



ADMINISTRATION FOR
CHILDREN & FAMILIES

Administration on Children, Youth & Families | 330 C Street, S.W., Washington, DC 20201
www.acf.hhs.gov/acyf

Monday, November 13, 2023

To: Child Welfare Directors
State Independent Living Program Coordinators
Runaway and Homeless Youth (RHY) Program Grantees
Adolescent Pregnancy Prevention (APP) Program Grantees

Re: Fiscal Responsibility Act (FRA) of 2023 - SNAP Work Exceptions for Homeless and Foster Youth

Dear Colleague,

Food and shelter are critical to the well-being of youth and young adults who are often underserved or marginalized. This letter provides information and resources on new exceptions from the Able-Bodied Adults without Dependents (ABAWD) time limits and work requirements in the Supplemental Nutrition Assistance Program (SNAP). This information can assist youth and young adults experiencing homelessness and transitioning out of foster care who are eligible for SNAP benefits.

The US Department of Agriculture (USDA) Food and Nutrition Service (FNS) and the Administration on Children, Youth and Families (ACYF), which is comprised of the Children's Bureau (CB) and the Family and Youth Services Bureau (FYSB), recognize the unique circumstances faced by youth experiencing homelessness and young adults who are exiting foster care, particularly those with limited resources and support. [Research shows that approximately 30 to 40 percent of youth experiencing homelessness also report prior foster care involvement.](#)¹ It is important that youth-serving organizations and systems collaborate to reduce barriers and improve information sharing to ensure youth and young adults have access to lifesaving, supportive programs and resources.

Through exceptions within programs like SNAP, eligible youth and young adults will have expanded opportunities to ensure their basic needs are met as they transition into adulthood with the necessary resources.

Background

In SNAP, young adults and adults, ages 18-49², who do not have dependents, and are not pregnant, are considered Able-Bodied Adults Without Dependents (ABAWDs). **ABAWDs cannot receive SNAP benefits for more than 3 months within a 3-year period unless they meet the ABAWD work requirement or are exempt. This is called the ABAWD time limit.**

¹ [Missed Opportunities: Pathways from Foster Care to Youth Homelessness in America – Voices of Youth Count](#)

² The upper age limit will gradually increase to age 54. Please see FNS' implementation memoranda for details on the upper age limit change.

On June 3, 2023, the President signed into law the [Fiscal Responsibility Act of 2023](#) (FRA). The FRA added new exceptions to the ABAWD time limit which are intended to help individuals experiencing homelessness and young adults who are leaving foster care receive and maintain SNAP benefits. On [June 9th](#) and [June 30th](#), FNS published memoranda describing the SNAP provisions of the FRA.

New Exception and Definitions Within the FRA

New Exception for Youth Experiencing Homelessness and In Foster Care

The FRA adds a new exception to the ABAWD time-limit for homeless individuals, veterans, and individuals aged 24 or younger, and individuals in foster care on their 18th birthday (or higher age if the State offers extended foster care to a higher age) (7 U.S.C. 2015(o)(3)). **The new exception exempts these populations from the three-month ABAWD time limit. This exception is effective for all eligible SNAP applications (certifications) and recertifications received on or after September 1, 2023.**

Youth Experiencing Homelessness

Individuals no longer need to be experiencing chronic homelessness in order to meet an exception from the ABAWD time-limit. The homeless exception (exemption) now applies to individuals who meet the broader definition of homeless found at Section 3(l) of the Food and Nutrition Act and [7 CFR 271.2](#), which includes individuals who lack a fixed and regular nighttime residence or whose primary nighttime residence is temporary.

Youth in Foster Care

Individuals who are in foster care when they reach 18 years of age are eligible within the exception, even if they elect to stay in foster care up to the State's maximum age. For example, a 19-year-old who was in foster care at age 18 and who elects to remain in a State's extended foster care program, such as living in a household that applies for SNAP or in an independent living program, could qualify for the exception. Young adults, age 18 to 24 years who are in foster care at the time they turn 18 are eligible within the exception, regardless of whether the State operates an extended foster care program, or the individual remains in an available extended program. For example, if an individual exits foster care at age 18, but the State elected to extend the foster care age to 20, the individual can still qualify for the exception because they were in foster care at the time they turned 18. The individual would continue to be eligible for the exception until their 25th birthday.

Important Definitions

FNS defines homeless individual and a young adult transitioning out of foster care as follows:

A homeless individual," as defined in Section 3 of the Food and Nutrition Act (FNA) of 2008 and at [7 CFR 271.2](#), means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is:

- (1) A supervised shelter designed to provide temporary accommodations (such as a welfare hotel or congregate shelter);
- (2) A halfway house or similar institution that provides temporary residence for individuals intended to be institutionalized;

- (3) A temporary accommodation for not more than 90 days in the residence of another individual; or
- (4) A place not designed for, or ordinarily used, as a regular sleeping accommodation for human beings (a hallway, a bus station, a lobby, or similar places).

[Note: This exception applies to all individuals experiencing homelessness, including youth.]

