



United States Department of Agriculture

Food and
Nutrition
Service

April 17, 2023

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Andréa Boltz
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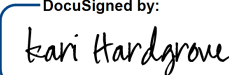
RE: Supplemental Nutrition Assistance Program (SNAP) – Montana Request to
Waive Able Bodied Adults Without Dependents Time Limit – Initial - Approval

Dear Andréa Boltz:

This is in response to the Montana Department of Public Health and Human Service's March 14, 2023, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

Food and Nutrition Service (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 the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:

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For

Catrina L. Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

**ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)
WAIVER RESPONSE**

- 1. Request Type:** Initial
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** Montana
- 5. Food and Nutrition Service (FNS) Region:** Mountain Plains
- 6. 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.
- 7. Requested Area(s) and Support:** The State agency requested to waive the ABAWD time limit in four (4) reservation areas from June 1, 2023, to May 31, 2024.

The State agency supported its request for the reservation areas based on the areas having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of September 2020 through August 2022. During this period, the national average unemployment rate was 5.1 percent; 20 percent above that rate is 6.1 percent. The average unemployment rate for each of the requested reservation areas was 8.7 percent or greater during the 24-month period.

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Table 1: Reservation Areas (American Community Survey Data, 2016 – 2021, and Bureau of Labor Statistics Data, September 2020 – August 2022)

Reservations	Unemployment Rate
1. Black Feet Indian Reservation	8.7%
2. Crow Indian Reservation	10.3%
3. Fort Belknap Indian Reservation	10.7%
4. Northern Cheyenne Indian Reservation	9.1%

Data extracted from <http://www.bls.gov> and <https://data.census.gov> on March 28, 2023.

FNS reminds the State agency that the Families First Coronavirus Response Act (FFCRA) continues to temporarily and partially suspend the ABAWD time limit nationwide. While the suspension remains in place, only ABAWDs who are offered a slot in a work or workfare program, including a SNAP Employment & Training (E&T) program, are subject to the time limit.

- 8. FNS Action and Justification:** FNS is approving the State agency's request to waive the ABAWD time limit. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 9. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 10. Implementation Date:** June 1, 2023
- 11. Expiration Date:** May 31, 2024
- 12. Information Required to Submit a Modification, Extension, or New Waiver:** To receive a modification, extension, or submit a new waiver to replace the current waiver, 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.

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13. State Agency Contact Information:

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14. FNS Regional Office Contact Information:

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