



DATE: October 3, 2025

SUBJECT: Supplemental Nutrition Assistance Program Provisions of the One Big Beautiful Bill Act of 2025 – ABAWD Waivers - Implementation Memorandum

TO: All SNAP State Agencies  
All Regions

On July 4, 2025, President Donald J. Trump signed into law Public Law 119-21, [One Big Beautiful Bill Act of 2025](#) (OBBB). On September 4, 2025, the Food and Nutrition Service (FNS) published a memorandum describing the SNAP provisions of the OBBB, *Supplemental Nutrition Assistance Program Provisions of the One Big Beautiful Bill Act of 2025 – Information Memorandum*.

This memorandum provides State agencies with additional information on implementing Section 10102(b) and (c) of the OBBB, which changes criteria for waivers of the Able-Bodied Adults Without Dependents (ABAWD) time limit with special provisions for Alaska and Hawaii. Please note, FNS is reviewing SNAP regulations pertaining to ABAWD waiver requirements following enactment of the OBBB to determine changes necessary to comply with the changes.

### **Changes to ABAWD Time Limit Waiver Criteria**

The OBBB amends the criteria under which the Secretary may approve a State agency request to waive the ABAWD time limit per section 6(o)(4) of the Food and Nutrition Act of 2008 (the Act). The statute, as amended, requires that areas have unemployment rates of over 10 percent to qualify for ABAWD time limit waivers, known as ABAWD waivers.

The OBBB removed the criterion allowing for approval of waivers for areas where States identify that there is a lack of sufficient jobs and establishes new ABAWD provisions for Alaska and Hawaii, as detailed below. The statutory changes to ABAWD waiver criteria, as well as the provisions for Alaska and Hawaii, were effective upon enactment. FNS will also determine the need for any associated rulemaking.

### **Requesting New Waivers of the ABAWD Time Limit**

FNS will review all future waiver requests under the statute, as amended by the OBBB.

State agencies requesting waivers of the ABAWD time limit must provide data that the requested areas have unemployment rates over 10 percent.

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As provided at 7 CFR 273.24(f)(2)(i) this data may include evidence of:

- A recent 12-month average unemployment rate over 10 percent;
- A recent three-month average unemployment rate over 10 percent; or
- An historical seasonal unemployment rate over 10 percent.

Areas will continue to qualify for waivers that are readily approvable based on evidence that an area has a most recent 12-month average unemployment rate over 10 percent, per 7 CFR 273.24(f)(3).

State agencies must continue to use Bureau of Labor Statistics (BLS) data or methods if it is available for the requested area. State agencies may only submit requests using alternate methods for areas in which data from BLS or a BLS-cooperating agency is unavailable. FNS will carefully evaluate all requests per the criteria described above. FNS will not approve waivers with a duration exceeding 12 months.

### **Terminating Active ABAWD Waivers**

FNS strongly encourages State agencies to terminate active ABAWD waivers approved under the outdated “lack of sufficient jobs” criteria as soon as possible using the Waiver Information Management System (WIMS). FNS will terminate any such ABAWD waivers 30 days after issuance of this memorandum. State agencies with a currently approved ABAWD waiver based on the lack of sufficient jobs criterion that expires on or before November 2, 2025, do not need to take further action to terminate.

Prior to termination, State agencies must prepare to enforce the time limit in areas which will no longer have ABAWD waivers. At a minimum, these activities include updating eligibility systems, notifying SNAP households of the time limit, and training eligibility workers.

FNS strongly encourages State agencies to fully implement the work requirements and not seek waivers. Able-bodied adults have ample opportunities to re-engage with their communities even in areas with relatively high unemployment through other activities that meet the requirement. Additionally, State agencies must screen each work registrant to determine if it is appropriate, based on the State agency’s criteria, to refer the individual to a SNAP Employment and Training program per 7 CFR 273.7(c)(2).

### Special ABAWD Provisions for Alaska and Hawaii

The OBBB also establishes a special ABAWD waiver criterion and a new type of exemption for individuals residing in Alaska and Hawaii.

The OBBB allows the Secretary to approve requests to waive areas of Alaska and Hawaii with unemployment rates 150 percent above the national unemployment rate. This authority is effective immediately and does not expire. Again, FNS strongly encourages all State agencies, including Alaska and Hawaii, to not seek waivers and, instead, assist individuals to available paths to compliance even in areas with relatively high unemployment.

However, if requesting waivers under this provision, FNS expects Alaska and Hawaii to provide data or evidence that the requested areas have unemployment rates over 150 percent above the national average. FNS will evaluate requests on a case-by-case basis. FNS may provide additional guidance or pursue rulemaking on such requirements, if appropriate.

The OBBB also allows the Secretary to approve a new type of exemption for individuals residing in Alaska and Hawaii if the State agency demonstrates a good faith effort to comply with ABAWD work requirements. FNS will refer to these as “ABAWD good faith exemptions”.

The Secretary’s authority to grant ABAWD good faith exemptions is effective immediately, and exemptions issued under this authority expire no later than December 31, 2028. If the State agency seeks to use ABAWD good faith exemptions, FNS expects the State agency to submit a request in WIMS including the following:

1. A description of the actions the State agency has taken to ensure it can accurately and fully administer the ABAWD work requirement and time limit;
2. A description of the significant barriers or challenges the State agency faces in accurately implementing the ABAWD work requirement and time limit. This includes, but is not limited to, issues related to funding, design, development, procurement, or installation of necessary systems or resources; and
3. A plan and timeline for achieving full and accurate implementation of the ABAWD work requirement and time limit statewide. This must include significant milestones to measure progress.

If approved, the State agency must submit:

1. Quarterly progress reports on its progress towards full compliance with ABAWD requirements;

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2. Information on specific risks, newly identified barriers, or challenges to achieving full compliance; and
3. Plans to mitigate those risks, barriers, or challenges.

The Secretary may publish further guidance or pursue rulemaking as appropriate. The Secretary may terminate the State agency's approval to grant ABAWD good faith exemptions if the State agency fails to comply with the reporting requirements or fails to make good faith effort towards compliance.

### **Quality Control and Technical Assistance**

Unlike some other provisions of the OBBB, there is no Quality Control (QC) 120-day variance exclusion period for implementing these provisions related to ABAWD waivers.

FNS is committed to providing ongoing technical assistance to State agencies, including guidance and State-specific assistance, to ensure successful implementation of the OBBB provisions.

State agencies with questions should contact their Regional Office representatives.

Sincerely,

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