

DEPARTMENT OF SOCIAL SERVICES

DIVISION OF ECONOMIC ASSISTANCE

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Strong Families - South Dakota's Foundation and Our Future

August 2nd, 2019

Cheryl Kennedy
Regional Administrator
Mountain Plains Regional Office
1244 Speer Blvd 903
Denver, CO 80204

Dear Ms. Kennedy,

Please find the attached South Dakota's ABAWD Waiver request for FFY2020. The State is requesting to waive the regulation at 7 CFR 273.24(f). This allows FNS to waive the applicability of the time limit 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. The waiver uses methodology that has been approved in past waiver requests.

Attached is the data used to support the waiver request. The Center on Budget and Policy Priorities (CBPP) assisted in determining which specific areas and counties were eligible. We found CBPP's technical assistance to be a key component in gathering the data to complete this request.

Please let me know if you have any questions or concerns.

Very Respectfully,

A handwritten signature in black ink, appearing to read 'AJM', is placed above the printed name of the sender.

Alex J. Mayer
Program Administrator
Supplemental Nutrition Assistance Program
SD Department of Social Services
Division of Economic Assistance

cc: Philip Fraley, FNS USDA Regional Office, SNAP Operations Branch Chief

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 9 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)(2), areas may qualify for an ABAWD time limit waiver if they have insufficient jobs. To support this claim, states may submit evidence that an area has an average unemployment rate for a 24-month time period that is at least 20 percent above the national average for the same 24-month period. 7 CFR 273.24(f)(6) provides that States may define areas to be waived.

The State of South Dakota seeks a waiver for an eligible region comprised of Corson and Dewey counties based on their aggregate average unemployment rates for the 24-month period of May 2017 through April 2019. The State requests a waiver for only the reservation areas within this region. The national average unemployment rate for this 24-month period was 4.0 percent; 20 percent above this was 4.8 percent. The unemployment rate for this region was 7.1 percent for the same period.

Bureau of Labor Statistics Local Area Unemployment Data September 2016 through August 2018		
County	Total Unemployed	Total Labor Force
Corson County	1,414	33,548
Dewey County	4,795	53,295
Total for Region	6,209	86,843
Combined Region Unemployment Rate	7.1%	
20% Above National Average Threshold	4.8%	

The State requests to waive the following reservations based on having average unemployment rates exceeding the national average for a recent 24-month period. The reservation unemployment rates were calculated by applying 2017 American Community Survey¹ share ratios to county-level BLS data from May 2017 – April 2019. The following table summarizes the calculations:

American Community Survey and Bureau of Labor Statistics Data September 2016 through August 2018			
Reservations	Unemployed	Labor Force	Unemployment Rate
Dewey County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	4,795	52,947	9.1%
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	-	-	-

¹ These calculations are based on data from the 2013-2017 American Community Survey 5-Year Estimates.

Ziebach County (part); South Dakota (part); Cheyenne River Reservation and Off- Reservation Trust Land, SD	1,152	22,417	5.1%
Total Cheyenne River Reservation	5,947	75,364	7.9%
Buffalo County (part); South Dakota (part); Crow Creek Reservation, SD	1,017	15,190	6.7%
Hughes County (part); South Dakota (part); Crow Creek Reservation, SD	277	1,586	17.4%
Hyde County (part); South Dakota (part); Crow Creek Reservation, SD	-	435	-
Total Crow Creek Reservation	1,294	17,245	7.5%
Moody County (part); South Dakota (part); Flandreau Reservation, SD	304	5,070	6.0%
Total Flandreau Reservation	304	5,070	6.0%
Codington County (part); South Dakota (part); Lake Traverse Reservation and Off- Reservation Trust Land, SD--ND	341	4,616	7.4%
Day County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	1254	6,930	18.1%
Grant County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	0	3,174	0.0%
Marshall County (part); South Dakota (part); Lake Traverse Reservation and Off- Reservation Trust Land, SD--ND	1,493	14,827	10.1%
Roberts County (part); South Dakota (part); Lake Traverse Reservation and Off- Reservation Trust Land, SD--ND	4,832	92,064	5.2%
Total Lake Traverse Reservation	8,266	124,219	6.5%
Lyman County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD	1,497	12,793	11.7%
Stanley County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD	-	72	-
Total Lower Brule Reservation and Off- Reservation Trust Land	1,497	12,865	11.7%

Bennett County; South Dakota (part); Pine Ridge Reservation, SD--NE	1,174	26,081	4.5%
Jackson County (part); South Dakota (part); Pine Ridge Reservation, SD--NE	1,204	14,848	8.1%
Oglala Lakota County; South Dakota (part); Pine Ridge Reservation, SD--NE	8,932	86,284	10.4%
Total Pine Ridge Reservation	11,310	127,213	8.9%
Gregory County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD	94	189	50%
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	755	5,068	14.9%
Todd County; South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD	4,699	75,496	6.2%
Tripp County (part); South Dakota (part); Rosebud Indian Reservation and Off-Reservation Trust Land, SD	1,065	3,999	26.6%
Total Rosebud Indian Reservation and Off-Reservation Trust Land	6,613	84,751	7.8%
Charles Mix County (Part); South Dakota (Part); Yankton	2,866	59,902	4.8%
Total Yankton Reservation	2,866	59,902	4.8%

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 **06/30/2019**, represent **28.3%** 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 October 1, 2019 through September 30, 2020.

13. Proposed quality control review procedures:

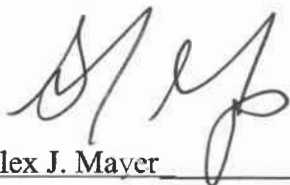
There are no special quality control procedures needed in conjunction with this waiver.

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:

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*):