



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

SEP 29 2014

Mr. Dale Simonson
Economic Assistance and Employment Supports Division Deputy Director
Minnesota Department of Human Services
P.O. Box 64244
St. Paul, Minnesota 55164

RE: SNAP – Minnesota Request to Waive Able-bodied Adults without
Dependents Time Limits – Partial Approval

Dear Mr. Simonson:

This is in response to the Minnesota Department of Human Services' request to extend and modify waiver number 2130031, which allows the State agency to exempt able-bodied adults without dependents (ABAWD) in certain areas of the State from Supplemental Nutrition Assistance Program (SNAP) time limits at 7 CFR 273.24.

The Minnesota State agency has proposed to exempt ABAWDs residing in 11 areas of the State for fiscal year 2015. Upon review of the data provided, Food and Nutrition Service has determined that only 10 of the areas included in the State agency's request qualify for a waiver of the ABAWD time limits. Clearwater and Kanabec Counties qualify for a waiver based upon their designation as Labor Surplus Areas (LSAs) by the Department of Labor's Employment and Training Administration for fiscal year 2015. Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Lower Sioux, Mille Lacs, Red Lake, and Shakopee Mdewakanton Reservation areas qualify for a waiver based upon having average unemployment rates 20 percent above the national average for the 24-month period of July 2012 through June 2014.

Based upon the data provided, FNS is approving the State agency's request in the 10 above-mentioned counties and reservation areas for a one-year period, effective October 1, 2014 through September 30, 2015. The detailed waiver response is attached. If you have any questions, please contact April Moss at april.moss@fns.usda.gov.

Sasha Gersten-Paál
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 2130031
2. **Type of request:** Extension and modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** Minnesota
5. **Region:** Midwest
6. **Regulatory requirements:** Federal regulations at 7 CFR 273.24 provide that no individual shall be eligible to participate in the Supplemental Nutrition Assistance Program (SNAP) as a member of any household if the individual received program benefits for more than three months during any three year period in which the individual was subject to, but did not comply with the SNAP work requirements. Regulations at 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program or a workfare program for at least 20 hours per week; or any combination of working and participating in a work program for a total of 20 hours per week.

Regulations at 7 CFR 273.24(f) also provide 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.

7. **Description of alternative procedures:** The Minnesota Department of Human Services has requested a waiver of SNAP participation time limits for ABAWDs residing in Clearwater and Kanabec Counties based upon their designations as Labor Surplus Areas by the Department of Labor's Employment and Training Administration (DOLETA).

The State has also requested a waiver for the following nine reservation areas based upon average unemployment rates of over 10 percent from July 2012 through June 2014: Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Lower Sioux, Mille Lacs, Red Lake, Shakopee Mdewakanton, and White Earth Reservation Areas.

8. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the Minnesota State agency's request to waive ABAWD time limits in the 10 requested counties and reservation areas that meet the requirements of approval pursuant to 7 CFR 273.24(f)(3) and relevant FNS guidance.

Clearwater and Kanabec Counties qualify for a waiver based upon their designations as Labor Surplus Areas by DOLETA for FY 2015. Bois Forte, Fond du Lac, Grand Portage, Leech Lake, Lower Sioux, Mille Lacs, Red Lake, and Shakopee Mdewakanton Reservation areas qualify for a waiver based upon having average unemployment rates 20 percent above the national average for the 24-month period of July 2012 through June 2014.

Reservation Area	Unemployment Rate: July 2012 – June 2014
Bois Forte	10.6%
Fond du Lac	9.5%
Grand Portage	9.7%
Leech Lake	12.0%
Lower Sioux	28.8%
Mille Lacs	14.8%
Red Lake	23.3%
Shakopee Mdewakanton	20.3%
20% Above National Average	9.5%

White Earth Reservation area does not qualify for a waiver, as the data provided by the State agency does not demonstrate an average unemployment rate 20 percent above the national average for a 24-month period or an average unemployment rate of over 10 percent pursuant to 7 CFR 273.24(f) and relevant FNS guidance.

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 October 1, 2014 and will expire on September 30, 2015.

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 25, 2014
16. **Date of regional office transmittal of request to national office:**
August 27, 2014
17. **Date of national office action:** SEP 29 2014
18. **Anticipated implementation date (*notify FNS if actual date differs*):**
October 1, 2014
19. **State agency contact:**
Karen Nelsen-Huss
karen.nelsen-huss@state.mn.us
(651) 431-4027

Steve Erbes
steve.erbes@state.mn.us
(651) 259-7539
20. **FNS regional contact:**
April Moss
april.moss@fns.usda.gov
(312) 353-1608