



SEP 05 2014

Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

Judy Toelle
SNAP Administrator
South Dakota Department of Social Services
Division of Economic Assistance
700 Governors Drive
Pierre, South Dakota 57501-2291

RE: SNAP – South Dakota Request to Waive Able-bodied Adults without Dependents
Time Limits - Extension - Approval

Dear Ms. Toelle:

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

The South Dakota State agency has requested to waive ABAWD time limits in five reservation areas and 11 counties within the State. The reservation areas included in the request are: Crow Creek, Lower Brule, Lake Traverse, Rosebud, and Yankton. The counties included are: Bennett, Buffalo, Campbell, Corson, Dewey, Jackson, Jones, Mellette, Shannon, Todd, and Ziebach. The supporting documentation provided by the State shows that these areas meet the requirements for waiver approval following regulations at 7 CFR 273.24. Some areas qualify for a waiver because their unemployment rate exceeds 20 percent above the national average and others due to a low and declining employment to population ratio.

The Food Nutrition Service (FNS) is approving this request for an extension of South Dakota's waiver of the ABAWD time limit. This approval is effective from October 1, 2014 through September 30, 2015. A detailed waiver response is attached.

If you have any questions, please contact Phil Fraley at Philip.Fraley@fns.usda.gov.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver Serial Number:** 990047
2. **Type of Request:** Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** South Dakota
5. **Region:** Mountain Plains
6. **Regulatory Requirement:** Federal 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 three months during any three year period in which the individual was subject to, but did not comply with the SNAP work requirements. 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.

Regulations at 7CFR 273.24(f) also provide 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.
7. **Description of proposed alternative procedures:** The South Dakota State agency is requesting to exempt able-bodied adults without dependents (ABAWDs) from SNAP time limits at 7 CFR 273.24. The waiver applies to ABAWDs in the following areas of the State: Bennett, Buffalo, Campbell, Corson, Dewey, Jackson, Jones, Mellette, Shannon, Todd, and Ziebach Counties, and Crow Creek, Lake Traverse, Lower Brule, Rosebud and Yankton Reservations.
8. **Action and reason for approval or denial:** FNS is approving the South Dakota State agency's request to waive ABAWD time limits as the State meets the requirements for approval provided at 7 CFR 273.24(f)(2)(ii). The State agency has demonstrated that the areas listed below had a 20% above the national average unemployment rate for the 24-month period of May 2012 through April 2014.

Area	Unemployment Rate May 2012 – April 2014
Buffalo County	12.9%
Combined area of Campbell, Corson, Dewey and Ziebach Counties	9.2%
Combined area of Bennett, Jackson, Jones, Mellette, Shannon and Todd Counties	9.2%
Crow Creek Reservation	11.7%
Lower Brule Reservation	12.5%
Rosebud Reservation	11.1%
US National Average	7.4%
20% Above the National Average Threshold	8.9%

Also, data submitted by the State agency shows that the Lake Traverse and Yankton Reservation has a low and declining employment to population ratio unemployment rate above 10 percent for the three month period of February through April 2014. The town had an unemployment rate of 10.6 percent during this period.

Employment to Population Ratio	Lake Traverse Reservation	Yankton Reservation	United States (official)
2010	58.4	55.4	58.5
2011	57.3	54.7	58.4
Change from 2010-2011	-1.1	-0.7	-0.1
2012	57.3	54.0	58.6
Change from 2011-2012	0	-0.7	0.2
2013	57.7	53.7	58.6
Change from 2012-2013	0.4	-0.3	0
Change from 2010-2013	-0.7	-1.7	0.1

9. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i),(ii) and (iii).
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). If South Dakota wishes to receive an extension based on unemployment rates, it must provide FNS with a waiver request along with all supporting documentation, including spreadsheets.
12. **Expiration date:** This waiver extension is effective beginning October 1, 2014 and will expire on September 30, 2015.
13. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the South Dakota Department of Social Services.
14. **Date of national office action:** SFP 05 2014
15. **Date of State agency's request:** July 18, 2014
16. **Date of regional office transmittal of request:** July 21, 2014
17. **Implementation date (notify FNS if actual date differs):** October 1, 2014
18. **State agency contact:**
Judy Toelle
Judy.toelle@state.sd.us
19. **FNS regional contact:**
Phil Fraley
Philip.Fraley@fns.usda.gov