

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2140013
2. **Type of request:** Amendment
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory citation:** 7 CFR 273.24 as amended by the Food and Nutrition Service's Final Rule "Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents," published on December 5, 2019 (84 FR 66782).
5. **State:** Montana
6. **Region:** Mountain Plains
7. **Regulatory requirements:** 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 has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Description of alternative procedures:** The State of Montana is requesting to exempt able-bodied adults without dependents (ABAWDs) in 5 Labor Market Areas (LMAs) and 6 reservations from SNAP time limits at 7 CFR 273.24 as amended by the Food and Nutrition Service's Final Rule (84 FR 66782).
9. **Justification for request:**
Under SNAP regulations at 7 CFR 273.24(f)(2), areas may support a claim of insufficient jobs by submitting evidence that an area has an average unemployment rate for a 24-month time period that exceeds the national average for the same 24-month period by 20 percent, but in no case may the 24-month average unemployment rate of the requested area be less than 6 percent. 7 CFR 273.24(f)(4) provides that a Labor Market Area (LMA), the intrastate part of an interstate LMA, a reservation area, or a U.S. Territory are considered to be areas for the purposes of waivers.

The State of Montana seeks a waiver for 5 Labor Market Areas based on those Labor Market Areas having average unemployment rates at least 6 percent and at least 20 percent above the national average for the 24-month period of July 2017 through June 2019. The national average unemployment rate for this 24-month period was 3.9 percent; 20 percent above this was 4.7 percent.

Bureau of Labor Statistics Local Area Unemployment Data July 2017 through June 2019			
Labor Market Area	Unemployed Total	Labor Force Total	Unemploy ment Rate
Big Horn County, MT	12,384	122,949	10.1%
Glacier County, MT	10,557	136,433	7.7%
Lincoln County, MT	14,324	192,798	7.4%
Mineral County, MT	2,848	41,124	6.9%
Sanders County, MT	7,336	114,489	6.4%

The State also seeks a waiver for the following reservations. During the period of July 2017 through June 2019, the reservations had average unemployment rates at least 20 percent higher than the national average unemployment rate for the same period and above 6 percent. The reservation unemployment rates were calculated by applying 2014-2018 5-year American Community Survey (ACS) share ratios to county-level Bureau of Labor Statistics data for July 2017 - June 2019.

American Community Survey and Bureau of Labor Statistics Data July 2017 through June 2019			
Reservations	Unemployed	Labor Force	Unemployment Rate
Glacier County (part); Montana (part); Blackfeet Indian Reservation and Off-Reservation Trust Land, MT	8,952	97,954	9.1%
Pondera County (part); Montana (part); Blackfeet Indian Reservation and Off-Reservation Trust Land, MT	1,020	7,016	14.5%
Total Blackfeet Reservation	9,972	104,970	9.5%
Big Horn County (part); Montana (part); Crow Reservation and Off-Reservation Trust Land, MT	6,884	57,217	12.0%
Treasure County (part); Montana (part); Crow Reservation and Off-Reservation Trust Land, MT	-	-	-
Yellowstone County (part); Montana (part); Crow Reservation and Off-Reservation Trust Land, MT	273	4,293	6.4%
Total Crow Reservation	7,157	61,510	11.6%
Blaine County (part); Montana (part); Fort Belknap Reservation and Off-Reservation Trust Land, MT	1,873	18,208	10.3%

Phillips County (part); Montana (part); Fort Belknap Reservation and Off-Reservation Trust Land, MT	92	1,616	5.7%
Total Fort Belknap Reservation	1,964	19,824	9.9%
Big Horn County (part); Montana (part); Northern Cheyenne Indian Reservation and Off-Reservation Trust Land, MT--SD	2,834	13,879	20.4%
Rosebud County (part); Montana (part); Northern Cheyenne Indian Reservation and Off-Reservation Trust Land, MT--SD	3,777	26,689	14.2%
Total Northern Cheyenne Indian Reservation	6,611	40,568	16.3%
Chouteau County (part); Montana (part); Rocky Boy's Reservation and Off-Reservation Trust Land, MT	771	8,298	9.3%
Hill County (part); Montana (part); Rocky Boy's Reservation and Off-Reservation Trust Land, MT	1,079	15,793	6.8%
Total Rocky Boy's Reservation	1,850	24,091	7.7%

The State also requests a waiver for Fort Peck reservation, provided that FNS determines that the 6 percent unemployment rate threshold as established by the ABAWD Final Rule does not apply to reservations. During the period of July 2017 through June 2019, Fort Peck reservation had an average unemployment rates at least 20 percent higher than the national average unemployment rate for the same period. The national average unemployment rate for this 24-month period was 3.9 percent; 20 percent above this was 4.7 percent. The reservation unemployment rate was calculated by applying 2014-2018 5-year American Community Survey (ACS) share ratios to county-level Bureau of Labor Statistics data for July 2017 - June 2019.

American Community Survey and Bureau of Labor Statistics Data July 2017 through June 2019			
Reservations	Unemployed	Labor Force	Unemployment Rate
Daniels County (part); Montana (part); Fort Peck Indian Reservation and Off-Reservation Trust Land, MT	0	448	0.0%
Roosevelt County (part); Montana (part); Fort Peck Indian Reservation and Off-Reservation Trust Land, MT	4791	84,251	5.7%
Sheridan County (part); Montana (part); Fort Peck Indian Reservation and Off-Reservation Trust Land, MT	0	1,208	0.0%
Valley County (part); Montana (part); Fort Peck Indian Reservation and Off-Reservation Trust Land, MT	542	8,264	6.6%
Total Fort Peck Reservation	5,333	94,171	5.7%

10. Anticipated impact on households and State agency operations:

This waiver will provide consistency for households and State agency operations in areas where there are not a sufficient number of jobs to provide employment for able-bodied adults without dependents.

11. Caseload information, including percent, characteristics, and quality control error rate for affected portion (if applicable):

The caseload for these areas, as of January 01, 2020, represent 1.57% 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 one-year waiver, from April 1, 2020 through March 31, 2021.

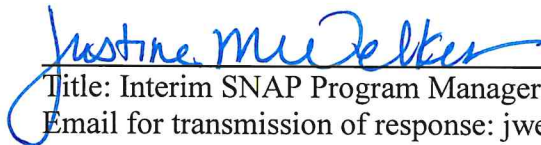
13. Proposed quality control review procedures:

There are no special quality control procedures needed in conjunction with this waiver.

14. State agency submitting waiver request and State contact person:

Montana—Justine Welker

15. Signature and title of requesting official:



Title: Interim SNAP Program Manager

Email for transmission of response: jwelker@mt.gov

16. Date of request: 02/12/2020

17. State agency staff contact (name/email/telephone): Justine Welker,
jwelker@mt.gov (406)883-7848

18. Regional office contact person (to be completed by FNS regional office):