

DEC 09 1997

970074, 980014

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

TO: David M. Mikelson, Regional Director  
Food Stamp Program  
Midwest Region

This is in response your memorandum of November 13, 1997, forwarding the Minnesota State Agency's request to extend its waivers of 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 purposes of our response we are combining all waivers based on unemployment greater than 10 percent into a single response designated as waiver no. 970074, and all waivers based on designation as Labor Surplus Areas (LSAs) by the Employment and Training Administration of the Department of Labor into a separate combined waiver response, designated as waiver no. 980014.

We are approving the State agency's request in its entirety. We are approving the State agency's request to extend its waivers exempting individuals in Clearwater, Red Lake, and Marshall Counties based on unemployment greater than 10 percent. We are also approving the State agency's request to extend its waivers 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 for FY 1998. As requested by the State agency, we are granting an exemption for Beltrami County and including it in waiver no. 980014. The county is a designated LSA for FY 1998. It was not included in any of the previous waivers based on LSA designation.

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

*Arthur T. Foley*

Arthur T. Foley  
Director  
Program Development Division

Attachments

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

FCS:FSP:PDD:LTropp:FINAL:12/5/97:va

FILE: ABAWDs

DIR: I:980014.MEM

| Symbol | Surname | Date    | Symbol | Surname | Date |
|--------|---------|---------|--------|---------|------|
| 9001   | Tracy   | 1/28/97 |        |         |      |
| 800110 | Musanko | 12/8/97 |        |         |      |
| 900110 | Ngannu  | 12/8/97 |        |         |      |
|        |         |         |        |         |      |
|        |         |         |        |         |      |
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|        |         |         |        |         |      |

OFFICIAL RECORD

## Waiver Response

1. **Waiver serial numbers:** 970074
2. **Type of request:** Extension and Amendment
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 waivers exempting individuals in Clearwater, Red Lake, and Marshall Counties based on continued unemployment rates above 10 percent for each of the counties. Marshall County was originally included in waiver no. 970348. It is now included in this waiver so that all three counties in the State with unemployment rates greater than 10 percent will be evaluated as part of the same waiver.

9. **Action and reason for approval or denial:** We are approving the State agency's request to extend its waivers exempting individuals in Clearwater, Red Lake, and Marshall Counties. All three counties continue to experience unemployment rates above 10 percent for the 12-month period ending September 1997, based on data from the Bureau of Labor Statistics.
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:** 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:**

## 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, Mahnomen, 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:**

980014

TO: David M. Mikelson, Regional Director  
Food Stamp Program  
Midwest Region

Our response is attached. If you have any questions, please contact James A. Walsh of my staff at 703-305-2531.

Attachment

FCS:FSP:PDD:JWalsh:FINAL:11/17/98:va  
FILE: ABAWDs  
DIR: I/CPB/WAIVERS/980014ext.memo

DD 121 Walsh 11-19-98  
100110 11/18/98  
PD/101 11/18/98

## Waiver Response

1. **Waiver serial numbers:** 980014
2. **Type of request:** Extension and Modification
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 970074 exempting individuals in Clearwater, Marshall and Red Lake 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. These areas were originally waived based on unemployment over 10 percent. The State agency is also requesting extension of waiver #980014 exempting individuals in Aitkin, Becker, Beltrami, Cass, Carlton, Hubbard, Itasca, Kanabec, Koochiching, Mahnomen, Mille Lacs, Morrison, Pine, and Todd Counties from the requirements of Section 824 based on their designation as LSAs. The State agency has also requested the addition of Kittson, Norman and Wadena Counties, which had not been included in the previously approved waivers, based on their designation as LSAs. The State agency has advised that it is removing Cottonwood County from the waiver as it no longer meets the exemption requirements.

We are combining all waivers based on LSA designations into a single waiver designated as #980014.

