



NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES

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Energy and Nutrition Division

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January 26, 2000

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

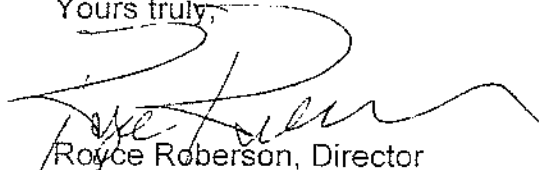
Dear Mr. Nickels,

Attached is a Waiver Request regarding Waiver Serial Number 970125 for three 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, and for Mountrail County due to unemployment of 20 percent higher than the national average.

I have some concern about Mountrail 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 trust that objective data exists which will verify the difficult job situation in Mountrail County.

Thank you for your support of continuing the waivers in these three counties. 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
- Betty Keegan, County Director, Rolette County Social Service Board
- Edward Forde, County Director, Benson County Social Service Board

attachment:

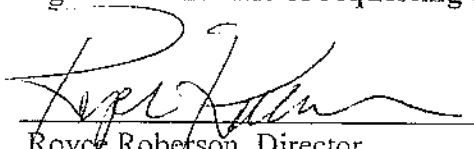
WAIVER REQUEST

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; Mountrail
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 Rolette and Benson Counties were higher than the national unemployment rate and the Department of Labor has designated Labor Surplus Area, or LSA, status to these counties. In the past USDA has provided hard copy verification. In Mountrail County, FNS approved the waiver for this county on the basis that the unemployment was greater than 20 percent above the

national average for the 4-year period ending December 31, 1998. We presume that this criterion remains the same for the period ending December 31, 1999.

10. **Anticipated impact on households and state agency operations:** None. This waiver application is for these counties: Rolette; Benson; Mountrail
11. **Caseload information:** An estimated 350 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, 2000 for a period of 12 months ending March 31, 2001.
13. **Proposed quality control review procedures:** No special review procedures required.
14. **Signature and title of requesting official:**


Royce Robertson, Director
Energy & Nutrition Division
15. **Date of Request:** January 26, 2000