

Requesting a waiver in the POM for the Territories¹

FNS has completed review of U.S. Virgin Islands' 2024 Plan for Operations and Management (POM). FNS has determined that U.S. Virgin Islands must submit a request seeking waiver approval in order to administer the Summer EBT as planned. FNS has authority to waive regulatory provisions for Summer EBT, when certain conditions are met, consistent with Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l). For more information on the process for requesting waivers #2-4, please refer to [SP 15-2018, CACFP 12-2018, SFSP 05-2018, Child Nutrition Program Waiver Request Guidance and Protocol- Revised, May 24, 2018](#). For waiver #1, please refer to 48 U.S.C. 1469a(d). For waiver #5, please refer to 48 U.S.C. 1469d(c).

In order to review and determine if requested waiver(s) may be approved, FNS requires provision of the following information, which may be added as an attachment to U.S. Virgin Islands' 2024 POM.

Waiver(s) needed (check all regulatory provisions that apply):

<input checked="" type="checkbox"/>	7 CFR 292.20(c)	<i>1. Administrative Budget.</i> State agencies participating in Summer EBT are responsible for 50 percent of the Program administrative costs. <i>Waiver Authority is in 48 U.S.C. 1469a(d)</i>
<input checked="" type="checkbox"/>	7 CFR 292.12(d)	<i>2. Enrollment and Verification.</i> The Summer EBT agency must enroll children that are individually eligible for Summer EBT based on their participation in a means-tested program, income application for school meals, and/or through a Summer EBT application <i>Waiver authority is in 48 U.S.C. 1469d(c)</i> <i>**If this waiver is requested, options 6-10 on the next page aren't needed. If this waiver is not requested, please see the additional waiver options 6-10 for selection.</i>
<input type="checkbox"/>	7 CFR 292.15(g)(4)	<i>3. Providing replacement EBT cards or PINs.</i> Replacement EBT cards must be available for pick up or placed in the mail within 2 business days following notice by the household that the card was lost, stolen or damaged.
<input type="checkbox"/>	7 CFR 292.26(a)(1)	<i>4. Hearing procedures for families and Summer EBT Agencies.</i> Fair hearing procedures established by the Summer EBT agency must allow a household to appeal within 90 days after the end of the summer operational period.
<input checked="" type="checkbox"/>	7 CFR 292.15(c)(1)(i)(A)	<i>5. Benefit issuance.</i> For children who can be streamline certified or who have an approved Summer EBT application on file, benefits must be issued and available for participants to use 7-14 calendar days before the start of the summer operational period.

¹ Territories include American Samoa, Guam, the Northern Mariana Islands, the U.S. Virgin Islands. These are the territories covered in 48 U.S.C. 1469.

Additional waiver options (check all regulatory provisions that apply):

<input type="checkbox"/>	7 CFR 292.12(f)(1)	6. <i>Income applications.</i> The Summer EBT agency must notify (or place notification in the mail) eligible households of a child's approved status within 15 operational days of receipt of a complete application.
<input type="checkbox"/>	7 CFR 292.12(g)	7. <i>Denied applications and the notice of denial.</i> The Summer EBT agency must provide written notice to each household denied benefits within 15 operational days of receipt of a complete application.
<input type="checkbox"/>	7 CFR 292.13(f)	8. <i>Timely certifications.</i> Summer EBT agencies must follow-up with a household that submits an incomplete application within 10 operational days of receipt of the application.
<input type="checkbox"/>	7 CFR 292.14(a)(1)(ii)	9. <i>Verification for cause.</i> Any verification must be completed within 30 days of receipt of the application.
<input type="checkbox"/>	7 CFR 292.15(c)(1)(i)(B)	10. <i>Benefit issuance.</i> For eligible children who apply after the summer operational period begins, benefits must be issued and available to spend not later than 15 operational days after a complete application is received by the Summer EBT agency.

Describe the challenges the Summer EBT agency is seeking to solve with the requested waiver(s), including the goal of the requested waiver(s), the manner in which the requested waiver(s) will improve services in Summer EBT, and the expected outcomes if the waiver(s) are approved:

Administrative Budget:

The challenge that the USVI is seeking to solve with this requested waiver is to identify funding in order to implement this round of SEBT. Presently, USVI is encountering issues with funding to execute various projects.

The goal of the requested waiver is to secure funding to implement the SEBT which will enable families to purchase nutritious food.

The expected outcomes if the waiver(s) are approved is to give the USVI families the access to purchase nutritious food.

Enrollment and Verification –

The challenge the Summer EBT agency is seeking to solve with the requested waiver(s) is to help facilitate the issuance of the SEBT benefits by utilizing the streamline certification process.

The goal of the requested waiver is to ensure that the eligible families receive the SEBT benefits within the prescribed time.

The expected outcome if the waiver(s) is approved is to lessen the level of effort and assist USVI in the process of issuing benefits to families.

Describe steps the Summer EBT agency has taken to address barriers at the State level:

Administrative budget:

The USVI Summer EBT team met internally with the Fiscal division, to identify available funds needed to implement and distribute the SEBT benefits.

Enrollment and Verification:

The USVI Summer EBT team is collaborating with participating NSLP and FRP meals schools, in an effort to verify data of eligible students.

This data will be transmitted to VIDHS through a shared folder for the public schools via VIDE and via email for the eligible private schools.

Describe anticipated challenges the Summer EBT agency may face if the requested waivers are not approved:

Administrative Budget:

The USVI would be unable to identify the funding needed to implement and provide SEBT benefits to the territory.

Enrollment and Verification:

The USVI would be tasked with reviewing and verifying thousands of applications with limited personnel.

Describe the expected waiver implementation date and time period:

Tentatively, USVI intends to issue benefits by November 16, 2024. USVI is working diligently with its local finance department and FIS to establish an amicable method to distribute said benefits.

Link to or provide a copy of the public notice informing the public about the proposed waiver(s):

www.dhs.gov.vi

√ Check to affirm that the waiver(s) will not increase the overall cost of the Summer EBT Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds (*This does not apply to the one administrative budget waiver.*):

√ Check to affirm that the Summer EBT agency will monitor and review implementation of the waiver(s) and report on implementation as part of their 2025 iPOM. Reporting will include: a description of whether the waiver(s) resulted in improved services to recipients/participants; a description of the impact of the waiver(s) on providing benefits to participants; and a description of how the waiver(s) reduced the quantity of paperwork necessary to administer the Program.