9. **Action and reason for approval or denial:** We are approving the State agency's request to extend its waiver exempting individuals in Aitkin, Becker, Beltrami, Carlton, Cass, Clearwater, Hubbard, Itasca, Kanabec, Koochiching, Mahnomen, Marshall, Mille Lacs, Morrison, Pine, Red Lake, and Todd Counties based on their designation as LSAs. We are also approving the State agency's request to exempt Kittson, Norman, and Wadena Counties based on their designation as LSAs. The approvals for Clearwater, Marshall, and Red Lake Counties were originally based on unemployment rates of over 10 percent.
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 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, 1998, and will expire on November 30, 1999, 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 4, 1998
18. **Date of regional office transmittal of response to State agency:**
19. **Actual Implementation Date:**



**United States Department of Agriculture**  
Food and Nutrition Service

Midwest Region

Reply to  
attn of: MWFS-100:FS 13-1-3 MN

NOV - 6 1998

Subject: Minnesota's Request for Extension of ABAWD Waivers plus three additional counties

To: Art Foley, Director  
Program Development Division  
Food Stamp Program

Attached is Minnesota's request for an extension of waivers #970074 and #980014 of Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This request is for extending these two waivers for individuals residing in the following seventeen counties: Clearwater, Marshall, Red Lake, Aitkin, Becker, Beltrami, Cass, Carlton, Hubbard, Itasca, Kanabec, Koochiching, Mahnomon, Mille Lacs, Morrison, Pine, and Todd. At this time all these counties meet the designation of Labor Surplus Counties. This request would remove Cottonwood County from the next waiver as it no longer meets the exemption requirements, and it would add Kittson, Norman and Wadena Counties to the waiver as Labor Surplus Areas. The State's request includes documentation to support their request for these counties (see attached).

The current waivers, #970074 and #980014, are approved through November 30, 1998. The State agency is requesting that a new waiver for all twenty counties designated as Labor Surplus Areas be approved through November 30, 1999. We recommend that this waiver be approved for the period requested if the counties continue to meet FNS requirements. If you have any questions or require any further information regarding this waiver request, please feel free to contact me or have a member of your staff contact Tina Kopec at (312) 353-0578.



DAVID M. MIKELSON  
Regional Director  
Food Stamp Program

Attachments

Minnesota Department of Human Services

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November 4, 1998

Mr. Theodore O. Bell, Administrator  
Midwest Region  
Food and Consumer Service  
U.S. Department of Agriculture  
77 West Jackson Blvd. 20th Floor  
Chicago, IL 60604-3507

Dear Mr. Bell:

This letter is written to request extension of an approved waiver, modification of approved waivers and a new waiver exempting individuals from 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.

On December 12, 1997 FNS approval was given extending waiver #970074 that exempted residents of, Clearwater, Red Lake and Marshall counties from ABAWD provisions. This extension was given due to the fact that these counties had an unemployment rate that exceeded 10 percent. This combined waiver is effective December 1, 1997 through November 30, 1998.

According to the most recent available Department of Labor information, dated October 1, 1998 all of the counties listed in the previous paragraph were designated labor surplus areas. Based on this information the department is requesting that waiver #970074 be modified to change the exemption reason from over 10 percent unemployment to labor surplus area and that the waivers for these counties be extended from December 1, 1998 through November 30, 1999.

Also, on December 12, 1997 FNS approval was received extending waiver #980014. In this correspondence the department was also directed to combine all waivers for counties designated as labor surplus counties into one waiver. Waiver # 980014 was to include Aitkin, Becker, Beltrami, Cass, Carlton, Cottonwood, Hubbard, Itasca, Kanabec, Koochiching, Mahnomon, Mille Lacs, Morrison, Pine, and Todd counties as being designated labor surplus areas. These combined waivers are in effect December 1, 1997 through November 30, 1998.

Department of Labor information further indicates that the counties listed in the above paragraph, with the exception of Cottonwood county, remain labor surplus areas. Based on this information the department is requesting that waiver #980014 be extended to be in effect December 1, 1998 through November 30, 1999. Last, the department requests that waiver # 980014 be modified and that the portion of the waiver exempting Cottonwood county from ABAWD requirements be allowed to expire on November 30, 1998.

Mr. Theodore O. Bell  
Page 2  
November 4, 1998

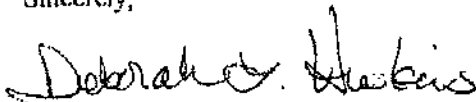
Department of Labor statistics now report that the Minnesota counties of Kittson, Norman and Wadena have been declared labor surplus areas. Minnesota is therefore requesting approval of an additional waiver exempting residents of these counties from the ABAWD time limited eligibility provisions of Section 6 (o) of the Food Stamp Act as amended by Section 824 of PRWORA.

Enclosed are waiver requests and supporting documentation, in the format suggested in the "Guidance for States Seeking Waivers for Food Stamp Limits", provided to the state. Minnesota is requesting that waiver extensions and new waivers for the additional counties be effective December 1, 1998 through November 30, 1999. These dates will align all county waivers so they expire on the same date. For the purpose of efficiency and expedience Minnesota requests that all counties that have been declared labor surplus, upon approval, be placed under one waiver and one waiver number.

