

WAIVER REQUEST

1. **Waiver serial number:** 970125
2. **Type of request:** Modification and Extension
3. **Primary regulation citation, if any:** 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, if any:** 7 CFR 273.24 (f)(3)(iii)
5. **State:** North Dakota
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), 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 requirement 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 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 resides has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Proposed procedures:**

The State of North Dakota requests to waive individuals residing in a combined area within the state. The combined area is a contiguous combination of two of eight regions in North Dakota served by Regional Councils. The regions were established by executive order of the Governor in 1969 and are "areas involving a combination of counties and cities which have a basic common denominator in their social, economic and cultural pattern of behavior, as well as in their geographic features and other influences."¹

¹ Please refer to the following Internet sites for more information on North Dakota' Regional Councils:
<http://www.business.nd.gov/searchcenter/regional/>
<http://www.sourisbasin.org/about/history.shtml>

The State seeks a waiver for a contiguous area eligible based on aggregate average unemployment rates of at least 20 percent above the national average during January 2008 through December 2009, when the national average unemployment rate plus 20 percent was 9.0.

Combined Sub-region:

COUNTY	UNEMPLOYMENT RATE, Jan 2008- Dec 2009
Sub-region of Region 2	
Pierce County	4.9
Sub-region of Region 3	
Rolette County	10.6
Total for Combined Sub-region	9.0

9. **Justification for request:**

As stated in number 8 above, the counties listed above have an average unemployment rate of at least 20 percent above the national average during a recent 24-month time period. All of the raw data supporting our numbers that we have used are from the Bureau of Labor Statistics (BLS) website.

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, including percent, characteristic, and quality control error rate for affected portion:**

The caseload for these two counties is 2,890 as of June 2011, and represents 10.4% of the caseload for the state. There are no quality control procedures involved

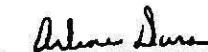
12. **Anticipated implementation date and time period for which waiver is needed:**

The State is requesting a one-year waiver from October 1, 2011 through September 30, 2012.

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

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

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



15. **Date of request:**

July 15, 2011