



Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

September 19, 2024

Thomas Hall  
Director  
Division of Social Services  
Department of Health and Social Services  
1901 North Dupont Highway  
New Castle, Delaware 19720

RE: Supplemental Nutrition Assistance Program (SNAP) – Delaware Request to Waive Able-Bodied Adults Without Dependents Time Limit – Initial – Approval

Dear Director Hall:

This is in response to the Delaware Department of Health and Social Services' September 5, 2024, 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) 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 the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:

*Riley Link*

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For

Catrina L. Kamau  
Chief  
Certification Policy Branch  
Program Development Division  
Supplemental Nutrition Assistance Program

Enclosure

Enclosure

**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:** Delaware
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 in one city and two counties from October 1, 2024, to September 30, 2025. The State agency supported its request based upon the one city having an average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the requested area was 5.8 percent during the 24-month period (Table 1).

**Table 1: City (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)**

City	Unemployment Rate
Wilmington city, DE	5.8%

Data extracted from <http://www.bls.gov> on September 17, 2024.

The State agency supported its request based upon the combined area of two counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the combined area was 4.3 percent during the 24-month period (Table 2).

**Table 2: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)**

<b>Combined Area 1</b>
Kent County, DE
Sussex County, DE
<b>Combined Area Unemployment Rate: 4.3%</b>

Data extracted from <http://www.bls.gov> on September 17, 2024.

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:** October 1, 2024
11. **Expiration Date:** September 30, 2025
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:**

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**14. FNS Regional Office Contact Information:**

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