Upon approval, the Department of Human Services will notify these presently waived counties and newly approved counties that individuals residing in these counties will remain or become exempt from the Able-Bodied Adults Without Dependents time limited eligibility provisions. Further, the department will notify Cottonwood county that they are no longer exempt from ABAWD requirements.

If you have any questions about this request or statistics please contact Bruce Bentson at (612)-282-6047.

Sincerely,



Deborah L. Huskins  
Assistant Commissioner  
Economic and Community Support Strategies

encl: 4

**WAIVER REQUESTS-MINNESOTA**

**1. Waiver Serial Number:** 970074

**2. Type of Waiver Request:** Request for Waiver Extension

**3. Regulation Citation:** Section 6 (o) of the Food Stamp Act as amended by Section 824 of PRWORA of 1996 104-193

**4. State:** Minnesota

**5. Region:** Midwest

**6. Regulatory Requirements:** This section of the statute outlines work requirements for able-bodied adults without dependents (ABAWDs). Unless exempt, individuals are ineligible to receive food stamps, if during the preceding 36 month period the individual received food stamps for at least three months (consecutive or otherwise) while the individual did not either: work at least 20 hours or more per week (averaged monthly), participate in and comply with a Job Training & Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than job search or job search training program) or participate in and comply with a workfare program (under section 20 of the Food Stamp Act or a comparable state or local program).

Section 6 (o) of the Food Stamp Act, as amended by Section 824 of PROWRA, further specifies that on the request of a State agency, the Secretary may waive the provisions of this section for any group of individuals if the Secretary determines that the area in which the individuals reside has an unemployment rate of more than 10 percent, or does not have a sufficient number of jobs to provide employment for individuals

**7. Summary of Waiver Request:** The Minnesota Department of Human Services is requesting an extension of waiver # 970074 which waives from this requirement, individuals who reside in the counties of, Clearwater, Marshall, and Red Lake, due to the fact that the Department of Labor statistics indicate that these counties have unemployment rates above 10 percent. Further, Minnesota requests that the waiver be modified from qualifying these counties as having unemployment rates above 10 percent to having been declared labor surplus areas.

Minnesota requests that waivers from the ABAWD requirements be effective in these counties beginning December 1, 1998 and continue through, November 30, 1999.

## WAIVER REQUESTS-MINNESOTA

**1. Waiver Serial Number:** 980014

**2. Type of Waiver Request:** Request for Waiver Extension

**3. Regulation Citation:** Section 6 (o) of the Food Stamp Act as amended by Section 824 of PRWORA of 1996 104-193

**4. State:** Minnesota

**5. Region:** Midwest

**6. Regulatory Requirements:** This section of the statute outlines work requirements for able-bodied adults without dependents (ABAWDs). Unless exempt, individuals are ineligible to receive food stamps, if during the preceding 36 month period the individual received food stamps for at least three months (consecutive or otherwise) while the individual did not either: work at least 20 hours or more per week (averaged monthly); participate in and comply with a Job Training & Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than job search or job search training program) or participate in and comply with a workfare program (under section 20 of the Food Stamp Act or a comparable state or local program).

Section 6 (o) of the Food Stamp Act, as amended by Section 824 of PROWRA, further specifies that on the request of a State agency, the Secretary may waive the provisions of this section for any group of individuals if the Secretary determines that the area in which the individuals reside has an unemployment rate of more than 10 percent, or does not have a sufficient number of jobs to provide employment for individuals.

**7. Summary of Waiver Request:** The Minnesota Department of Human Services is requesting an extension of waiver # 980014 which waives from this requirement individuals who reside in the counties of, Aitkin, Becker, Beltrami, Carlton, Cass, Hubbard, Itasca, Kanabec, Koochiching, Mahnomon, Mille Lacs, Morrison, Pine, and Todd due to the fact that the Department of Labor statistics indicate that these counties have been declared labor surplus areas. Further, Minnesota requests that the waiver from these provisions for the county of Cottonwood be allowed to expire on November 30, 1998.

Minnesota requests that waivers from the ABAWD requirements be effective in these counties beginning, December 1, 1998 and continue through November 30, 1999. Minnesota further requests that exemption from the ABAWD provisions in Cottonwood county expire on November 30, 1998.

