



United States Department of Agriculture

Food and
Nutrition
Service

Park Office
Center

3101 Park
Center Drive
Alexandria
VA 22302

NOV 22 2016

Mr. Sean Pearson
Deputy Secretary
New Mexico Human Services Department
P.O. Box 2348
Santa Fe, New Mexico 87504

RE: SNAP – New Mexico Request to Waive Able-Bodied Adults without
Dependents Time Limit – Approval

Dear Mr. Pearson:

This is in response to the New Mexico State agency's request to waive the Supplemental Nutrition Assistance Program time limit for able-bodied adults without dependents throughout the State from March 1, 2017, through February 28, 2018.

The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant Food and Nutrition Service (FNS) guidance. Therefore, FNS is approving New Mexico to waive the time limit throughout the State for the requested 12-month period. The approval extends waiver number 2160027. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. Please contact Arianne Steed at Arianne.Steed@fns.usda.gov with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Sasha Gersten-Paal".

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

WAIVER RESPONSE

1. **Waiver serial number:** 2160027
2. **Type of request:** Extension
3. **Statutory citation:** Section 6(o) of the Food and Nutrition Act of 2008, as amended
4. **Regulatory citation:** 7 CFR 273.24
5. **State:** New Mexico
6. **Region:** Southwest
7. **Requirement:** 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 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 New Mexico State agency has requested to waive the ABAWD time limit throughout the State from March 1, 2017 through February 28, 2018. The State agency has supported its request based upon the State's eligibility for extended unemployment benefits, a criterion for statewide waiver approval provided by SNAP regulations at 7 CFR 273.24. The State has provided a copy of Department of Labor Trigger notice 2016-9, effective March 13, 2016, showing that New Mexico qualified for extended unemployment benefits.
9. **Action and reason for approval or denial:** The Food and Nutrition Service (FNS) is approving the New Mexico State agency's request to waive the ABAWD time throughout the State because the areas meet the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
10. **Regulatory or legislative basis for action:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008, as amended and 7 CFR 273.24(f).
11. **Information required for an extension:** To receive an amendment or extension 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 as supporting documentation.

12. Implementation date and expiration date: The waiver is effective March 1, 2017 through February 28, 2018.

13. Limitation, if any, on regional office approval of like requests: The waiver is limited to the New Mexico State agency.

14. Date of national office action: NOV 22 2016

15. Date of State agency's request: November 14, 2016

16. Date of regional office transmittal of request: November 15, 2016

17. State agency contact:

Samuel Peinado

Samuel.Peinado@state.nm.us

(505) 827-7219

18. FNS regional contact:

Arianne Steed

Arianne.Steed@fns.usda.gov

(214) 290-9868