



Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

August 12, 2024

Amy Gorham
SNAP Administrator
Economic Assistance
Department of Social Services
700 Governor's Drive
Pierre, South Dakota 57501

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

Dear Administrator Gorham:

This is in response to the South Dakota Department of Social Services' July 8, 2024, request to waive the Supplemental Nutrition Assistance Program (SNAP) time limit for able-bodied adults without dependents (ABAWDs). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

The Food and Nutrition Service (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 must continue tracking so that the State 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,

DocuSigned by:

Catrina Kamau

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Catrina L. Kamau
Chief
Certification Policy Branch
Program Development Division
Supplemental Nutrition Assistance Program

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:** South Dakota
- 5. Food and Nutrition Service (FNS) Region:** Mountain Plains
- 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 seven counties and six reservations from October 1, 2024, to September 30, 2025.

The State agency supported its request for one county based upon the county having an average unemployment rate 20 percent above the national average for the 24-month period of May 2022 through April 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.4 percent. The average unemployment rate for the requested areas was 4.5 percent during the 24-month period. (Table 1)

Table 1: County (Bureau of Labor Statistics Local Area Unemployment Data, May 2022 – April 2024)

County	Unemployment Rate
Buffalo County	4.5%

Data extracted from <http://www.bls.gov> on July 31, 2024.

The State agency supported its request based upon the combined area of three contiguous counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of May 2022 through April 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.4 percent. The average unemployment rate for the combined area was 4.6 percent during the 24-month period. (Table 2)

Table 2: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data, May 2022 – April 2024)

Combined Area 1
1. Corson County
2. Dewey County
3. Ziebach County
Combined Area Unemployment Rate: 4.6%

Data extracted from <http://www.bls.gov> on July 31, 2024.

The State agency supported its request based upon the combined area of three contiguous counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of May 2022 through April 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.4 percent. The average unemployment rate for the combined area was 4.4 percent during the 24-month period. (Table 3)

Table 3: Combined Area 2 (Bureau of Labor Statistics Local Area Unemployment Data, May 2022 – April 2024)

Combined Area 2
1. Bennet County
2. Oglala Lakota County
3. Todd County
Combined Area Unemployment Rate: 4.4%

Data extracted from <http://www.bls.gov> on July 31, 2024.

The State agency supported its request for the six reservation areas based upon the areas each having an average unemployment rate 20 percent above the national average for the 24-month period of May 2022 through April 2024.

During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.4 percent. The average unemployment rate for the requested reservation areas was 4.4 percent or greater during the 24-month period. (Table 4)

Table 4: Reservation Areas (2022 American Community Survey and Bureau of Labor Statistics Data, May 2022 – April 2024)

Reservation Areas	Unemployment Rate
1. Cheyenne River Reservation	5.2%
2. Crow Creek Reservation	4.7%
3. Flandreau Reservation	9.1%
4. Lake Traverse Reservation	4.4%
5. Lower Brule Reservation	6.0%
6. Pine Ridge Reservation	5.0%

Data extracted from <http://www.bls.gov> and <https://data.census.gov> on July 31, 2024.

8. **FNS Action and Justification:** FNS is approving the State agency’s request to waive the ABAWD time limit. 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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