

November 14, 2005

980014

**SUBJECT:** FSP - Minnesota - Request to Extend Waiver of the requirements of 7 CFR 273.24

**TO:** Tim English, Regional Director  
Food Stamp Program  
Midwest Region

This is in response to your memorandum of October 18, 2005 requesting to revise and extend Minnesota's State Agency's request of September 19, 2005 to exempt individuals residing in certain counties from the requirements of 7 CFR 273.24.

Our response to the State Agency's request is attached. Please contact Vicky Robinson at (703) 305-2476 if you have any questions.

/s/

Pat Waldron  
Chief  
Certification Policy Branch  
Program Development Division

Attachment

cc: All Regions except MWRO  
John Knaus – PDB  
Bob Dalrymple – OANE  
Michael DePiro – OANE  
Dave Young  
Civil Rights w/Attachment

FINAL:USDA:FNS:FSP:PDD:CPB:Vrobinson:10-27-05:so  
DIR:I/CPB/Waivers/FiscalYear2006:980014 MN mod & ext. w/memo

Symbol	Surname	Date	Symbol	Surname	Date

## Waiver Response

1. **Waiver serial numbers:** 980014
2. **Type of request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:**
5. **State:** Minnesota
6. **Region:** MWRO
7. **Regulatory Requirements:** 7 CFR 273.24 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.

7 CFR 273.24(f) 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.

**Description of proposed alternative procedures:** The Minnesota State Agency is requesting an extension and modification of its waiver #980014. Under the State's current waiver, recipients residing in 14 counties are exempt from the work requirements of 7 CFR 273.24 based on an unemployment rate greater than 20 percent above the national average for the 24-month period of June 2002 through May 2004.

Minnesota is requesting to continue its ABAWD exemption in the 7 counties of Cass, Clearwater, Itasca, Kanabec, Marshall, Mille Lacs, and Red Lake based on having an unemployment rate of 20 percent above the national average of 5.57 percent for the 24-month period of July 2003 through June 2005, or 6.7 percent. The State agency is also requesting to modify its waiver by exempting the counties of Aitkin, Kittson, and Pine based on having an unemployment rate that

is within .10 percent of the 6.6 percent national unemployment rate for the same time period.

8. **Action and reason for approval or denial:** We are approving the State agency's request to modify and extend its current waiver in part. Of the 10 counties requested, we are approving 7 and denying 3.

The following 7 counties are approved based on having an unemployment rate of 20 percent above the national average of 5.57 percent for the 24-month period of July 2003 through June 2005, or 6.7 percent.

20 Percent Counties			
Cass—6.8	Clearwater—10.8	Itasca—7.1	Kanabec—7.4
Marshall—7.6	Mille Lacs—6.9	Red Lake—7.3	

We are denying the 3 counties of Aitkin, Kittson, and Pine, as the State agency did not provide sufficient evidence that these counties had insufficient jobs under 7 CFR 273.24(f)(2)(ii). However, should the State agency subsequently provide data that shows insufficient jobs for these 3 counties, such as a county being determined as a labor surplus area by the Department of Labor, we will reconsider approving the State agency's request.

10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f), which allows the Secretary to waive the applicability of the work requirement provision 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:** None.
12. **Information required for extension:** To receive an extension the State Agency must provide data for the affected areas indicating that there continue to be insufficient jobs for individuals subject to 7 CFR 273.24.
13. **Expiration date:** This waiver is effective October 1, 2005 and expires on September 30, 2006.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the Minnesota State Agency.
15. **Quality Control Procedures:** N/A

980014

Page 3

16. **Date of national office action:** October 27, 2005
17. **Date of State agency's request:** September 1, 2005
18. **Date of regional office transmittal of request to National Office:** September 19, 2005
19. **Actual Implementation Date:**