

## STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 990047
2. **Type of request:** Initial
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
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 counties and 6 reservations from SNAP time limits at 7 CFR 273.24.
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 is designated as a Labor Surplus Area (LSA) by the Department of Labor's Employment and Training Administration, or 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 requests to waive one individual county based on having an average unemployment rate that is at least 20 percent above the national average for the period of May 2022 through April 2024. The national average unemployment rate for this 24-month period was 3.6 percent; 20 percent above this was 4.4 percent. The average unemployment rate for this county is 4.5 percent.

<b>Bureau of Labor Statistics Local Area Unemployment Data May 2022 through April 2024</b>			
<b>County</b>	<b>Unemployed</b>	<b>Labor Force</b>	<b>Unemployment Rate</b>
Buffalo County	774	17,027	<b>4.5%</b>
<b>20% Above National Average Threshold</b>			<b>4.4%</b>

The State also seeks a waiver for a region of three contiguous counties based on their average unemployment rates for the 24-month period of May 2022 through April 2024. The unemployment rate for this region was 4.6 percent for the same period.

<b>Bureau of Labor Statistics Local Area Unemployment Data May 2022 – April 2024</b>		
<b>County</b>	<b>Total Unemployed</b>	<b>Total Labor Force</b>
Corson County	931	30,877
Dewey County	3,135	55,075
Ziebach County	938	22,999
<b>Total for Region</b>	5,004	108,951
<b>Combined Region Unemployment Rate</b>	<b>4.6%</b>	
<b>20% Above National Average Threshold</b>	<b>4.4%</b>	

The State seeks a waiver for another region of three contiguous counties based on their average unemployment rates for the 24-month period of May 2022 through April 2024. The unemployment rate for this region was 4.4 percent.

<b>Bureau of Labor Statistics Local Area Unemployment Data May 2022 – April 2024</b>		
<b>County</b>	<b>Total Unemployed</b>	<b>Total Labor Force</b>
Bennett County	859	25,758
Oglala Lakota County	4,905	87,461
Todd County	2,468	72,691
<b>Total for Region</b>	8,232	185,910
<b>Combined Region Unemployment Rate</b>	<b>4.4%</b>	

<b>20% Above National Average Threshold</b>	<b>4.4%</b>
---	-------------

The State requests to waive the following reservations based on having an average unemployment rate exceeding the national average for a recent 24-month period. The national average unemployment rate for this 24-month period was 3.6 percent; 20 percent above this was 4.4 percent. The reservation unemployment rates were calculated by applying 2018-2022 American Community Survey<sup>1</sup> share ratios to county-level Bureau of Labor Statistics data from May 2022 – April 2024. The following table summarizes the calculations:

<b>American Community Survey and Bureau of Labor Statistics Data May 2022 through April 2024</b>			
<b>Reservations</b>	<b>Unemployed</b>	<b>Labor Force</b>	<b>Unemployment Rate</b>
Dewey County (part); South Dakota (part); Cheyenne River Reservation and Off-Reservation Trust Land, SD	3,135	54,836	5.7%
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	0	0	-
Stanley County (part); South Dakota (part); Cheyenne River Reservation and Off-Reservation Trust Land, SD	0	0	-
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	938	22,999	4.1%
<b>Total Cheyenne River Reservation</b>	<b>4,073</b>	<b>77,835</b>	<b>5.2%</b>
Buffalo County (part); South Dakota (part); Crow Creek Reservation, SD	774	14,721	5.3%
Hughes County (part); South Dakota (part); Crow Creek Reservation, SD	0	769	0.0%
Hyde County (part); South Dakota (part); Crow Creek Reservation, SD	0	828	0.0%
<b>Total Crow Creek Reservation</b>	<b>774</b>	<b>16,318</b>	<b>4.7%</b>
Moody County (part); South Dakota (part); Flandreau Reservation, SD	561	6,207	9.0%
<b>Total Flandreau Reservation</b>	<b>561</b>	<b>6,207</b>	<b>9.0%</b>

<sup>1</sup> These calculations are based on data from the 2018-2022 American Community Survey 5-Year Estimates.

Codington County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	0	2,833	0.0%
Day County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	723	7,027	10.3%
Grant County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	0	3,551	0.0%
Marshall County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	1,206	15,310	7.9%
Roberts County (part); South Dakota (part); Lake Traverse Reservation and Off-Reservation Trust Land, SD--ND	3,341	92,239	3.6%
<b>Total Lake Traverse Reservation</b>	<b>5,270</b>	<b>120,960</b>	<b>4.4%</b>
Lyman County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD	778	12,949	6.0%
Stanley County (part); South Dakota (part); Lower Brule Reservation and Off-Reservation Trust Land, SD	0	54	0.0%
<b>Total Lower Brule Reservation</b>	<b>778</b>	<b>13,003</b>	<b>6.0%</b>
Bennett County; South Dakota (part); Pine Ridge Reservation, SD--NE	0	3,551	0.0%
Jackson County (part); South Dakota (part); Pine Ridge Reservation, SD--NE	1,206	15,310	7.9%
Oglala Lakota County; South Dakota (part); Pine Ridge Reservation, SD--NE	3,341	92,239	3.6%
<b>Total Pine Ridge Reservation</b>	<b>6,568</b>	<b>130,429</b>	<b>5.0%</b>

**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 affection portion (if applicable):**

The caseload for these areas, as of May 2024, represent 28% 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, 2024 through September 30, 2025.

**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:**

Department of Social Services, Economic Assistance: See contact information below.

**15. Signature and title of requesting official:**



\_\_\_\_\_  
Title: Amy Gorham, SNAP Administrator

Email for transmission of response: [amy.gorham@state.sd.us](mailto:amy.gorham@state.sd.us)

**16. Date of request: 07/08/2024**

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

Amy Gorham [amy.gorham@state.sd.us](mailto:amy.gorham@state.sd.us) 605.773.4530

Virginia Hanson [virginia.hanson@state.sd.us](mailto:virginia.hanson@state.sd.us) 605-773-4719

Jennifer Sterling [Jennifer.sterling@state.sd.us](mailto:Jennifer.sterling@state.sd.us) 605-394-2525

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

