

WAIVER REQUEST

1. **Waiver serial number:** 2030008
2. **Type of request:** Modification and Extension
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** None
5. **State:** New Mexico
6. **Region:** Southwest
7. **Regulatory requirements:** Under 7 CFR 273.24(b) provides that no individual shall be 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; did not participate in and comply with the requirements of a work program for 20 hours or more per week; or did not 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 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 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. **Description of proposed alternative procedures:** The State agency wishes to extend its ABAWD waiver for 19 counties and the area known as Indian Country within Bernalillo, Sandoval and Santa Fe counties. Individuals residing in the following counties would not be included in the waiver: Bernalillo, Curry, De Baca, Eddy, Harding, Hidalgo, Lea, Los Alamos, Otero, Roosevelt, San Juan, San Miguel, Sandoval, Santa Fe and Union Counties. The pueblos are within Bernalillo, Sandoval, and Santa Fe counties as follows, due to overlap, some of the pueblos are listed in more than one county:

Bernalillo County	Canoncito Chapter of the Navajo Nation, Isleta Pueblo, and Sandia Pueblo
Sandoval County	Canoncito Chapter, Cochiti Pueblo, Jemez Pueblo, San Felipe Pueblo, San Idelfonso Pueblo, Sandia Pueblo, Santa Ana Pueblo, Santa Clara Pueblo, Santa Domingo Pueblo, and Zia Pueblo
Santa Fe County	Nambe Pueblo, Pojoaque Pueblo, San Idelfonso Pueblo, Santa Clara Pueblo, and Tesuque Pueblo

The State agency combined all of the counties and pueblos requested into one area. The combined area has an aggregate average unemployment rate of at least 20 percent above the national average of 4.8 percent, or 5.8 percent, for the 24-month period of January 2005 through December 2006 as follows:

Combined Counties			
AREA	Unemployment Rate CY 2005-2006	AREA	Unemployment Rate CY 2005-2006
Bernalillo Indian Country	9.4	Mora County	10.2
Catron County	6.0	Quay County	5.0
Chaves County	5.2	Rio Arriba County	5.4
Cibola County	5.3	San Miguel County	5.6
Colfax County	4.9	Sandoval Indian Country	11.0
Dona Ana County	5.3	Santa Fe Indian Country	4.9
Grant County	5.2	Sierra County	5.0
Guadalupe County	6.5	Socorro County	4.2
Lincoln County	4.3	Taos County	6.3
Luna County	11.9	Torrance County	5.0
McKinley County	6.2	Valencia County	4.9
		Total	5.8

9. **Justification for request:** As stated in number 8 above, the areas listed above have 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 our numbers that we have used are from the Bureau of Labor Statistics (BLS) website and the 2000 United States Census for the Census Share Ratio.
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.
10. **Caseload information, including percent, characteristic, and quality control error rate for affected portion:** The caseload for these areas, as of December 2007, represents 46.1% of the caseload for the state. There are no quality control procedures involved
11. **Anticipated implementation date and time period for which waiver is needed:** The State is requesting a one-year waiver from May 1, 2008 through April 30, 2009.
12. **Proposed quality control review procedures:** There are no special quality control procedures needed in conjunction with this waiver.

13. **Signature and title of requesting official:**

Kathleen Fuller
Deputy Secretary, Human Services Department