



United States
Department of
Agriculture

SEP 03 2013

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Ms. Michele A. Gee
Assistant Director
Supplemental Nutrition Assistance Program
North Dakota Department of Human Services
600 East Boulevard Avenue, Dept 325
Bismarck, North Dakota 58505-0250

RE: SNAP – North Dakota Request to Waive Able-bodied Adults without Dependents
Time Limits – Modification and Extension – Approval

Dear Ms. Gee:

This is in response to the North Dakota Department of Human Services' request to extend and modify waiver #970125 to exempt able-bodied adults without dependents (ABAWDs) in the contiguous counties of Rollette and Pierce from Supplemental Nutrition Assistance Program time limits at 7 CFR 273.24 for Fiscal Year 2014.

The North Dakota State agency has supported this request to exempt ABAWDs in Rollette and Pierce counties based on the combined area having an aggregate average unemployment rate exceeding 20 percent above the national average for the 24-month period of May 2011 through April 2013.

Based upon a review of the data provided, Food and Nutrition Service is approving this waiver for a one year period, effective October 1, 2013 through September 30, 2014. Our detailed response is attached. If you have any questions, please contact Kathie Herrman at kathie.herrman@fns.usda.gov.

Sincerely,

Angela Kline
Chief
Certification Policy Branch
Program Development Division

Attachment

CSM

WAIVER RESPONSE

1. **Waiver Serial Number:** 970125
2. **Type of Request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** North Dakota
5. **Region:** Mountain Plains
6. **Regulatory Requirement:** Federal regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in the Supplemental Nutrition Assistance (SNAP) as a member of any household if the individual received program benefits for more than three months during any three year period in which the individual was subject to, but did not comply with the SNAP work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

Regulations at 7CFR 273.24(f) also provide 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 percent, or does not have a sufficient number of jobs to provide employment for the individuals.

7. **Description of proposed alternative procedures:** The North Dakota State Agency proposes to extend and modify this waiver to exempt individuals in the contiguous counties of Rollette and Pierce from able-bodied adults without dependents participation time limits based upon this combined area having an aggregate average unemployment rate exceeding 20 percent above the national average for the 24-month period of May 2011 through April 2013. During this time period the national average for unemployment was 8.3 percent; 20 percent above this is 9.9 percent.

Contiguous Counties	Unemployment Rate: May 2011 – April 2013
Pierce	4.9%
Rollette	11.8%
Combined area	10.0%
20% Above National Average Threshold	9.9%

8. **Action and reason for approval or denial:** Due to the contiguous counties of Rollette and Pierce having an aggregate average unemployment rate exceeding 20 percent above the national average for the 24-month period of May 2011 through April 2013, the Food and Nutrition Service (FNS) is approving this waiver request. The data submitted by the State agency meets the requirements of approval pursuant to 7 CFR 273.24(f)(3) and relevant FNS guidance.
9. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i),(ii) and (iii).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3). If North Dakota wishes to receive an extension based on unemployment rates, they must provide FNS with a waiver request along all supporting documentation, including spreadsheets.
12. **Expiration date:** This waiver is effective beginning October 1, 2013 and will expire on September 30, 2014.
13. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the North Dakota Department of Human Services.
14. **Quality control procedures:** None
15. **Date of national office action:** SEP 03 2013
16. **Date of State agency's request:** July 26, 2013
17. **Date of regional office transmittal of request:** July 26, 2013
18. **Implementation date (notify FNS if actual date differs):** October 1, 2013
19. **State agency contact:**
Michelle Gee
mgee@nd.gov
(701) 328-2328
20. **FNS regional contact:**
Kathie Herrman
kathie.herrman@fns.usda.gov
(303) 844-0347