

STATE WAIVER REQUEST

1. **Waiver Serial Number (if applicable):** 2150042
2. **Type of request:** Initial
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** Colorado
6. **Region:** MPRO
7. **Regulatory requirements:**

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 determines 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 for full employment.
8. **Description of alternative procedures:**

The State of Colorado requests to exempt ABAWDs in 18 counties from SNAP time limits outlined at 7 CFR 273.24.
9. **Justification for request:**

Under SNAP regulations at 7 CFR 273.24(f)(2), areas may qualify for an ABAWD time limit waiver if they have insufficient jobs. To support this claim, states may submit evidence that an area is designated as a Labor Surplus Area (LSA) by the Department of Labor's Employment and Training Administration, or that an area has an average unemployment rate for a 24-month time period that is at least 20 percent above the national average for the same 24-month period. 7 CFR 273.24(f)(6) provides that States may define areas to be waived.

The State of Colorado seeks a waiver for a region of 18 counties for the 12-month period of October 2024 through September 2025. The national average unemployment rate for this period was 3.6 percent; 20 percent above this was 4.3 percent. The region's aggregate average unemployment rate for this period was 4.3 percent.

Bureau of Labor Statistics Local Area Unemployment Data February 2022 through January 2024		
County	Total Unemployed	Total Labor Force
Alamosa County	7,096	192,090
Baca County	926	48,849
Bent County	1,370	42,401
Conejos County	3,066	93,128
Costilla County	1,846	42,813
Crowley County	1,311	32,398
Custer County	1,660	53,601
Fremont County	16,461	343,204
Hinsdale County	273	9,962
Huerfano County	3,521	58,824
Kiowa County	424	20,910
Las Animas County	6,947	143,710
Lincoln County	1,508	53,087
Mineral County	290	11,244
Otero County	7,668	184,647
Pueblo County	80,333	1,819,208
Rio Grande County	5,140	125,116
Saguache County	2,793	80,283
Combined Area Total	142,633	3,355,475
Combined Unemployment Rate	4.3%	
20% Above National Average Threshold	4.3%	

10. Anticipated impact on households and State agency operations:

This waiver will provide consistency for households and State agency operations in areas where unemployment remains higher than the national average.

11. Caseload information, including percent, characteristics, and quality control error rate for affection portion (if applicable):

The caseload for these areas, as of **June 2024**, represents **5.5%** of the caseload for the state. There are no quality control procedures involved.

12. Anticipated implementation date and time period for which waiver is needed:

The State is requesting a one-year waiver, from October 1, 2024 through September 30, 2025.

13. Proposed quality control review procedures:

There are no special quality control procedures needed in conjunction with this waiver.

14. State agency submitting waiver request and State contact person:
Colorado Department of Human Services, Food and Energy Assistance
Teri Chasten

15. Signature and title of requesting official:



Title: Food and Energy Assistance Deputy Director
Email for transmission of response: teri.chasten@state.co.us

16. Date of request: 07/22/2024

17. State agency staff contact (name/email/telephone):
Name: Teri Chasten
Title: FEAD Deputy Director, SNAP Program Manager
Email: teri.chasten@state.co.us

18. Regional office contact person (*to be completed by FNS regional office*):