



United States Department of Agriculture

Food and Nutrition
Service

Date: February 10, 2021

1320 Braddock Place
Alexandria VA,
22314

Anthea Seymour
Administrator, Economic Security
Department of Human Services
64 New York Ave, NE, 6th Floor
Washington, D.C. 20002

Supplemental Nutrition Assistance Program (SNAP) – District of Columbia Request to Waive Able-Bodied Adults Without Dependents Time Limit –Approval

Dear Ms. Seymour:

This is in response to the District of Columbia agency's February 3, 2021, request to waive the 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.

On December 5, 2019, the Food and Nutrition Service (FNS) published the final rule, [*Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents*](#) (84 FR 66782), which revises the conditions under which FNS would approve requests from States to waive the ABAWD time limit. The final rule's changes to waiver standards were scheduled to take effect as of April 1, 2020. However, the U.S. District Court for the District of Columbia vacated this final rule on October 18, 2020.

As a result, the previous waiver criteria published in the January 17, 2001, final rule, [*Food Stamp Program: Personal Responsibility Provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996*](#) (66 FR 4438), will be used as the basis for any waiver approvals going forward.

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 must continue tracking so that the State will be ready to transition off-of the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:
A handwritten signature in black ink that reads "Arpan Dasgupta".
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Arpan Dasgupta
Chief
Certification Policy Branch
Program Development Division

Enclosure

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Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

- 1. Request Type:** Initial
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** District of Columbia
- 5. Food and Nutrition Service (FNS) Region:** Mid-Atlantic
- 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 waive the ABAWD time limit throughout the District from April 1, 2021, to March 31, 2022. The State agency supported its request based upon the District's eligibility for extended unemployment benefits, a criterion for statewide waiver approval provided by SNAP regulations at 7 CFR 273.24. According to the Department of Labor Trigger Notice No. 2020-19, effective May 24, 2020, the District qualified for extended unemployment benefits.
- 8. FNS Action and Justification:** FNS is approving the State agency's request to waive the ABAWD time limit. The State agency's request meets the requirements for approval 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:** April 1, 2021
- 11. Expiration Date:** March 31, 2022
- 12. Information Required for Amendment or Extension:** To receive an amendment or extension 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: Michael Ribar
Phone Number: (202) 442-9519
Email: michael.ribar@dc.gov

14. FNS Regional Office Contact Information:

Name: Geraldine Alphe-Igiehon

Phone Number: (609) 259-5110

Email: geraldine.alphe-igiehon@usda.gov