



United States
Department of
Agriculture

SEP 30 2011

990047

Food and
Nutrition
Service

SUBJECT: SNAP - South Dakota Request to Waive Work Requirements for
Able-Bodied Adults without Dependents (ABAWDs) – 7 CFR
273.24 – Extension and Modification – Approval

3101 Park
Center Drive

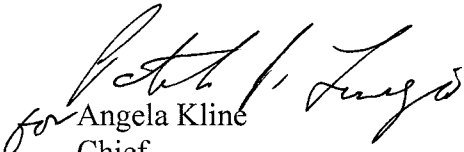
TO: Joe Casey
Acting Regional Director
Supplemental Nutrition Assistance Program
Mountain Plains Region

Alexandria, VA
22302-1500

This is in response to South Dakota's request to extend and modify Waiver #990047 to exempt able-bodied adults without dependents (ABAWDs) in certain areas of the State from Supplemental Nutrition Assistance Program (SNAP) work provisions at 7 CFR 273.24.

The State has proposed to exempt ABAWDs residing in Mellette and Todd counties based on a low and declining employment to population ratio and to exempt residents of Dewey, Ziebach, Jackson, and Shannon counties, as well as the Crow Creak, Flandreau, Lower Brule and Pine Ridge Reservations based on a 24-month average unemployment rate that exceeds the national average by 20 percent.

Based on our review of the data provided, FNS is approving this waiver for a 1-year period, effective October 1, 2011 through September 30, 2012. Our detailed response is attached. If you have any questions, please contact Stephanie Davis at Stephanie.Davis@fns.usda.gov or at (703) 305-2437.


for Angela Kline
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 990047
2. **Type of request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **Secondary regulation citation:** N/A
5. **State:** South Dakota
6. **Region:** Mountain Plains
7. **Regulatory requirements:** 7 CFR 273.24 provides that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if, during the preceding 36-month period, the individual received SNAP benefits for more than 3 months during any 3 year period in which the individual was subject to, but did not comply with the program's work requirement. 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.

7 CFR 273.24(f) also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision 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. **Proposed alternative procedures:** The South Dakota State Agency is requesting to extend its waiver of the ABAWD work requirements through Fiscal Year 2012 and to modify the regions of the State covered in the waiver approval to better reflect current areas of high unemployment. The modification will allow the State to exempt ABAWDs residing in four Indian Reservations and two additional areas based on an aggregate average unemployment rate of at least 20 percent above the national average from January 2008 through December 2009, when the national average unemployment rate plus 20 percent was 8.9 percent. The State will also exempt ABAWDs residing in two counties based on a low and declining employment-to-population ratio.

Unemployment Rate Data

Sub-Areas:

County	Unemployment Rate Calculation Jan 2008 – Dec 2009
Sub-Area of Aberdeen Economic Area	
Dewey County	10.3
Ziebach County	6.6
Total for sub-area	9.4
Sub-Area of Rapid City Economic Area	
Jackson County	6.4
Shannon County	9.8
Total for sub-area	9.0

Reservations:

Indian Reservation Areas	Unemployment Rate Calculation Jan 2008 – Dec 2009
Crow Creek Reservation	
Crow Creek Reservation, Buffalo County Part	15.8
Crow Creek Reservation, Hughes County Part	7.6
Crow Creek Reservation, Hyde County Part	10.2
Total Crow Creek Reservation	14.0
Flandreau Reservation	
Flandreau Reservation, Moody County Part	24.0
Total Flandreau Reservation	24.0
Lower Brule Reservation	
Lower Brule Reservation, Lyman County Part	17.5
Lower Brule Reservation, Stanley County Part	36.4
Total Lower Brule Reservation	18.5
Pine Ridge Reservation	
Pine Ridge Reservation, Bennett County Part	15.2
Pine Ridge Reservation, Jackson County Part	17.2
Pine Ridge Reservation, Shannon County Part	9.8
Total Pine Ridge Reservation	10.9

Employment-to-Population Ratio Data

Employment to Population Ratio	Mellette County	Todd County	United States (official)
July 2006	59.8%	51.6%	63.6%
July 2007	59.4%	50.4%	63.5%
Change from 2006 to 2007	-0.4%	-1.2%	-0.1%
July 2008	56.8%	48.7%	62.8%
Change from 2007 to 2008	-2.6%	-1.6%	-0.7%
July 2009	55.1%	48.6%	59.8%
Change from 2008 to 2009	-1.7%	-0.2%	-3.0%
July 2010	56.1%	50.2%	58.9%
Change from 2009 to 2010	1.0%	1.6%	-0.9%
Change from 2006 to 2010	-3.7%	-1.4%	-4.7%

9. **Action and reason for approval or denial:** The data submitted by the State agency shows that the areas listed in the request meet the requirements of approval pursuant to 7 CFR 273.24(f)(2) and (3). Based on the data provided, FNS is approving South Dakota's request.
10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
11. **Conditions and reasons:** None.
12. **Information required for extension:** To receive an extension the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3).
13. **Expiration date:** This waiver is approved for one year, effective October 1, 2011 through September 30, 2012.
14. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the South Dakota State agency.
15. **Quality control procedures:** N/A
16. **Date of national office action:** September 30, 2011
17. **Date of State agency's request:** August 31, 2011
18. **Date of regional office transmittal of request to national office:** September 1, 2011
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:** October 1, 2011