



June 24, 2024

Dawn Brossart
SNAP Director
Economic Assistance Section
Department of Health and Human Services
600 East Boulevard Ave. Dept. 325
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 SNAP Director Brossart:

This is in response to the North Dakota Department of Health and Human Services' May 28, 2024, 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,

/s/

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 three counties and one reservation area from July 1, 2024, to June 30, 2025.

The State agency supported its request based upon the combined area of three contiguous counties having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of October 2021 through September 2023. During this period, the national average unemployment rate was 3.5 percent; 20 percent above that rate is 4.2 percent. The average unemployment rate for the combined area was 4.4 percent during the 24-month period (Table 1).

Table 1: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data, October 2021 – September 2023)

Combined Area 1
Bottineau County, ND
Pierce County, ND
Rolette County, ND
Combined Area Unemployment Rate: 4.4%

Data extracted from <http://www.bls.gov> on June 7, 2024.

The State agency also supported its request for the one reservation area based upon the area having an average unemployment rate 20 percent above the national average for the 24-month period of October 2021 through September 2023. During this period, the national average unemployment rate was 3.5 percent; 20 percent above that rate is 4.2 percent. The average unemployment rate for the requested reservation area was 7.2 percent during the 24-month period (Table 2).

Table 2: Reservation Areas (2022 American Community Survey and Bureau of Labor Statistics Data, October 2021 – September 2023)

Reservation Areas	Unemployment Rate
Turtle Mountain Reservation and Off-Reservation Trust Land	7.2%

Data extracted from <http://www.bls.gov> and <https://data.census.gov> on June 7, 2024.

- 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, 2024
- 11. Expiration Date:** June 30, 2025
- 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:

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