



OCT 14 2008

United States
Department of
Agriculture

2060041

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

SUBJECT: SNAP – California – ABAWD Waiver 2060041 – 7 CFR 273.24

TO: Dennis Stewart
Regional Director
Supplemental Nutrition Assistance Program
Western Region

This is in response to your September 8, 2008, memorandum to Arthur Foley transmitting California's request to modify and extend its waiver number 2060041 covering Able Bodied Adults Without Dependents (ABAWDs). This waiver would modify and extend its current waiver by exempting the entire State for a period of one year beginning October 1, 2008. The waiver request is based upon the State's designation by the Department of Labor as eligible for State Extended Unemployment Insurance Benefits via Trigger Notice No. 2008-30 effective August 10, 2008. We are approving the State's request effective October 1, 2008 through September 30, 2009.

Should you have any questions concerning this issue, please contact Patrick Lucrezio at Patrick.Lucrezio@fns.usda.gov or be phone at (703) 305-2498.

Patrick Waldron
Branch Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver Serial Number:** 2060041
2. **Type of Request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** California
6. **Region:** Western
7. **Regulatory Requirement:** 7 CFR 273.24 provides that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if, during the preceding 36 month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or received benefits because they were exempt from these requirements.

7 CFR 273.24(f) also provides 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.
8. **Description of proposed alternative procedures:** The 3-month time-limit for ABAWDs would not apply in the waived jurisdictions, for the reasons that California has insufficient jobs in the State. This determination is based upon the State agency's submittal of a U.S. Department of Labor (DOL) Trigger Notice No. 2008-30, effective August 10, 2008, which provides data indicating that California's total unemployment rate (TUR) qualified for extended unemployment insurance benefits based on the provisions of 26 U.S.C. 3304 (P.L. 102-318). This information is summarized below:

	3-month TUR	Prior Year TUR	2 nd Prior Year TUR
P.L. 102-318	6.5%	110%	110%
CA, Per Trigger Notice 2008-30	6.7%	126%	136%

9. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i), (ii), (iii), and the State's qualification for extended unemployment insurance benefits per 26 U.S.C. 3304 (P.L. 102-318).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3). If California wishes to receive an extension based on unemployment rates, they must provide us with all supporting documentation, including spreadsheets in digital form.
12. **Expiration date:** This waiver is approved for one year effective from October 1, 2008 through September 30, 2009.
13. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the California State agency.
14. **Quality control procedures:** None.
15. **Date of national office action:**
16. **Date of State agency's request:** August 29, 2008.
17. **Date of regional office transmittal of request:** September 8, 2008.
18. **Date of regional office transmittal of response to State agency:**
19. **Actual implementation date:**