



SEP 05 2013

United States
Department of
Agriculture

Food and
Nutrition
Service

3101 Park
Center Drive

Alexandria, VA
22302-1500

Ms. Erin Sullivan Sutton
Assistant Commissioner
Children and Family Services Administration
Minnesota Department of Human Services
P.O. Box 64244
St. Paul, Minnesota 55164

RE: SNAP – Minnesota ABAWD Waiver #2130031 – FY 2014 – Partial Approval

Dear Ms. Sutton:

This is in response to the Minnesota Department of Human Services' request for a waiver to exempt able-bodied adults without dependents (ABAWDs) in certain areas of the State from Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24 for Fiscal Year 2014.

The Minnesota State agency has proposed to exempt ABAWDs residing in 13 areas of the State. Upon review of the data provided, Food and Nutrition Service (FNS) has determined that only 11 of the areas included in the State agency's request qualify for a waiver of the ABAWD time limits. The following four counties qualify for a waiver as they have been declared Labor Surplus Areas (LSAs) by the US Department of Labor's Employment and Training Administration: Cass, Clearwater, Kanabec and Mille Lacs. The following seven reservation areas qualify for a waiver as they have a recent 12-month unemployment rate over 10 percent: Bois Forte, Fond du Lac, Leech Lake, Lower Sioux, Mille Lacs, Red Lake and White Earth.

Based on the data provided, FNS is approving the State agency's request for a one-year period, effective October 1, 2013 through September 30, 2014. Our detailed waiver response is attached. If you have any questions, please contact Tina Kopec at Christine.Kopec@fns.usda.gov.

Sincerely,

Angela Kline
Chief
Certification Policy Branch
Program Development Division

Attachment

SND

WAIVER RESPONSE

1. **Waiver serial number:** 2130031
2. **Type of request:** Initial
3. **Primary regulation citation:** 7 CFR 273.24(f)
4. **State:** Minnesota
5. **Region:** Midwest
6. **Regulatory requirements:** 7 CFR 273.24 provides that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than three 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 of the Food and Nutrition Act or a comparable program established by the State; or was exempt from these requirements.

7 CFR 273.24(f)(1) also provides that, upon the request of a State agency, the Food and Nutrition Service (FNS) 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.

7. **Description of alternative procedures:** The Minnesota Department of Human Services is requesting a waiver of SNAP participation time limits for able-bodied adults without dependents (ABAWDs) residing in certain areas of the State.

The State agency requested a waiver for the following counties because they have been declared Labor Surplus Areas by the US Department of Labor's Employment and Training Administration for Fiscal Year 2013:

- Cass County
- Clearwater County
- Kanabec County
- Mille Lacs County

The State agency requested a waiver for the following reservations based on a 12-month average unemployment rate of over 10 percent from January 1, 2012 to December 31, 2012:

- Bois Fort Reservation
- Fond du Lac Reservation
- Grand Portage Reservation
- Leech Lake Reservation
- Lower Sioux Reservation
- Mille Lacs Reservation
- Red Lake Reservation
- Shakopee Reservation
- White Earth Reservation

8. **Action and reason for approval or denial:** FNS is approving the State agency's request to waive ABAWD time limits in 11 counties and reservation areas that meet the requirements of approval pursuant to 7 CFR 273.24(f) and relevant FNS guidance. Those areas and the justifications for approval are listed below. All unemployment rates listed were calculated using data from January 1, 2012 – December 31, 2012.

Area	Justification for Approval
Cass County	Labor Surplus Area
Clearwater County	Labor Surplus Area
Kanabec County	Labor Surplus Area
Mille Lacs County	Labor Surplus Area
Bois Fort Reservation	14.9% Unemployment Rate
Fond du Lac Reservation	12.8% Unemployment Rate
Leech Lake Reservation	11.7% Unemployment Rate
Lower Sioux Reservation	43.6% Unemployment Rate
Mille Lacs Reservation	12.2% Unemployment Rate
Red Lake Reservation	19.1% Unemployment Rate
White Earth Reservation	10.7% Unemployment Rate

FNS is denying the State agency's request to waive ABAWD time limits for two reservations because the January 1, 2012 – December 31, 2012 unemployment rates for these areas do not meet 10 percent threshold for approval following 7 CFR 273.24(f) and relevant FNS guidance. Those areas and their corresponding unemployment rates are listed below.

Area	Unemployment
Grand Portage Reservation	4.5% Unemployment Rate
Shakopee Reservation	5.9% Unemployment Rate

9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension, the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3).
12. **Expiration date:** The waiver is effective beginning October 1, 2013 and will expire September 30, 2014.
13. **Limitation on regional office approval of like requests:** Approval of this waiver is limited to the Minnesota State agency.
14. **Quality control procedures:** N/A
15. **Date of State agency's request:** August 1, 2013
16. **Date of regional office transmittal of request to national office:** August 2, 2013
17. **Date of national office action:** SEP 05 2013
18. **Anticipated implementation date (*notify FNS if actual date differs*):** October 1, 2013
19. **State agency contact:**
Karen Nelsen-Huss
karen.nelsen-huss@state.mn.us
651-431-4027
20. **FNS regional contact:**
Tina Kopec
Christine.Kopec@fns.usda.gov
312-353-0578