



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

JUL 29 2016

Amanda Doherty
Supplemental Nutrition Assistance Program Administrator
Division of Economic Assistance
South Dakota Department of Social Services
700 Governors Drive
Pierre, South Dakota 57501-2291

RE: SNAP – South Dakota Request to Waive Able-Bodied Adults without Dependents
Time Limit – Approval

Dear Ms. Doherty:

This is in response to the South Dakota State agency's request to waive the Supplemental Nutrition Assistance Program (SNAP) time limit for able-bodied adults without dependents in nine counties and eight reservations from October 1, 2016, through September 30, 2017.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving South Dakota to waive the time limit in the nine counties and eight reservations for the requested 12 month period. The approval amends and extends waiver number 990047. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

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

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

WAIVER RESPONSE

1. **Waiver serial number:** 990047
2. **Type of request:** Amendment and extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** South Dakota
6. **Region:** Mountain Plains
7. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides 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. Section 6(o) also provides 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 in 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 has requested to waive the ABAWD time limit in nine counties and eight reservations from October 1, 2016, through September 30, 2017. The State agency has grouped contiguous counties for consideration as two respective combined areas, and has supported its request based upon each combined area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. In addition, the State agency has supported its request for six reservation areas based upon each individual area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. The State agency selected the same 24-month period – May 2014 through April 2016 – for the nine counties and six reservation areas. During this time period the national average unemployment rate was 5.5 percent; 20 percent above that rate is 6.6 percent. As detailed in the following tables, the aggregate unemployment rates for the requested areas reached 6.6 percent during the selected time period.

Bureau of Labor Statistics Local Area Unemployment Data May 2014 – April 2016*		
County Group 1	Unemployment	Labor Force
Corson	1,875	35,765
Dewey	6,633	55,701
Ziebach	1,247	24,108
Total	9,759	115,578
Combined Area Unemployment Rate	8.4%	
20% Above National Unemployment Rate	6.6%	
County Group 2	Unemployment	Labor Force
Bennett	1,346	27,302
Jackson	1,425	31,706
Jones	423	14,306
Mellette	1,022	19,570
Oglala Lakota	10,047	86,404
Todd	5,551	73,403
Total	19,814	252,691
Combined Area Unemployment Rate	7.8%	
20% Above National Unemployment Rate	6.6%	

*Data extracted from <http://www.bls.gov> on July 20, 2016.

Bureau of Labor Statistics Local Area Unemployment Data / Census Bureau Data*	
Reservation Area	Unemployment Rate: May 2014 – April 2016
Cheyenne	9.8%
Crow Creek	13.4%
Flandreau	8.9%
Lower-Brule	10.4%
Pine Ridge	9.9%
Rosebud	9.3%
20% Above National Unemployment Rate	6.6%

*Data extracted from <http://www.bls.gov> and <http://factfinder.census.gov> on June 30, 2016.

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 Ratios						
Year	2010	2011	2012	2013	2014	Percentage Point Difference: 2010 - 2014
United States	56.8%	57.3%	57.3%	57.7%	58.2%	1.4%
South Dakota	65.4%	65.1%	64.9%	65.1%	65.4%	0.0%
Yankton Reservation	54.9%	53.8%	53.3%	53.7%	53.4%	-1.5%
Lake Traverse Reservation	60.0%	59.4%	59.1%	59.4%	59.5%	-0.5%

9. **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 nine counties and eight reservation areas because the jurisdictions meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008, as amended and 7 CFR 273.24(f).
11. **Information required for an extension:** To receive an amendment or extension 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.
12. **Implementation date and expiration date:** The waiver is effective October 1, 2016, through September 30, 2017.
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:** JUL 29 2016
15. **Date of State agency's request:** June 17, 2016
16. **Date of regional office transmittal of request:** June 17, 2016

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18. FNS regional contact:

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