



Autumn Arnold
Bureau Director
Bureau of Eligibility and Enrollment Policy
Division of Medicaid Services
Department of Health Services
1 West Wilson Street
Madison, Wisconsin 53703

RE: Supplemental Nutrition Assistance Program (SNAP) – Wisconsin Request to Waive Able-Bodied Adults Without Dependents Time Limit – Initial – Partial Approval

Dear Director Arnold:

This is in response to the Wisconsin Department of Health Services' August 12, 2024, request to waive the Supplemental Nutrition Assistance Program (SNAP) time limit for able-bodied adults without dependents (ABAWDs). The State agency requested to waive the time limit for ABAWDs in eight counties, one city, 10 reservation areas, and 13 zip code tabulation areas (ZCTAs). After careful review, the Food and Nutrition Services (FNS) is partially approving the request. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

FNS approves DHS' request to waive the SNAP ABAWD time limits in eight counties, one city and 10 reservation areas. FNS denies DHS' request to waive the ABAWD time limits in the 13 ZCTAs. In its request, DHS adjusted May 2022 through April 2024 Bureau of Labor Statistics (BLS) data using 2018-2022 American Community Survey (ACS) data. FNS is not approving the request using this methodology because it does not reflect current employment conditions, demographic shifts, and fluctuations. On its own, the May 2022 through April 2024 BLS data for Milwaukee County and Milwaukee City do not meet the threshold for approval. DHS also provided some additional research on the long-term economic challenges in the ZCTAs, however, FNS determined this does not demonstrate a lack of sufficient jobs in the area.

FNS appreciates the information DHS provided and encourages DHS to continue to evaluate the labor force data and needs in the State and request ABAWD waivers as appropriate. For a more detailed explanation of the standards FNS uses to evaluate ABAWD waiver requests, please see the [Guide to Supporting Requests to Waive the Time Limit for Able-Bodied Adults without Dependents](#).

FNS also reminds the State agency that it must measure the 3-year period and track ABAWDs on a continuous basis, even in areas under a waiver. The State agency must continue tracking so that the State agency will be ready to transition off the waiver when it expires and

reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

Catrina L. Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

Enclosure

**ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)
WAIVER RESPONSE**

1. **Request Type:** Initial
2. **Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
3. **Regulatory Citation:** 7 CFR 273.24
4. **State:** Wisconsin
5. **Food and Nutrition Service (FNS) Region:** Midwest
6. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008 and regulations at 7 CFR 273.24 provide that no individual 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) and 7 CFR 273.24 also provide 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. **Requested Area(s) and Support:** The State agency requested to waive the ABAWD time limit in eight counties, one city, and 10 reservation areas from October 1, 2024, to September 30, 2025. FNS is approving the State agency's request to waive the time limit in these areas.

The State agency supported its request based upon two individual counties having an average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the requested areas was 5.3 percent or greater during the 24-month period (Table 1).

Table 1: Counties (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)

Counties	Unemployment Rate
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Iron County, WI	5.3%
Menominee County, WI	5.7%

Data extracted from <http://www.bls.gov> on August 23, 2024.

The State agency supported its request based upon the combined area of two counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the combined area was 4.3 percent during the 24-month period (Table 2).

Table 2: Combined Area #1 (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)

Combined Area 1
Florence County, WI
Forest County, WI
Combined Area Unemployment Rate: 4.3%

Data extracted from <http://www.bls.gov> on August 23, 2024.

The State agency supported its request based upon a second combined area of two counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the combined area was 4.3 percent during the 24-month period (Table 3).

Table 3: Combined Area #2 (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)

Combined Area 2
Bayfield County, WI
Douglas County, WI
Combined Area Unemployment Rate: 4.3%

Data extracted from <http://www.bls.gov> on August 23, 2024.

The State agency supported its request based upon a third combined area of two counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the combined area was 4.3 percent during the 24-month period (Table 4).

Table 4: Combined Area #3 (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)

Combined Area 3
Adams County, WI
Marquette County, WI
Combined Area Unemployment Rate: 4.3%

Data extracted from <http://www.bls.gov> on August 23, 2024.

The State agency supported its request based upon one city having an average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the requested area was 4.4 percent during the 24-month period (Table 5).

Table 5: City (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)

Counties	Unemployment Rate
Racine City, WI	4.4%

Data extracted from <http://www.bls.gov> on August 23, 2024.

The State agency supported its request for the 10 reservation areas based upon the areas each having an average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the requested reservation areas was 7.1 percent or greater during the 24-month period (Table 6).

Table 6: Reservation Areas (2022 American Community Survey and Bureau of Labor Statistics Data, February 2022 – January 2024)

Reservation Areas	Unemployment Rate
Bad River Reservation	11.3%
Forest County Reservation	40.4%
Ho-Chunk Nation Reservation	15.7%
Lac Courte Oreilles Reservation	7.7%
Flambeau Reservation	7.6%
Menominee Reservation	7.1%
Red Cliff Reservation	16.1%
St. Croix Reservation	7.8%
Sokaogon Chippewa Community	14.1%
Stockbridge Munsee Community	10.1%

Data extracted from <http://www.bls.gov> and <https://data.census.gov> on August 23, 2024.

The State agency also requested to waive the time limit in 13 zip code tabulation areas (ZCTAs). The State agency supported its request to waive the 13 ZCTAs using unemployment estimates and additional supporting justification. FNS has concerns about the reliability of the methodology the State agency used to estimate unemployment rates for these areas. Using American Community Survey (ACS) data for areas where Bureau of Labor Statistics (BLS) data is readily available does not utilize the best available data on employment conditions. Additionally, adjusting BLS data based on older ACS may not accurately reflect the current employment conditions due to the age of the ACS data and the small sample sizes, subject to demographic shifts and fluctuation. FNS has not approved such methodology in the past other than for reservation areas where other data is not available or very targeted situations. DHS also provided supporting information explaining that economic conditions in certain ZCTAs may be worse than the average economic conditions reflected in data for Milwaukee. However, much of this supporting information is based on information that is at least four to five years old. Although FNS appreciates the State agency's concerns, after considering the unemployment data and the supporting information the State agency provided, FNS finds that it does not adequately demonstrate a lack of sufficient jobs and FNS is denying the request to waive the time limit in these 13 ZCTAs.

- 8. FNS Action and Justification:** FNS is partially approving the State agency's request to waive the ABAWD time limit. The approved portion of the State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 9. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 10. Implementation Date:** October 1, 2024
- 11. Expiration Date:** September 30, 2025
- 12. Information Required to Submit a Modification, Extension, or New Waiver:** To receive a modification, extension, or submit a new waiver to replace the current waiver, the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.
- 13. State Agency Contact Information:**

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14. FNS Regional Office Contact Information:

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