



United States
Department of
Agriculture

Food and
Nutrition
Service

Mountain
Plains
Region

1244 Speer Boulevard, Suite 903
Denver, Colorado 80204-3585

CPB
Pat Naggi
mw 1/28/02

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

JAN 23 2002

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 and modify Waiver No. 970125. Under the currently approved waiver, Benson, Mountrail, and Sioux Counties are exempt from the Able-Bodied Adults Without Dependents (ABAWD) provisions due to their designation as Labor Surplus Areas. The waiver is now being requested due to an unemployment rate greater than 20 percent of the national average.

In addition, the State is requesting that Rolette County be included in this waiver, and the exemption is due to an unemployment rate greater than 10 percent of the national average. Rolette County is currently exempt under Waiver No. 201049. If this county's exemption can be incorporated into Waiver No. 970125, we will rescind Waiver No. 201049.

Based on the justification submitted with the State's request, we recommend approval through March 31, 2003. If there are any questions concerning this request, or if additional information is needed, Kathie Herrman may be contacted at (303) 844-0347 or by e-mail at kathie.herrman@fns.usda.gov.


ALLAN C. NICKELS
Regional Director
Food Stamp Program

Attachment



NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES

John Hoeven, Governor
Carol K. Olson, Executive Director

Energy and Nutrition Division

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

January 4, 2002

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

Dear Mr. Nickels,

Attached is a request for an extension of 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 an unemployment rate that is 20 percent higher than the national average.

Thank you for your support of these continuing waivers. If you have any questions, please feel free to contact our office.

Sincerely,

Arlene Dura
Acting Director
Food Stamp Unit
Energy & Nutrition Division

- c. Blaine L. Nordwall, Director, Economic Assistance Policy
- Michele A. Gee, Policy Analyst, Food Stamp Unit
- Dale Ellis, County Director, Mountrail County Social Service Board
- Bev Mathiason, Acting 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

Enclosure(s)

WAIVER REQUEST

1. **Waiver Serial Number:** 970125
2. **Type of Request:** Renewal
3. **Primary regulation citation:** 273.24 (f)(1)(i) and 273.24 (1)(f)(ii).
7 CFR 273.24 (f)(1)(i) and 273.24 (1)(f)(ii).
4. **Secondary regulation citation:**
5. **State:** North Dakota

Counties: Rolette; Benson; Mountrail; Sioux
6. **Region:** MPRO
7. **Regulatory Requirements:** 7 CFR 273.24 (b), 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.

7 CFR 273.24 (f)(1)(i) and (ii), 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 7 CFR 273.24 (f)(1)(i) and (ii).
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: 13.15%
 - Benson County - Average Annual Unemployment: 7.95% which is 20% higher than the national average of 4.0%
 - Mountrail County - Average Annual Unemployment: 6.35% which is 20% higher than the national average of 4.0%
 - Sioux County - Average Annual Unemployment: 6.8% which is 20% higher than the national average of 4.0 %

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

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 368 household members would otherwise be subject to the work requirements. 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, 2002 for a period of 12 months ending March 31, 2003.
13. **Proposed quality control review procedures:** No special review procedures required.
14. **Signature and title of requesting official:**



Arlene Dura, Acting Director
Food Stamp Unit
Energy & Nutrition Division

15. **Date of Request:** January 4, 2002