Area Total	199,040	4,669,052
Combined Area Unemployment Rate	4.3%	
20% Above National Average Threshold	4.3%	

- 10. Anticipated impact on households and State agency operations:** This waiver will provide consistency for state operations.
- 11. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):** The caseload for these areas, as of July 2024, represents 6,410 individuals or 68% of the ABAWD caseload for the state. There are no quality control procedures involved.
- 12. Anticipated implementation date and time period for which waiver is needed:** Delaware is requesting a one-year waiver, from October 1, 2024 through September 30, 2025.
- 13. Proposed quality control review procedures:** There are no quality control procedures involved.

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

State of Delaware
Department of Health and Social Services
Division of Social Services
Thomas Hall, Director

15. Signature and title of requesting official:



Thomas Hall

Title: Director, Division of Social Services

Email for transmission of response: thomas.hall@delaware.gov

16. Date of request: 9/5/2024

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

Shane Cannon/shane.cannon@delaware.gov/302-255-9873

Crystal Marion/crystal.marion@delaware.gov/302-255-9588

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