



Reforming Work Requirement Waivers in SNAP

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The Supplemental Nutrition Assistance Program (SNAP) requires able-bodied adults age 18–54 without dependent children (ABAWDs) to work for at least 20 hours per week to receive benefits.

However, states can waive this work requirement when their state has a high unemployment rate or does not have a sufficient number of jobs for ABAWDs. The criteria by which a state can qualify for a waiver under the lack-of-sufficient-jobs condition is established by federal regulation and set by the US Department of Agriculture (USDA) Food and Nutrition Service.

Some states have exploited the waiver eligibility criteria to waive SNAP's work requirement even when economic conditions are strong. The most problematic provisions in the existing regulation allow states to use the following strategies:

1. Waive any area that has an unemployment rate at least 20 percent higher than the national average—even when the national unemployment rate is low,
2. Group contiguous counties and cities together to maximize their waiver coverage, and
3. Waive any area that qualifies for extended unemployment benefits.

As a result, states have been able to waive areas that have low unemployment rates. For example, in 2019, California used the first and second strategies discussed to waive 52 of its 58 counties, because the combined unemployment rate of the area (5.5 percent) was at least

20 percent higher than the national average (4.6 percent). Similarly, the entire state of New York qualified for a waiver under extended unemployment benefits in 2015, despite having a statewide unemployment rate of 5.3 percent.

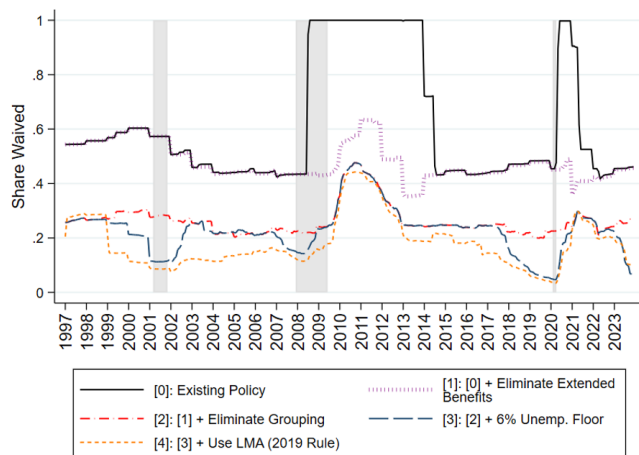
In 2019, the USDA, under President Donald Trump, issued a regulation that would have altered the criteria by which a state could apply for a waiver. Although the courts issued an injunction before the rule was enacted, the regulation would have

1. Disallowed states to qualify for waivers using Extended Unemployment Benefits eligibility,
2. Disallowed states to group contiguous areas under a single waiver justification,
3. Made areas with an unemployment rate below 6 percent ineligible for a waiver, and
4. Required states to use labor market areas as the geographic unit for a waiver.

In a recent National Bureau of Economic Research working paper, we evaluated how this rule would have affected states' eligibility for waivers.¹ We found that the 2019 rule would have reduced waiver availability but would have made waivers more responsive to changes in local unemployment rates and better targeted waivers to high-unemployment areas. Figure 1 shows how each provision of the 2019 rule would have affected the (population-weighted) share of counties eligible for a waiver from 1997 to 2023.

1. Richard V. Burkhauser, Kevin Corinth, Thomas O'Rourke, and Angela Rachidi, "Coverage, Counter-Cyclicality and Targeting of Work Requirement Waivers in the Supplemental Nutrition Assistance Program," Working Paper No. 33316 (National Bureau of Economic Research, December 2024), <https://www.nber.org/papers/w33316>.

Figure 1. Share of Counties Eligible for a Work Requirement Waiver, 1997–2023



Source: Richard V. Burkhauser, Kevin Corinth, Thomas O'Rourke, and Angela Rachidi, "Coverage, Counter-Cyclicality and Targeting of Work Requirement Waivers in the Supplemental Nutrition Assistance Program," Working Paper No. 33316 (National Bureau of Economic Research, 2024), <https://www.nber.org/papers/w33316>.

