



Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

NOV 06 2015

Ms. Lena Wilson
Food and Energy Assistance Director
Office of Economic Security
Colorado Department of Human Services
1575 Sherman Street
Denver, Colorado 80203

Re: SNAP – Colorado Request to Waive Able-Bodied Adults without Dependents
Time Limit – Extension and Modification – Approval

Dear Ms. Wilson:

This is in response to the Colorado Department of Human Services' request to extend and modify waiver number 2150042, which would allow Colorado to exempt able-bodied adults without dependents (ABAWD) in a total of 27 areas from the Supplemental Nutrition Assistance Program (SNAP) time limit at 7 CFR 273.24 for calendar year 2016. The requested areas include:

Alamosa County	Delta County	Montrose County
Archuleta County	Fremont County	Otero County
Baca County	Gunnison County	Pitkin County
Bent County	Hinsdale County	Pueblo County
Cheyenne County	Huerfano County	Rio Grande County
Conejos County	Kiowa County	Saguache County
Costilla County	Las Animas County	San Juan County
Crowley County	Lincoln County	Fountain City
Custer Counter	Mineral County	Grand Junction City

The Bureau of Labor Statistics data provided by the State supports waiver approval for the requested areas. Therefore, the Food and Nutrition service is approving the State agency's request to waive the ABAWD time limit in all 27 requested areas for 12 months, effective January 1, 2016, through December 31, 2016. The attached response details the supporting evidence provided by the State and provides the terms and conditions of the waiver approval. If you have any questions, please contact Phil Fraley at Philip.Fraley@fns.usda.gov or Kathie Herrman at Kathie.Herrman@fns.usda.gov.

Ms. Lena Wilson

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Sincerely,

A handwritten signature in black ink that reads "Sasha Gersten-Paal". The script is cursive and fluid.

Sasha Gersten-Paal

Chief

Certification Policy Branch

Program Development Division

Enclosure

cc: ABAWD Waivers

Lena.Harris-Wilson@state.co.us

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Kathie.Herrman@fns.usda.gov

Roberta.Montoya@state.co.us

WAIVER RESPONSE

1. **Waiver serial number:** 2150042
2. **Type of request:** Extension and modification
3. **Regulatory citation:** 7 CFR 273.24
4. **State:** Colorado
5. **Region:** Mountain Plains
6. **Regulatory requirement:** Federal 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 3 months during any 3-year period in which the individual was subject to, but did not comply with the ABAWD work requirement. Regulations at 7 CFR 273.24(a) provide that fulfilling the work requirement means: working 20 hours or more per week, averaged monthly; participating in and complying with the requirements of a work program at least 20 hours per week; any combination of working and participating in a work program for a total of 20 hours per week; or participating and complying with a workfare program.

Regulations at 7 CFR 273.24(f) also provide 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.

7. **Description of proposed alternative procedures:** The Colorado Department of Human Services' has requested to waive the ABAWD time limit at 7 CFR 273.24 in a total of 27 areas from January 1, 2016, through December 31, 2016.

The Colorado State agency has supported its request to waive the time limit in 25 contiguous counties based upon the combined area having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of January 2013 through December 2014. During this 24-month period the national average unemployment rate was 6.8 percent; 20 percent above this is 8.1 percent. As detailed in the following table, the combined area's average unemployment rate for the selected 24-month period reached 8.1 percent.

Bureau of Labor Statistics Local Area Unemployment Data		
January 2013 through December 2014*		
25 Contiguous Counties	Labor Force Total	Unemployed Total
Alamosa County	181,588	14,984
Archuleta County	137,608	10,008
Baca County	46,384	1,595
Bent County	39,885	2,545
Cheyenne County	23,647	832
Conejos County	86,974	7,934
Costilla County	38,687	3,914
Crowley County	31,720	2,125
Custer County	47,060	2,580
Delta County	331,281	25,578
Fremont County	355,622	33,238
Gunnison County	232,820	11,076
Hinsdale County	10,531	438
Huerfano County	59,834	7,087
Kiowa County	18,358	716
Las Animas County	159,343	14,893
Lincoln County	51,113	2,515
Mineral County	10,239	562
Montrose County	465,259	37,697
Otero County	195,835	16,808
Pitkin County	262,312	14,804
Pueblo County	1,760,136	150,612
Rio Grande County	116,926	11,830
Saguache County	71,785	7,055
San Juan County	11,410	780
Combined Area Total	4,746,357	382,206
Combined Area Unemployment Rate	8.1%	
20% Above National Average Unemployment Rate Threshold	8.1%	

*Data extracted from <http://www.bls.gov> on October 29, 2015

In addition, the State agency has requested to waive the time limit in two cities based upon each area having an unemployment rate 20 percent above the national average for the period of January 2013 through December 2014. As detailed in the table below, each city's unemployment rate reached 20 percent above the national average for the selected time period.

Bureau of Labor Statistics Local Area Unemployment Data January 2013-December 2013			
City	Labor Force Total	Unemployment Total	Unemployment Rate
Fountain	277,154	22,483	8.1%
Grand Junction	717,075	61,003	8.5%
20% Above National Average Unemployment Rate Threshold			8.1%

*Data extracted from <http://www.bls.gov> on October 29, 2015

8. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the State agency's request to waive the ABAWD time limit in all 27 requested jurisdictions because the areas meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
9. **Regulatory or legislative basis for action:** The waiver is approved pursuant to 7 CFR 273.24(f).
10. **Conditions and reasons:** None.
11. **Information required for extension:** To receive an extension the State agency must provide FNS with a formal waiver request supported by data or other information as described in 7 CFR 273.24(f). If the State requests an extension based upon unemployment rates, it must provide FNS with all supporting documentation, including data spreadsheets.
12. **Expiration date:** The waiver extension is effective January 1, 2016, through December 31, 2016.
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:**

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15. **Date of State agency's request:** July 1, 2015
16. **Date of regional office transmittal of request:** September 8, 2015
17. **Implementation date:** January 1, 2016
18. **State agency contact:**
Roberta Montoya
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(303) 866-6058
19. **FNS regional contacts:**
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