



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

Phyllis
done 2/4 *CPB*
1244 Speer Boulevard
Suite 903
Denver, CO 80204-3585

Reply to

Attn. of: MPFS-300:FS 10-1-1

JAN 13 2001

Subject: FSP - Request to Extend Waiver No. 970125 - North Dakota

To: Arthur T. Foley
Director
Program Development Division
Food Stamp Program
Food and Nutrition Service, USDA
Alexandria, Virginia 22302-1594

Attached is a request from the State of North Dakota to extend Waiver No. 970125. Under this waiver, individuals in the following counties would be exempt from the requirements of Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA): Rolette, Benson, Mountrail, and Sioux.

Based on the submitted justification, we recommend approval of this request from the period of April 1, 2001 through March 31, 2002. If there are any questions concerning this request, or if you need additional information, Kathie Herrman may be contacted at (303) 844-0347 or by e-mail at kathie.herrman@fns.usda.gov.

Donna Whonars

for ALLAN C. NICKELS
Regional Director
Food Stamp Program

Attachment



NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES

Edward T. Schafer, Governor
Carol K. Olson, Executive Director

Energy and Nutrition Division

600 E Boulevard Ave, Dept 325, Bismarck, ND 58505-0250
Fax (701) 328-1060
Toll Free 1-800-755-2716
Treasury Offset Program 1-800-491-5716

Energy Assistance Program
(701) 328-2065

Food Stamp Program
(701) 328-2328

December 12, 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 four of our counties. This is a request to waive the work requirements for ABAWD's due to an unemployment rate of greater than 10% for Rolette County, and for Mountrail, Benson, and Sioux Counties due to unemployment that is 20 percent higher than the national average.

You may note that this request includes an exemption or waiver for one additional county, Sioux County.

Thank you for your support of these continuing waivers. 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
- Vince Gillette, County Director, Sioux County Social Service Board

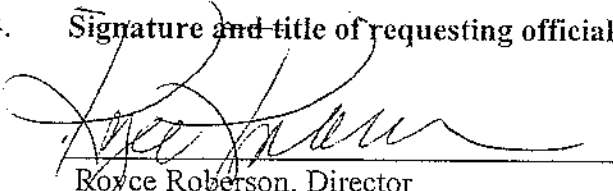
attachment:

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; Sioux
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, over the past 2 years, for these counties qualify for an exemption for the following reasons ^{1/}:
 - Rolette County – Average Annual Unemployment: 13.7%
 - Benson County - Average Annual Unemployment: 7.7% which is 20% higher than the national average of 4.2%

1/ Data provided downloaded from North Dakota Job Service Statistics: Average Annual Unemployment for 1999 and 2000; copies attached.

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- Mountrail County - Average Annual Unemployment: 7.2% which is 20% higher than the national average of 4.2%
 - Sioux County - Average Annual Unemployment: 7.3% which is 20% higher than the national average of 4.2 %
10. **Anticipated impact on households and state agency operations:** None. This waiver application is for these counties: Rolette; Benson; Mountrail; Sioux
11. **Caseload information:** An estimated 395 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, 2001 for a period of 12 months ending March 31, 2002.
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:** December 12, 2000