

DEC 02 1999

980014

SUBJECT: FSP - Minnesota - Request to Extend Waiver 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: Gilda Karu, Acting Regional Director
Food Stamp Program
Midwest Region

This is in response your memorandum of November 1, 1999, forwarding the Minnesota State Agency's request to extend, with modifications, its waiver 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. The request includes 15 counties that continue to be designated as Labor Surplus Areas (LSAs) and removes 5 counties that are no longer designated as LSAs.

Our response is attached. If you have any questions, please contact Joseph M. Shea of my staff at 703-305-2513.



Arthur T. Foley
Director
Program Development Division

Attachment

cc: PAD (QC), John Knaus, Maurice Tracy , All Regions
(except MWRO), Civil Rights, Michael DePiro, OAE

FCS:FSP:PDD:JMShea:final:11/24/99:va
FILE: ABAWDs
DIR: I/CPB/WAIVERS/980014ext.memo - 1999

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 and modification of its waiver #980014 which had exempted individuals in 20 counties from the requirements of Section 824 based on their designation as LSAs. Five of these counties (Beltrami, Carlton, Hubbard, Kittson and Wadena) are no longer designated as LSAs and are dropped from the request. Fifteen counties (Aitkin, Becker, Cass, Clearwater, Itasca, Kanabec, Koochiching, Mahnommen, Marshall, Mille Lacs, Morrison, Norman, Pine, Red Lake, and Todd) retain their designation as LSAs and are included in the extension request. ✓
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, Cass, Clearwater, Itasca, Kanabec, Koochiching, Mahnommen, Marshall, Mille Lacs, Morrison, Norman, Pine, Red Lake and Todd Counties based on their designation as LSAs.

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 continues to be insufficient jobs for individuals subject to Section 824 of PRWORA.
13. **Expiration date:** This waiver will expire on November 30, 2000, 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:** October 28, 1999
18. **Date of regional office transmittal of response to State agency:**
19. **Actual Implementation Date:**