



Food and
Nutrition
Service

Park Office
Center

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Alexandria
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SEP 18 2014

James W. Gillan
Director
Guam Department of Public Health and Social Services
123 Chalan Kareta
Mangelo, Guam 96913-6304

RE: SNAP – Guam Request to Waive Able-bodied Adults without Dependents Time
Limits – Approval

Dear Mr. Gillan:

This is in response to the Guam Department of Public Health and Social Services' request to exempt able-bodied adults without dependents (ABAWDs) island-wide from the Supplemental Nutrition Assistance Program (SNAP) work provisions at 7 CFR 273.24 for fiscal year 2015. Since the U.S. Bureau of Labor Statistics does not generate employment data for the Territory of Guam, the agency provided data from the Guam Department of Labor, Bureau of Labor Statistics (Guam BLS) as supportive documentation of its high unemployment. Due to the unavailability of data from the U.S. Bureau of Labor Statistics, the Food and Nutrition (FNS) has considered Guam BLS data as acceptable support for previous ABAWD waiver requests from the Territory of Guam.

The Territory submitted unemployment figures from 2012 and 2013, the most recent Guam BLS data available, in support of its request. It appears that the Territory did not collect unemployment data in FY 2014. Thus, FNS used the most recent unemployment figures available in determining whether the Territory qualifies for an ABAWD waiver based upon an unemployment rate over 10 percent. The most recent data available for Guam, which consists of March, June, and September 2013, demonstrates an average unemployment rate of 12.6 percent.

Based upon the data provided, FNS is approving this waiver for a one year period, effective October 1, 2014 through September 30, 2015. The detailed waiver response is attached. If you have any questions, please contact Shahdy Monemzadeh at shahdy.monemzadeh@fns.usda.gov.

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

WAIVER RESPONSE

1. **Waiver Serial Number:** 2140024
2. **Type of Request:** Initial
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **Area:** Guam
6. **Region:** Western
3. **Regulatory Requirement:** Federal regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in SNAP as a member of any household if the individual received program benefits for more than three months during any three year period in which the individual was subject to, but did not comply with the SNAP work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

Regulations at 7 CFR 273.24(f) also provide that, upon the request of a State agency, the Secretary may waive the applicability of the above provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
7. **Description of proposed alternative procedures:** The Territory of Guam Department of Public Health and Social Services has requested an island-wide waiver of ABAWD time limits at 7 CFR 273.24 based upon a recent three-month unemployment rate of over 10 percent. The U.S. Department of Labor's Bureau of Labor Statistics (BLS) does not collect unemployment data for Guam. Labor data is derived from sample surveys of households conducted by the Guam Department of Labor, Bureau of Labor Statistics (Guam BLS). These are periodic surveys, where field interviews are conducted inquiring about activity or status during the calendar week.

The most recent unemployment data available for Guam, which consists of March, June, and September 2013, demonstrates an average unemployment rate of over 10 percent. Guam's average unemployment rate for those three months was 12.6 percent.

8. **Action and reason for approval or denial:** The regulations at 7 CFR 273.24(f) provide that the State agency submit whatever data it deems appropriate to support its request. To show insufficient jobs or high unemployment, regulations at 7 CFR 273.24(f) provide that the data a State agency submits may be non-exhaustive, as long as it relies on standard Bureau of Labor Statistics data or methods. Based upon the data provided, FNS is approving Guam's request for one year, effective October 1, 2014 through September 30, 2015.
9. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i),(ii) and (iii).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3). If Guam wishes to receive an extension based on unemployment rates, they must provide FNS with a waiver request along all supporting documentation, including spreadsheets.
12. **Expiration date:** This waiver is approved for one year, effective October 1, 2014 through September 30, 2015.
13. **Limitation, if any, on regional office approval of like requests:** Approval of this waiver is limited to the Territory of Guam.
14. **Quality control procedures:** None.
15. **Date of national office action:** **SEP 18 2014**
16. **Date of State agency's request:** June 12, 2014
17. **Date of regional office transmittal of request:** July 28, 2014
18. **Implementation date (notify FNS if actual date differs):** October 1, 2014

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19. State agency contact:

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20. FNS regional contact:

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