



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

OCT 01 2015

Ms. Ramona Scarpace
SNAP Director
Economic Assistance and Employment Supports Division
Minnesota Department of Human Services
Children and Family Services
444 Lafayette Road North
St. Paul, Minnesota 55164-0951

RE: SNAP – Minnesota Request to Waive Able-bodied Adults without
Dependents Time Limit in Five Counties – Initial – Approval

Dear Ms. Scarpace:

This is in response to the Minnesota Department of Human Services' request to exempt able-bodied adults without dependents (ABAWD) in five counties from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24 for fiscal year 2016.

The Minnesota State agency has supported its request to waive the time limit in two contiguous counties – Koochiching and Lake of the Woods – based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for the 24-month period from August 2013 to July 2015. Similarly, the State agency has supported its request to waive the time limit in another two contiguous counties – Clearwater and Hubbard – based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for the same 24-month period. Lastly, the State agency has supported its request to waive the time limit in Kanabec County based upon its designation as a Labor Surplus Area by the US Department of Labor for the current fiscal year.

The Department of Labor information and Bureau of Labor Statistics data provided by the State agency supports waiver approval for the five requested counties. Therefore, the Food and Nutrition Service is approving the State agency's request to waive the ABAWD time limit in all five counties for a 12-month period, effective October 1, 2015 through September 30, 2016. The detailed waiver response is attached.

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Please note that FNS has assigned waiver number 2160002 to the approval for tracking purposes. If you have any questions, please contact April Moss at april.moss@fns.usda.gov.

Sincerely,

A handwritten signature in black ink that reads "Sasha Gersten-Paal". The signature is written in a cursive, flowing style.

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 2160002
2. **Type of request:** Initial
3. **Primary regulation citation:** 7 CFR 273.24
4. **State:** Minnesota
5. **Region:** Midwest
6. **Regulatory requirement:** Federal regulations at 7 CFR 273.24 provide that no able-bodied adult without dependents (ABAWD) 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 3 months during any 3-year period in which the individual was subject to, but did not comply with the ABAWD work requirement. Regulations at 7 CFR 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 at least 20 hours per week; any combination of working and participating in a work program for a total of 20 hours per week; or participating and complying with a workfare program.

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 proposed alternative procedures:** The Minnesota Department of Human Services' has requested to waive the ABAWD time limit at 7 CFR 273.24 in five counties from October 1, 2015 through September 30, 2016.

Minnesota has supported its request for Koochiching and Lake of the Woods Counties based upon the contiguous area having an aggregate average unemployment rate 20 percent above the national average for the 24-month period from August 2013 to July 2015.

Bureau of Labor Statistics Local Area Unemployment Data August 2013 - July 2015*		
County	Unemployment Total	Labor Force Total
Koochiching	12,961	154,405
Lake of the Woods	2,734	57,842
Combined Area Total	15,695	212,247
Combined Area Unemployment Rate	7.4%	

20% Above National Average Threshold	7.4%
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*Data extracted from <http://www.bls.gov> on October 1, 2015

The State agency's request for Clearwater and Hubbard Counties is also based upon the combined area having an aggregate average unemployment rate exceeding 20 percent of the national average for the 24-month period from August 2013 to July 2015.

Bureau of Labor Statistics Local Area Unemployment Data August 2013 - July 2015*		
County	Unemployment Total	Labor Force Total
Clearwater	10,909	109,535
Hubbard	14,603	228,323
Combined Area Total	25,512	337,858
Combined Area Unemployment Rate	7.6%	
20% Above National Average Threshold	7.4%	

*Data extracted from <http://www.bls.gov> on October 1, 2015

The State agency has supported its request to waive the time limit in Kanabec County based upon its designation as a Labor Surplus Area by the US Department of Labor for the current fiscal year (FY). Kanabec County is a Labor Surplus Area for FY 2016.

8. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the State agency's request to waive the ABAWD time limit in all five requested counties because the areas meet the requirements for approval provided at 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 FNS with a formal waiver request supported by data or other information as described in 7 CFR 273.24(f). If the State requests an extension based upon unemployment rates, it must provide FNS with all supporting documentation, including data spreadsheets.
12. **Expiration date:** The waiver is effective October 1, 2015 through September 30, 2016.
13. **Limitation, if any, on regional office approval of like requests:** The waiver is limited to the Minnesota State agency.
14. **Date of national office action:** OCT 01 2015

EPW

15. **Date of State agency's request:** September 30, 2015
16. **Date of regional office transmittal of request:** October 1, 2015
17. **Implementation date:** October 1, 2015
18. **State agency contacts:**
Karen Nelsen-Huss
karen.nelsen-huss@state.mn.us
(651) 431-4027

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