

## STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 990047
2. **Type of request:** Modification
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** South Dakota
6. **Region:** MPRO
7. **Regulatory requirements:**

Under 7 CFR 273.24(b) individuals are not 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 SNAP work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

Under 7 CFR 273.24(f), upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the time limit described above for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside does not have a sufficient number of jobs to provide employment for the individuals.
8. **Description of alternative procedures:**

The State of South Dakota is requesting to exempt able-bodied adults without dependents (ABAWDs) in one county and five reservations from SNAP time limits at 7 CFR 273.24.
9. **Justification for request:**

Under SNAP regulations at 7 CFR 273.24(f)(2), areas may qualify for an ABAWD time limit waiver if they have insufficient jobs. To support this claim, states may submit evidence that an area has an average unemployment rate for a 24-month time period that is at least 20 percent above the national average for the same 24-month period. 7 CFR 273.24(f)(6) provides that States may define areas to be waived.

The State of South Dakota seeks a waiver for one county based on its average unemployment rate that is 20 percent above the national average for the 24-month

period of January 2019 through December 2020. The national average unemployment rate for this 24-month period was 5.8 percent; 20 percent above this was 7.0 percent.

| <b>Bureau of Labor Statistics Local Area Unemployment Data<br/>January 2019 through December 2020</b> |                             |                              |                              |
|-------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------|------------------------------|
| <b>Counties</b>                                                                                       | <b>Unemployed<br/>Total</b> | <b>Labor Force<br/>Total</b> | <b>Unemployment<br/>Rate</b> |
| Dewey County, SD                                                                                      | 4,082                       | 53,590                       | 7.6%                         |
| <b>20% Above National<br/>Average Threshold</b>                                                       | <b>7.0%</b>                 |                              |                              |

The State requests to waive the following reservations based on having an average unemployment rate exceeding the national average for a recent 24-month period. The reservation unemployment rate was calculated by applying 2019 American Community Survey<sup>1</sup> share ratios to county-level Bureau of Labor Statistics data from May 2019 – April 2021. The following table summarizes the calculations:

| <b>American Community Survey and Bureau of Labor Statistics Data<br/>May 2019 through April 2021</b>                 |                   |                        |                              |
|----------------------------------------------------------------------------------------------------------------------|-------------------|------------------------|------------------------------|
| <b>Reservations</b>                                                                                                  | <b>Unemployed</b> | <b>Labor<br/>Force</b> | <b>Unemployment<br/>Rate</b> |
| Moody County (part); South Dakota (part);<br>Flandreau Reservation, SD                                               | 434               | 5,079                  | 8.5%                         |
| <b>Total Flandreau Reservation</b>                                                                                   | <b>434</b>        | <b>5,079</b>           | <b>8.5%</b>                  |
| Codington County (part); South Dakota (part);<br>Lake Traverse Reservation and Off-Reservation<br>Trust Land, SD--ND | 257               | 3,525                  | 7.3%                         |
| Day County (part); South Dakota (part); Lake<br>Traverse Reservation and Off-Reservation Trust<br>Land, SD--ND       | 1,657             | 7,456                  | 22.2%                        |
| Grant County (part); South Dakota (part); Lake<br>Traverse Reservation and Off-Reservation Trust<br>Land, SD--ND     | -                 | 2,810                  | 0.0%                         |
| Marshall County (part); South Dakota (part); Lake<br>Traverse Reservation and Off-Reservation Trust<br>Land, SD--ND  | 2,022             | 14,393                 | 14.1%                        |
| Roberts County (part); South Dakota (part); Lake<br>Traverse Reservation and Off-Reservation Trust<br>Land, SD--ND   | 6,044             | 93,667                 | 6.5%                         |
| <b>Total Lake Traverse Reservation</b>                                                                               | <b>9,980</b>      | <b>121,851</b>         | <b>8.2%</b>                  |
|                                                                                                                      |                   |                        |                              |

<sup>1</sup> These calculations are based on data from the 2015-2019 American Community Survey 5-Year Estimates.

|                                                                                                            |               |                |              |
|------------------------------------------------------------------------------------------------------------|---------------|----------------|--------------|
| Lyman County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD       | 1,749         | 12,554         | 13.9%        |
| Stanley County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD     | -             | 51             | 0.0%         |
| <b>Total Lower Brule Reservation</b>                                                                       | <b>1,749</b>  | <b>12,554</b>  | <b>13.9%</b> |
|                                                                                                            |               |                |              |
| Bennett County; South Dakota (part); Pine Ridge Reservation, SD--NE                                        | 1,227         | 25,743         | 4.8%         |
| Jackson County (part); South Dakota (part); Pine Ridge Reservation, SD--NE                                 | 1,049         | 15,019         | 7.0%         |
| Oglala Lakota County; South Dakota (part); Pine Ridge Reservation, SD--NE                                  | 8,384         | 87,598         | 9.6%         |
| <b>Total Pine Ridge Reservation</b>                                                                        | <b>10,660</b> | <b>128,360</b> | <b>8.3%</b>  |
|                                                                                                            |               |                |              |
| Gregory County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD  | 274           | 394            | 69.7%        |
| Lyman County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD    | -             | -              | -            |
| Mellette County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD | 762           | 3,888          | 19.6%        |
| Todd County; South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD            | 4,413         | 73,970         | 6.0%         |
| Tripp County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD    | 714           | 3,546          | 20.1%        |
| <b>Total Rosebud Reservation</b>                                                                           | <b>6,163</b>  | <b>81,798</b>  | <b>7.5%</b>  |

**10. Anticipated impact on households and State agency operations:**

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

**11. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):**

The caseload for these areas, as of **August 2021**, represent **10.29%** of the caseload for the state. The quality control error rate for the State is not being calculated at this time. There are no quality control procedures involved.

**12. Anticipated implementation date and time period for which waiver is needed:**

The State is requesting a one-year waiver, from October 1, 2021 through September 30, 2022.

**13. Proposed quality control review procedures:**

There are no special quality control procedures needed in conjunction with this waiver.

**14. State agency submitting waiver request and State contact person: South Dakota Department of Social Services, Amy Briggs, Program Specialist II**

**15. Signature and title of requesting official:**

**Amanda Doherty-Karber**

Title: Program Administrator

Email for transmission of response: [Amanda.dohertykarber@state.sd.us](mailto:Amanda.dohertykarber@state.sd.us)

**16. Date of request: 9.17.2021**

**17. State agency staff contact (name/email/telephone):**

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**18. Regional office contact person (to be completed by FNS regional office):**