A young adult transitioning out of foster care is an individual who is 24 years of age or younger and who was in foster care under the responsibility of a State on the date of attaining 18 years of age or such higher age as the State has elected as defined under Section 475(8)(B)(iii) of the Social Security Act (42 U.S.C. 675(8)(B)(iii)). This includes any individual who was in a foster care program run by the State, District, Territory, or Indian Tribal Organization as of their 18th birthday or later and who is under 25 years of age.

A question that may arise as youth and young adults in foster care are applying for SNAP is: *“Are children and youth in foster care, or those who are receiving limited transition services (especially those receiving some federal funding), eligible for SNAP benefits as well?”*

Youth and young adults who are in foster care and those who are receiving limited transition services (especially those receiving some federal funding) are most likely eligible for SNAP as long as they meet their state’s SNAP eligibility criteria. Receiving federally funded services like transition services typically will not impact SNAP eligibility, unless it affects income, nor will it impact exemption from work requirements. **Note: State agencies are responsible for assessing each applicant to determine if they are eligible for SNAP.**

Eligibility and Access to SNAP Benefits

To receive SNAP benefits, an individual must apply in the state in which they currently live and they must meet certain eligibility requirements. More information on SNAP eligibility can be found on the [FNS website](#).

Once the State agency determines someone is eligible for SNAP, new exceptions to the ABAWD time limit exempts certain SNAP participants from the three-month time-limit. The new exceptions are effective for all SNAP applications (certifications) and recertifications received on or after September 1, 2023.

To support young people in accessing SNAP benefits, we encourage child welfare agencies, Runaway and Homeless Youth (RHY) Programs, and Adolescent Pregnancy Prevention (APP) Programs, to develop new partnerships or strengthen existing partnerships with their local SNAP agencies. SNAP offices can be found at the [SNAP Office State Directory](#).

Verification Requirements for Exceptions

The June 30th [FNS memorandum](#) provides guidance to states on the verification requirements for the modified exceptions in the FRA. Notably, there are no new verification requirements for the modified exceptions from the ABAWD time limit, and state agencies must follow the SNAP verification requirements at [7 CFR 273.2\(f\)](#) for the modified exceptions. State agencies must support households in obtaining verification, provided the household is cooperating, and must

accept any reasonable documentary evidence provided by the household. Examples of verification that State agencies could use to verify ***include, but are not limited to:***

- Homeless individuals - Collateral contact with a homeless shelter or RHY program, person they are staying with, or any other individual aware of the individual's circumstances.
Note: Homeless individuals and households are specifically exempted from the requirement to verify residency.
- Youth aging out of foster care – Data sharing and/or collateral contact from other social service workers or agencies, such as the agency administering the foster care program or Medicaid.
Note: Federal law requires child welfare agencies to provide any official documentation necessary to prove former foster care status for young adults aging out of foster care (who were in foster care for more than 6 months). The Children's Bureau recommends that child welfare agencies review the state's verification letter or document to ensure that it clearly identifies the young person's former foster care status.

As a reminder, if verification is required, state agencies may accept multiple forms of documentary evidence. **Additional verification clarification and information can be found in the Questions and Answers #1 on the USDA *Implementing SNAP Provisions in the Fiscal Responsibility Act of 2023* webpage.**

Conclusion


Accessing and maintaining SNAP eligibility can be a critical resource for young people experiencing homelessness and young adults who are transitioning out of foster care. It is imperative we work together to ensure youth and young adults know about and are supported in accessing the services they deserve.

ACYF is committed to working across sectors and encouraging partnerships among SNAP programs, child welfare agencies, RHY programs, and APP programs to support youth and young adults to access SNAP benefits. As we move forward in ensuring youth and young adults have access to available resources and opportunities to meet their basic needs, ACYF will continue to strengthen our partnerships with the USDA, and other offices and agencies to promote collaborative pathways of support for those in need.

Sincerely,



Rebecca Jones Gaston, MSW, Commissioner
Administration on Children, Youth and Families
Administration for Children and Families
U.S. Department of Health and Human Services



Aysha E. Schomburg, J.D., Associate Commissioner
Children's Bureau
Administration on Children, Youth and Families
Administration for Children and Families
U.S. Department of Health and Human Services



Kimberly A. Waller, J.D., Associate Commissioner
Family and Youth Services Bureau
Administration on Children, Youth and Families
Administration for Children and Families
U.S. Department of Health and Human Services

Additional Resources:

- Food and Nutrition Services SNAP Guidance:
 - [SNAP Eligibility](#)
 - [SNAP Provisions of the Fiscal Responsibility Act of 2023 – Questions and Answers #1](#)
 - [SNAP Provisions of the Fiscal Responsibility Act of 2023 – Questions & Answers #2 | Food and Nutrition Service \(usda.gov\)](#)
 - [SNAP – Clarification of Policies Barriers Facing Homeless Youth](#)
 - [USDA and DOL Partner to Support ABAWDs as the Public Health Emergency Ends](#)
- National Runaway Safeline: The National Runaway Safeline (NRS) operates the National Communication System for Runaway and Homeless Youth (RHY) program, providing 24/7 confidential supportive services to youth at risk for homelessness or who are homeless, as well as youth considering leaving home, through a hotline and digital platforms (chat, text, email, and online forum). The Safeline can be reached:
 - By phone: 1-800-RUNAWAY (1-800-786-2929)
 - By email: info@1800runaway.org Through online chat: www.1800runaway.org