



Food and
Nutrition
Service

SEP 08 2017

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

Ms. Katie Griego
Director
Employment and Benefits Division
Colorado Office of Economic Security
1575 Sherman Street
Denver, Colorado 80203

RE: SNAP – Colorado Request to Waive Able Bodied Adults without Dependents
Time Limit – Approval

Dear Ms. Griego:

This is in response to the Colorado State agency's request to waive the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents in five counties and four cities, from October 1, 2017, through September 30, 2018.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving Colorado to waive the time limit in the five counties and four cities for the requested 12-month period. The approval amends and extends waiver number 2150042. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. If you have any questions please contact Kathie Herrman at Kathie.Herrman@fns.usda.gov or Phil Fraley at Philip.Fraley@fns.usda.gov.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 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:** Mountain Plains
7. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008, as amended, and 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 three months during any three-year period in which the individual was subject to but did not comply with the ABAWD work requirement. Section 6(o) and 7 CFR 273.24 also provide 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 in an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.
8. **Proposed alternative procedures:** The Colorado State agency is requesting to waive the ABAWD time limit in five counties and four cities from October 1, 2017, through September 30, 2018.

The State agency has grouped three counties for consideration as a combined area, and has supported its request based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. In addition, the State agency has supported its request for two cities based upon each individual area having an aggregate average unemployment rate 20 percent above the national average for a recent 24-month period. The State agency selected the same 24-month period – February 2015 through January 2017 – for these three counties and two cities. During this time period the national average unemployment rate was 5.0 percent; 20 percent above that rate is 6.0 percent. As detailed in the following tables, the aggregate unemployment rates for these requested areas reached or exceeded 6.0 percent.

Bureau of Labor Statistics Local Area Unemployment Data February 2015 - January 2017*		
County	Unemployment	Labor Force
1. Costilla	2,192	40,106
2. Huerfano	4,069	58,506
3. Saguache	4,135	75,744
Total	10,396	174,356
Combined Area Unemployment Rate	6.0%	

*Data extracted from Bureau of Labor Statistics Local Area Unemployment survey (<http://www.bls.gov>) on August 28, 2017.

Bureau of Labor Statistics Local Area Unemployment Data February 2015 - January 2017*		
City	Unemployment	Labor Force
Grand Junction	44,239	700,185
Combined Area Unemployment Rate	6.3%	

*Data extracted from Bureau of Labor Statistics Local Area Unemployment survey (<http://www.bls.gov>) on August 28, 2017.

Bureau of Labor Statistics Local Area Unemployment Data February 2015 - January 2017*		
City	Unemployment	Labor Force
Longmont city, Weld County part	109	1,242
Combined Area Unemployment Rate	8.8%	

*Data extracted from Bureau of Labor Statistics Local Area Unemployment survey (<http://www.bls.gov>) on August 28, 2018.

The State agency has also supported its request to waive the time limit in Northglenn city (Weld County part) based on the area having a recent 3-month average unemployment rate over 10 percent for the period of January 2017 through March 2017.

Bureau of Labor Statistics Local Area Unemployment Data January 2017 - March 2017		
City	Unemployment	Labor Force
Northglenn city, Weld County part	4	37
Combined Area Unemployment Rate	10.8%	

*Data extracted from Bureau of Labor Statistics Local Area Unemployment survey (<http://www.bls.gov>) on August 28, 2018.

Finally, the State agency has supported its request to waive the time limit in two counties and one city based upon their designation as a Labor Surplus Area by the U.S. Department of Labor for the current fiscal year (FY). Fremont County, Rio Grande County, and Pueblo city are Labor Surplus Areas for FY 2017.

9. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the Colorado State agency's request to waive the ABAWD time limit in the five counties and four cities, because the jurisdictions meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008, as amended and 7 CFR 273.24(f).
11. **Information required for an extension:** To receive an amendment or extension the State agency must provide FNS with a formal request supported by data or other information as described in 7 CFR 273.24(f). Any request based upon unemployment rates must include data spreadsheets and supporting documentation.
12. **Implementation date and expiration date:** The waiver is effective October 1, 2017, through September 30, 2018.
13. **Limitation if any on Regional Office approval of like requests:** The waiver is limited to the Colorado State agency.
14. **Date of National Office action:** SEP 08 2017
15. **Date of State agency's request:** July 26, 2017
16. **Date of Regional Office transmittal of request:** July 31, 2017
17. **State agency contact:**
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Luis Gomez
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18. **FNS Regional Contact:**
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