



United States Department of Agriculture

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Food and  
Nutrition  
Service

December 5, 2022

1320 Braddock  
Place  
Alexandria, VA  
22314

Kimberley Causey-Gomez  
Commissioner  
Virgin Islands Department of Human Services  
Office of the Commissioner  
83WF+5CJ, Charlotte Amalie,  
St Thomas, 00802, U.S. Virgin Islands

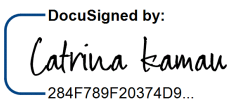
RE: SNAP – Virgin Islands Request to Waive Able-Bodied Adults Without Dependents  
Time Limit – Initial– Approval

Dear Commissioner Kimberley Causey-Gomez:

This is in response to the Virgin Islands agency's September 28, 2022, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

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 the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:  
  
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Catrina Kamau  
Chief  
Certification Policy Branch  
Program Development Division

Enclosure

Enclosure

**ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)  
WAIVER RESPONSE**

- 1. Request Type:** Initial
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** Virgin Islands
- 5. Food and Nutrition Service (FNS) Region:** NERO
- 6. 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.  
**Requested Area(s) and Support:** The State agency requested to waive the ABAWD time limit throughout the State from January 1, 2023, to December 31, 2023. The State agency supported its request based upon the State's eligibility for extended unemployment benefits, a criterion for statewide waiver approval provided by SNAP regulations at 7 CFR 273.24. According to the Department of Labor Trigger Notice No. 2021-51<sup>1</sup> effective January 2, 2022, the State qualified for extended unemployment benefits. The State agency supported its request based upon the State's 3-month average total unemployment rate (TUR) was: (1) 8.0 percent and (2) 228 percent of the 3-month average for the corresponding period in the second preceding year, making the State eligible for extended unemployment benefits.
- 7. FNS Action and Justification:** FNS is approving the State agency's request to waive the ABAWD time limit. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 8. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).

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<sup>1</sup> Extended Benefits Trigger Notices can be found at [https://oui.doleta.gov/unemploy/trigger/2022/trig\\_010222.html](https://oui.doleta.gov/unemploy/trigger/2022/trig_010222.html). Trigger Notice 2021-51 was issued the week of January 2, 2022.

Enclosure

Page 2

**9. Implementation Date:** January 1, 2023

**10. Expiration Date:** December 31, 2023

**11. Information Required to Submit a Modification, Extension, or New Waiver:** To receive a modification, extension, or submit a new waiver to replace the current waiver, 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. State Agency Contact Information:**

Name: Emmanueline Archer

Phone Number: 340-774-0930

Email: [emmanueline.archer@dhs.vi.gov](mailto:emmanueline.archer@dhs.vi.gov)

**13. FNS Regional Office Contact Information:**

Name: Ashley Krebs

Email: [ashley.krebs@usda.gov](mailto:ashley.krebs@usda.gov)