



United States Department of Agriculture

Food and
Nutrition
Service

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22314

April 26, 2023

Deb Kramer
SNAP Director
Economic Assistance Section
Department of Health and Human Services
600 East Boulevard Avenue
Bismarck, North Dakota 58505-0250

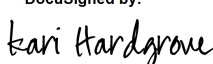
RE: Supplemental Nutrition Assistance Program (SNAP) – North Dakota Request
to Waive Able-Bodied Adults Without Dependents Time Limit – Initial –
Approval

Dear Director Kramer:

This is in response to the North Dakota Department of Health and Human Services' March 31, 2023, request to waive the Supplemental Nutrition Assistance Program (SNAP) time limit for able-bodied adults without dependents (ABAWDs). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

The Food and Nutrition Service (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 the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:

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for

Catrina L. Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

Enclosure

**ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)
WAIVER RESPONSE**

- 1. Request Type:** Initial
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** North Dakota
- 5. Food and Nutrition Service (FNS) Region:** Mountain Plains
- 6. 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.
- 7. Requested Area(s) and Support:** The State agency requested to waive the ABAWD time limit in a combined area of 12 contiguous counties from July 1, 2023, through June 30, 2023. The State agency supported its request based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of July 2020 through June 2022. During this period, the national average unemployment rate was 5.5 percent; 20 percent above that rate is 6.6 percent. The average unemployment rate for the combined area was 6.6 percent during the 24-month period.

Table 1: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data, July 2020 – June 2022)

Counties
1. Benson County
2. Bottineau County
3. Burke County
4. Divide County
5. McHenry County
6. McKenzie County
7. Nelson County
8. Pierce County
9. Renville County
10. Rolette County
11. Sheridan County
12. Williams County
Combined Area Unemployment Rate: 6.6%
Data extracted from http://www.bls.gov on April 17, 2023.

8. FNS Action and Justification: FNS is approving the State agency's request to waive the ABAWD time limit. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.

9. Authority: The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).

10. Implementation Date: July 1, 2023

11. Expiration Date: June 30, 2024

12. Information Required to Submit a Modification, Extension, or New Waiver:

To receive a modification, extension, or submit a new waiver to replace the current waiver, 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.

13. State Agency Contact Information:

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14. FNS Regional Office Contact Information:

Name: Roberta Montoya
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