



United States Department of Agriculture

Food and
Nutrition
Service

November 21, 2022

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Place
Alexandria, VA
22314

Karmela Martinez
Director
Human Services Department
Post Office Box 2348
Santa Fe, New Mexico 87504

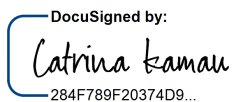
RE: SNAP – New Mexico Request to Waive Able-Bodied Adults Without Dependents Time Limit – Initial – Approval

Dear Director Martinez:

This is in response to the New Mexico agency's October 7, 2022, request to waive the SNAP time limit for able-bodied adults without dependents (ABAWDs). The attached waiver response includes the approved areas, the supporting evidence used, and the conditions of approval. This approval, effective January 1, 2023, through December 31, 2023, replaces New Mexico's current Statewide ABAWD waiver, approved for March 1, 2022, through February 28, 2023.

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 the waiver when it expires and reintroduce the time limit. Please contact your Regional Office representative with any questions.

Sincerely,

DocuSigned by:
A blue ink signature of Catrina Kamau, written in a cursive style.

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Catrina Kamau
Chief
Certification Policy Branch
Program Development Division

Enclosure

Enclosure

**ABLE-BODIED ADULTS WITHOUT DEPENDENTS (ABAWD)
WAIVER RESPONSE**

- 1. Request Type:** Initial
- 2. Statutory Citation:** Section 6(o) of the Food and Nutrition Act of 2008
- 3. Regulatory Citation:** 7 CFR 273.24
- 4. State:** New Mexico
- 5. Food and Nutrition Service (FNS) Region:** Southwest
- 6. 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.

Requested Area(s) and Support: The State agency requested to replace an approved Statewide waiver of the ABAWD time limit that expires on February 28, 2023 (Waiver Information Management System (WIMS) Case 00003257) with a Statewide waiver of the ABAWD time limit from January 1, 2023, through December 31, 2023. The State agency 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. According to the Department of Labor Trigger Notice No. 2022-2, effective January 23, 2022, the State qualified for extended unemployment benefits.¹
- 7. FNS Action and Justification:** FNS is approving the State agency's request to waive the ABAWD time limit. The State agency's request meets the requirements for approval provided at 7 CFR 273.24(f) and relevant FNS guidance.
- 8. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).

¹ Extended Benefits Trigger Notices can be found at https://oui.doleta.gov/unemploy/claims_arch.asp. Trigger Notice 2022-2 was issued the week of January 23, 2022.

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9. Implementation Date: January 1, 2023

10. Expiration Date: December 31, 2023

11. Information Required to Submit a Modification, Extension, or New Waiver: To receive a modification, extension, or submit a new waiver to replace the current waiver, 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.

12. State Agency Contact Information:

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13. FNS Regional Office Contact Information:

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