

**WAIVER REQUEST**

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

**Counties:** Benson, Billings, Eddy, Emmons, Grant, Hettinger, Kidder, Logan, McHenry, McLean, Mountrail, Oliver, Pembina, Pierce, Rolette, Sheridan, Sioux, Slope, Towner and Wells Counties

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)(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 does not have a sufficient number of jobs to provide employment for the individuals.

In addition, 7 CFR 273.24 (f)(3)(iii) permits states to use "data from the BLS or the BLS cooperating agency that an area has a 24-month average unemployment rate that exceeds the national average by 20 percent for any 24-month period no earlier than the same periods the ETA used to designate LSAs for the current fiscal year."

8. **Proposed alternative procedures:**

The State seeks a two-year waiver for 20 counties that are eligible based on aggregate average unemployment rates of at least 20 percent above the national average during the 36-month period January 2005 through December 2007, when the national average unemployment rate plus 20 percent was 5.7%.

| <b>County</b>                   | <b>Unemployment Rate<br/>Jan. 2005 - Dec. 2007</b> |
|---------------------------------|----------------------------------------------------|
| Pierce County                   | 4.7%                                               |
| Mountrail County                | 6.1%                                               |
| McHenry County                  | 5.3%                                               |
| Benson County                   | 6.2%                                               |
| Rolette County                  | 9.4%                                               |
| Towner County                   | 5.0%                                               |
| Eddy County                     | 5.5%                                               |
| Logan County                    | 3.3%                                               |
| Wells County                    | 4.7%                                               |
| Emmons County                   | 5.2%                                               |
| Kidder County                   | 4.9%                                               |
| Sheridan County                 | 5.6%                                               |
| Grant County                    | 3.8%                                               |
| Oliver County                   | 4.5%                                               |
| McLean County                   | 4.7%                                               |
| Sioux County                    | 6.8%                                               |
| Hettinger County                | 3.8%                                               |
| Slope County                    | 2.3%                                               |
| Billings County                 | 2.7%                                               |
| Pembina County                  | 6.3%                                               |
| <b>Total of all 20 Counties</b> | <b>5.7%</b>                                        |

Benson, Billings, Eddy, Emmons, Grant, Hettinger, Kidder, Logan, McHenry, McLean, Mountrail, Oliver, Pierce, Sheridan, Slope, Towner, Wells, Pembina, Rolette and Sioux Counties qualify for waivers based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average during the 36-month period January 2005 through December 2007.

9. **Justification for request:**

The 20 counties listed above have an aggregate average unemployment rate of at least 20 percent above the national average during calendar years 2005 through 2007. All of the raw data supporting our figures come from the Bureau of Labor Statistics (BLS) website.

<sup>1</sup> Please refer to the following Internet sites for more information on North Dakota' Regional Councils.

<http://www.state.nd.us/dcs/community/agencies/dex.htm>

<http://www.sourisbasin.org/about/history.shtml>

10. **Anticipated impact on households and state agency operations:**

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

11. **Caseload information:**

The caseload for these areas, as of December 31, 2007 represent 23% of the caseload for the state. There are no quality control procedures involved.

12. **Anticipated implementation date and period for which waiver is needed:**

May 1, 2008 for a period of 24 months ending April 30, 2010.

13. **Proposed quality control review procedures:**

There are no special quality control procedures needed in conjunction with this waiver extension.

14. **Signature and title of requesting official:**

  
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Arlene Dura, Director  
Food Stamp Program

15. **Date of Request: January 30, 2008**