



United States Department of Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive
Alexandria, VA
22302-1500

OCT 18 2013

Ms. Judy Toelle
Program Administrator
Supplemental Nutrition Assistance Program
South Dakota Department of Social Services
700 Governors Drive
Pierre, South Dakota 57501

RE: SNAP – South Dakota ABAWD Waiver Modification and Extension –
FY 2014 – Approval

This is in response to the South Dakota Department of Social Services' request to extend and modify waiver #990047 to exempt able-bodied adults without dependents (ABAWDs) residing in certain areas of the State from Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24.

The State agency has requested to waive ABAWD time limits in the following areas due to a 24-month average unemployment rate at least 20 percent above the national average: Buffalo County, Aberdeen Economic Area and Crow Creek, Lower Brule, Pine Ridge and Rosebud Reservations. The State agency has also requested to waive ABAWD time limits in the Rapid City Economic Area due to a recent 12-month unemployment rate above 10 percent.

Based on the data provided, the Food and Nutrition Service (FNS) is approving the State agency's request for a one-year period, effective October 1, 2013 through September 30, 2014. Our detailed waiver response is attached. If you have any questions, please contact Kathie Herrman at Kathie.Herrman@fns.usda.gov.

Sincerely,

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. **State:** South Dakota
5. **Region:** Mountain Plains
6. **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 food stamp benefits for not less than three months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with requirements of a program under Section 20 of the Food and Nutrition Act or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f)(1) also provides that, upon the request of a State agency, the Food and Nutrition Service (FNS) 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.
7. **Description of alternative procedures:** The South Dakota Department of Social Services is requesting a modification and extension of its waiver of SNAP participation time limits for able-bodied adults without dependents (ABAWDs) residing in certain areas of the State.

The State agency requested a waiver for the following areas based on an unemployment rate 20 percent above the national average from June 2011 through May 2013. During this time period, the national average unemployment rate plus 20 percent was 9.9 percent.

Area	Unemployment Rate (Jun 2011 – May 2013)
Buffalo County	14.5%
Aberdeen Economic Area (Dewey, Ziebach and Corson Counties)	10.6%
Crow Creek Reservation	15.9%
Lower Brule Reservation	19.8%
Pine Ridge Reservation	14.6%
Rosebud Reservation	10.5%

The State agency requested a waiver for the following area based on a 12-month average unemployment rate of over 10 percent from June 2012 through May 2013:

Area	Unemployment Rate (Jun 2012 – May 2013)
Rapid City Economic Area (Jackson, Shannon, Todd, Mellette and Bennett Counties)	10.1%

8. **Action and reason for approval or denial:** FNS is approving the State agency's request as the data submitted by the State agency meets the requirements of approval pursuant to 7 CFR 273.24(f)(3) and relevant FNS guidance.
9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **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).
12. **Expiration date:** The waiver is effective beginning on October 1, 2013 and will expire on September 30, 2014.
13. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the South Dakota State agency.
14. **Quality control procedures:** N/A

15. **Date of State agency's request:** August 22, 2013
16. **Date of regional office transmittal of request to national office:**
August 27, 2013
17. **Date of national office action:** OCT 18 2013
18. **Anticipated implementation date (*notify FNS if actual date differs*):**
October 1, 2013
19. **State agency contact:** Judy Toelle, Judy.Toelle@state.sd.us
20. **FNS regional contact:** Kathie Herrman, Katie.Herrman@fns.usda.gov
21. **FNS national office contact:** Stephanie Davis, Stephanie.Davis@fns.usda.gov