

March 11, 2008

970069

Subject: FSP – Colorado - Request for Extension of Waiver 970069

To: Jody Cornwell, Regional Director
Food Stamp Program
Mountain Plains Region

This is in response to your e-mail dated February 26, 2008, transmitting the Colorado State Agency's request for an extension and modification of its current waiver of 7 CFR 273.24. This section limits the receipt of food stamp benefits to 3 months within a 3-year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workfare.

The State wishes to exempt individuals who reside in the counties of: Alamosa, Archuleta, Baca, Bent, Chaffee, Conejos, Costilla, Crowley, Custer, Delores, Fremont, Hinsdale, Huerfano, Kiowa, Lake, Las Animas, Lincoln, Mineral, Montezuma, Otero, Prowers, Pueblo, Rio Grande, Saguache, and San Juan for one year based on a 24-month average unemployment rate 20 percent above the national unemployment average for the area as an aggregate cluster.

We are approving Colorado's request for a one year waiver expiring on March 31, 2009. We are also granting the State's request to rescind waiver 2070030, as those counties are included in this modified waiver request.

If you have any questions, please contact Patrick Lucrezio of my staff via e-mail at Patrick.Lucrezio@fns.usda.gov or by telephone at (703) 305-2498.

/S/

Harriet Kornegay
Assistant Chief
Certification Policy Branch
Program Development Division

Attachment

WAIVER REQUEST

1. **Waiver serial number:** 970069

2. **Type of request:** Extension and modification

3. **Primary regulation citation, if any:**

Section 6 (o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.

4. **Secondary regulation citation, if any:**

7 CFR 273.24 (f)(3)(iii)

5. **State:** Colorado

6. **Region:** Mountain Plains

7. **Regulatory requirements:**

Under 7 CFR 273.24(b) individuals are not eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; participate in and comply with the requirements of a work program for 20 hours or more per week; or participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.

Under 7 CFR 273.24(f), upon the request of a State agency, the Food and Nutrition Service (FNS) may waive the applicability of the above provision for any group of individuals in the State if the FNS 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.

8. **Proposed alternative procedures:**

The State is requesting to exempt from these requirements individuals residing in the southern region of the state. This region is made up of contiguous counties that have an aggregate average unemployment rate of at least 20 percent above the national average during January 2005 – December 2006. The request includes areas of the State with an average unemployment rate of at least 5.8 percent during the January 2005 – December 2006 period.

Southern region

Area	Unemployment Rate, JAN 2005-DEC 2006	Area	Unemployment Rate, JAN 2005-DEC 2006
Alamosa County	5.1	Kiowa County	3.8
Archuleta County	4.7	Lake County	4.6
Baca County	3.5	Las Animas County	4.6
Bent County	6.0	Lincoln County	3.9
Chaffee County	4.9	Mineral County	5.1
Conejos County	7.3	Montezuma County	4.8
Costilla County	9.5	Otero County	6.3
Crowley County	7.4	Prowers County	5.3
Custer County	4.6	Pueblo County	6.3
Dolores County	6.8	Rio Grande County	5.4
Fremont County	5.9	Saguache County	7.0
Hinsdale County	2.9	San Juan County	6.2
Huerfano County	6.9		
		Total for Region	5.8

Alamosa, Archuleta, Baca, Bent, Chaffee, Conejos, Costilla, Crowley, Custer, Dolores, Fremont, Hinsdale, Huerfano, Kiowa, Lake, Las Animas, Lincoln, Mineral, Montezuma, Otero, Prowers, Pueblo, Rio Grande, Saguache, and San Juan Counties qualify as a cluster based on the area's aggregate average unemployment rate, which is at least 20 percent above the national average for January 2005 – December 2006 which is 5.8 percent.

9. Action and reason for approval or denial:

We are approving this waiver as requested to cover 25 counties in Colorado. We are approving these counties as a aggregate cluster having an average unemployment rate of at least 20 percent above the national average during a recent 24-month time period. All of the raw data supporting the request are from the Bureau of Labor Statistics (BLS) website.

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. The impact on the households would be additional food stamp benefits in areas where the work requirements 6(o) could not be met. The availability of work in these areas is very seasonal or temporary, which offers no secure opportunity to meet these work requirements.

11. Conditions and reasons: None

12. Caseload information:

The caseload for these areas, as of 11-2007, represents 19% of the caseload for the state.

13. Expiration date:

This waiver is approved for one year effective April 1, 2008 through March 31, 2009.

14. Limitation, if any, on regional office approval of like requests:

This waiver is limited to the Colorado State agency.

15. Quality control procedures:

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

16. Date of national office action:

17. Date of State agency's request: February 25, 2008

18. Date of regional office transmittal of request: February 26, 2008.

19. Date of regional office transmittal of response to State agency:

20. Actual implementation date: