



SEP 30 2016

Food and
Nutrition
Service

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 – Partial Approval

Dear Ms. Griego:

This is in response to the Colorado State agency's two requests to waive the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents (ABAWD) in 16 counties, and 2 cities, from October 1, 2016 through September 30, 2017. After careful review of the supporting data, the Food and Nutrition Service (FNS) is partially approving the State agency's requests.

The State agency's initial request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance. Therefore, FNS is approving Colorado to waive the time limit in the 12 counties and 2 cities, for the requested 12-month period. The approval amends and replaces waiver number 2150042.

In addition, the Colorado State agency requested to waive the time limit in four counties based upon low and declining employment-to-population ratios. The area includes: Delta, Pueblo, Montezuma, and Rio Blanco Counties. Based on the analysis of the data provided by the State agency, FNS is not approving the request for Delta, Pueblo, Montezuma, and Rio Blanco Counties, because the data provided does not adequately support the lack of sufficient jobs needed for waiver approval. The State agency might consider using 15 percent exemptions to extend eligibility for ABAWDs subject to the time limit in these areas.

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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,

A handwritten signature in black ink, appearing to read "Lizbeth Silberman", with a long, sweeping horizontal flourish extending to the right.

Lizbeth Silberman
Director
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, 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 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 Colorado State agency is requesting to waive the ABAWD time limit in 12 contiguous counties, and 2 cities from October 1, 2016 through September 30, 2017. The State agency has supported its request based upon the 12 counties and 2 cities having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of January 2014 through December 2015. During this time period the national average unemployment rate was 5.7 percent; 20 percent above that rate is 6.9 percent. As detailed in the following table, the combined 12 counties and 2 cities have an aggregate unemployment rate of 6.9 percent during the selected time period.

Bureau of Labor Statistics Local Area Unemployment Data January 2014 - December 2015		
County	Unemployment	Labor Force
1. Alamosa	11,230	182,242
2. Bent	1,842	40,537
3. Conejos	5,885	88,140
4. Costilla	3,025	38,954
5. Crowley	1,631	31,579
6. Fremont	25,217	350,854
7. Huerfano	5,112	57,667
8. Las Animas	10,007	151,908
9. Mineral	440	10,349
10. Otero	12,874	191,946
11. Rio Grande	9,052	117,185
12. Saguache	5,440	73,543
Total	91,755	1,334,904
Combined Area Unemployment Rate	6.9%	

*Data extracted from Bureau of Labor Statistics Local Area Unemployment survey (<http://www.bls.gov>) on September 14, 2016.

Bureau of Labor Statistics Local Area Unemployment Data January 2014 - December 2015		
City	Unemployment	Labor Force
Longmont	131	1,274
Combined Area Unemployment Rate	10.3%	

Bureau of Labor Statistics Local Area Unemployment Data January 2014 - December 2015		
City	Unemployment	Labor Force
Pueblo City	79,876	1,119,453
Combined Area Unemployment Rate	7.1%	

- 9. Action and reason for approval or denial:** Food and Nutrition Service (FNS) is approving the Colorado State agency's request to waive the ABAWD time limit in the 12 counties and 2 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, 2016 through September 30, 2017.
- 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 30 2016**
- 15. Date of State agency's request:** August 24, 2016
- 16. Date of Regional Office transmittal of request:** August 24, 2016
- 17. State agency contact:**
Katie Griego
Katie.Griego@state.co.us
(303) 866.2882

Chris Carman
Chris.Carman@state.co.us
(303) 866-4817
- 18. FNS Regional contact:**
Kathie Herrman
Kathie.Herrman@fns.usda.gov
(303) 438-9380