

ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD) WAIVER REQUEST

1. **Type of request:** Initial Request
2. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
3. **Regulatory citation:** 7 CFR 273.24
4. **State:** Montana
5. **Region:** MPR
6. **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.
7. **Description of alternative procedures:** The State of Montana is requesting to exempt able-bodied adults without dependents (ABAWDS) in 6 reservation areas from SNAP time limited benefits at 7 CFR 273.24 as amended by the Food and Nutrition Service Final Rule (84 FR 66782).
8. **Justification for request:** Under SNAP regulations at 7CFR 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 period exceeding the national average for the same 24-month period by 20 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 to waive 6 reservations having average unemployment rates that exceed 20 percent above the national average for the 24-month period of November 2022 through October 2024. The national average unemployment rate for this 24-month period was 3.8 percent; 20 percent above this was 4.5 percent.

Bureau of Labor Statistics Local Area Unemployment Data Nov 2022 through Oct 2024.			
Labor Market Area	Unemployed Total	Labor Force Total	Unemployment Rate
Blackfeet Indian Reservation and Off-Reservation Trust Land, MT (Glacier County (part), and Pondera County (part))	7,206	103,685	6.9%
Crow Indian Reservation and Off-Reservation Trust Land, MT (Big Horn County (part), Treasure County (part), and Yellowstone County (part))	4,109	54,119	7.6%
Fort Belknap Indian Reservation and Off-Reservation Trust Land, MT (Blaine County (part) and Phillips County (part))	3,026	19,094	15.8%
Northern Cheyenne Indian Reservation and Off-Reservation Trust Land, MT (Big horn County (part), Rosebud County (part))	2,603	34,413	7.6%
Rocky Boy's Indian Reservation (Chouteau County (part) and Hill County (part))	1,868	24,493	7.6%
Fort Peck Indian Reservation and Off-Reservation Trust Land, MT (Daniels County (part) Roosevelt County (part) Sheridan County (part) Valley County (part))	4,606	87,227	5.3%

- 9. 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 enough jobs to provide employment for able-bodied adults without dependents. These regions currently have an approved waiver in place.

- 10. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):** The caseloads for the 6 reservations are listed below. They are based on a 12-month average (November 2022 – October 2024).

County/Reservation	Monthly Average Case Count	Percentage of State Case Load (Monthly State Average = 43,131)
Blackfeet Reservation	1300	3.1%
Crow Reservation	731	1.7%
Fort Belknap Reservation	145	0.3%
Northern Cheyenne Reservation	349	0.8%
Rocky Boy's Reservation	418	1.0%
Fort Peck Reservation	1,031	2.4%

- 11. Anticipated implementation date and time period for which waiver is needed:** Montana is requesting a one-year waiver, from July 1, 2025 – June 30, 2026.

- 12. Proposed quality control review procedures:** There are no special quality control procedures needed in conjunction with this waiver.

- 13. Name, title, email, and signature of requesting official:**

Name: Jessie Counts

Title: Executive Director Montana Department of Public Health and Human Services

Email: jessie.counts@mt.gov

Signature: 

- 14. Date of request:** 05/02/2025

- 15. State agency staff contact:**

Name: Leah Burnham

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- 16. Regional Office contact person (to be completed by FNS regional office):**