



United States Department of Agriculture

Food and
Nutrition
Service

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Date: December 21, 2018

Christie Twardoski
Bureau Chief
Human and Community Services Division
Montana Department of Public Health and Human Services
PO Box 202925
Helena, Montana 29620-2925

**Supplemental Nutrition Assistance Program (SNAP) – Montana Request to Waive
Able-Bodied Adults Without Dependents Time Limit – Approval**

Dear Ms. Twardoski:

This is in response to the Montana State agency's August 31, 2018, request to waive the SNAP time limit for able-bodied adults without dependents in 33 counties and 6 reservation areas from January 1, 2019, through December 31, 2019.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving the State to waive the time limit in the areas for a 12-month period, as requested. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. Please contact your FNS Regional Office with any questions.

As you may be aware, FNS has proposed regulations that would strengthen the standards by which areas can qualify for these waivers so that the statutory ABAWD work requirement is applied more broadly. FNS has proposed that the rule, once finalized, would go into effect on October 1, 2019, which is the beginning of federal fiscal year 2020. Therefore, the final rule could change the qualifying areas and approval period for this waiver.

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.

Moving forward, FNS will be taking actions to support the Administration's priority to provide able-bodied Americans a path to self-sufficiency. This goal requires that we establish a clear and mutual commitment to moving SNAP participants to meaningful employment.

Sincerely,


FOR

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

1. **Serial Number:** 2140013
2. **Request Type:** Extension and amendment
3. **Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory Citation:** 7 CFR 273.24
5. **State:** Montana
6. **Food and Nutrition Service (FNS) Region:** Mountain Plains
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 Montana State agency has requested to waive the ABAWD time limit in 33 counties and 6 reservations from January 1, 2019, through December 31, 2019. The State agency has grouped 33 contiguous counties for consideration as a combined area, while considering 6 reservation areas individually. The State has supported its request based upon each respective combined area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. The State agency selected June 2016 through May 2018 for this area. During this time period the national average unemployment rate was 4.4 percent; 20 percent above that rate is 5.3 percent. As shown in the following tables, the unemployment rate for each requested area was at least 5.3 percent during the selected time period.

Table 1: Combined Area (Bureau of Labor Statistics Local Area Unemployment Data June 2016 through May 2018)

Counties
1. Big Horn County
2. Blaine County
3. Carbon County
4. Carter County
5. Chouteau County
6. Fergus County
7. Flathead County
8. Garfield County

Counties
9. Glacier County
10. Golden Valley County
11. Granite County
12. Hill County
13. Judith Basin County
14. Lake County
15. Liberty County
16. Lincoln County
17. Meagher County
18. Mineral County
19. Musselshell County
20. Petroleum County
21. Phillips County
22. Pondera County
23. Powder River County
24. Powell County
25. Prairie County
26. Ravalli County
27. Rosebud County
28. Sanders County
29. Teton County
30. Toole County
31. Treasure County
32. Wheatland County
33. Wibaux County
Combined Area Unemployment Rate: 5.3%
Data extracted from http://www.bls.gov on October 26, 2018

Table 2: Reservation Areas (American Community Survey and Bureau of Labor Statistics Data June 2016 through May 2018)

Reservation	Unemployment Rate
1. Blackfeet Reservation	9.9%
2. Crow Reservation	13.1%
3. Fort Belknap Reservation	10.7%
4. Fort Peck Indian Reservation	6.2%
5. Northern Cheyenne Indian Reservation	16.7%
6. Rocky Boy's Reservation	9.6%
Data extracted from http://www.bls.gov and http://factfinder.census.gov on October 26, 2018.	

- 9. FNS Action and Justification:** FNS is approving the State agency to waive the ABAWD time limit as requested. 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, 2019
- 12. Expiration Date:** December 31, 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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