

Waiver Response

1. **Waiver serial numbers:** 980014
2. **Type of request:** Extensions and Amendments
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 requesting extension of its waiver nos. 970098, 970298, and 970348 exempting individuals in Aitkin, Becker, Cass, Carlton, Cottonwood, Hubbard, Itasca, Kanabec, Koochiching, Mahnommen, Mille Lacs, Morrison, Pine, and Todd Counties from the requirements of Section 824 based on their designation as Labor Surplus Areas (LSAs) by the Employment and Training Administration of the Department of Labor. The State agency has also requested the addition of Beltrami County, which had not been included in the previously approved waivers, based on its designation as an LSA.

We are combining all waivers based on LSA designation into a single waiver designated as no. 980014. The extension for Marshall County which had been granted an exemption based on an unemployment rate over 10 percent averaged is addressed under waiver no. 970074. The original approval for Marshall County was included in waiver no. 970278.

9. **Action and reason for approval or denial:** We are approving the State agency's request to extend its waivers exempting individuals in Aitkin, Becker, Cass, Carlton, Cottonwood, Hubbard, Itasca, Kanabec, Koochiching, Mahnomen, Mille Lacs, Morrison, Pine, and Todd Counties based on their designations as LSAs. We are also approving the State agency's request to exempt Beltrami County. The approvals for Cottonwood and Todd Counties were originally based on an unemployment rate greater than 20 percent above the national average for a 2-year period since they were not designated as LSAs for FY 1997. They have both been designated as LSAs for FY 1998.
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 data for the affected areas indicating that there continue to be insufficient jobs for individuals subject to Section 824 of PRWORA.
13. **Expiration date:** These waivers are effective December 1, 1997, and will expire on November 30, 1998, 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:** November 3, 1997
18. **Date of regional office transmittal of response to State agency:**
19. **Actual Implementation Date:**