



Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

Alexis Fernández Garcia
Deputy Director
Family Engagement and Empowerment Division
Department of Social Services
744 P Street
Sacramento, California 95814

RE: Supplemental Nutrition Assistance Program (SNAP) – California Request to Waive Able-Bodied Adults Without Dependents Time Limit – Rescission and Reissue (Partial Approval)

Dear Deputy Director Garcia:

This is in response to the California Department of Social Services' (CDSS) January 13, 2025, request to waive the Supplemental Nutrition Assistance Program (SNAP) time limit for able-bodied adults without dependents (ABAWDs). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

The Food and Nutrition Service (FNS) has reevaluated its policy surrounding two-year ABAWD waiver approvals to align with FNS' clear expectation that those who can work, do. To align with this policy, FNS is no longer approving two-year ABAWD waivers. Additionally, FNS is rescinding all two-year waivers and reissuing them as one-year waivers. This includes rescinding California's current two-year waiver, approved for February 1, 2025, through January 31, 2027, and reissuing it as a one-year waiver, effective February 1, 2025, through January 31, 2026.

By limiting the length of ABAWD waivers to a timeframe explicitly provided for by regulation, FNS can better ensure waivers do not extend beyond the circumstances that initially justified them.

ABAWDs may fulfill the ABAWD work requirement in several ways including by engaging for at least 80 hours a month in a work program. The SNAP Employment and Training (E&T) program is one of many ways that ABAWDs can meet this requirement and helps SNAP participants gain skills and find work that moves them toward self-sufficiency. Connecting participants to CDSS' CalFresh E&T program supports our shared goal to lift millions of Americans out of dependency and into hopeful futures.

FNS also reminds the State agency that it must measure the 3-year period and track ABAWDs on a continuous basis, even in areas under a waiver. The State agency must continue tracking

so that the State agency will be ready to transition off the waiver when it expires and reintroduce the time limit.

Please contact your Regional Office representative with any questions.

Sincerely,

Sasha Gersten-Paal
Director
Program Development Division
Supplemental Nutrition Assistance Program

Enclosure

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**ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)
WAIVER RESPONSE**

- 1. Request Type:** Initial - Rescission and Reissue
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** California
- 5. Food and Nutrition Service (FNS) Region:** Western
- 6. Requirement:** Section 6(o) of the Food and Nutrition Act of 2008 and regulations at 7 CFR 273.24 provide that no individual 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) and 7 CFR 273.24 also provide 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.
- 7. Requested Area(s) and Support:** The State agency requested to replace its approved 12-month Statewide waiver of the ABAWD time limit that expires on October 31, 2025 (Waiver Information Management System Case #8730), with a Statewide waiver of the ABAWD time limit from February 1, 2025, to January 31, 2027. FNS initially approved the State agency for a two-year waiver, effective February 1, 2025, through January 31, 2027. However, FNS is rescinding this previous approval and reissuing a one-year approval, effective February 1, 2025, through January 31, 2026.

The State agency supported its request based upon the State having an average unemployment rate 20 percent above the national average for the 36-month period of December 2021 through November 2024. During this period, the national average unemployment rate was 4.5 percent; 20 percent above that rate is 4.8 percent. The average unemployment rate for the requested area was 4.8 percent or greater during the 36-month period (Table 1).

Table 1: State (Bureau of Labor Statistics Local Area Unemployment Data, December 2021 – November 2024)

State	Unemployment Rate
California	4.8%

Data extracted from <http://www.bls.gov> on January 14, 2025.

- 8. FNS Action and Justification:** FNS initially approved the State agency for a two-year waiver, effective February 1, 2025, through January 31, 2027. However, FNS is rescinding this previous approval and reissuing a one-year approval, effective February 1, 2025, through January 31, 2026. The State agency's request meets the requirements for approval of a 12-month waiver provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 9. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 10. Implementation Date:** February 1, 2025
- 11. Expiration Date:** January 31, 2026
- 12. Information Required to Submit a Modification, Extension, or New Waiver:** To receive a modification, extension, or submit a new waiver to replace the current waiver, the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.
- 13. State Agency Contact Information:**
 Name: Louise Thao
 Phone: 916-809-5922
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- 14. FNS Regional Office Contact Information:**
 Name: Kathryn Mueller
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