**WAIVER REQUESTS-MINNESOTA**

**1. Waiver Serial Number:** New Waiver

**2. Type of Waiver Request:** Initial Waiver Request

**3. Regulation Citation:** Section 6 (o) of the Food Stamp Act as amended by Section 824 of PRWORA of 1996 104-193

**4. State:** Minnesota

**5. Region:** Midwest

**6. Regulatory Requirements:** This section of the statute outlines work requirements for able-bodied adults without dependents (ABAWDs). Unless exempt, individuals are ineligible to receive food stamps, if during the preceding 36 month period the individual received food stamps for at least three months (consecutive or otherwise) while the individual did not either: work at least 20 hours or more per week (averaged monthly); participate in and comply with a Job Training & Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than job search or job search training program) or participate in and comply with a workfare program (under section 20 of the Food Stamp Act or a comparable state or local program).

Section 6 (o) of the Food Stamp Act, as amended by Section 824 of PRWORA, further specifies that on the request of a State agency, the Secretary may waive the provisions of this section for any group of individuals if the Secretary determines that the area in which the individuals reside has an unemployment rate of more than 10 percent, or does not have a sufficient number of jobs to provide employment for individuals.

**7. Summary of Waiver Request:** The Minnesota Department of Human Services is requesting a waiver from this requirement for individuals who reside in the counties of Kittson, Norman and Wadena due to the fact that the Department of Labor statistics indicate that these counties have been declared Labor Surplus areas.

Minnesota requests that waivers from the ABAWD requirements be effective in these counties beginning, December 1, 1998 and continue through November 30, 1999

LABOR SURPLUS AREAS  
ELIGIBLE FOR FEDERAL PROCUREMENT PREFERENCE  
OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

ELIGIBLE LABOR SURPLUS AREAS  
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CIVIL JURISDICTIONS INCLUDED  
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MICHIGAN (CONT'D)  
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SCHOOLCRAFT COUNTY  
WEXFORD COUNTY

SCHOOLCRAFT COUNTY  
WEXFORD COUNTY

MINNESOTA  
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AITKIN COUNTY +  
BECKER COUNTY ✓  
BELTRAMI COUNTY ✓  
CARLTON COUNTY ✓  
CASS COUNTY ✕  
CLEARWATER COUNTY -  
HUBBARD COUNTY +  
ITASCA COUNTY ✓  
KANABEC COUNTY +  
~~KITTSOON COUNTY~~ ✓  
KOOCHICHING COUNTY ✓  
MAHNOMEN COUNTY ✓  
MARSHALL COUNTY ✕  
MILLE LACS COUNTY ✕  
MORRISON COUNTY ✕  
~~NORMAN COUNTY~~ ✓  
PINE COUNTY ✓  
RED LAKE COUNTY ✓  
TODD COUNTY ✓  
WADENA COUNTY

AITKIN COUNTY  
BECKER COUNTY  
BELTRAMI COUNTY  
CARLTON COUNTY  
CASS COUNTY  
CLEARWATER COUNTY  
HUBBARD COUNTY  
ITASCA COUNTY  
KANABEC COUNTY  
KITTSOON COUNTY  
KOOCHICHING COUNTY  
MAHNOMEN COUNTY  
MARSHALL COUNTY  
MILLE LACS COUNTY  
MORRISON COUNTY  
NORMAN COUNTY  
PINE COUNTY  
RED LAKE COUNTY  
TODD COUNTY  
WADENA COUNTY

MISSISSIPPI  
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ADAMS COUNTY  
ALCORN COUNTY  
ATTALA COUNTY  
BENTON COUNTY  
BOLIVAR COUNTY  
CHICKASAW COUNTY  
CHOCTAW COUNTY  
CLAIBORNE COUNTY  
CLARKE COUNTY  
CLAY COUNTY

ADAMS COUNTY  
ALCORN COUNTY  
ATTALA COUNTY  
BENTON COUNTY  
BOLIVAR COUNTY  
CHICKASAW COUNTY  
CHOCTAW COUNTY  
CLAIBORNE COUNTY  
CLARKE COUNTY  
CLAY COUNTY

(CONTINUED)

MWFS-100 FS 13-1-3 MN

Ms. Deborah L. Huskins, Assistant Commissioner  
Economic and Community Support Strategies  
Minnesota Department of Human Services  
444 Lafayette Road  
St. Paul, Minnesota 55155

DEC 2 1998

Dear Ms. Huskins:

This is in response to your November 4, 1998 request to extend waivers which exempt individuals in certain counties from Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This section limits the receipt of food stamp benefits to 3 months within a 3-year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workfare.

