



United States Department of Agriculture

Food and
Nutrition
Service

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Date: February 21, 2019

Dr. David Scrase
Cabinet Secretary - Designate
New Mexico Human Services Department
Income Support Division
PO Box 2348
Santa Fe, New Mexico 87504

Supplemental Nutrition Assistance Program (SNAP) – New Mexico Request to Waive Able-Bodied Adults Without Dependents Time Limit – Approval

Dear Dr. Scrase:

This is in response to the New Mexico State agency's January 4, 2019, request to waive the SNAP time limit for able-bodied adults without dependents throughout the State from March 1, 2019, through February 29, 2020.

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 the State to waive the time limit for a 12-month period as requested. The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. Please contact your FNS Regional Office with any questions.

As you may be aware, FNS has proposed regulations that would strengthen the standards by which areas can qualify for these waivers so that the statutory ABAWD work requirement is applied more broadly. FNS has proposed that the rule, once finalized, would go into effect on October 1, 2019, which is the beginning of federal fiscal year 2020. Therefore, the final rule could change the qualifying areas and approval period for this waiver.

FNS also 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-of the waiver when it expires and reintroduce the time limit.

Moving forward, FNS will be taking actions to support the Administration's priority to provide able-bodied Americans a path to self-sufficiency. This goal requires that we establish a clear and mutual commitment to moving SNAP participants to meaningful employment.

Sincerely,

Sasha Gersten-Paal
Chief
Certification Policy Branch
Program Development Division

Able-Bodied Adults Without Dependents (ABAWD) Waiver Response

- 1. Serial Number:** 2160027
- 2. Request Type:** Extension
- 3. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 4. Regulatory Citation:** 7 CFR 273.24
- 5. State:** New Mexico
- 6. Food and Nutrition Service (FNS) Region:** Southwest
- 7. 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.
- 8. Requested Area(s) and Support:** The New Mexico State agency has requested to waive the ABAWD time limit throughout the State from March 1, 2019, through February 29, 2020. The State has supported its request based on the State having an average unemployment rate 20 percent above the national average for the recent 24-month period of September 2016 through August 2018. During this time period the national average unemployment rate was 4.29 percent; 20 percent above that rate is 5.1 percent. The average unemployment rate State was 5.8 percent during the selected time period (data extracted from www.bls.gov on January 28, 2019, and validated by FNS).
- 9. FNS Action and Justification:** FNS is approving the State agency to waive the ABAWD time limit as requested. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 10. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 11. Implementation Date:** March 1, 2019
- 12. Expiration Date:** February 29, 2020
- 13. Information Required for Amendment or 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 and supporting documentation.

14. State Agency Contact Information:

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15. FNS Regional Office Contact Information:

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