

May 8, 2006

2030008

SUBJECT: FSP – New Mexico Waiver Request – 7 CFR 273.24

TO: Judy K. Barron, Director
Food Stamp Program
Southwest Region Office

We are approving New Mexico's request to extend and modify this waiver as requested. Our detailed response is attached. If there are any questions, please contact Celeste Perkins, of my staff.

We are approving this request effective May 1, 2006. The waiver will expire on April 30, 2007.

/s/

Harriet Kornegay
Assistant Chief
Certification Policy Branch
Program Development Division

Attachment

cc: Dan Wilucz, QCB, PAD
Barbara Hallman, SAB, PAD
Bob Dalrymple, OANE (w/attachments)
All Regions (except MPRO) w/attachments
FNS National Arbitrator
Civil Rights

FINAL:USDA:FNS:FSP:PDD:CPB:CPerkins:05/02/06:je
File:I:CPB:Waivers:FY 2006:2030008 New Mexico ABAWD Mod.& Ext.

WAIVER RESPONSE

1. **Waiver serial number:** 2030008
2. **Type of request:** Extension/Modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** None
5. **State:** New Mexico
6. **Region:** Southwest
7. **Regulatory requirements:** 7 CFR 273.24 provide that no individual shall be eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; or did not participate in and comply with requirements of a program under Section 20 or a comparable program established by the State.
8. **Description of proposed alternative procedures:** The State agency wishes to extend and modify waiver 2030008 to encompass twenty-seven counties and eight pueblos and reservations (Indian Country) based on their aggregate average unemployment rate of a least 20 percent above the national average during January 2004 – December 2005. During this period, the national average unemployment rate plus 20 percent was 6.3 percent.

The 27 counties are:

Catron	Chavez	Cibola	Colfax	Curry
DeBaca	Dona Ana	Eddy	Grant	Guadalupe
Harding	Hidalgo	Luna	McKinley	Mora
Quay	Rio Arriba	Roosevelt	San Juan	San Miguel
Sandoval	Sierra	Socorro	Taos	Torrance
Union	Valencia			

The 8 pueblos/reservations are:

Canoncito	Isleta	Nambia	Pojoaque
San Ildefonso	Santa Clara	Tesuque	Sandia

Note: Indian Country is comprised of the above eight pueblos and reservations.

9. **Action and reason for approval or denial:** We are approving this waiver to encompass all the counties, pueblos, and reservations listed above. The state agency has the authority to define the area for which it is requesting a waiver. In this case, the area is a group of counties, pueblos, and reservations. Once the state agency defines that area, the state agency then measures the unemployment rate for that area.

The threshold for obtaining a waiver, 120 percent of the national average unemployment rate, was 6.3 percent for 24 months of Calendar Years 2004 and 2005. The combined unemployment rate for all of the jurisdictions above was 6.4 percent. Therefore, we are approving the waiver as the state agency requested.

10. **Regulatory or legislative basis for action:** 7 CFR 273.24(f).
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data that relies on data from the federal Bureau of Labor Statistics (or its cooperating agency) and/or methods and data indicating a lack of sufficient jobs.
13. **Expiration date:** This waiver is effective from May 1, 2006 and will expire on April 30, 2007.
14. **Limitation, if any, on regional office approval of like requests:** This waiver is limited to the New Mexico Human Services Department only.
15. **Quality control procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** April 17, 2006
18. **Date of regional office transmittal of request to national office:**
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:**