Note: Waiver eligibility is simulated for each county under each policy scenario. The population-weighted share of counties eligible for a waiver is reported for each month. This simulation assumes no federal waivers of work requirements are applied. The gray bars represent recessions, as defined by the National Bureau of Economic Research.

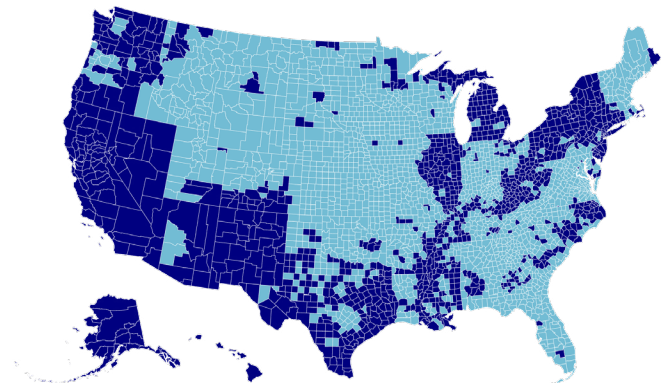
"[0]" reflects the share of counties eligible for a waiver under the existing rule, and "[4]" reflects the share that would have been eligible had the 2019 rule been fully implemented. The two most important provisions include eliminating extended unemployment benefits, which strengthens waivers' responsiveness to local unemployment rates, and disallowing states from grouping contiguous counties, which most improves the targeting of waivers to high-unemployment counties.

In Figure 2, we show how the 2019 rule would have affected waiver eligibility in each county in December 2023, when the national unemployment rate was just 3.5 percent. Under current policy, 1,191 counties were eligible for a waiver and had an average unemployment rate of 4.4 percent. Under the 2019 rule, only 190 counties would have been eligible and had an average unemployment rate of 5.4 percent.

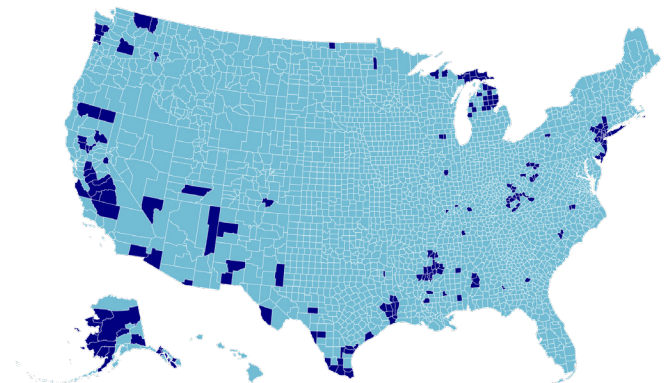
If the 2019 regulations were enacted or codified into law, waivers to SNAP's work requirement would become less

Figure 2. US Counties' Waiver Eligibility Under Current Policy and the 2019 Rule, December 2023

Panel A. Waiver Eligibility Under Current Policy



Panel B. Waiver Eligibility Under the 2019 Rule



Source: Authors' calculations, based on data from Richard V. Burkhauser, Kevin Corinth, Thomas O'Rourke, and Angela Rachidi, "Coverage, Counter-Cyclicality and Targeting of Work Requirement Waivers in the Supplemental Nutrition Assistance Program," Working Paper No. 33316 (National Bureau of Economic Research, 2024), <https://www.nber.org/papers/w33316>.

Note: Panel A displays county-level waiver eligibility for SNAP's ABAWD work requirement in December 2023 under current policy, while Panel B displays county-level waiver eligibility if the 2019 rule had been implemented. Light-blue counties are ineligible for a waiver, while dark-blue counties are eligible for a waiver. The 2019 rule would have disallowed states from qualifying for a waiver due to extended unemployment benefit eligibility, disallowed states from grouping contiguous areas, disallowed states from waiving any area with an unemployment rate below 6 percent, and required states to use the labor market area as the geographic unit for a waiver.

common, better targeted to high-unemployment areas, and more responsive to local economic conditions. For further details, read the full paper.

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