



# Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

April 17, 2025

**TO:** State SNAP Agencies

**FROM:** John Walk  
Acting Deputy Undersecretary for Food, Nutrition, and Consumer Services

**SUBJECT:** The Secretary's Authority on Able-Bodied Adults Without Dependents (ABAWD) Waivers

In June 2023, the Fiscal Responsibility Act of 2023 amended the Food and Nutrition Act of 2008 (the Act) to include in the Supplemental Nutrition Assistance Program's (SNAP) purpose statement that it "assist low-income adults in obtaining employment and increasing their earnings." This pivotal legislation reaffirmed our efforts to reduce dependency on public assistance programs and increase self-sufficiency.

Further, Secretary Brooke Rollins sent a [letter](#) to State agencies and Tribal partners that shared her guiding principles for USDA nutrition assistance programs, including a commitment to "Associate access to SNAP benefits with clear expectations that those who can work, do" and "clarify statutory, regulatory, and administrative requirements."

This memorandum reiterates these fundamental objectives and their interaction with the Secretary of Agriculture's authority to grant State SNAP agencies requests to waive the time limit on receiving SNAP benefits by ABAWDs who do not meet statutory work requirements. Section 6(o)(4) of the Act explicitly allows the Secretary sole discretion to grant an ABAWD waiver request when the Secretary determines that the area has an unemployment rate of over 10% or does not have sufficient jobs to provide employment for ABAWDs.

Congress conditioned the receipt of benefits by ABAWDs on satisfying work requirements when it passed the Personal Responsibility, Work, and Opportunity Reconciliation Act of 1996 (PRWORA, Pub. L. No. 104-193). The text and structure of the statute reveals a clear purpose to reduce dependence on public assistance programs and to support self-sufficiency. Congress also allowed the Secretary discretion to approve waivers of the ABAWD work requirement in specific circumstances outlined in Section 6(o)(4):

On the request of a State agency and with the support of the chief executive officer of the State, the Secretary may waive the applicability of paragraph (2) to any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside-

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- (i) has an unemployment rate of over 10 percent; or
- (ii) does not have a sufficient number of jobs to provide employment for the individuals.

Under this language, the Secretary has the discretion (“*may*waive”) to approve waivers when a determination of insufficient jobs or over 10 percent unemployment has been made. The text of the statute does not obligate the Secretary to grant a waiver request when one of the mandatory conditions is determined to exist. Currently, through regulations at 7 CFR 273.24(f), USDA has implemented its ABAWD waiver authority by establishing evidence standards that must be met for waiver approval. Exercise of the discretionary authority to grant State requests for waivers will be made in consideration of the purpose of PRWORA and the statutory framework discussed in this memorandum to reduce dependency and support self-sufficiency. States should be mindful of this important purpose and ensure the scope of their requests apply only to those who truly need it so that those who can work, do.

As we partner to lift Americans out of dependency and into hopeful futures, FNS affirms its commitment to consult with State agencies during the waiver review process and provide technical assistance to ensure ABAWD waivers are only utilized when consistent with the Act and protect the integrity of SNAP to the greatest extent.

Additionally, FNS will review the effectiveness of current regulatory authorities to effectuate statutory requirements and the Secretary’s discretion, all under the overarching principles articulated by Secretary Rollins.

The contents of this document do not have the force and effect of law and are not intended to bind the public in any way.

Sincerely,

JOHN WALK  Digitally signed  
by JOHN WALK

John Walk  
Acting Deputy Under Secretary  
Food, Nutrition, and Consumer Services

cc:

James (JC) Miller

Administrator

Food and Nutrition Service