



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

SUBJECT: ABAWD Time Limit Exemption for Veterans Disability Benefit Recipients

DATE: May 20, 2016

TO: Regional Directors
Supplemental Nutrition Assistance Program
All Regions

This memorandum clarifies how to apply an exemption from the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents (ABAWD) related to individuals receiving U.S. Department of Veterans Affairs (VA) disability compensation.

For the purpose of calculating its disability compensation to veterans, the VA makes a determination about the severity of an individual's disability (or disabilities) and assigns a percentage disability rating. It has come to the Food and Nutrition Service's (FNS) attention that certain State agencies are not accepting receipt of VA disability compensation as verification of an individual's exemption from the ABAWD time limit. Instead, they are imposing an additional requirement that the veteran be rated 100 percent disabled by the VA to be exempt from the ABAWD time limit. State agencies do not have the discretion to set such a threshold, and must accept receipt of VA disability compensation regardless of the individual's disability percentage rating for the purpose of exemption from the ABAWD time limit.

As provided by 7 CFR 273.24(c)(2)(i), the ABAWD time limit does not apply to an individual receiving temporary or permanent disability benefits issued by governmental or private sources because they are considered certified as physically or mentally unfit for employment. States must accept receipt of VA disability compensation – regardless of disability rating – for the purpose of determining and verifying exemption from the ABAWD time limit. Furthermore, States must grant a permanent exemption to individuals who receive permanent disability benefits.

While veterans who receive disability benefits are exempt from the time limit, FNS recognizes that many veterans with disabilities do work or are looking for work and FNS encourages States to provide employment and training opportunities to all veterans.

Regional Directors

Page 2

Please distribute this guidance to your State agencies and advise them to contact their respective FNS Regional Offices points of contact with any questions and for technical assistance. FNS Regional Offices should contact Arpan Dasgupta at arpan.dasgupta@fns.usda.gov with any questions concerning this memorandum.

/s/ Lizbeth Silbermann

Lizbeth Silbermann

Director

Program Development Division

USDA is an Equal Opportunity Provider, Employer and Lender

Guidance documents lack the force and effect of law, unless expressly authorized by statute or incorporated into a contract. USDA may not cite, use, or rely on any guidance that is not available through their guidance portal, except to establish historical facts.