We are approving your waiver requests in their entirety by combining all of the requested counties based on designation as Labor Surplus Areas (LSAs) by the Employment and Training Administration of the Department of Labor into a single response, designated as waiver # 980014. Specifically, we are approving your request to exempt individuals in Aitkin, Becker, Beltrami, Cass, Carlton, Clearwater, Hubbard, Itasca, Kanabec, Kittson, Koochiching, Mahanomen, Marshall, Mille Lacs, Morrison, Norman, Pine, Red Lake, Todd and Wadena Counties based on their designation as LSAs. Waiver # 970074 which exempted individuals last year in Clearwater, Marshall and Red Lake Counties due to having unemployment rates over 10 percent is obsolete as of November 30, 1998.

The waiver is effective from December 1, 1998 through November 30, 1999. Refer to the enclosed Waiver Response Outline for additional information on this waiver and note what information will be required for requesting further extensions. Please use the waiver number in any future correspondence when referring to this waiver. If you have any questions or comments, feel free to contact me or have a member of your staff contact Tina Kopec at (312) 353-0578.

Sincerely,

ORIGINAL SIGNED BY:  
DAVID M. MIKELSON

DAVID M. MIKELSON  
Regional Director  
Food Stamp Program

Enclosure

cc: B. Bentson, Admin. Supervisor, Adult Services Divn., APD, MDHS, St. Paul, MN  
bcc: A. Foley, Director, PDD, FSP, FNS, Alexandria, VA  
A. Stavig, MWRFO, FNS, St. Paul, MN (via cc:mail)  
P. Solis, Asst. Section Chief, EU, EMS, FSP, MWRO, FNS  
A. Shannon, PA Coordinator, EMS, FSP, MWRO, FNS (via cc:mail)

## Waiver Response

1. **Waiver serial numbers:** 980014
2. **Type of request:** Extension and Modification
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 970074 exempting individuals in Clearwater, Marshall and Red Lake 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. These areas were originally waived based on unemployment over 10 percent. The State agency is also requesting extension of waiver #980014 exempting individuals in Aitkin, Becker, Beltrami, Cass, Carlton, Hubbard, Itasca, Kanabec, Koochiching, Mahnomen, Mille Lacs, Morrison, Pine, and Todd Counties from the requirements of Section 824 based on their designation as LSAs. The State agency has also requested the addition of Kittson, Norman and Wadena Counties, which had not been included in the previously approved waivers,

based on their designation as LSAs. The State agency has advised that it is removing Cottonwood County from the waiver as it no longer meets the exemption requirements.

We are combining all waivers based on LSA designations into a single waiver designated as #980014.

9. **Action and reason for approval or denial:** We are approving the State agency's request to extend its waiver exempting individuals in Aitkin, Becker, Beltrami, Carlton, Cass, Clearwater, Hubbard, Itasca, Kanabec, Koochiching, Mahnomen, Marshall, Mille Lacs, Morrison, Pine, Red Lake, and Todd Counties based on their designation as LSAs. We are also approving the State agency's request to exempt Kittson, Norman, and Wadena Counties based on their designation as LSAs. The approvals for Clearwater, Marshall, and Red Lake Counties were originally based on unemployment rates of over 10 percent.
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 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, 1998, and will expire on November 30, 1999, 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

# Facsimile Cover Sheet

United States Department of Agriculture  
Midwest Region, Food and Nutrition Service  
Ralph H. Metcalfe Federal Building  
77 West Jackson  
Chicago, Illinois 60604-3507

## *Fax Numbers*

Midwest Regional Office (general): (312) 886-1937  
Regional Administrator's Office: (312) 886-2475  
Child Nutrition Programs: (312) 353-4108

