



Food and
Nutrition
Service

Park Office
Center

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Alexandria
VA 22302

DEC 15 2016

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 – Amendment

Dear Ms. Griego:

This is in response to the Colorado State agency's December 6, 2016, resubmission of requests to waive the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents in four counties: Delta, Pueblo, Montezuma, and Rio Blanco. After careful review of the supporting data, the Food and Nutrition Service (FNS) is approving the State agency's request.

Colorado had submitted two separate requests on August 24, 2016, to waive the time limit in a total of 16 counties and 2 cities, and received a partial approval from FNS on September 30, 2016. FNS determined that 12 counties and 2 cities in the State agency's initial requests met the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance, and therefore approved Colorado to waive the time limit in those areas for the requested 12-month period. FNS did not approve the request to waive the time limit in Delta, Pueblo, Montezuma, and Rio Blanco counties, because the supporting data provided by the State did not adequately demonstrate lack of sufficient jobs in the areas.

Colorado's December 6, 2016, resubmission provided additional data and analysis to demonstrate a lack of sufficient jobs in each county. After careful review, FNS has found that the evidence provided supports the approval of Delta, Pueblo, Montezuma, and Rio Blanco counties.

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The attached waiver response modifies the waiver number 2150042 by adding the four additional counties and describes the supporting evidence used for each county and the conditions of approval. The waiver is effective from October 1, 2016 through September 30, 2017, as originally requested by the State agency on August 24, 2016. 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,



Lizbeth Silberman
Director
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver serial number:** 2150042
2. **Type of request:** Amendment
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 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) and 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 has 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 Food and Nutrition Service (FNS) is approving the State's request to waive the ABAWD time limit in four additional counties, thereby modifying the original waiver approval to add these counties.

The Colorado State agency is currently approved for a waiver of the ABAWD time limit in 12 contiguous counties and 2 cities from October 1, 2016 through September 30, 2017. The 14 areas above include Alamosa, Bent, Conejos, Costilla, Crowley, Fremont, Huerfano, Las Animas, Mineral, Otero, Rio Grande, and Saguache counties and cities of Longmont and Pueblo City. The State had also requested to include four additional counties: Delta, Pueblo, Montezuma, and Rio Blanco. The original request for these counties did not receive approval, because the support provided did not adequately demonstrate lack sufficient jobs in those four counties.

The State subsequently resubmitted its request and has provided additional support for the four counties, leveraging the authority provided by 273.24(f)(2)(ii) to support a claim of lack of sufficient jobs with an array of evidence including data on low and declining employment-to-population ratios; lack of jobs in declining occupations or industries; descriptions in academic studies or other publications; and above average employment rate data.

- 9. Action and reason for approval or denial:** FNS is approving the Colorado State agency's request to waive the ABAWD time limit in Delta, Pueblo, Montezuma, and Rio Blanco Counties 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, 2016 through September 30, 2017, as originally requested by the State agency on August 24, 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:** DEC 15 2016
- 15. Date of State agency's request:** August 24, 2016, with additional information provided December 6, 2016
- 16. Date of Regional Office transmittal of request:** December 6, 2016

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17. State agency contacts:

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18. FNS Regional Contact:

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