



Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

October 2, 2024

Valerie T. Figueroa
Deputy Commissioner
Employment and Income Support Programs
Office of Temporary and Disability Assistance
40 North Pearl Street
Albany, New York 12243-0001

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

Dear Deputy Commissioner Figueroa:

This is in response to the New York Office of Temporary and Disability Assistance's September 12, 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 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,

/s/

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:** New York
5. **Food and Nutrition Service (FNS) Region:** Northeast
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 61 counties from March 1, 2025, to February 28, 2026.

The State agency supported its request based upon the combined area of 61 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 1).

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

Combined Area 1
Albany County, NY
Allegany County, NY
Bronx County, NY

Broome County, NY
Cattaraugus, County, NY
Cayuga County, NY
Chautauqua County, NY
Chemung County, NY
Chenango County, NY
Clinton County, NY
Columbia County, NY
Cortland County, NY
Delaware Count, NY
Dutchess County, NY
Erie County, NY
Essex County, NY
Franklin County, NY
Fulton County, NY
Genesee County, NY
Greene County, NY
Hamilton County, NY
Herkimer County, NY
Jefferson County, NY
Kings County, NY
Lewis County, NY
Livingston County, NY
Madison County, NY
Monroe County, NY
Montgomery County, NY
Nassau County, NY
New York County, NY
Niagara County, NY
Oneida County, NY
Onondaga County, NY
Ontario County, NY
Orange County, NY
Orleans County, NY
Oswego County, NY
Otsego County, NY
Putnam County, NY
Queens County, NY
Rensselaer County, NY
Richmond County, NY
Rockland County, NY

Schenectady County, NY
Schoharie County, NY
Schuyler County, NY
Seneca County, NY
St. Lawrence County, NY
Steuben County, NY
Suffolk County, NY
Sullivan County, NY
Tioga County, NY
Tompkins County, NY
Ulster County, NY
Warren County, NY
Washington County, NY
Wayne County, NY
Westchester County, NY
Wyoming County, NY
Yates County, NY
Combined Area Unemployment Rate: 4.3%

Data extracted from <http://www.bls.gov> on September 23, 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:** March 1, 2025
- 11. Expiration Date:** February 28, 2026
- 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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