Number of Pages including cover sheets 8

If pages are not received or are not readable, call: 312-353-0570

Please deliver to: AAR FOLEY

From: MWRD TINA KOPEC

Message: \_\_\_\_\_



**United States Department of Agriculture**  
Food and Nutrition Service

Midwest Region

Reply to  
attn of: MWFS-100:FS 13-1-3 MN

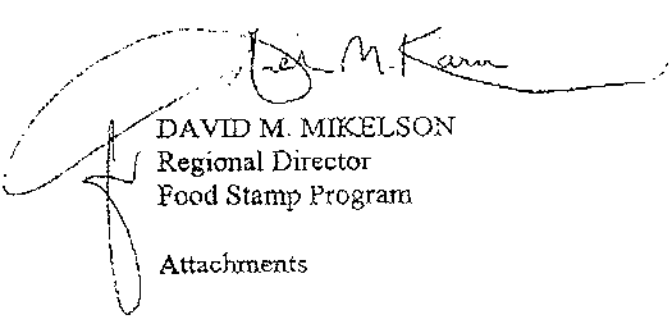
NOV - 6 1998

Subject: Minnesota's Request for Extension of ABAWD Waivers plus three additional counties

To: Art Foley, Director  
Program Development Division  
Food Stamp Program

Attached is Minnesota's request for an extension of waivers #970074 and #980014 of Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This request is for extending these two waivers for individuals residing in the following seventeen counties: Clearwater, Marshall, Red Lake, Aitkin, Becker, Beltrami, Cass, Carlton, Hubbard, Itasca, Kanabec, Koochiching, Mahanomen, Mille Lacs, Morrison, Pine, and Todd. At this time all these counties meet the designation of Labor Surplus Counties. This request would remove Cottonwood County from the next waiver as it no longer meets the exemption requirements, and it would add Kittson, Norman and Wadena Counties to the waiver as Labor Surplus Areas. The State's request includes documentation to support their request for these counties (see attached).

The current waivers, #970074 and #980014, are approved through November 30, 1998. The State agency is requesting that a new waiver for all twenty counties designated as Labor Surplus Areas be approved through November 30, 1999. We recommend that this waiver be approved for the period requested if the counties continue to meet FNS requirements. If you have any questions or require any further information regarding this waiver request, please feel free to contact me or have a member of your staff contact Tina Kopec at (312) 353-0578.



DAVID M. MIKELSON  
Regional Director  
Food Stamp Program

Attachments



Minnesota Department of **Human Services**

November 4, 1998

Mr. Theodore O. Bell, Administrator  
Midwest Region  
Food and Consumer Service  
U.S. Department of Agriculture  
77 West Jackson Blvd. 20th Floor  
Chicago, IL 60604-3507

Dear Mr. Bell:

This letter is written to request extension of an approved waiver, modification of approved waivers and a new waiver exempting individuals from 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.

On December 12, 1997 FNS approval was given extending waiver #970074 that exempted residents of, Clearwater, Red Lake and Marshall counties from ABAWD provisions. This extension was given due to the fact that these counties had an unemployment rate that exceeded 10 percent. This combined waiver is effective December 1, 1997 through November 30, 1998.

According to the most recent available Department of Labor information, dated October 1, 1998 all of the counties listed in the previous paragraph were designated labor surplus areas. Based on this information the department is requesting that waiver #970074 be modified to change the exemption reason from over 10 percent unemployment to labor surplus area and that the waivers for these counties be extended from December 1, 1998 through November 30, 1999.

Also, on December 12, 1997 FNS approval was received extending waiver #980014. In this correspondence the department was also directed to combine all waivers for counties designated as labor surplus counties into one waiver. Waiver # 980014 was to include Aitkin, Becker, Beltrami, Cass, Carlton, Cottonwood, Hubbard, Itasca, Kanabec, Koochiching, Mahanomen, Mille Lacs, Morrison, Pine, and Todd counties as being designated labor surplus areas. These combined waivers are in effect December 1, 1997 through November 30, 1998.

Department of Labor information further indicates that the counties listed in the above paragraph, with the exception of Cottonwood county, remain labor surplus areas. Based on this information the department is requesting that waiver #980014 be extended to be in effect December 1, 1998 through November 30, 1999. Last, the department requests that waiver # 980014 be modified and that the portion of the waiver exempting Cottonwood county from ABAWD requirements be allowed to expire on November 30, 1998.

Mr. Theodore O. Bell

Page 2

November 4, 1998

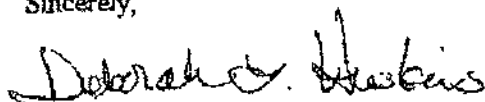
Department of Labor statistics now report that the Minnesota counties of Kittson, Norman and Wadena have been declared labor surplus areas. Minnesota is therefore requesting approval of an additional waiver exempting residents of these counties from the ABAWD time limited eligibility provisions of Section 6 (c) of the Food Stamp Act as amended by Section 824 of PRWORA.

