

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2150042

2. **Type of request:** Amendment and extension

3. **Regulatory citation:** 7 CFR 273.24

4. **State:** Colorado

5. **Region:** MPRO

6. **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.

7. **Description of alternative procedures:**

The State of Colorado is requesting to exempt able-bodied adults without dependents (ABAWDs) in eight counties from SNAP time limits at 7 CFR 273.24.

8. **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 Gilpin County based on having an unemployment rate that is 20 percent above the national average for the period of May 2020 through April 2022. The national average unemployment rate for this period was 6.2 percent; 20 percent above this was 7.5 percent. The county's average unemployment rate for this period was 7.8 percent.

Bureau of Labor Statistics Local Area Unemployment Data May 2020 through April 2022			
County	Unemployed Total	Labor Force Total	Unemployment Rate
Gilpin County	7,357	93,885	7.8%
20% Above National Average Threshold	7.5%		

The State of Colorado also seeks a waiver for a region of seven counties for the 24-month period of May 2020 through April 2022. The region's aggregate average unemployment rate for this period was 7.5 percent.

Bureau of Labor Statistics Local Area Unemployment Data May 2020 through April 2022		
County	Total Unemployed	Total Labor Force
Costilla County	2,810	44,650
Custer County	2,203	54,123
Huerfano County	5,171	62,912
Las Animas County	10,293	155,038
Mineral County	550	10,909
Pueblo County	142,966	1,853,062
Saguache County	4,933	83,183
Total	168,926	2,263,877
Combined Unemployment Rate	7.5%	
20% Above National Average Threshold	7.5%	

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

The caseload for these areas for the 2022 calendar year to date average through May, represents approximately 25,818 SNAP households out of 274,791 households statewide or 9% of the caseload. There are no quality control procedures involved.

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

The State is requesting a one-year waiver, from October 1, 2022 through September 30, 2023.

12. Proposed quality control review procedures:

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

13. Name, title, and email of requesting official:

Name: Teri Chasten

Title: FEAD Deputy Director, SNAP Program Manager

Email: teri.chasten@state.co.us

14. Date of request: July 7, 2022

15. State agency staff contact:

Name: Teri Chasten

Title: FEAD Deputy Director, SNAP Program Manager

Email: teri.chasten@state.co.us

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