



NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES

STATE CAPITOL - JUDICIAL WING
600 E BOULEVARD
BISMARCK, NORTH DAKOTA 58505-0250



Carol K. Olson, Executive Director

January 27, 1999

Edward T. Schafer, Governor

Mr. Allan C. Nickels, Regional Director
Food Stamp Program, Food & Consumer Services - Mountain Plains Region
1244 Speer Blvd. - Suite 903
Denver, Colorado 80204-3585

Dear Mr. Nickels,

Attached is a Waiver Request regarding Waiver Serial Number 970125 for two of our counties. This is a request to waive the work requirements for ABAWD's due to Labor Surplus Area status of these two counties.

Currently, a third county, Mountrail, is covered under this waiver, but does not qualify for LSA status. I have some concern about this county as it does include a significant part of the Fort Berthold Indian Reservation and the job opportunities in that rural setting are quite limited. However, we have been unable to find objective data which might help verify the difficult job situation in Mountrail County.

If you have any suggestions which would help us provide an argument in support of continuing the waiver in Mountrail County, we would be very pleased to hear from you about that. Please call if you have any questions about our situation.

Yours truly,

Royce Roberson, Director
Energy & Nutrition Division

c. Dale Ellis, County Director, Mountrail County Social Service Board
attachment:

GENERAL INFORMATION	(701) 328-2310	ECONOMIC ASSISTANCE	(701) 328-2332
FAX	(701) 328-2359	EXECUTIVE OFFICE	(701) 328-2538
TDD	1-800-366-6888	FIELD SERVICES	(701) 328-2310
		PROGRAM & POLICY	(701) 328-2310

WAIVER REQUEST

1. **Waiver Serial Number:** 970125
2. **Type of Request:** Renewal
3. **Primary regulation citation:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.
4. **Secondary regulation citation:**
5. **State:** North Dakota
Counties: Rolette; Benson
6. **Region:** MPRO
7. **Regulatory Requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193, provides that no individual shall be eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3-months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; or did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the (PRWORA), also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision 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%, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Proposed alternative procedures:** The State agency is requesting to exempt individuals residing in these counties from the work requirements of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the (PRWORA).
9. **Justification for request:** The unemployment rates found in these counties were higher than the national unemployment rate and the Department of Labor has designated Labor Surplus Area, or LSA, status to these counties for 1999. In the past USDA has provided hard copy verification. I received verbal verification from Donna deThouars earlier this month.

10. **Anticipated impact on households and state agency operations:** None. This waiver application is for these counties: Rolette; Benson.
11. **Caseload information:** An estimated 300 household members would otherwise be subject to the work requirements of Section 824. These counties all include Indian Reservations which are rural and have limited job development.
12. **Anticipated implementation date and period for which waiver is needed:** April 1, 1999 for a period of 12 months ending March 31, 2000.
13. **Proposed quality control review procedures:** No special review procedures required.
14. **Signature and title of requesting official:**

Royce Roberson, Director
Energy & Nutrition Division

15. **Date of Request:** January 27, 1999