



Arthur San Agustin
Director
Department of Public Health and Social Services
123 Chalan Kareta
Mangilao, Guam 96913-6304

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

Dear Director San Agustin:

This is in response to the Guam Department of Public Health and Social Services' (DPHSS) December 27, 2023, 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. Because Guam's currently approved 24-month waiver ends in less than 12 months, FNS is not rescinding this waiver. However, FNS is reissuing this waiver approval for the remaining 12 months, effective March 1, 2025, through February 28, 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 DPHSS' SNAP 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
Enclosure

Enclosure

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

- 1. Request Type:** Initial - Reissue
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** Guam
- 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.

Requested Area(s) and Support: The State agency requested to waive the ABAWD time limit throughout the Territory for two years from March 1, 2024, to February 28, 2026. The U.S. Department of Labor's Bureau of Labor Statistics (BLS) does not collect unemployment data for Guam. Labor force data are derived from quarterly sample surveys of households conducted by the Guam Department of Labor, Bureau of Labor Statistics (Guam BLS). FNS initially approved the State agency for a two-year waiver, effective March 1, 2024, through February 28, 2026. FNS is no longer approving two-year ABAWD waivers and is rescinding and reissuing all two-year waivers. However, because Guam's currently approved 24-month waiver ends in less than 12 months, FNS is not rescinding this waiver but is reissuing an approval for the remaining 12-months, effective March 1, 2025, through February 28, 2026.

The State agency supported its request based upon the territory having an average aggregate unemployment rate 20 percent above the national average for the 36-month period of July 2020 through June 2023 for BLS data and September 2020

through June 2023 for Guam BLS quarterly data. During this period, the national average unemployment rate was 5.0 percent; 20 percent above that rate is 6.0 percent. The average unemployment rate for the territory was 8.9 percent during the 36-month period.

- 7. FNS Action and Justification:** FNS initially approved the State agency for a two-year waiver, effective March 1, 2024, through February 28, 2026. However, FNS is reissuing a separate, one-year approval, effective March 1, 2025, through February 28, 2026. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 8. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 9. Implementation Date:** March 1, 2025
- 10. Expiration Date:** February 28, 2026
- 11. 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.
- 12. State Agency Contact Information:**
Name: Carlos Pangelinan
Phone: 671-300-7339
Email: carlos.pnagelinan@dphss.guam.gov
- 13. FNS Regional Office Contact Information:**
Name: Barbara Smith
Phone: 415-705-2229
Email: barbara.smith2@usda.gov