



Food and Nutrition Service

U.S. DEPARTMENT OF AGRICULTURE

September 18, 2024

Niki Kozlowski
Director of Income Support Division
Health Care Authority
Human Services Department
Post Office Box 2348
Santa Fe, New Mexico 87504


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

Dear Director Kozlowski:

This is in response to the New Mexico Human Services Department's August 12, 2024, request to waive the Supplemental Nutrition Assistance Program (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.

The Food and Nutrition Service (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:

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for Catrina L. Kamau
Chief
Certification Policy Branch
Program Development Division
Supplemental Nutrition Assistance Program

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.
- 7. Requested Area(s) and Support:** The State agency requested to waive the ABAWD time limit in 29 counties and 18 reservations throughout the State from January 1, 2025, to December 31, 2025.

The State agency supported its request based upon the combined area of 29 contiguous counties having an average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the requested areas was 4.3 percent or greater during the 24-month period (Table 1).

Table 1: Combined Area 1 (Bureau of Labor Statistics Local Area Unemployment Data, February 2022 – January 2024)

Combined Area 1
Catron County
Chaves County
Cibola County
Colfax County
Curry County
De Baca County
Dona Ana County
Grant County
Guadalupe County
Harding County
Hidalgo County
Lea County
Lincoln County
Luna County
McKinley County
Mora County
Otero County
Quay County
Rio Arriba County
Roosevelt County
San Juan County
San Miguel County
Sandoval County
Sierra County
Socorro County
Taos County
Torrance County
Union County
Valencia County
Combined Area Unemployment Rate: 4.3%

Data extracted from <http://www.bls.gov> on August 29, 2024.

The State agency supported its request for the 18 reservation areas based up the areas each having an average unemployment rate 20 percent above the national average for the 24-month period of February 2022 through January 2024. During this period, the national average unemployment rate was 3.6 percent; 20 percent above that rate is 4.3 percent. The average unemployment rate for the requested reservation areas was 4.4 percent or greater during the 24-month period (Table 2).

Table 2: Reservation Areas (2022 American Community Survey and Bureau of Labor Statistics Data, February 2022 – January 2024)

Reservation Areas	Unemployment Rate
Pueblo de Cochiti Reservation	4.4%
Jicarilla Apache Nation Reservation and Off-Reservation	13.0%
Mescalero Reservation	5.6%
Nambe Pueblo Reservation and Off-Reservation	6.5%
Navajo Nation Reservation and Off-Reservation	8.5%
Picuris Pueblo Reservation	5.1%
Sandia Pueblo Reservation	5.1%
San Felipe Pueblo Reservation	8.8%
Santa Ana Pueblo Reservation	5.7%
Santo Domingo Pueblo Reservation	4.5%
Taos Pueblo and Off-Reservation	9.0%
Tesuque Pueblo and Off-Reservation	8.7%
Zia Pueblo and Off-Reservation	6.3%
Zuni Reservation and Off-Reservation	7.8%

Data extracted from <http://www.bls.gov> and <https://data.census.gov> on August 29, 2024.

- 8. 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.
- 9. Authority:** The waiver is approved pursuant to section 6(o) of the Food and Nutrition Act of 2008 and 7 CFR 273.24(f).
- 10. Implementation Date:** January 1, 2025
- 11. Expiration Date:** December 31, 2025
- 12. 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.
- 13. State Agency Contact Information:**
Name: Eli Gallegos
Phone: 505- 396-0314
Email: Eli.gallegos@hca.nm.gov

14. FNS Regional Office Contact Information:

Name: Archie Williams

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