

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 990047
2. **Type of request:** 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:** MPRO

7. **Regulatory requirements:**

Under 7 CFR 273.24(b) individuals are not 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 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.

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 time limit described above for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside does not have a sufficient number of jobs to provide employment for the individuals.

8. **Description of alternative procedures:**

The State of South Dakota is requesting to exempt able-bodied adults without dependents (ABAWDs) in 7 reservations from SNAP time limits at 7 CFR 273.24. This is an extension of South Dakota's current waiver.

9. **Justification for request:**

Under SNAP regulations at 7 CFR 273.24(f)(6), area for which standard BLS data or data from a BLS-cooperating agency is limited or unavailable, such as a reservation area or U.S. Territory, are not required to conform to the criteria for approval under paragraphs (f)(2), (f)(3), and (f)(5). The supporting data or evidence provided by the State must be recent and must correspond to the requested area. Furthermore, 7 CFR 273.24(f)(6)(i)(A) provides that FNS may approve waivers for these areas if the requests are supported by sufficient data or evidence to include estimated unemployment rates based on available data from BLS and the U.S. Census Bureau.

Therefore, the State requests, with the support of the chief executive office of the State, to waive the following reservations based on having average unemployment at least 20% above the national average for a recent 24-month 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 rates were calculated by applying 2018 American Community Survey¹ share ratios to county-level BLS data from July 2017 – June 2019. The following table summarizes the calculations:

American Community Survey and Bureau of Labor Statistics Data July 2017 through June 2019			
Reservations	Unemployed	Labor Force	Unemployment Rate
Dewey County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	4,651	52,454	8.9%
Haakon County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	-	-	-
Meade County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	-	-	-
Stanley County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	-	-	-
Sully County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	-	-	-
Ziebach County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	1,141	22,336	5.1%
Total Cheyenne River Reservation	5,792	74,790	7.7%
Buffalo County (part); South Dakota (part); Crow Creek Reservation, SD	1,007	15,532	6.5%
Hughes County (part); South Dakota (part); Crow Creek Reservation, SD	30	1,203	2.5%
Hyde County (part); South Dakota (part); Crow Creek Reservation, SD	-	1,121	-
Total Crow Creek Reservation	1,037	17,855	5.8%

¹ These calculations are based on data from the 2014-2018 American Community Survey 5-Year Estimates.

Moody County (part); South Dakota (part); Flandreau Reservation, SD	292	5,153	5.7%
Total Flandreau Reservation	292	5,153	5.7%
Codington County (part); South Dakota (part); Lake Traverse Reservation and Off- Reservation Trust Land, SD--ND	165	4,019	4.1%
Day County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	1,278	6,556	19.5%
Grant County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	0	3,171	0.0%
Marshall County (part); South Dakota (part); Lake Traverse Reservation and Off- Reservation Trust Land, SD--ND	1,880	14,806	12.7%
Roberts County (part); South Dakota (part); Lake Traverse Reservation and Off- Reservation Trust Land, SD--ND	4,723	92,120	5.1%
Total Lake Traverse Reservation	8,047	120,672	6.7%
Lyman County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD	1,468	12,643	11.6%
Stanley County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD	-	25	-
Total Lower Brule Reservation and Off- Reservation Trust Land	1,468	12,668	11.6%
Bennett County; South Dakota (part); Pine Ridge Reservation, SD--NE	1,191	25,937	4.6%
Jackson County (part); South Dakota (part); Pine Ridge Reservation, SD--NE	1,140	15,046	7.6%
Oglala Lakota County; South Dakota (part); Pine Ridge Reservation, SD--NE	8,786	86,252	10.2%
Total Pine Ridge Reservation	11,117	127,235	8.7%
Gregory County (part); South Dakota (part); Rosebud Indian Reservation and Off- Reservation Trust Land, SD	217	381	57%
Lyman County (part); South Dakota (part); Rosebud Indian Reservation and Off- Reservation Trust Land, SD	-	-	-

Mellette County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD	724	5,026	14.4%
Todd County; South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD	4,638	75,473	6.1%
Tripp County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD	560	3,006	18.6%
Total Rosebud Indian Reservation and Off-Reservation Trust Land	6,139	83,885	7.3%

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, characteristics, and quality control error rate for affected portion (if applicable):

The caseload for these areas, as of 12/31/2019, represent 8.49% 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 twelve-month 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:

State Agency: State of South Dakota, Department of Social Services

State Contact: Alex Mayer

15. Signature and title of requesting official:

Alex J. Mayer

Title: SNAP Program Administrator

Email for transmission of response: Alex.Mayer@state.sd.us

16. Date of request: 2/28/2020

17. State agency staff contact (name/email/telephone):

Alex Mayer; Alex.Mayer@state.sd.us; (605)773-4678

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