



Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

February 9, 2026

Valerie T. Figueroa
Deputy Commissioner
Employment and Income Support Programs
Office of Temporary and Disability Assistance
40 North Pearl Street

RE: Supplemental Nutrition Assistance Program (SNAP) – New York Request to Waive the Time Limit – Initial – Partial Approval

Dear Deputy Commissioner Figueroa:

This is in response to the New York Office of Temporary and Disability Assistance's (OTDA), January 2, 2026, request to waive the Supplemental Nutrition Assistance Program (SNAP) time limit for time-limited participants, formerly known as able-bodied adults without dependents. The State agency requested to waive the time limit in six community districts and two reservation areas. After careful review, the Food and Nutrition Services (FNS) is partially approving the request, denying the request to waive the time limit in the six community districts and approving the request for the two reservation areas. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

OTDA requested to waive six community districts and two reservation areas from March 1, 2026, to February 28, 2027, based on the requested areas demonstrating an unemployment rate above 10 percent for the 12-month period of June 2024 through May 2025. OTDA also provided a supplementary document to support a lack of jobs in declining occupations or industries through academic studies or other publications. On July 4, 2025, President Donald J. Trump signed into law the [One Big Beautiful Bill Act of 2025](#) (OBBA). Section 10102 of the OBBA amends the time limit waiver criteria for areas where there is a lack of sufficient jobs. State agencies may now only request to waive areas with unemployment rates of at least 10 percent, aside from separate provisions for Alaska and Hawaii.

While the request indicates that the six community districts have a 12-month unemployment rate of at least 10 percent, FNS' validation returned lower unemployment rates. Based on FNS' review and validation, none of the six community districts had a 12-month unemployment rate of at least 10 percent. FNS was able to validate that the two reservation areas each have a 12-month unemployment rate of at least 10 percent. Therefore, FNS is approving OTDA's request to waive the time limit in two reservation areas and denying OTDA's request to waive the time limit in the six community districts.

FNS reminds the State agency that it must measure the 3-year period and track time-limited participants 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.

FNS also reminds OTDA of the clear expectation that SNAP participants who can work, do work. Time-limited participants are required to work or participate in a work program for at least 80 hours a month, or to complete workfare. The SNAP Employment and Training (E&T) program is one of many ways that time-limited participants can meet this requirement and helps SNAP participants gain skills and find work that moves them toward self-sufficiency. Connecting participants to work programs supports our shared goal to lift millions of Americans out of dependency and into hopeful futures.

Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:

Ronald Ward
884CE83AFF4741A...

Ronald Ward

Acting Administrator

Supplemental Nutrition Assistance Program

Food and Nutrition Service

U.S. Department of Agriculture

Enclosure

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TIME LIMIT 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 time limit. 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 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 for non-contiguous States, has an unemployment rate 1.5 times the national average
7. **Requested Area(s) and Support:** The State agency requested to waive the time limit in six community districts and two reservation areas from March 1, 2026, to February 28, 2027. FNS is denying the State agency's request to waive the time limit in six community districts and approves the State agency's request to waive two reservation areas.

The six community districts, comprised of a group of four areas, did not have an unemployment rate 10 percent or above for the 12-month period of June 2024 through May 2025. The average unemployment rate for the community districts was lower than 10 percent during the 12-month period (**Table 1**). Therefore, FNS is denying the State agency's request to waive the time limit in these six community districts.

Table 1: Counties (2023 American Community Survey and Bureau of Labor Statistics Local Area Unemployment Data, June 2024 – May 2025)

Community Districts	Unemployment Rate
NYC-Bronx Community District 5--Morris Heights & Mount Hope PUMA; New York	8.2%
NYC-Bronx Community District 7--Fordham, Bedford Park, & Norwood PUMA; New York	8.1%
NYC-Bronx Community Districts 1 & 2--Melrose, Mott Haven, Longwood, & Hunts Point PUMA; New York	9.0%
NYC-Bronx Community Districts 3 & 6--Morrisania, Tremont, Belmont, & West Farms PUMA; New York	8.8%

Data extracted from <http://www.bls.gov> and <https://data.census.gov> on January 8, 2026.

The State agency supported its request based upon the two reservation areas having a 12-month average unemployment rate over 10 percent for the 12-month period of June 2024 through May 2025. The average unemployment rate for the two reservation areas was 10.6 percent or greater during the 12-month period (**Table 2**).

Table 2: Reservation Areas (2023 American Community Survey and Bureau of Labor Statistics Data, June 2024 – May 2025)

Reservation Areas	Unemployment Rate
Tuscarora Nation Reservation	11.4%
Poospatuck (state) Reservation	10.6%

Data extracted from <http://www.bls.gov> and <https://data.census.gov> on January 8, 2026.

- 8. FNS Action and Justification:** FNS approves the State agency's request to waive the time limit in two reservation areas. FNS is denying the State agency's request to waive six community districts because it does not meet the time limit waiver criteria. The State agency's request to waive two reservation areas 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, 2026
- 11. Expiration Date:** February 28, 2027

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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