

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

6/13/00

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To <i>Larry Tropp</i>	From <i>Kathie Herrman</i>
Dept./Agency <i>PDD</i>	Phone # <i>303 844-0347</i>
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NSN 7540-01-317-7368	5099-101 GENERAL SERVICES ADMINISTRATION

MAY 10 2000

MPFS-300:FS 10-1-1

FSP - Request to Extend Waiver No. 970146 on Indian Reservations - Montana

Arthur T. Foley
Director
Program Development Division
Food Stamp Program
Food and Nutrition Service, USDA
Alexandria, Virginia 22302-1594

In a February 25, 2000 memorandum, you extended approval of Waiver No. 970146 as follows:

- Exemptions for the Fort Belknap and Northern Cheyenne Agencies were approved through February 28, 2001, since they were completely within counties designated as Labor Surplus Areas (LSAs).
- Those portions of the Flathead Agency located within Flathead County, Lake County, and Sanders County were exempted through February 28, 2001.
- That portion of the Blackfeet Agency located in Glacier County; that portion of the Crow Agency located in Big Horn County; and that portion of the Fort Peck Agency located in Roosevelt county were exempted through February 28, 2001.

Attached is a letter from Montana, requesting to extend the exemption of the provisions of Section 824 of the Personal Responsibilities and Work Opportunity Reconciliation Act as follows:

- Exempt the Rocky Boy Agency in its entirety.
- Exempt that portion of the Flathead Agency located in Missoula County.
- Exempt those portions of the Blackfeet, Crow, and Fort Peck Agencies not covered in the February 25, 2000 extension approval.

These areas were granted an extension until May 31, 2000. The State has submitted further justification and requests the waiver for these areas be extended through February 28, 2001. Based on the information submitted, we recommend approval of this request.

Arthur T. Foley

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If there are any questions concerning this request, please contact Kathie Herrman at kathie.herrman@fns.usda.gov or (303) 844-0347.

Original Signed by
Pamela Blattner

ALLAN C. NICKELS
Regional Director
Food Stamp Program

Attachment

FNS:MPRO:FSP:POPP:KHERRMAN:mp:5/3/00:0347

FILE: FS 10-1-1 Montana Waiver No. 970146 (faMTwaiver970146.kh)

PENDING: 6-5-00 *pullled 6/9*

DEPARTMENT OF
PUBLIC HEALTH AND HUMAN SERVICES



MARC RACICOT
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LAURIE EKANGER
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STATE OF MONTANA

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HUMAN AND COMMUNITY SERVICES DIVISION
PO Box 202952
Helena, MT 59520-2952

April 10, 2000

Allan C. Nickels
Regional Director
Food Stamp Program
USDA, Food and Consumer Service
1244 Speer Boulevard
Denver, CO 80202

Dear Mr. Nickels:

Enclosed is Montana's request for reconsideration of the denial of ABAWD time limit exemptions for Rocky Boy's Reservation and a continuation of the exemption for that portion of the Flathead Agency located within Missoula County, and those portions of the Blackfeet, Crow, and Fort Peck Agencies not covered under waiver 970090 and, therefore, only exempt through May 31, 2000.

For expediency, the original waiver request had been included with waiver 970090 because the reservations have a labor surplus. Since statistics from the Bureau of Indian Affairs were not allowed under waiver 970090, we are now requesting that reconsideration of the exemption for those not approved be considered under waiver 970146 for Indian Reservations.

We have attached the most current documentation from the Bureau of Indian Affairs supporting request for waiver 970146 and our basis for the request.

Thank you for your reconsideration. If you have questions or need more information, please contact Yvette Barnier of my staff at (406) 444-7483.

Sincerely,

A handwritten signature in cursive script that reads "Hank Hudson".

Hank Hudson, Administrator
Human and Community Services Division

enc.

Cc: Karlene Grossberg, Bureau Chief
Jill Nelson, Food Stamp Unit Supv.
Yvette Barnier, FSET Program Officer
Kathie Herrman, Dept. of FNS

State Agency submitting the request for reconsideration under waiver 970146 of the Rocky Boy's Reservation and portions of Flathead, Blackfeet, Crow Agency and Fort Peck Agency Reservations which were not exempt under waiver 970090

Montana Department of Public Health and Human Services

Contact Name: Yvette Barnier
Food Stamp Employment and Training Program Officer
Department of Public Health and Human Services
PO Box 202952
Helena, MT 59620-2952

Phone number: (406)444-7483

Indian Reservations covered by the waiver request 970146

Rocky Boy's Agency

Flathead Agency located within Missoula County

Blackfeet Agency located in counties other than Glacier County

Crow Agency located in counties other than Big Horn County

Fort Peck Agency located in counties other than Roosevelt County

Request for the above reservation areas is being made under waiver 970146. While portions of four of the above reservations reside in counties which are exempt under the labor surplus criteria, those exemptions were not inclusive of entire reservation boundaries. It creates a situation where neighboring participants on the reservation fall under different participation requirements, one being exempt from the timelines and the other not.

