



JUN 3 2004

The Honorable Bill Richardson  
Governor of New Mexico  
State Capitol  
Santa Fe, New Mexico 85701

Dear Governor Richardson:

It is with pleasure that I respond to the State of New Mexico's request for an extension of a Workforce Investment Act (WIA) waiver of the 20 percent funds transfer limitation at WIA Section 133(b)(4), under the Secretary's authority to waive certain requirements of WIA Title I, subtitles B and E and Sections 8-10 of the Wagner-Peyser Act.

The State of New Mexico's request (copy enclosed) indicates that a waiver extension will provide local workforce investment boards with continued flexibility to respond to changes in their local labor markets, and meet the needs of the state's diverse population. The waiver is written in the format identified in WIA Section 189(i)(4)(B) and 20 CFR 661.420(c) and appears to meet the standard for approval at 20 CFR 661.420(e).

Accordingly, the State of New Mexico is granted an extension of the waiver through June 30, 2005. The waiver allows the state to approve local area requests to transfer up to 100 percent of local area allocations between the Adult and Dislocated Worker programs.

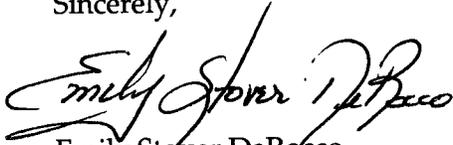
The granted waiver is incorporated by reference into the state's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and also constitutes a modification of the state's approved five-year strategic plan. A copy of each letter should be filed with the state's WIA Grant Agreement and the state's approved five-year strategic plan, as appropriate.

As you know, your waiver extension for funds transferability is consistent with one of the improvements that the Administration is seeking in the reauthorization of the Workforce Investment Act-the consolidation of the WIA Adult, WIA Dislocated Worker and Wagner-Peyser Act (Employment Service) funding streams.

This consolidation would provide states with maximum flexibility to meet unique workforce needs. In the meantime, we hope this waiver extension will assist your state in meeting its workforce needs and improving programmatic outcomes.

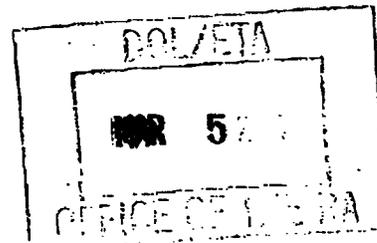
We look forward to continuing our partnership with you and achieving better workforce investment outcomes. We are prepared to entertain other state and local-level waiver requests that you may wish to submit, consistent with the provisions of the WIA statute and regulations.

Sincerely,



Emily Stover DeRocco

Enclosure



**BILL RICHARDSON**  
GOVERNOR

**REESE FULLERTON**  
EXECUTIVE DIRECTOR

**OFFICE OF WORKFORCE  
TRAINING & DEVELOPMENT**

**LEN MALRY**  
DEPUTY EXECUTIVE DIRECTOR

**DON B. MANNING**  
DIRECTOR OF OPERATIONS

March 4, 2004

Mr. Joseph Juarez  
Regional Administrator  
U.S. Department of Labor  
525 Griffen St., Room 317  
Dallas, Texas 75202

Dear Mr. Juarez:

The Office of Workforce Training and Development, New Mexico's operating entity for Workforce Investment Act (WIA) activities is requesting an extension to the waiver previously granted via correspondence from Ms. Emily Stover-DeRocco dated May 7, 2003. This extension of the waiver would eliminate the 20% limitation on transferring WIA funds between the Dislocated Worker and Adult funding streams for a two-year period (July 1, 2004 through June 30, 2006). This waiver request complies with WIA Section 189(i)(4)(B) and WIA Regulations 20 CFR 661.420(c).

Granting this waiver will allow New Mexico the opportunity to provide local Workforce Boards with unlimited ability to transfer funds between the Dislocated Worker and Adult programs, thus allowing greater flexibility in meeting the unique needs of New Mexico's workforce.

New Mexico fully supports the WIA concepts of program accountability and customer choice. This waiver will assist New Mexico to better meet these goals. If the waiver request is granted, Local Boards will be better able to respond to change by increasing local control for program delivery, employer evaluation and system-wide accountability. Providing greater flexibility to local boards will allow them to meet the needs of New Mexico's diverse population.

If you or your staff has any questions concerning this wavier request, please contact Mr. Don Manning, Programs Director at (505) 827-6815.

Sincerely,



REESE FULLERTON  
Executive Director  
Office of Workforce Training & Development

cc: Marilyn Brandenburg, USDOL Federal Representative for New Mexico  
Jimmie Shearer, Chairman, Eastern Area WDB  
Steve Anaya, Chairman Central WDB  
Carlos Gonzales, Chairman, Northern WDB  
John Paul Jones, Chairman, Southwestern WDB  
Len Malry, Deputy Executive Director, OWTD  
Don B. Manning, Director of Operations, OWTD  
Dee Dickson, Budget Analyst, FMB  
OWTD Files

U.S. DEPARTMENT OF LABOR  
DOL - ETA

EMPLOYMENT AND TRAINING ADMINISTRATION  
FAX TRANSMITTAL COVER PAGE

Number of Pages Transmitted (Including Cover Page) 3

ATTN: Sean Kelly - ETA

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FROM: Marilyn Brandenburg

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MESSAGE:

Sean, attached is the Waiver for New Mexico. They are requesting an extension of their previously granted waiver to eliminate the 20% limitation on transferring WIA funds between the Dislocated Worker and Adult funding streams for a two-year period. If you have any questions, please don't hesitate to call me.

Regards,  
Marilyn