



Food and
Nutrition
Service

Park
Office
Center

3101 Park
Center
Drive

Alexandria
VA, 22302

Date: September 4, 2019

Michele Gee
Economic Assistance Director
North Dakota Department of Human Services
600 E Boulevard Ave, Dept 325
Bismarck, North Dakota 58505

Supplemental Nutrition Assistance Program (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 May 2, 2019, request to waive the SNAP time limit for able-bodied adults without dependents in 12 areas from October 1, 2019, through September 30, 2020.

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 the State to waive the time limit for a 12-month period as requested. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. Please contact your FNS Regional Office with any questions.

As you may be aware, FNS has proposed regulations that would strengthen the standards by which areas can qualify for these waivers so that the statutory ABAWD work requirement is applied more broadly. The rule, once finalized, could change the qualifying areas and approval period for this waiver.

FNS also reminds the State agency that it must measure the 3-year period and track ABAWDs on a continuous basis, even in areas under a waiver. The State must continue tracking so that the State will be ready to transition off-of the waiver when it expires and reintroduce the time limit.

Moving forward, FNS will be taking actions to support the Administration's priority to provide able-bodied Americans a path to self-sufficiency. This goal requires that we establish a clear and mutual commitment to moving SNAP participants to meaningful employment.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

1. **Serial Number:** 970125
2. **Request Type:** Extension and amendment
3. **Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory Citation:** 7 CFR 273.24
5. **State:** North Dakota
6. **Food and Nutrition Service (FNS) Region:** Mountain Plains
7. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008 and 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 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) and 7 CFR 273.24 also provide 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. **Requested Area(s) and Support:** The North Dakota State agency requested to waive the ABAWD time limit in a total of 12 areas from October 1, 2019, through September 30, 2020. The State agency grouped 12 counties for consideration as a contiguous area. The State agency supported its request based upon these areas having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of March 2017 through February 2019. During this time period the national average unemployment rate was 4.1 percent; 20 percent above that rate is 4.9 percent. The unemployment rate for the 12 county combined area was 4.9 percent during the same time period (areas listed below in Table 1).

Table 1: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data, March 2017 through February 2019)

Counties
1. Benson County
2. Bottineau County
3. Eddy County
4. Emmons County
5. Kidder County
6. McHenry County
7. Nelson County
8. Pierce County

Counties
9. Rolette County
10. Sheridan County
11. Sioux County
12. Wells County
Combined Area Unemployment Rate: 4.9%
Data extracted from http://www.bls.gov on July 24, 2019

- 9. FNS Action and Justification:** FNS is approving the State agency to waive the ABAWD time limit as requested. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 10. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 11. Implementation Date:** October 1, 2019
- 12. Expiration Date:** September 30, 2020
- 13. Information Required for Amendment or 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 and supporting documentation.
- 14. State Agency Contact Information:**
 Name: Deb Kramer
 Phone Number: 701-328-3272
 Email: debkramer@nd.gov
- 15. FNS Regional Office Contact Information:**
 Name: Tim Anderson
 Phone Number: 303-571-6170
 Email: tim.anderson@usda.gov