Category under which waiver is being requested.

This request is based on the extremely high jobless rate that exists on Montana's Indian reservations. This jobless rate is not reflected in the statistics for Labor Surplus Areas but is reflected in the Indian Labor Force Report. In the counties which include a portion of a reservation, the high jobless rate on the reservation, combined with the concentration of population within that geographic area, translates into higher food stamp caseloads.

The reservation population is extremely vulnerable to the detrimental effects of poverty. The cultural, religious and familial ties are so strong that leaving the reservation is often too difficult to consider. Generally speaking this population has a lower educational background than non-reservation residents. The majority of the area within the confines of Montana's reservations is rural with very limited opportunity for advanced education, skills training, or work experience.

Duration of waiver:

One year through February 28, 2001

Basis for the request for reconsideration:

Montana is requesting a waiver of the time limit for receipt of food stamps by unemployed able bodied adults without dependents who live within the geographic boundaries of Montana's Indian reservations which were not exempt under waiver 970090. This waiver request is based on information gathered by the Bureau of Indian Affairs, U.S. Department of the Interior which reflects the percentage of reservation inhabitants who are "Not Employed" and the percentage of reservation inhabitants who are "Unemployed". These statistics reflect the true situation of Montana's Indian reservations. Reservations are separate and distinct political subdivisions from the counties. Statistics gathered from the entire county do not apply to reservation areas that are exceedingly rural and, therefore, cannot feasibly be a part of the labor market statistics. Distance, compounded by the lack of transportation, should be taken into consideration.

Rocky Boy's Indian Reservation is in the lower half of Hill County. The Reservation is 60 miles round trip from the largest city in Hill County, which is Havre. Havre has a population of approximately 11,000. There is no public transportation and often the only mode of travel from Rocky Boy's to Havre is by hitch-hiking. Hill County consists of a large land area with a sparse population. The main industry in Hill County is family-owned and operated grain farms. There are few jobs on the reservation itself. The most current statistics (1997) show Rocky Boy's has an enrollment of 5,008, with a total work force of 2,083 of which only 470 are employed. These statistics reveal the actual situation on Rocky Boy's. (By looking at the employment rate of the entire county, it does not take into consideration the unique situation on the Reservation which is a small portion of the county and often contains the majority of the unemployed persons.) For these reasons reconsideration of ABAWD exempt status for the Rocky Boy's Indian Reservation is being requested.

One of the portions of the Fort Peck Indian Reservation that was not found to be exempt, lies in Valley County. The only town in that portion of the county is Frazer, which has a population of approximately 300. There is no industry in Fraser and the town itself has an 80% unemployment rate. The principal of the Frazer school indicates that 90% of the children are eligible for the school lunch program. Occupants would have to drive to Glasgow which is a 60-mile round trip for services and for possible employment. There is no public transportation. The other portions of Fort Peck are in Daniels and Sheridan Counties. There is only one town in those counties which is Reserve, in Sheridan County. Reserve has a population of approximately 50 persons and the surrounding area has little or no industry. Therefore, the few Native Americans living in Reserve would be the only households who would not be ABAWD exempt. These counties are also in an agricultural area where there are large family-owned and family-operated wheat farms. This area is sparsely populated. These two factors give a false picture of the economy for those persons who are not living on these farms and who are living on the Indian Reservation.

There is a small portion of Crow Agency that lies within Yellowstone County for which a request for reconsideration and extension of the ABAWD exemption is being made. An eligibility specialist in Yellowstone County stated that there are just a few persons who live "on the other side of Pryor Creek bridge", who would not be exempt. They would have to commute to Billings and back to work. This would be approximately a 60 mile round trip. Again, the issue of not exempting a small portion of persons on the Crow Indian Reservation would exist if only those living within Yellowstone County were determined mandatory due to the employment statistics in Yellowstone County.

The portion of the Flathead Indian Reservation that is in Missoula County is an area with a sparse population located at a traveling distance of 50 miles round trip from Missoula. Distance and transportation, compounded by the fact that the participants have to travel a mountain pass to get to Missoula, make daily commuting difficult for the residents of this area.

A very small portion of the Blackfeet Reservation is in Pondera County and includes the town of Heart Butte. The employers in Heart Butte are the school district and Head Start. There is not even a gas station in Heart Butte. The nearest city for employment would be Conrad which is 60 miles away.

It is difficult to find current unemployment statistics for the reservations. The areas that were not included in the exemption are at a distance from employment, many without public transportation, and involve such few persons that it would seem inequitable not to exempt the entire reservation.

Given this information, it is difficult to believe that those individuals who live on a reservation and participate in the food stamp program have many opportunities available to them to work or participate in a work activity for the required hours. This population has a compelling need for an exemption from these provisions.