



DEPARTMENT OF AGRICULTURE

Food and Nutrition Administration

[FNA-2026-0307]

Supplemental Nutrition Assistance Program: State of North Dakota SNAP Demonstration Project

AGENCY: Food and Nutrition Administration, U.S. Department of Agriculture.

ACTION: Notice of request for public comments.

SUMMARY: This notice invites the public to comment on the State of North Dakota's demonstration project authorized under section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b). The Food and Nutrition Administration (FNA) will take appropriate action as necessary in response to comments.

DATES: Written comments must be received on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: Comments on this notice may be submitted to FNA by one of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- Web Site: Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- All written comments submitted in response to this notice will be included in the record and will be made available to the public. Please be advised that the substance of the comments and the identity of the individuals or entities submitting the comments will be subject to public disclosure. FNA will make the written comments publicly available on the Internet via <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Shiela Corley, Acting FNA Administrator, at SM.FN.RPMDHQ-WEB@usda.gov with subject line of “ND SNAP Demonstration Project”.

SUPPLEMENTARY INFORMATION: Section 17(b) of the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b), authorizes FNA to approve demonstration projects to test changes to the Supplemental Nutrition Assistance Program (SNAP) that may increase programmatic efficiency and improve the delivery of SNAP benefits to raise levels of nutrition among eligible households. This demonstration project is implemented by the State, and FNA will carefully review the results of the project based on the State’s evaluation data. All relevant documents, including the State’s demonstration project request, can be found in the supporting document section. Additionally, to support implementation and ensure transparency, FNA created a central webpage on May 21, 2025, to post State agencies’ project requests and approvals and provide exact implementation timelines. That webpage is accessible at the following address: <https://www.fna.usda.gov/snap/waivers/foodrestriction>.

Discussion of Demonstration Project:

State of North Dakota Demonstration Project Request

The State of North Dakota requested to conduct a demonstration project to amend the SNAP definition of food for purchase to exclude “soft drinks”, “energy drinks”, and “candy”. The State formally requested to conduct this project on October 24, 2025, and then provided a revised request on November 3, 2025. On February 27, 2026, the State requested to modify the initial project request to “further explain the state’s restricted food and beverage items”. The State requested to implement the project on September 1, 2026. The State’s project request and the subsequent modification request can be found in the supporting document section and on the FNA website at the following address:

<https://www.fna.usda.gov/snap/waivers/foodrestriction/northdakota>.

USDA Approval of Initial Demonstration Project Request

FNA approved the State's initial demonstration project request on December 10, 2025. The approval can be found in the supporting document section and at the following address:
<https://www.fna.usda.gov/snap/waivers/foodrestriction/northdakota>.

Request for Public Comments: Although not required by statute, interested parties are invited to submit written comments regarding the State of North Dakota's demonstration project. FNA is particularly interested in comments regarding the state's implementation and operation of the demonstration project. Further information related to the implementation of the demonstration project is included on the FNA website (<https://www.fna.usda.gov/snap/waivers/foodrestriction>) and the State's website (<https://www.hhs.nd.gov/snap-healthy-choice-waiver>).

Shiela Corley,
Acting Administrator,
Food and Nutrition Administration, USDA.

[FR Doc. 2026-18879 Filed: 9/14/2026 8:45 am; Publication Date: 9/15/2026]