



Food and
Nutrition
Service

OCT 01 2015

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

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 11 Reservation Areas – 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 11 reservation areas from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24 for fiscal years 2016 and 2017.

The Minnesota State agency has supported its request to waive the ABAWD time limit in Boise Forte, Fond du Lac, Grand Portage, Leech Lake, Lower Sioux, Mille Lacs, Chippewa Trust, Prairie Island, Red Lake, Upper Sioux, and White Earth Reservations based upon each individual area having an average unemployment greater than 20 percent above the national average for the 36-month period of August 2012 through July 2015.

Under limited circumstances, the Food and Nutrition Service (FNS) will approve a waiver for a 24-month period for areas that demonstrate chronic and prolonged high unemployment. One criterion for approval of a 24-month waiver is an unemployment rate greater than 20 percent above the national average for a 36-month period that ends no earlier than 3-months prior to the request. The Bureau of Labor Statistics data provided by the State agency demonstrates that each of the reservations had an average unemployment rate greater than 20 percent above the national average for the selected 36-month period.

Therefore, FNS is approving the Minnesota State agency's request to waive the ABAWD time limit in all 11 reservations for a 24-month period, effective October 1, 2015 through September 30, 2017. The detailed waiver response is

Ms. Ramona Scarpace
Page 2

attached. Please note that FNS has assigned waiver number 2160003 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:** 2160003
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 11 reservations areas for a 24-month period, from October 1, 2015 through September 30, 2017. The 11 reservation areas include Boise Forte, Fond du Lac, Grand Portage, Leech Lake, Lower Sioux, Mille Lacs, Chippewa Trust, Prairie Island, Red Lake, Upper Sioux, and White Earth Reservations.

Minnesota has supported its request based upon each of the 11 reservation areas having an average unemployment rate greater than 20 percent above the national average for the 36-month period of August 2012 through July 2015. During this 36-month period the national average unemployment rate was 6.1 percent; 20 percent above this is 7.4 percent. As detailed in the table below, all 11 reservation areas qualify based upon having unemployment rates greater than 20 percent above the national average for the selected 36-month period.

Bureau of Labor Statistics Local Area Unemployment Data / Census Bureau Data*	
Reservation Area	Unemployment Rate: August 2013 – July 2015
Bois Forte	14.1%
Fond du Lac	10.8%
Grand Portage	8.1%
Leech Lake	11.6%
Lower Sioux	32.1%
Mille Lacs	11.9%
Chippewa Trust	29.5%
Prairie Island	9.6%
Red Lake	16.7%
Upper Sioux	15.5%
White Earth	8.5%
20% Above National Average Threshold	7.4%

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

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 11 reservations because the areas meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance. Under limited circumstances, FNS will approve a waiver for a 24-month period for areas that demonstrate chronic and prolonged high unemployment. One criterion for approval of a 24-month waiver is an unemployment rate greater than 20 percent above the national average for a 36-month period that ends no earlier than 3-months prior to the request.
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, 2017.
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
15. **Date of State agency's request:** September 30, 2015
16. **Date of regional office transmittal of request:** September 30, 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