



JUL 31 2014

**United States
Department of
Agriculture**

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Ms. Arlene Dura
Director
Supplemental Nutrition Assistance Program
North Dakota Department of Human Services
600 East Boulevard Avenue
Department 325
Bismarck, ND 58505

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

Dear Ms. Dura:

This is in response to the North Dakota Department of Human Services request for an extension of its waiver to exempt able-bodied adults without dependents (ABAWDs) in three counties from Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24.

The North Dakota State agency has requested to waive ABAWD time limits in Benson, Pierce and Rolette Counties. The supporting documentation provided by the State shows that these three contiguous counties have an aggregate average unemployment rate that is 20 percent above the national average unemployment rate for the 24-month period of April 2012 through March 2014. The area had an aggregate unemployment rate of 9 percent for the period of April 2012 through March 2014. For the same period, the average national unemployment rate was 7.5 percent.

The Food and Nutrition Service is approving this request for an extension of North Dakota's waiver of the ABAWD time limit. This approval is effective from October 1, 2014 through September 30, 2015. A detailed waiver response is attached.

If you have any questions, please contact Phil Fraley at Philip.Fraley@fns.usda.gov.

Sincerely,

Autumn McCain
Acting Chief
Certification Policy Branch
Program Development Division

Attachment

SDP

WAIVER RESPONSE

1. **Waiver Serial Number:** 970125
2. **Type of Request:** Extension
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 Program (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 State of North Dakota is requesting to exempt able-bodied adults without dependents (ABAWDs) from SNAP time limits at 7 CFR 273.24.
8. **Action and reason for approval or denial:** FNS is approving the North Dakota State agency's request to waive ABAWD time limits as the State meets the requirements for approval provided at 7 CFR 273.24(f)(2)(ii). The State agency has demonstrated that the combined area of Benson, Pierce and Rolette Counties had an unemployment rate at least 20 percent above the national average unemployment rate for a 24-month period. The three county area had an aggregate unemployment rate of 9 percent for the period of April 2012 through March 2014. For the same period, the average national unemployment rate was 7.5 percent and 20 percent above the national average unemployment rate was 9 percent.

Area	Unemployment Rate April 2012 – March 2014
Combined area of Benson, Pierce and Rolette Counties	9.0%
20% Above the National Average Threshold	9.0%

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). If North Dakota wishes to receive an extension based on unemployment rates, it must provide FNS with a waiver request along with all supporting documentation, including spreadsheets.
12. **Expiration date:** This waiver extension is effective beginning October 1, 2014 and will expire on September 30, 2015.
13. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the North Dakota Department of Human Services.
14. **Date of national office action:** **JUL 31 2014**
15. **Date of State agency's request:** June 26, 2014
16. **Date of regional office transmittal of request:** June 30, 2014
17. **Implementation date (notify FNS if actual date differs):** October 1, 2014
18. **State agency contact:**
Arlene Dura
adura@nd.gov
19. **FNS regional contact:**
Phil Fraley
Philip.Fraley@fns.usda.gov