Enclosed are waiver requests and supporting documentation, in the format suggested in the "Guidance for States Seeking Waivers for Food Stamp Limits", provided to the state. Minnesota is requesting that waiver extensions and new waivers for the additional counties be effective December 1, 1998 through November 30, 1999. These dates will align all county waivers so they expire on the same date. For the purpose of efficiency and expedience Minnesota requests that all counties that have been declared labor surplus, upon approval, be placed under one waiver and one waiver number.

Upon approval, the Department of Human Services will notify these presently waived counties and newly approved counties that individuals residing in these counties will remain or become exempt from the Able-Bodied Adults Without Dependents time limited eligibility provisions. Further, the department will notify Cottonwood county that they are no longer exempt from ABAWD requirements.

If you have any questions about this request or statistics please contact Bruce Benton at (612)-282-6047.

Sincerely,



Deborah L. Huskins  
Assistant Commissioner  
Economic and Community Support Strategies

encl: 4

## WAIVER REQUESTS-MINNESOTA

1. Waiver Serial Number: 970074

2. Type of Waiver Request: Request for Waiver Extension

3. Regulation Citation: Section 6 (o) of the Food Stamp Act as amended by Section 824 of PRWORA of 1996 104-193

4. State: Minnesota

5. Region: Midwest

6. Regulatory Requirements: This section of the statute outlines work requirements for able-bodied adults without dependents (ABAWDs). Unless exempt, individuals are ineligible to receive food stamps, if during the preceding 36 month period the individual received food stamps for at least three months (consecutive or otherwise) while the individual did not either: work at least 20 hours or more per week (averaged monthly); participate in and comply with a Job Training & Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than job search or job search training program) or participate in and comply with a workfare program (under section 20 of the Food Stamp Act or a comparable state or local program).

Section 6 (o) of the Food Stamp Act, as amended by Section 824 of PROWRA, further specifies that on the request of a State agency, the Secretary may waive the provisions of this section for any group of individuals if the Secretary determines that the area in which the individuals reside has an unemployment rate of more than 10 percent, or does not have a sufficient number of jobs to provide employment for individuals.

7. Summary of Waiver Request: The Minnesota Department of Human Services is requesting an extension of waiver # 970074 which waives from this requirement, individuals who reside in the counties of, Clearwater, Marshall, and Red Lake, due to the fact that the Department of Labor statistics indicate that these counties have unemployment rates above 10 percent. Further, Minnesota requests that the waiver be modified from qualifying these counties as having unemployment rates above 10 percent to having been declared labor surplus areas.

Minnesota requests that waivers from the ABAWD requirements be effective in these counties beginning December 1, 1998 and continue through, November 30, 1999.

## WAIVER REQUESTS-MINNESOTA

1. Waiver Serial Number: 980014

2. Type of Waiver Request: Request for Waiver Extension

3. Regulation Citation: Section 6 (o) of the Food Stamp Act as amended by Section 824 of PRWORA of 1996 104-193

4. State: Minnesota

5. Region: Midwest

6. Regulatory Requirements: This section of the statute outlines work requirements for able-bodied adults without dependents (ABAWDs). Unless exempt, individuals are ineligible to receive food stamps, if during the preceding 36 month period the individual received food stamps for at least three months (consecutive or otherwise) while the individual did not either: work at least 20 hours or more per week (averaged monthly); participate in and comply with a Job Training & Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than job search or job search training program) or participate in and comply with a workfare program (under section 20 of the Food Stamp Act or a comparable state or local program).

Section 6 (o) of the Food Stamp Act, as amended by Section 824 of PROWRA, further specifies that on the request of a State agency, the Secretary may waive the provisions of this section for any group of individuals if the Secretary determines that the area in which the individuals reside has an unemployment rate of more than 10 percent, or does not have a sufficient number of jobs to provide employment for individuals.

7. Summary of Waiver Request: The Minnesota Department of Human Services is requesting an extension of waiver # 980014 which waives from this requirement individuals who reside in the counties of, Aitkin, Becker, Beltrami, Carlton, Cass, Hubbard, Itasca, Kanabec, Koochiching, Mahanomen, Mille Lacs, Morrison, Pine, and Todd due to the fact that the Department of Labor statistics indicate that these counties have been declared labor surplus areas. Further, Minnesota requests that the waiver from these provisions for the county of Cottonwood be allowed to expire on November 30, 1998.

