



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

SEP 24 2015

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

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

Dear Ms. Doherty:

This is in response to the South Dakota Department of Social Services' request to extend and modify waiver number 990047, which would allow South Dakota to exempt able-bodied adults without dependents (ABAWD) in 12 counties and eight reservation areas from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24 for fiscal year 2016.

The South Dakota State agency has supported its request to waive the time limit in four contiguous counties – Campbell, Corson, Dewey, and Ziebach Counties – based upon the group having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. The State agency has supported waiving the time limit in another 8 contiguous counties – Bennett, Buffalo, Jackson, Jones, Lyman, Mellette, Shannon, and Todd Counties – based upon the group having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period.

The State agency has also requested to waive the time limit in Cheyenne, Crow Creek, Flandreau, Lower-Brule, Pine Ridge, and Rosebud Reservations based upon each individual reservation area having an aggregate average unemployment 20 percent above the national average for a recent 24-month period. Additionally, the State has requested to waive the time limit in Yankton and Lake Traverse Reservations based upon their respective low and declining employment-to-population ratios.

The Bureau of Labor Statistics and American Community Survey data provided by the South Dakota State agency supports waiver approval for the requested areas. Therefore, the Food and Nutrition service is approving South Dakota's request to waive the ABAWD time limit in the 12 counties and eight reservation areas for

Ms. Amanda Doherty

Page 2

12 months, effective October 1, 2015, through September 30, 2016. The detailed waiver response is attached. If you have any questions, please contact Kathie Herrman at Kathie.Herrman@fns.usda.gov or Philip Fraley at Philip.Fraley@fns.usda.gov.

Sincerely,

A handwritten signature in black ink that reads "Sasha Gersten-Paal". The signature is written in a cursive, flowing style.

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 990047
2. **Type of request:** Extension and modification
3. **Regulatory 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 able-bodied adult without dependents (ABAWD) 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. Regulations at 7 CFR 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 at least 20 hours per week; any combination of working and participating in a work program for a total of 20 hours per week; or participating and complying with a workfare program.

Regulations at 7 CFR 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 has requested to waive the ABAWD time limit at 7 CFR 273.24 in 12 counties and eight reservation areas from October 1, 2015 through September 30, 2016.

South Dakota has supported its request to waive the time limit in four contiguous counties – Campbell, Corson, Dewey, and Ziebach Counties – based upon the group having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. The State agency has supported waiving the time limit in another 8 contiguous counties – Bennett, Buffalo, Jackson, Jones, Lyman, Mellette, Shannon, and Todd Counties – based upon the

group having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. In addition, the State agency has requested to waive the time limit in Cheyenne, Crow Creek, Flandreau, Lower-Brule, Pine Ridge, and Rosebud Reservations based upon each individual reservation area having an aggregate average unemployment 20 percent above the national average for a recent 24-month period.

The State agency selected the same 24-month period – June 2013 through May 2015 – for each county group and for all six reservation areas. During this 24-month period the national unemployment rate was 6.3 percent; 20 percent above this is 7.6 percent. As detailed in the tables below, each county group and all six reservation areas qualify based upon having unemployment rates 20 percent above the national average from June 2013 through May 2015.

Bureau of Labor Statistics Local Area Unemployment Data June 2013 – May 2015*		
County	Labor Force Total	Unemployed Total
Campbell	20,128	690
Corson	36,277	2,222
Dewey	56,877	8,349
Ziebach	24,441	1,454
Group Total	137,723	12,715
Group Unemployment Rate	9.2%	
20% Above National Average Threshold	7.6%	
County	Labor Force Total	Unemployed Total
Bennett	27,241	1,556
Buffalo	17,588	1,442
Jackson	31,660	1,766
Jones	14,865	520
Lyman	43,991	1,976
Mellette	19,858	1,286
Shannon	87,439	11,632
Todd	74,847	6,798
Group Total	317,489	26,976
Group Unemployment Rate	3.5%	
20% Above National Average Threshold	7.5%	

*Data extracted from <http://www.bls.gov> on September 2, 2015

Bureau of Labor Statistics Local Area Unemployment Data / Census Bureau Data*	
Reservation Area	Unemployment Rate: June 2013 – May 2015
Cheyenne	12.0%
Crow Creek	15.2%
Flandreau	11.1%
Lower-Brule	10.6%
Pine Ridge	11.2%
Rosebud	10.9%
20% Above National Average Threshold	7.6%

*Data extracted from <http://www.bls.gov> and <http://factfinder.census.gov> on September 2, 2015.

Furthermore, the State has requested to waive the time limit in Yankton and Lake Traverse Reservations based upon each area's respective low and declining employment-to-population ratios, as detailed in the table below.

Bureau of Labor Statistics Local Area Unemployment Data / Census Bureau Data						
Employment-Population Ratio						
Annual Average	2010	2011	2012	2013	2014	Percentage Difference: 2010 to 2014
United States	57.0%	56.8%	57.3%	57.3%	57.7%	0.7%
South Dakota	66.0%	65.4%	65.1%	64.9%	65.1%	-0.9%
Yankton Reservation	55.3%	54.7%	53.6%	53.1%	53.9%	-1.4%
Lake Traverse Reservation	61.2%	60.0%	59.4%	59.2%	59.9%	-1.3%

8. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the South Dakota State agency's request to waive the ABAWD time limit in the 12 counties and eight reservation areas request because the State meets the requirements for approval provided at 7 CFR 273.24(f) 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 FNS with a formal waiver request supported by data or other information as described in 7 CFR 273.24(f). If the State requests an extension based upon unemployment rates, it must provide FNS with all supporting documentation, including data spreadsheets.
- 12. Expiration date:** The waiver is effective October 1, 2015, through September 30, 2016.
- 13. Limitation, if any, on regional office approval of like requests:** The waiver is limited to the South Dakota State agency.
- 14. Date of national office action:** **SEP 24 2015**
- 15. Date of State agency's request:** August 13, 2015
- 16. Date of regional office transmittal of request:** August 13, 2015
- 17. Implementation date:** October 1, 2015
- 18. State agency contact:**
Virginia Hanson
(605)-773-4719
Virginia.Hanson@state.sd.us
- 19. FNS regional contacts:**
Kathie Herrman
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