



Food and
Nutrition
Service

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September 2, 2022

Teri Chasten
FEAD Deputy Director/SNAP Program Manager
Office of Economic Security
Department of Human Services
1575 Sherman Street
Denver, Colorado 80203

RE: SNAP – Colorado Request to Waive Able-Bodied Adults Without Dependents
Time Limit – Initial – Approval

Dear Deputy Director Chasten:

This is in response to the Colorado agency's July 7, 2022, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

FNS also reminds the State agency that it must measure the 3-year period and track ABAWDs on a continuous basis, even in areas under a waiver. The State must continue tracking so that the State will be ready to transition off the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

Catrina Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

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ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD) WAIVER RESPONSE

1. **Request Type:** Initial
2. **Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
3. **Regulatory Citation:** 7 CFR 273.24
4. **State:** Colorado
5. **Food and Nutrition Service (FNS) Region:** Mountain Plains
6. **Requirement:** Section 6(o) of the Food and Nutrition Act of 2008 and regulations at 7 CFR 273.24 provide that no individual 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 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 has an unemployment rate of over 10 percent or does not have a sufficient number of jobs to provide employment for the individuals.
7. **Requested Area(s) and Support:** The State agency requested to waive the ABAWD time limit in 8 counties from October 1, 2022, to September 30, 2023. FNS reminds the State agency that the Families First Coronavirus Response Act (FFCRA) continues to temporarily and partially suspend the ABAWD time limit nationwide. While the suspension remains in place, only ABAWDs who are offered a slot in a work or workfare program, including a SNAP Employment & Training (E&T) program, are subject to the time limit.

The State agency requested to waive the time limit for one grouping of 7 counties for consideration as one combined area and for one standalone county. The State agency supported its request based upon Gilpin County and the grouped counties each having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of May 2020 through April 2022. During this period, the national average unemployment rate was 6.2 percent; 20 percent above that rate is 7.5 percent. The average unemployment rate for Gilpin County was 7.8 percent during the 24-month period (Table 1). The average unemployment rate for Gilpin County was 7.8 percent during the 24-month period (Table 1). The average unemployment rate for the combined area was 7.5 percent during the 24-month period (Table 2).

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Table 1: Counties (Bureau of Labor Statistics Local Area Unemployment Data, May 2020 – April 2022)

Counties	Unemployment Rate
1. Gilpin County	7.8%

Data extracted from <http://www.bls.gov> on August 16, 2022

Table 2: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data, May 2020 – April 2022)

Counties
1. Costilla County
2. Custer County
3. Huerfano County
4. Las Animas County
5. Mineral County
6. Pueblo County
7. Saguache County
Combined Areas Unemployment Rate: 7.5%

Data extracted from <http://www.bls.gov> on August 16, 2022

8. **FNS Action and Justification:** FNS is approving the State agency's request to waive the ABAWD time limit. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
9. **Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
10. **Implementation Date:** October 1, 2022
11. **Expiration Date:** September 30, 2023
12. **Information Required to Submit a Modification, Extension, or New Waiver:** To receive a modification, extension, or submit a new waiver to replace the current waiver, 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.

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13. State Agency Contact Information:

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14. FNS Regional Office Contact Information:

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