



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

JUL 11 2016

Michele Gee
Economic Assistance Policy Director
North Dakota Department of Human Services
600 East Boulevard Avenue
Department 325
Bismarck, North Dakota 58505-0250

RE: SNAP – North Dakota Request to Waive Able-Bodied Adults without
Dependents Time Limit – Approval

Dear Ms. Gee:

This is in response to the North Dakota State agency's request to waive the Supplemental Nutrition Assistance Program (SNAP) time limit for able-bodied adults without dependents in seven counties from October 1, 2016, through September 30, 2017.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving North Dakota to waive the time limit for the seven counties for the requested 12-month period. The approval amends and extends waiver number 970125. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. If you have any questions, please contact Kathie Herrman at Kathie.Herrman@fns.usda.gov or Phil Fraley at Philip.Fraley@fns.usda.gov.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

WAIVER RESPONSE

1. **Wavier serial number:** 970125
2. **Type of request:** Amendment and extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Regulatory Citation:** 7 CFR 273.24
5. **State:** North Dakota
6. **Region:** Mountain Plains
7. **Regulatory Requirement:** Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides that no able-bodied adult without dependents (ABAWD) 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 3 months during any 3-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) also provides that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit 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.
8. **Proposed alternative procedures:** The North Dakota State agency has requested to waive the ABAWD time limit in seven contiguous counties from October 1, 2016 through September 30, 2017. The State agency has supported its request based upon the seven county combined area having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of April 2014 through March 2016. During this time period the national average unemployment rate was 5.5 percent; 20 percent above that rate is 6.6 percent. As detailed in the following table, the seven county combined area's aggregate unemployment rate for the selected time period reached 6.6 percent.

Bureau of Labor Statistics Local Area Unemployment Data April 2014 – March 2016*		
County	Unemployment	Labor Force
Benson	3,071	59,929
Eddy	1,517	31,042
Emmons	1,907	37,097
Kidder	1,242	31,952
Pierce	1,833	43,814
Rolette	12,338	116,081
Sheridan	911	17,452
Total	22,819	337,367
Combined Area Unemployment Rate	6.8%	
National Unemployment Rate	6.6%	

*Data extracted from <http://www.bls.gov> on June 20, 2016.

9. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the North Dakota State agency's request to waive the ABAWD time limit in the seven counties because the counties meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008, as amended and 7 CFR 273.24(f).
11. **Information required for an extension:** To receive an amendment or extension the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets as supporting documentation.
12. **Implementation date and expiration date:** The waiver is effective October 1, 2016, through September 30, 2017.
13. **Limitation, if any, on regional office approval of like requests:** The waiver is limited to the North Dakota State agency.
14. **Date of national office action:** JUL 11 2016
15. **Date of State agency's request:** June 1, 2016
16. **Date of regional office transmittal of request:** June 6, 2016

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17. State agency contact:

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18. FNS regional contact:

Phil Fraley
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