

970348

SUBJECT: FSP - Minnesota - Request to Waive Section 6(o) of the Food Stamp Act,
as Amended by Section 824 of the Personal Responsibility and Work
Opportunity Reconciliation Act of 1996 - Todd County

TO: Thomas Pate, Acting Administrator
Food and Consumer Service
Midwest Region

This is in response to the Minnesota State Agency's request to waive Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, for individuals residing in Todd County, based on criteria similar to that used by the Employment and Training Administration of the Department of Labor to designate Labor Surplus Areas. (LSAs) by the, and for individuals residing in Marshall County based on an unemployment rate over 10 percent for the county.

Our response approving the State agency's request is attached. Approval is based on an averaged unemployment rate for the most recent 2-year period greater than 20 percent above the national average.

If you have any questions, please contact Larry Tropp of my staff at 703-305-2437.

Arthur M. Foley
Director
Program Development Division

Attachment

cc: Joseph Pinto, Reetha Oliver, John Knaus , Joe Shea, Maurice Tracy , All Regions
(except MWRO), Civil Rights, CPB (circulate), Michael DePiro, OAE

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Waiver Response

1. **Waiver serial number:** 970348
2. **Type of request:** Initial
3. **Primary regulation citation:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.
4. **Secondary regulation citation:**
5. **State:** Minnesota
6. **Region:** MWRO
7. **Regulatory Requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), P.L. 104-193, 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 for 20 hours or more per week; did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State; or received benefits because they were exempt from these requirements.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision 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. **Description of proposed alternative procedures:** The Minnesota State Agency is proposing to exempt from these requirements individuals residing in Todd County based on criteria similar to that used by the Employment and Training Administration of the Department of Labor to determine whether an area qualifies for designation as a Labor Surplus Area. We previously approved exemptions for Aitkin, Cass, Cottonwood, Hubbard, Kanabec, Mille Lacs, Morrison, and Pine Counties based on their designation as LSAs.

9. **Action and reason for approval or denial:** We are approving the State agency's request to exempt individuals in Todd County from the provisions of Section 6(o). Although Todd County is not a designated LSA, it still qualifies for a waiver based on an averaged unemployment rate for the most recent 2-year period greater than 20 percent above the national average. The county's unemployment rate averaged 6.9 percent for calendar year 1995 and 7.8 percent for calendar years 1996. The unemployment rate for both years was well in excess of 6.6 percent (20 percent above the national average) for the same 2-year period.
10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, which allows the Secretary to waive the applicability of the work requirement provision in Section 6(o) 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 over 10 percent or has insufficient jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension.** To receive an extension the State agency shall provide unemployment rate data for the affected areas compiled by its BLS cooperating agency.
13. **Expiration date:** This waiver is effective September 1, 1997, and will expire on November 30, 1997, as requested by the State agency.
14. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Minnesota State agency.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** September 11, 1997
18. **Date of regional office transmittal of response to State agency:**
19. **Actual Implementation Date:**