



Minnesota Department of **Human Services**

September 28, 2007

Mr. Tim English, Regional Director, FSP
USDA, Food and Nutrition Service
77 West Jackson blvd., 20th Floor
Chicago, IL 60604-3511

Dear Mr. English:

On February 3, 2006, the Food Stamp Program released guidance outlining the requirements for securing 2-year waivers for ABAWD exemptions from work requirements. State agencies may exercise the option of 2-year ABAWD waivers under limited circumstances contained in the guidance.

A letter dated February 17, 2006 sent to you requested an extension of waiver #970170 for a one-year period from October 1, 2006 through September 30, 2007. It covered the following reservations: Boise Forte (Vermillion Lake), Fond du Lac, Grand Portage, Leech Lake, Lower Sioux, Mille Lacs, Red Lake, Shakopee, Upper Sioux, and White Earth.

Minnesota is required to separate city and county census data when computing labor rate and unemployment rates. This change is reflected in the spreadsheets submitted with the waiver request.

The Boise Forte reservation consists of three geographic areas: Sandy Lake, Leech Lake, and Vermillion Lake. For the purposes of this request Leech Lake is presented by itself and Boise Forte contains Vermillion Lake. Sandy Lake is not included in this request.

Minnesota requests the extension of waiver #970170 from October 1, 2007 through September 30, 2009 for reservations meeting unemployment rates 20 percent greater than the national average for a 36-month period, ending no earlier than three months prior to the request date. The request covers the same reservations listed in the above paragraph.

A 36-month reservation unemployment EXCEL file covering the time from August 2004 through July 2007 was forwarded to Angela Bryan, Patricia Solis and Tina Kopec of your staff for review and consideration. This file confirms that the above listed reservations meet the criteria necessary to qualify for a two-year extension effective October 1, 2007.

Tim English
Page 2
September 25, 2007

Questions regarding this request and supporting documentation may be addressed to Steve Erbes at steve.erbes@state.mn.us or 651/297-4841.

Sincerely,

A handwritten signature in dark ink, appearing to be 'JM' followed by a long horizontal stroke.

John Morrison
Transition to Economic Supports Manager

cc: Ann Sessoms, Steve Erbes

WAIVER REQUEST – MINNESOTA

1. **Waiver Serial Number:** #970170
2. **Type of Request:** Extension
3. **Primary Regulation Citation, if any:** 7CFR 273.24
4. **Secondary Regulation Citation:** None
5. **State:** Minnesota
6. **Region:** MWRO
7. **Regulatory Requirements:** 7 CFR 273.24 provides that no individual shall be eligible to participate in the Food Stamp program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program under Section 20 or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f) also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provisions 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 sufficient number of jobs to provide employment for the individuals.

8. **Description of proposed alternative procedures:** Minnesota requests an extension of waiver #970170 so that the effective dates October 1, 2007 through September 30, 2009 for the following reservations:

Bois Forte (Vermillion Lake), Fond du Lac, Grand Portage, Leech Lake, Lower Sioux, Mille Lacs, Red Lake, Shakopee, Upper Sioux, and White Earth based on these areas having insufficient jobs for residents and high unemployment rates.

9. **Justification For Request:** Unemployment data prepared by the Minnesota Department of Employment and Economic Development using guidance from General Letters 04-12 and 04-18, the ten above listed reservations have unemployment rates exceeding 20% of the national average for the time period August 1, 2004 to July 31, 2007. Due to the size of the data set as prescribed by the General Letters A copy will be electronically forwarded to FNS staff members, Angela Bryan, Patricia Solis and Tina Kopec.

10. **Anticipated Impact On Households and State Agency Operations:** No change is anticipated because the individuals will be exempt.

11. **Caseload Information, Including Percent, Characteristics, and Quality control (QC) Error rate for Affected Portion:** As of January 1, 2004 there were approximately 6,836 Food Support participants who were exempt from ABAWD provisions due to living in a waived area. This includes participants living in either counties or reservations covered by waivers. It also includes individuals who may meet other ABAWD exemptions. The increase in participants exempt from ABAWD provisions due to living in a waived area can be attributed to increased caseloads. ABAWDs are adults between the ages of 18 and 50 who are not disabled, do not have dependent children, and are not exempt under one of the federal exemptions.

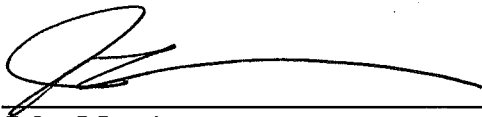
Minnesota implemented the ABAWD provisions effective December 1, 1996. In the nine federal fiscal years (FFY) since the ABAWD provisions were implemented, there have been twelve QC payment errors related to the ABAWD provisions. Two payment errors occurred in FFY 1998, one in FFY 2000, one in FFY 2001, two in FFY 2003, five in FFY 2004, and zero in FFY 2005 through 5/31/05.

Since all twelve of the ABAWD payment errors discovered by QC to date have been policy errors in counties not covered by Minnesota's ABAWD waivers, approval of this waiver will not negatively impact Minnesota's payment error rate.

12. **Anticipated Implementation Date and Time Period for Which Waiver is Needed:** This waiver is requested for the twelve month period beginning October 1, 2007 through September 30, 2009.

13. **Quality Control Review Procedures:** Quality Control (QC) verifies the county agency either (1) correctly categorized a Food Support recipient as an ABAWD, or, (2) correctly exempted a recipient from the ABAWD provisions. Persons living in areas covered by a waiver (in Minnesota that would be either counties or reservations) would fall into the second category. Counties and reservations covered by ABAWD waivers are listed in CM 0011.24.

14. **Signature and Title of Requesting Official:**



John Morrison
Transition to Economic Supports Manager

15. **Date of Request:**
September 28, 2007