



United States Department of Agriculture

Food and
Nutrition
Service

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Center

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Date: April 29, 2019

Toni Blue Washington
Division of Benefit Programs Director
Virginia Department of Social Services
801 East Main Street
Richmond, Virginia 23219

Supplemental Nutrition Assistance Program (SNAP) – Virginia Request to Waive Able-Bodied Adults Without Dependents Time Limit – Approval

Dear Ms. Washington:

This is in response to the Virginia State agency's February 7, 2019, request to waive the SNAP time limit for able-bodied adults without dependents in 55 areas from May 1, 2019, through April 30, 2020.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving the State to waive the time limit for a 12-month period as requested. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. Please contact your FNS Regional Office with any questions.

As you may be aware, FNS has proposed regulations that would strengthen the standards by which areas can qualify for these waivers so that the statutory ABAWD work requirement is applied more broadly. FNS has proposed that the rule, once finalized, would go into effect on October 1, 2019, which is the beginning of federal fiscal year 2020. Therefore, the final rule could change the qualifying areas and approval period for this waiver.

FNS also reminds the State agency that it must measure the 3-year period and track ABAWDs on a continuous basis, even in areas under a waiver. The State must continue tracking so that the State will be ready to transition off-of the waiver when it expires and reintroduce the time limit.

Moving forward, FNS will be taking actions to support the Administration's priority to provide able-bodied Americans a path to self-sufficiency. This goal requires that we establish a clear and mutual commitment to moving SNAP participants to meaningful employment.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

1. **Serial Number:** 2140016
2. **Request Type:** Extension
3. **Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory Citation:** 7 CFR 273.24
5. **State:** Virginia
6. **Food and Nutrition Service (FNS) Region:** Mid-Atlantic
7. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008 and regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than 3 months during any 3-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) and 7 CFR 273.24 also provide that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit 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.
8. **Requested Area(s) and Support:** The Virginia State agency requested to waive the ABAWD time limit in a total of 55 areas from May 1, 2019, through April 30, 2020. The State agency grouped 54 counties and independent cities in southern Virginia for consideration as an economically tied, combined area. The State requested the remaining area, Page County, individually. The State agency supported its request based upon these areas having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of March 2016 through February 2018. During this time period the national average unemployment rate was 4.5 percent; 20 percent above that rate is 5.4 percent. The unemployment rate for the 54 county combined area was 5.4 percent during the same time period (areas listed below in Table 1). The unemployment rate for Page County was also 5.4 percent during the same time period.

Table 1: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data March 2016 through February 2018)

Counties and Independent Cities
1. Accomack County
2. Alleghany County
3. Bath County
4. Bland County
5. Bristol City

Counties and Independent Cities
6. Brunswick County
7. Buchanan County
8. Buckingham County
9. Carroll County
10. Charles City County
11. Charlotte County
12. Covington City
13. Craig County
14. Cumberland County
15. Danville City
16. Dickenson County
17. Dinwiddie County
18. Emporia City
19. Franklin City
20. Galax City
21. Grayson County
22. Greensville County
23. Halifax County
24. Hampton City
25. Henry County
26. Highland County
27. Hopewell City
28. Lancaster County
29. Lee County
30. Lunenburg County
31. Martinsville City
32. Mecklenburg County
33. Northampton County
34. Northumberland County
35. Norton City
36. Patrick County
37. Petersburg City
38. Pittsylvania County
39. Portsmouth City
40. Prince Edward County
41. Prince George County
42. Pulaski County
43. Richmond County
44. Russell County
45. Scott County
46. Smyth County
47. Surry County
48. Sussex County

Counties and Independent Cities
49. Tazewell County
50. Washington County
51. Westmoreland County
52. Williamsburg City
53. Wise County
54. Wythe County
Combined Area Unemployment Rate: 5.4%
Data extracted from http://www.bls.gov on March 13, 2019

- 9. FNS Action and Justification:** FNS is approving the State agency to waive the ABAWD time limit as requested. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 10. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 11. Implementation Date:** May 1, 2019
- 12. Expiration Date:** April 30, 2020
- 13. Information Required for Amendment or Extension:** To receive an amendment or extension the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.
- 14. State Agency Contact Information:**
 Name: Claudia Jackson
 Phone Number: (804) 726-7346
 Email: claudia.jackson@dss.virginia.gov
- 15. FNS Regional Office Contact Information:**
 Name: Kelly Boger
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