



Food and
Nutrition
Service

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Date: December 6, 2019

Natalie Bailey
Administrator
Division of Family Assistance
U.S. Virgin Islands Department of Human Services
4102 Mars Hill
Fredericksted, U.S. Virgin Islands 00840

Supplemental Nutrition Assistance Program (SNAP) – U.S. Virgin Islands Request to Waive Able-Bodied Adults Without Dependents Time Limit – Partial Approval

Dear Ms. Bailey:

This is in response to the U.S. Virgin Islands State agency's October 8, 2019, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs) throughout the Territory from January 1, 2020, through December 31, 2020. Although the State requested a 12-month waiver, the Food and Nutrition Service (FNS) is approving the waiver for 3 months due to new regulatory requirements governing the approval of ABAWD waiver requests at 7 CFR 273.24(f). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

FNS has finalized [regulations](#) that strengthen the standards by which areas can qualify for these waivers so that the statutory ABAWD work requirement is applied more broadly. All waivers must be approvable under the new regulatory standards by April 1, 2020. Therefore, if the State agency wishes to waive the SNAP time limit for ABAWDs in any areas beyond March 31, 2020, it must submit a new waiver request. FNS will evaluate any such requests under the new regulatory requirements at 7 CFR 273.24(f). Please contact your FNS Regional Office with any questions.

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.

Sincerely,

Miles Patrie

Miles Patrie
Acting Chief
Certification Policy Branch
Program Development Division

Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

- 1. Serial Number:** 2150046
- 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:** U.S. Virgin Islands
- 6. Food and Nutrition Service (FNS) Region:** Northeast
- 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 U.S. Virgin Islands State agency requested to waive the ABAWD time limit throughout the Territory from January 1, 2020, through December 31, 2020. The State agency supported its request based upon the Territory having an average unemployment rate 20 percent above the national average for the 24-month period of August 2017 through July 2019. During this time period the national average unemployment rate was 3.9 percent; 20 percent above that rate is 4.7 percent. The aggregate unemployment rate for the requested area during the period of August 2017 through July 2019 was 9.2 percent.¹
- 9. FNS Action and Justification:** FNS is approving the State agency to waive the ABAWD time limit in the approved areas for 3 months. 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:** January 1, 2020
- 12. Expiration Date:** March 31, 2020

¹ Data extracted from <http://www.bls.gov> and <http://www.vidol.gov> on October 9, 2019.

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:

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15. FNS Regional Office Contact Information:

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