



Food and
Nutrition
Service

OCT 11 2016

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

Natalie Bailey
Acting Administrator
Department of Human Services
Division of Family Assistance
1303 Hospital Ground, Suite 1
St. Thomas, Virgin Islands, 00802

RE: SNAP – U.S. Virgin Islands Request to Waive Able-Bodied Adults without Dependents Time Limit – Extension – Approval

Dear Ms. Bailey:

This is in response to the U.S. Virgin Islands State agency request waive the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents throughout the Territory from January 1, 2017, through December 31, 2018.

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 U.S. Virgin Islands to waive the time limit throughout the Territory for the requested 24-month period. The approval amends and extends waiver number 2150046. The attached waiver response includes the supporting evidence used and the conditions of approval. If you have questions, please contact Alyssa Hayes at Alyssa.Hayes@fns.usda.gov and Alexis Lometz at Alexis.Lometz@fns.usda.gov.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

WAIVER RESPONSE

1. **Waiver serial number:** 2150046
2. **Type of request:** Extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Primary regulation citation:** 7 CFR 273.24
5. **State:** U.S. Virgin Islands
6. **Region:** Mid-Atlantic
7. **Regulatory requirement:** Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides that no able-bodied adult without dependents (ABAWD) shall be eligible to participate in the Supplemental Nutrition Assistance Program 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) also provides 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 in an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Description of proposed alternative procedures:** The U.S. Virgin Islands has requested an extension of its waiver of the ABAWD time limit at 7 CFR 273.24 throughout the Territory for the 24-month period of January 1, 2017, through December 31, 2018. The State agency has supported its request based upon the Territory having an average unemployment rate 20 percent above the national average for the 36-month period of September 2013 through August 2016. During this 36-month period the national average unemployment rate was 5.7 percent; 20 percent above that rate is 6.8 percent. As detailed in the following table, the U.S. Virgin Islands' average unemployment rate for the selected 36-month period was 12.2 percent.

Bureau of Labor Statistics Data September 2013 – August 2016		
	Labor Force Total	Unemployment Total
U.S. Virgin Islands	1,716,843	209,634
Unemployment Rate	12.2%	
20% Above National Average Unemployment Rate Threshold	6.8%	

*Extracted from <http://www.bls.gov> and <http://www.vidol.gov> October 3, 2016

- 9. Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the U.S. Virgin Island State agency's request to waive the ABAWD time limit throughout the Territory because the Territory meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 10. Regulatory or legislative basis for action:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008, as amended, and 7 CFR 273.24(f).
- 11. Information required for 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.
- 12. Implementation and expiration date:** The waiver extension is effective from January 1, 2017, through December 31, 2018.
- 13. Limitation, if any, on regional office approval of the requests:** The waiver is limited to the U.S. Virgin Islands State agency.
- 14. Date of national office action:** OCT 11 2016
- 15. Date of State agency's request:** July 26, 2016
- 16. Date of regional office transmittal of request:** August 26, 2016
- 17. State agency contact:**
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- 18. FNS regional contacts:**
Alyssa Hayes
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