



**United States
Department of
Agriculture**

Food and
Nutrition
Service

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SUBJECT: Clarifications of the American Recovery and Reinvestment Act of 2009
Certification Provisions – ARRA's Affect on ABAWDs' Time Limit
Questions and Answers #3

TO: Regional Directors
Supplemental Nutrition Assistance Program (SNAP)
All Regions

Attached are questions and answers in response to issues raised by the States, through various discussions, concerning SNAP provisions of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5), which was enacted on February 17, 2009.

Please direct any questions to the appropriate regional contact in the Certification Policy Branch.

/s/

Arthur T. Foley
Director
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Attachment

The contents of this guidance document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Supplemental Nutrition Assistance Program (SNAP) and the American Recovery and Reinvestment Act of 2009 (ARRA)

How does the ARRA affect the time limit on Able-Bodied Adults without Dependent(s) (ABAWDs)?

Section 101(e)(1) of the American Recovery and Reinvestment Act of 2009 (ARRA) (P.L. 111-5) prohibits limiting the participation of ABAWDs under section 6(o) of the Food and Nutrition Act of 2008 (FNA) during the period of April 1, 2009 through September 30, 2010, unless the ABAWD fails to comply with a qualifying work opportunity (work program or workfare) offered by a State agency. Under this provision, ABAWDs in States that do not offer qualifying work opportunities may not be disqualified pursuant to section 6(o).

In States that do offer qualifying work opportunities, ARRA requires the continuing eligibility of ABAWDs who comply with the requirements of such programs when offered. With respect to an ABAWD who does not comply with the requirements of such a program, the provisions of section 6(o) are unaffected by ARRA and State agencies should proceed as they normally would by either determining the ABAWD ineligible under section 6(o) or applying the appropriate sanction pursuant to section 6(d) of the FNA. Once the period of ineligibility, either under section 6(o) or section 6(d), has ended, the ABAWD would regain eligibility under ARRA unless and until the individual failed to comply with the requirements of a qualifying work program, if offered.

State agencies will continue to qualify for additional allocations of funds as “pledge States,” pursuant to section 16(h)(1)(E) of the FNA; if they make and comply with a commitment to offer a qualifying work opportunity to ABAWDs in the last month of the 3 month period described in section 6(o)(2).

As of October 1, 2010, section 6(o) will resume its normal applicability except that, pursuant to section 101(e)(2) of ARRA, State agencies will be required to disregard any period during which an individual received SNAP benefits prior to that date.