

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2150042
2. **Type of request:** Initial
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
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 26 counties, 2 cities and 1 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.

The State of Colorado seeks a waiver for two individual towns based on having an unemployment rate that is 20 percent above the national average for the period of February 2021 through January 2023. The national average unemployment rate for this period was 4.4 percent; 20 percent above this was 5.2 percent.

Bureau of Labor Statistics Local Area Unemployment Data February 2021 through January 2023			
County	Unemployed Total	Labor Force Total	Unemployment Rate
Aurora city, Adams County part, CO	28,944	544,192	5.3%
Northglenn city, Weld County part, CO	34	279	12.2%
20% Above National Average Threshold	5.2%		

The State of Colorado also seeks a waiver for a region of 26 counties for the 24-month period of February 2021 through January 2023. The region's aggregate average unemployment rate for this period was 5.2 percent.

Bureau of Labor Statistics Local Area Unemployment Data February 2021 through January 2023		
County	Total Unemployed	Total Labor Force
Alamosa County, CO	9,080	195,495
Archuleta County, CO	6,788	167,064
Baca County, CO	972	49,060
Bent County, CO	2,068	42,428
Chaffee County, CO	8,061	234,360
Cheyenne County, CO	547	25,224
Conejos County, CO	3,826	94,587
Costilla County, CO	2,211	42,946
Crowley County, CO	1,524	33,048
Custer County, CO	1,943	54,727
Dolores County, CO	1,039	27,214
Fremont County, CO	20,959	351,065
Hinsdale County, CO	317	10,340
Huerfano County, CO	4,331	60,057
Kiowa County, CO	562	21,760
Las Animas County, CO	8,379	146,974
Lincoln County, CO	1,920	53,169
Mineral County, CO	418	10,875
Otero County, CO	9,916	189,407
Ouray County, CO	2,357	61,080
Prowers County, CO	5,397	145,259
Pueblo County, CO	110,947	1,845,499
Rio Grande County, CO	6,878	126,836

Saguache County, CO	3,740	80,244
San Juan County, CO	422	13,687
Teller County, CO	12,349	320,249
Combined Area Total	226,951	4,402,654
Combined Unemployment Rate	5.2%	
20% Above National Average Threshold	5.2%	

The State of Colorado seeks a waiver for one reservation based on its average unemployment rate 20 percent above the national average for a recent 24-month period. The reservation unemployment rate was calculated by applying 2017-2021 5-year American Community Survey (ACS) share ratios to county-level Bureau of Labor Statistics data for February 2021 through January 2023. The average national unemployment rate for this period was 4.4 percent; 20 percent above this was 5.2 percent.

American Community Survey and Bureau of Labor Statistics Data February 2021 through January 2023			
Reservations	Unemployed	Labor Force	Unemployment Rate
Archuleta County (part); Colorado (part); Southern Ute Reservation, CO	1,473	17,643	8.3%
La Plata County (part); Colorado (part); Southern Ute Reservation, CO	7,198	148,928	4.8%
Montezuma County (part); Colorado (part); Southern Ute Reservation, CO	-	-	-
Total Southern Ute Reservation	8,671	166,570	5.2%

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 **April 2023**, represent **15%** 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, 2023 through September 30, 2024.

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:

15. Signature and title of requesting official:



Title: Food and Energy Assistance Deputy Director

Email for transmission of response: teri.chasten@state.co.us

16. Date of request: June 9, 2023

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

Name: Teri Chasten

Title: FEAD Deputy Director, SNAP Program Manager

Email: teri.chasten@state.co.us

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