



United States Department of Agriculture

Food and
Nutrition
Service

1320 Braddock Place
Alexandria, VA
22314

August 31, 2023

Teri Chasten
Food and Energy Assistance Deputy Director
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 Department of Human Services' (DHS) June 9, 2023, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs) in 26 counties and one reservation area. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval.

The Food and Nutrition Service (FNS) has determined that the supporting data provided by the State agency demonstrates a lack of sufficient jobs in 26 counties and one reservation areas. Although DHS requested to waive the time limit in portions of two cities (Aurora city, Adams County part, and Northglenn city, Weld County part) it requested the areas be removed from the waiver request on August 31, 2023.

In addition, FNS 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,

DocuSigned by:

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for

Catrina Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

**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 26 counties and one reservation area from October 1, 2023, to September 30, 2024.

The State agency supported its request for the combined area of 26 contiguous counties based upon the areas having an aggregate average unemployment rate 20 percent above the national average for the 24-month period of February 2021 through January 2023. During this period, the national average unemployment rate was 4.4 percent; 20 percent above that rate is 5.2 percent. The aggregate average unemployment rate for the requested combined area was 5.2 percent during the 24-month period. See Table 1.

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Table 1: 3 Combined Area 1 (American Community Survey and Bureau of Labor Statistics Data, February 2021 – January 2023)

Combined Area 1
Alamosa County
Archuleta County
Baca County
Bent County
Chaffee County
Cheyenne County
Conejos County
Costilla County
Crowley County
Custer County
Dolores County
Fremont County
Hinsdale County
Huerfano County
Kiowa County
Las Animas County
Lincoln County
Mineral County
Otero County
Ouray County
Prowers County
Pueblo County
Rio Grande County
Saguache County
San Juan County
Teller County
Combined Area Unemployment Rate: 5.2%

Data extracted from <http://www.bls.gov> on July 14, 2023.

The State agency supported its request for one reservation area based upon the area having an average unemployment rate 20 percent above the national average for the 24-month period of February 2021 through January 2023. During this period, the national average unemployment rate was 4.4 percent; 20 percent above that rate is 5.2 percent. The aggregate average unemployment rate for the requested combined area was 5.2 percent during the 24-month period. See Table 2.

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Table 2: Reservation Areas (American Community Survey and Bureau of Labor Statistics Data, (February 2021 – January 2023))

Reservation Areas
Southern Ute Reservation
Combined Area Unemployment Rate: 5.2%

Data extracted from <http://www.bls.gov> on July 14, 2023.

- 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, 2023
- 11. Expiration Date:** September 30, 2024
- 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.
- 13. State Agency Contact Information:**
Name: Teri Chasten
Email: teri.chasten@state.co.us
- 14. FNS Regional Office Contact Information:**
Name: Karen Dyke
Email: karen.dyke@usda.gov