

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2150029
2. **Type of request:** Initial
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** New York
6. **Region:** Northeast Region
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 New York is requesting to exempt able-bodied adults without dependents (ABAWDs) residing in 61 counties from SNAP time limits at 7 CFR 273.24.
9. **Justification for request:**

Under SNAP regulations at 7 CFR 273.24(f)(2), areas 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.

The State of New York seeks a waiver for a region of 61 counties based on the region's aggregate average unemployment rate for the 24-month period of February 2022 through January 2024. The national average unemployment rate 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
Albany County, NY	122,864	3,833,773
Allegany County, NY	19,497	461,557
Bronx County, NY	1,038,267	14,526,526
Broome County, NY	77,419	1,980,439
Cattaraugus County, NY	33,235	789,479
Cayuga County, NY	30,429	852,209
Chautauqua County, NY	52,786	1,273,181
Chemung County, NY	32,265	830,380
Chenango County, NY	17,973	524,930
Clinton County, NY	29,721	855,465
Columbia County, NY	21,255	732,706
Cortland County, NY	22,065	539,046
Delaware County, NY	17,451	445,001
Dutchess County, NY	112,088	3,511,291
Erie County, NY	401,282	10,721,605
Essex County, NY	15,065	403,006
Franklin County, NY	17,130	455,665
Fulton County, NY	22,763	539,137
Genesee County, NY	23,206	712,070
Greene County, NY	18,231	489,633
Hamilton County, NY	2,523	53,125
Herkimer County, NY	26,589	657,894
Jefferson County, NY	45,296	1,060,345
Kings County, NY	1,634,712	29,208,094
Lewis County, NY	12,086	282,198
Livingston County, NY	25,190	727,789
Madison County, NY	28,461	786,795
Monroe County, NY	315,787	8,763,900
Montgomery County, NY	23,475	533,496
Nassau County, NY	533,268	17,586,166
New York County, NY	1,007,763	22,259,113
Niagara County, NY	94,815	2,367,455
Oneida County, NY	88,419	2,407,787
Onondaga County, NY	184,585	5,357,623
Ontario County, NY	43,213	1,341,561
Orange County, NY	155,061	4,613,195

Bureau of Labor Statistics Local Area Unemployment Data February 2022 through January 2024		
Counties	Unemployed Total	Labor Force Total
Orleans County, NY	16,232	412,069
Oswego County, NY	53,821	1,264,975
Otsego County, NY	24,006	646,577
Putnam County, NY	38,140	1,246,247
Queens County, NY	1,319,652	27,525,980
Rensselaer County, NY	63,779	1,977,570
Richmond County, NY	277,969	5,477,974
Rockland County, NY	116,586	3,860,258
Schenectady County, NY	64,776	1,873,803
Schoharie County, NY	14,112	356,124
Schuyler County, NY	7,500	194,056
Seneca County, NY	12,000	352,259
St. Lawrence County, NY	44,493	1,029,778
Steuben County, NY	38,034	987,869
Suffolk County, NY	636,979	19,309,690
Sullivan County, NY	30,392	913,915
Tioga County, NY	17,901	535,528
Tompkins County, NY	35,665	1,186,393
Ulster County, NY	70,715	2,114,492
Warren County, NY	27,168	750,826
Washington County, NY	22,243	660,770
Wayne County, NY	34,837	1,043,057
Westchester County, NY	394,812	12,023,550
Wyoming County, NY	15,715	415,356
Yates County, NY	8,702	280,028
Combined Area Total	9,732,464	228,922,779
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 **June 1, 2024**, represent 99.99 percent of the caseload for the state. The estimated

number of ABAWDS to be waived in areas of New York State included in this waiver request is approximately 196,922 which is approximately 99.99 percent of the total number of ABAWDs in areas of 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 March 1, 2025, through February 28, 2026.

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:

New York State Office of Temporary and Disability Assistance
Stephanie Boshart, Director of Employment and Advancement Services
Phone Number: (518) 486-3151
Email: Stephanie.Boshart@otda.ny.gov

15. Signature and title of requesting official:



Name: Valerie T. Figueroa

Title: Deputy Commissioner

Email for transmission of response: Valerie.Figueroa@otda.ny.gov

16. Date of request: September 12, 2024

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

New York State Office of Temporary and Disability Assistance
Stephanie Boshart, Director of Employment and Advancement Services
Phone Number: (518) 486-3151
Email: Stephanie.Boshart@otda.ny.gov

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