



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard, Suite 903
Denver, Colorado 80204-3585

To: Lizbeth Silbermann
From: Phil Fraley *PF*
Subject: Wyoming ABAWD Waiver Request

JUN 21 2012

Attached is a request from the Wyoming Department of Family Services to waive the ABAWD work requirement for tribal members enrolled on the Wind River Indian Reservation. The State is requesting to waive the work requirements based on maintaining an average unemployment rate exceeding 10 percent for a 3-month period of January – March 2010.

This request to exempt residents residing on the Wind River Reservation from the work requirements of 7 CFR 273.24, due to unemployment over 10 percent, is based on data the State obtained from the Center on Budget and Policy Priorities (CBPP). Although the State is requesting a three-year waiver beginning October 1, 2012 through September 30, 2015, the State did not provide data showing an unemployment rate greater than 10 percent for the 2 year period immediately prior to the request.

The Mountain Plains Regional office recommends approval for one year.

If there are any questions concerning this request, or if additional information is needed, please contact Vicki Flores at (303) 844-4458, or by e-mail at victoria.flores@fns.usda.gov.

cc: Angela Kline
Patrick Lucrezio

MP SNAP: 10-1-1 WY



WYOMING DEPARTMENT of Family Services

2300 Capitol Avenue
Third Floor Hathaway Bldg
Cheyenne, WY 82002-0490
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June 14, 2012

Ms. Cheryl Kennedy
Regional Director, SNAP Program
USDA, Mountain Plains Region
1244 Speer Boulevard, Suite 903
Denver, CO 80201

REF: SC-12-074
RE: ABAWD Waiver

Dear Ms. Kennedy:

The State of Wyoming is requesting a waiver of the Able Bodied Adult Without Dependents Provision as it relates to enrolled tribal members on the Wind River Indian Reservation pursuant to Section 824 of the "Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193". Our waiver request is as follows:

WAIVER REQUEST

1. **Waiver serial number:**
990047
2. **Type of request:**
Initial
3. **Primary regulation citation, if any:**
Section 6 (o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.
4. **Secondary regulation citation, if any:**
7 CFR 273.24 (f)(2)(i)
5. **State:**
Wyoming
6. **Region:**
MPRO



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7. Regulatory requirements:

Under 7 CFR 273.24(b) individuals are not eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; participate in and comply with the requirements of a work program for 20 hours or more per week; or participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

Under 7 CFR 273.24(f), 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 FNS 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.

In addition, 7 CFR 273.24 (f)(2)(i) permits states to use "evidence that an area has a recent 12 month average unemployment rate over 10 percent; a recent three month average unemployment rate over 10 percent; or an historical seasonal unemployment rate over 10 percent".

8. Proposed procedures:

The State is requesting to waive individuals in the Wind River Reservation based on maintaining an average unemployment rate exceeding 10 percent for a 3-month period of January-March 2010. The reservation unemployment rates were calculated by applying 2000 Census share ratios to county-level BLS data for January through March 2010. The following tables summarize the calculations:

Indian Reservation Areas	JAN -March 2010 Unemployment Rate Calculation
Wind River Reservation, Fremont County part	12.4
Wind River Reservation, Hot Springs County part	0.0
Total Wind River Reservation	12.4



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These are based on these Census shares from the 2010 Census:

Area	Employed [2000 Census]				Unemployed [2000 Census]			
	Males	Females	Total [= Males + Females]	Census Share Ratio [= County Part / Whole County]	Males	Females	Total [= Males + Females]	Census Share Ratio [= County Part / Whole County]
Wind River Reservation, Fremont County part	5074	4858	9932	0.618739	854	437	1291	0.826504
Fremont County	8231	7821	16052	1.000000	984	578	1562	1.000000
Wind River Reservation, Hot Springs County part	17	11	28	0.011536	0	0	0	0.000000
Hot Springs County	1200	1227	2427	1.000000	37	8	45	1.000000

WHOLE COUNTY LABOR FORCE DATA		Jan 2010-March 2010		Jan 2010-March 2010		Jan 2010-March 2010	
		Total,		Total,		Total,	
		unemployed		labor force		employed	
Fremont County		5,639		58,656		53,017	
Hot Springs County		485		7,755		7,270	
RESERVATION UNEMPLOYMENT CALCULATIONS		Reservation					
		Employed	Unemployed	Labor force	Unemployment		
Wind River Reservation, Fremont County part		32,804	4,661	37,464	12.4		
Wind River Reservation, Hot Springs County part		84	0	84	0.0		

Since the overwhelming majority (>99%) of the Reservation's population resides in Fremont County, and the Fremont County part of the Reservation has an unemployment rate that exceeds 10 percent during the period of January-March 2010, the State requests that all individuals living on the Reservation be waived.

9. Justification for request:

As stated in number 8 above, the areas listed above have an average unemployment rate greater than 10 percent during a recent 3-month time period. All of the raw data supporting our numbers that we have used are from the Bureau of Labor Statistics (BLS) website.



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10. **Anticipated impact on households and State agency operations:**
This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.
11. **Caseload information, including percent, characteristic, and quality control error rate for affected portion:**
The caseload for these areas, as of *June 11, 2012*, represent *4%* of the caseload for the state. There are no quality control procedures involved
12. **Anticipated implementation date and time period for which waiver is needed:**
The State is requesting a three-year waiver from October 1, 2012 through September 30, 2015.
13. **Proposed quality control review procedures:**
There are no special quality control procedures needed in conjunction with this waiver.
14. **Signature and title of requesting official:**

Sincerely,

Steve Corsi
Director

SC:jmh

cc: Heather Babbitt, Economic Assistance Administrator
Coleen Collins, Deputy Economic Assistance Administrator
Jacqueline Herb, SNAP Program Manager
Corrine Livers, TANF Program Manager
Arlene Rocha, Program Specialist, Mountain Plains Region
Alice Sullivan, SNAP Program Manager