

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2150042
2. **Type of request:** Amendment and extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** Colorado
6. **Region:** MPRO
7. **Regulatory requirements:**

Section 6(o) of the Food and Nutrition Act of 2008, as amended, provides 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. Section 6(o) also provides that, upon the request of the State agency, the Secretary may waive the applicability of the 3-month ABAWD time limit 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.
8. **Description of alternative procedures:**

The State of Colorado is requesting to exempt able-bodied adults without dependents (ABAWDs) in one county, two cities, and one reservation from SNAP time limits at 7 CFR 273.24.
9. **Justification for request:**

Under SNAP regulations at 7 CFR 273.24(f)(2), areas may qualify for an ABAWD time limit waiver if they have insufficient jobs. To support this claim, states may submit evidence that an area is designated as a Labor Surplus Area (LSA) by the Department of Labor's Employment and Training Administration, or that an area has an average unemployment rate for a 24-month time period that is at least 20 percent above the national average for the same 24-month period. 7 CFR 273.24(f)(6) provides that States may define areas to be waived. They may also submit evidence that an area has an average unemployment rate for 3-month period that exceeds 10 percent.

The State of Colorado seeks a waiver for Huerfano County based on the county's average unemployment rate for the 24-month period of March 2016 through

February 2018. The national average unemployment rate for this period was 4.5 percent; 20 percent above this was 5.4 percent. The county's aggregate average unemployment rate for this period was 6.0 percent.

Bureau of Labor Statistics Local Area Unemployment Data March 2016 through February 2018			
Cities	Unemployed Total	Labor Force Total	Unemployment Rate
Huerfano County	3,660	61,265	6.0%
20% Above National Average Threshold	5.4%		

The State of Colorado seeks a waiver for Northglenn city, Weld County part based on having an unemployment rate that is 20 percent above the national average for the period of March 2016 – February 2018.

Bureau of Labor Statistics Local Area Unemployment Data March 2016 through February 2018			
Cities	Unemployed Total	Labor Force Total	Unemployment Rate
Northglenn city, Weld County part	20	279	7.2%
20% Above National Average Threshold	5.4%		

The State of Colorado is requesting a waiver for Ute Mountain Reservation based on having an unemployment rate exceeding the national average for a recent 24-month period. The reservation unemployment rate was calculated by applying 2016 American Community Survey¹ share ratios to county-level Bureau of Labor Statistics data from March 2016 through February 2018. The following table summarizes the calculations:

Bureau of Labor Statistics Local Area Unemployment/Census Bureau Data March 2016 through February 2018			
	Unemployed	Labor Force	Unemployment Rate
La Plata County (part); Colorado (part); Ute Mountain Reservation and Off-Reservation Trust Land, CO--NM--UT	-	-	-
Montezuma County (part); Colorado (part); Ute Mountain Reservation and Off-Reservation Trust Land, CO--NM--UT	618	10,143	6.1%
Total Ute Mountain Reservation	618	10,143	6.1%

¹ These calculations are based on data from the 2012-2016 American Community Survey 5-Year Estimates.

The State of Colorado is requesting a waiver for Pueblo city based on based on the city's designation as a Labor Surplus Area by the United States Department of Labor for fiscal year 2018.²

10. Anticipated impact on households and State agency operations:

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

11. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):

The caseload for these areas, as of 6/18/18, represents 3.52% of the caseload for the state. There are no quality control procedures involved.

12. Anticipated implementation date and time period for which waiver is needed:

The State is requesting a one-year waiver, from October 1, 2018 through September 30, 2019.

13. Proposed quality control review procedures:

There are no special quality control procedures needed in conjunction with this waiver.

14. State agency submitting waiver request and State contact person:

Colorado Department of Human Services
Office of Economic Security, Employment and Benefits Division
Chris Carman, Employment and Training Supervisor

15. Signature and title of requesting official:



Title: Programs Manager, Employment and Benefits Division

Email for transmission of response: Glenn.Robinson@state.co.us

16. Date of request: June 18, 2018

17. State agency staff contact (name/email/telephone):

Chris Carman, Employment and Training Supervisor
E-Mail: Chris.Carman@state.co.us
Phone: 303-866-4817

18. Regional office contact person (to be completed by FNS regional office):

² The list of FY 2018 Labor Surplus Areas is available at
https://www.doleta.gov/programs/pdf/2018_LSA_List.xlsx.