



Food and
Nutrition
Service

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Date: December 6, 2019

Justine M. Welker
Interim SNAP Program Manager
Human & Community Services Division
Montana Department of Public Health & Human Services
PO Box 202925
Helena, Montana 59620

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

Dear Ms. Welker:

This is in response to the Montana State agency's September 3, 2019, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs) in 38 counties and 7 reservations from January 1, 2020, through December 31, 2020. Although the State requested a 12-month waiver, the Food and Nutrition Service (FNS) is approving the waiver for 3 months due to new regulatory requirements governing the approval of ABAWD waiver requests at 7 CFR 273.24(f). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

FNS has finalized [regulations](#) that strengthen the standards by which areas can qualify for these waivers so that the statutory ABAWD work requirement is applied more broadly. All waivers must be approvable under the new regulatory standards by April 1, 2020. Therefore, if the State agency wishes to waive the SNAP time limit for ABAWDs in any areas beyond March 31, 2020, it must submit a new waiver request. FNS will evaluate any such requests under the new regulatory requirements at 7 CFR 273.24(f). Please contact your FNS Regional Office with any questions.

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.

Sincerely,

Miles Patrie

Miles Patrie
Acting Chief
Certification Policy Branch
Program Development Division

Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

1. **Serial Number:** 2140013
2. **Request Type:** Extension
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 requested to waive the ABAWD time limit in a total of 45 areas from January 1, 2020, through December 31, 2020. The State agency grouped 38 counties for consideration as an economically tied, combined area. The State requested seven reservations individually. The State agency supported its request based upon these areas having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of July 2017 through June 2019. During this time period the national average unemployment rate was 3.9 percent; 20 percent above that rate is 4.7 percent. The average unemployment rate for the requested areas was 4.7 percent or greater during 24-month period.

Table 1: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data July 2017 through June 2019)

Counties
1. Big Horn County
2. Blaine County
3. Broadwater County
4. Carbon County
5. Carter County
6. Chouteau County
7. Deer Lodge County
8. Fergus County

Counties
9. Flathead County
10. Garfield County
11. Glacier County
12. Golden Valley County
13. Granite County
14. Hill County
15. Jefferson County
16. Judith Basin County
17. Lake County
18. Liberty County
19. Lincoln County
20. Meagher County
21. Mineral County
22. Musselshell County
23. Petroleum County
24. Phillips County
25. Pondera County
26. Powder River County
27. Powell County
28. Prairie County
29. Ravalli County
30. Rosebud County
31. Sanders County
32. Silver Bow County
33. Stillwater County
34. Teton County
35. Toole County
36. Treasure County
37. Wheatland County
38. Wibaux County
Combined Area Unemployment Rate: 4.7%
Data extracted from http://www.bls.gov on October 2, 2019

Table 2: Reservation Areas (American Community Survey and Bureau of Labor Statistics Data July 2017 - June 2019)

Reservations	Unemployment Rate
1. Blackfeet Reservation	9.7%
2. Crow Reservation	11.9%
3. Flathead Reservation	4.8%
4. Fort Belknap Reservation	10.8%
5. Fort Peck Indian Reservation	5.8%
6. Northern Cheyenne Reservation	18.0%

Reservations	Unemployment Rate
7. Rocky Boy's Reservation	9.0%
Data extracted from http://www.bls.gov and http://factfinder.census.gov on October 2, 2019.	

- 9. FNS Action and Justification:** FNS is approving the State agency to waive the ABAWD time limit in the approved areas for 3 months. 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, 2020
- 12. Expiration Date:** March 31, 2020
- 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:**
 Name: Justine Welker
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- 15. FNS Regional Office Contact Information:**
 Name: Philip Fraley
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