Minnesota requests that waivers from the ABAWD requirements be effective in these counties beginning, December 1, 1998 and continue through November 30, 1999. Minnesota further requests that exemption from the ABAWD provisions in Cottonwood county expire on November 30, 1998.

## WAIVER REQUESTS-MINNESOTA

1. **Waiver Serial Number:** New Waiver
2. **Type of Waiver Request:** Initial Waiver Request
3. **Regulation Citation:** Section 6 (o) of the Food Stamp Act as amended by Section 824 of PRWORA of 1996 104-193
4. **State:** Minnesota
5. **Region:** Midwest
6. **Regulatory Requirements:** This section of the statute outlines work requirements for able-bodied adults without dependents (ABAWDs). Unless exempt, individuals are ineligible to receive food stamps, if during the preceding 36 month period the individual received food stamps for at least three months (consecutive or otherwise) while the individual did not either: work at least 20 hours or more per week (averaged monthly); participate in and comply with a Job Training & Partnership Act program, Trade Adjustment Assistance Act program, or Employment and Training program (other than job search or job search training program) or participate in and comply with a workfare program (under section 20 of the Food Stamp Act or a comparable state or local program).

Section 6 (o) of the Food Stamp Act, as amended by Section 824 of PRWORA, further specifies that on the request of a State agency, the Secretary may waive the provisions of this section for any group of individuals if the Secretary determines that the area in which the individuals reside has an unemployment rate of more than 10 percent, or does not have a sufficient number of jobs to provide employment for individuals.

7. **Summary of Waiver Request:** The Minnesota Department of Human Services is requesting a waiver from this requirement for individuals who reside in the counties of, Kittson, Norman and Wadena due to the fact that the Department of Labor statistics indicate that these counties have been declared Labor Surplus areas

Minnesota requests that waivers from the ABAWD requirements be effective in these counties beginning, December 1, 1998 and continue through November 30, 1999.

LABOR SURPLUS AREAS  
ELIGIBLE FOR FEDERAL PROCUREMENT PREFERENCE  
OCTOBER 1, 1998 THROUGH SEPTEMBER 30, 1999

## ELIGIBLE LABOR SURPLUS AREAS

## CIVIL JURISDICTIONS INCLUDED

MICHIGAN (CONT'D)

SCHOOLCRAFT COUNTY  
WEXFORD COUNTYSCHOOLCRAFT COUNTY  
WEXFORD COUNTY

MINNESOTA

AITKIN COUNTY \*  
BECKER COUNTY \*  
BELTRAMI COUNTY \*  
CARLTON COUNTY \*  
CASS COUNTY \*  
CLEARWATER COUNTY \*  
HUBBARD COUNTY \*  
ITASCA COUNTY \*  
KANABEC COUNTY \*  
~~KITSON COUNTY~~ \*  
KOOCHICHING COUNTY \*  
MAHONOMEN COUNTY \*  
MARSHALL COUNTY \*  
MILLE LACS COUNTY \*  
MORRISON COUNTY \*  
~~NORMAN COUNTY~~ \*  
PINE COUNTY \*  
RED LAKE COUNTY \*  
TODD COUNTY \*  
~~WADENA COUNTY~~ \*

AITKIN COUNTY  
BECKER COUNTY  
BELTRAMI COUNTY  
CARLTON COUNTY  
CASS COUNTY  
CLEARWATER COUNTY  
HUBBARD COUNTY  
ITASCA COUNTY  
KANABEC COUNTY  
KITSON COUNTY  
KOOCHICHING COUNTY  
MAHONOMEN COUNTY  
MARSHALL COUNTY  
MILLE LACS COUNTY  
MORRISON COUNTY  
NORMAN COUNTY  
PINE COUNTY  
RED LAKE COUNTY  
TODD COUNTY  
WADENA COUNTY

MISSISSIPPI

ADAMS COUNTY  
ALCORN COUNTY  
ATTALA COUNTY  
BENTON COUNTY  
BOLIVAR COUNTY  
CHICKASAW COUNTY  
CHOCTAW COUNTY  
CLAIBORNE COUNTY  
CLARKE COUNTY  
CLAY COUNTY

ADAMS COUNTY  
ALCORN COUNTY  
ATTALA COUNTY  
BENTON COUNTY  
BOLIVAR COUNTY  
CHICKASAW COUNTY  
CHOCTAW COUNTY  
CLAIBORNE COUNTY  
CLARKE COUNTY  
CLAY COUNTY

(CONTINUED)