Supplemental Nutrition Assistance Program (SNAP) recipients between the ages of 18 and 49 who do not reside with a child under 18 are deemed to be able-bodied adults without dependents (ABAWD) and may be subject to a 3-month time limit in aid. California’s statewide waiver of the SNAP ABAWD time limit expired on August 31, 2018. All counties except Alameda, Contra Costa, Marin, San Francisco, Santa Clara and San Mateo counties have received an area waiver until August 31, 2020. SNAP recipients subject to the ABAWD time limit are only eligible for benefits for three full months out of a 36-month period unless they are exempt, meet the work requirement or receive one of the 12% exemptions.¹

At the direction of President Donald J. Trump, U.S. Secretary of Agriculture Sonny Perdue announced a proposed rule intended to increase the number of people subject to the SNAP ABAWD Time limit. The comment period ended April 2, 2019, and Western Center and our allies submitted over 100,000 comments opposing the rule and calling for its withdrawal. If the rule become permanent, we can expect all but a few California Counties to lose their area waiver to the time limit, impacting as many as 700,000 people. What’s more, this number could swell quickly during a recession and the proposed rule would limit our ability to receive prompt relief of the time limit during recessions or periods of high unemployment.

**CalFresh ABAWD Time Limit Background**

In 1996, through the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Congress created a time limit in the Food Stamp Program, now known as the Supplemental Nutrition Assistance Program (SNAP) Nationally and as CalFresh in California. This time limit applies to adults between the ages of 18 and 49 years old who are not living with a child, referred to as ABAWDs.² Unless exempt due to disability or pregnancy, these recipients are limited to receiving federal food benefits for just 3-months each 36-month period unless they satisfy the 20 hours-per-week work requirement associated with this time limit.

Under SNAP regulations, a state or region can qualify for a 12-month waiver if it demonstrates that it has it has a high unemployment rate using U.S. Bureau of Labor Statistics and criterion set out in the federal law and guidance.³ Using this criterion, the United States Department of Agriculture’s Secretary approved California’s request for a waiver of the ABAWD time limit until August 31, 2018. After that, the state requested and received a waiver for all areas except Santa Clara, San Mateo and San Francisco Counties, because they are no longer eligible pursuant to federal regulations. Area waiver approvals are reviewed each year and the state is expected to submit a request for counties that remain eligible for a waiver after August 31, 2020 later this fall. Though, if the proposed rule mentioned above is made final, this could change the timeline for this request.

**California ABAWD Time Limit – Waiver Request and Expiration Timeline**

<table>
<thead>
<tr>
<th>2018</th>
<th>2019</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 31, 2018</td>
<td>California’s Statewide</td>
<td>January 1, 2020</td>
</tr>
<tr>
<td>Waiver expires</td>
<td>Waiver request for 2019</td>
<td>The new 36-Month</td>
</tr>
<tr>
<td></td>
<td>waivers</td>
<td>ABAWD Clock Starts</td>
</tr>
<tr>
<td>September 1, 2018</td>
<td>October 2018</td>
<td></td>
</tr>
<tr>
<td>The time limit starts in</td>
<td>State will submit request</td>
<td></td>
</tr>
<tr>
<td>non-waived Counties</td>
<td>for 2019 waivers</td>
<td></td>
</tr>
<tr>
<td>December 1, 2018</td>
<td>The first clients subject</td>
<td></td>
</tr>
<tr>
<td>to ABAWD Time limit</td>
<td>to ABAWD Time limit</td>
<td></td>
</tr>
<tr>
<td>will lose benefits</td>
<td>will lose benefits</td>
<td></td>
</tr>
</tbody>
</table>

Western Center on Law and Poverty – CalFresh ABAWD Time Limit Summary  October 2019
**National Context for ABAWD Time Limit**

Federal policy proposals to undermine the long-standing protections against hungervi that could face people subject to the time limit have emerged in 2018, including the President’s Budget proposalvii, the United States’ Department of Agriculture’s (USDA) the advanced notice of proposed rulemaking issued in February 2018,viii the House version of the 2018 Farm Billix and the USDA’s draft rule.x California’s anti-hunger community is implementing the expiration of the ABAWD area waivers in the midst of a very dynamic national policy context.

**ABAWD Time Limit Makes it More Difficult to Find Work – Not Less**

The time limit denies food aid to people who cannot prove that they have worked the requisite number of hours per week. This includes individuals with undiagnosed impairments. States are not obliged to help these individuals find medical providers who can diagnose or treat their impairments. The time limit denies food aid to individuals without impairments who are actively looking for work and but unable to find an employer who will hire them or a job that will give them enough hours to comply with the 20-hour per week requirement. Unlike work requirements in other public assistance programs, states have absolutely no obligation under the SNAP time limit rules to offer skills training, employment services or any transportation assistance to individuals before cutting them off food assistance.xi As a result, most of these individuals are denied food help and go hungry, making it more difficult to find work, not less. The ABAWD population often faces the most significant barriers to work and could benefit from a county-administered employment and training placement and barrier removal support services. According to the Center on Budget and Policy Priorities (CBPP), only about half of ABAWDs nationally have a high school diploma or the equivalent.xii

**Working Together to Prevent Hunger & Support Opportunities to Work**

While California's anti-hunger community is unified in our opposition to the time limit and the proposed changes to the time limit, we are also committed to ensure that, in regions implementing the time limit, people are protected from the harm of prolonged hunger. This includes supporting a robust screening of ABAWD time limited CalFresh recipients to ensure that they are exempted from the rule when appropriate. It also means working to increase work and work training opportunities for CalFresh recipients so that they have a meaningful path toward complying with the work requirement of the ABAWD time limit and to, eventually, succeed in exiting poverty through employment. Our state’s anti-hunger community is achieving this by working with state and county administrators and legislators up and down the state in supporting the expansion of the CalFresh Employment & Training (CFET) program.

**About Western Center on Law and Poverty**

Western Center on Law and Poverty leads the fight in the courts, counties, and capital to secure housing, health care and a strong safety net for low-income Californians. Learn more at: [www.wclp.org](http://www.wclp.org). For more information about our CalFresh policy advocacy, contact: Jessica Bartholow at jbartholow@wclp.org or (916) 282-5119.

**Footnotes**

1 ACI 16-24 CalFresh Summary of the ABAWD time limit; MPP 63-410 Work Requirements for ABAWDs; 7 CFR 273.24 Time Limit for Able-Bodied Adults; USDA FNS ABAWD page; CDSS ABAWD Time Limit Handbook: ACI 18-08
4 7 Code of Federal Regulation § 273.24 (b) & (f)
11 H.R. 1276 (Rep. Adams, Alma S. [D-NY-12] + 89 Co-sponsors) would require that a job opportunity be provided before benefits are cut.
12 Ed Bolen, “Approximately 1 Million Unemployed Childless Adults Will Lose SNAP Benefits in 2016 as State Waivers Expire Affecting Individuals Are Very Poor; Few Qualify for Other Help,” (Jan. 2015) [http://www.cbpp.org/cms/?fa=view&id=5251](http://www.cbpp.org/cms/?fa=view&id=5251)