



MAR - 4 2002

SPB
Loc
mw 3/8/02

United States
Department of
Agriculture

Date:

Food and
Nutrition Service

Subject: Request from NJ to Extend and Modify Waiver 970145 - Labor Surplus Areas

Mid-Atlantic Region

300 Corporate Blvd
Robbinsville, NJ
08691-1598

To: Art Foley, Director
Program Development Division

We have attached a request of March 1, 2002, from the New Jersey Department of Human Services, to amend and modify waiver 970145, which exempts from ABAWD requirements, individuals who reside in labor surplus areas.

New Jersey is requesting to include: Atlantic City, Atlantic County, Cape May County (except North Wildwood, West Wildwood, Wildwood and Wildwood Crest, *which were approved under waiver 970028 as areas where the unemployment rate is more than 10 percent); Cumberland County (except Fairfield*); East Orange and Newark, both of which are located in Essex County; Jersey City, Union City and West New York, all of which are located in Hudson County; Trenton, which is located in Mercer County; New Brunswick and Perth Amboy, which are located in Middlesex County; Long Branch, which is located in Monmouth County; Passaic and Patterson, both of which are located in Passaic County; and Elizabeth and Plainfield, both of which are located in Union County.

If anyone has questions, please call Joe Yehl, (609) 259-5069, or Marian Wig, (609) 259-5059.

Joe Weingart
JOSEPH WEINGART
Regional Director
Food Stamp Program

Enclosure



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT

PO Box 716
TRENTON, NJ 08625-0716

JAMES E. McGRATH
Commissioner

GWYNDOLYN LONG HARRIS
Acting Commissioner

DAVID C. HEINS
Director
Tel 609, 588-2000

March 1, 2002

Joseph Weingart
Regional Director Food Stamp Program
United States Department of Agriculture
300 Corporate Boulevard
Robbinsville, New Jersey 08691-1598

Dear Mr. Weingart:

Enclosed is our Calendar Year 2002 Able Bodied Adults Without Dependents (ABAWD) Waiver Extension and Modification Request regarding Labor Surplus Area (LSA). We again are requesting to waive the ABAWD requirements for those individuals residing in areas with insufficient jobs. Also, enclosed is documentation provided by the New Jersey Department of Labor to support our Waiver Extension and Modification Request which was published December 31, 2001.

Atlantic City is designated an area with insufficient jobs, however, the remainder of Atlantic County minus Buena, which was approved for the waiver extension under waiver number 970028, are no longer eligible for a LSA exemption this year. In addition, Irvington and the City of Orange in Essex County, and North Bergen in Hudson County, were included in the State agency's waiver for Calendar Year 2001, are no longer eligible either for exemptions under the insufficient jobs criteria or have unemployment rates over 10 percent for Calendar Year 2002. Therefore, we plan to include some of those municipalities under the optional 15 percent waiver.

I look forward to your approval of our Waiver Extension Request and Modifications request.

Sincerely,

David C. Heins
Director

DCH:MS:MP:tcc

Waiver Request

1. **Waiver serial number:** 970145
2. **Type of request:** Extension and modification
3. **Primary regulation citation:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996, P.L. 104-193.
4. **Secondary regulation citation:** N/A
5. **State:** New Jersey
6. **Region:** MARO
7. **Regulatory Requirements:** Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), P.L. 104-193, provides that no individual may 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.

Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, also provides that, upon the request of a State agency, the Secretary may waive the applicability of the above provision 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. **Description of proposed alternative procedures:** The New Jersey State Agency is requesting an extension and modification of its current waiver exempting individuals residing in the municipalities of Atlantic City, Atlantic County; all of Cape May County, minus North Wildwood, West Wildwood, Wildwood, and Wildwood Crest which was approved under waiver number 970028 for the 10 percent unemployment criteria; all of Cumberland County, minus Fairfield which was also approved under the 10 percent unemployment criteria; City of East Orange and City of Newark in Essex County; Jersey City, Union City, and West New York Town in Hudson County; City of Trenton in Mercer County; City of New Brunswick and the City of Perth Amboy in Middlesex County; Long Branch City in Monmouth County; City of Passaic and the City of Paterson in Passaic County; and, the City of Elizabeth and Plainfield in Union County.

The remainder of Atlantic County, Irvington and the City of Orange in Essex County, and North Bergen in Hudson County, which were included in the State agency's waiver for calendar year 2001, are no longer eligible for exemptions under the insufficient jobs criteria or have unemployment rates over 10 percent.

9. **Justification for request:** This extension and modification request complies with the requirements of Section 6(o) of the Food Stamp Act as amended by Section 824 of P.L. 104-193 which allows the Secretary to waive the work requirement provisions of Section 6(o) for areas determined to have insufficient jobs or unemployment rates over 10 percent.
10. **Quality Control Procedures:** N/A.
11. **Date of State agency's request:** March 1, 2002.
12. **Effective date of Waiver Request:** January 1, 2002.
13. **Signature and title of requesting official:**



David C. Heins, Director
Division of Family Development

[Federal Register: December 31, 2001 (Volume 66, Number 250)]
[Notices]
[Page 67639-67649]
From the Federal Register Online via GPO Access [wais.access.gpo.gov]
[DOCID:fr31de01-99]

[[Page 67639]]

Part III

Department of Labor

Employment and Training Administration

Labor Surplus Area Classification Under Executive Orders 12073 and
10582; Notice

[[Page 67640]]

DEPARTMENT OF LABOR

Employment and Training Administration

Labor Surplus Area Classification Under Executive Orders 12073
and 10582

ACTION: Notice.

EFFECTIVE DATE: The annual list of labor surplus areas is effective
October 1, 2001, for all States.

→ <http://frwebgate3.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=9945293738+0+0+0&W...> 1/2/02

Shelby County.....	Shelby County.
St. Louis City.....	St. Louis City.
St. Francois County.....	St. Francois County.
Stone County.....	Stone County.
Taney County.....	Taney County.
Texas County.....	Texas County.
Washington County.....	Washington County.
Wayne County.....	Wayne County.

Montana

Anaconda-Deer Lodge County.....	Anaconda-Deer Lodge County.
Big Horn County.....	Big Horn County.
Blaine County.....	Blaine County.
Flathead County.....	Flathead County.
Glacier County.....	Glacier County.
Granite County.....	Granite County.
Lake County.....	Lake County.
Lincoln County.....	Lincoln County.
Meagher County.....	Meagher County.
Mineral County.....	Mineral County.
Musselshell County.....	Musselshell County.
Phillips County.....	Phillips County.
Richland County.....	Richland County.
Roosevelt County.....	Roosevelt County.
Rosebud County.....	Rosebud County.
Sanders County.....	Sanders County.

Nebraska

Johnson County.....	Johnson County.
Richardson County.....	Richardson County.
Thurston County.....	Thurston County.

Nevada

Churchill County.....	Churchill County.
Esmeralda County.....	Esmeralda County.
Lander County.....	Lander County.
Lincoln County.....	Lincoln County.
Lyon County.....	Lyon County.
Mineral County.....	Mineral County.
North Las Vegas City.....	North Las Vegas City in Clark County.

New Jersey

Atlantic City.....	Atlantic City in Atlantic County.
Camden City.....	Camden City in Camden County.
Cape May County.....	Cape May County.
Balance of Cumberland County.....	Cumberland County less Millville City, Vineland City.

[[Page 67646]]

<http://frwebgate3.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=9945293738+0+0+0&W...> 1/2/02

East Orange City.....	East Orange City in Essex County.
Elizabeth City.....	Elizabeth City in Union County.
Jersey City.....	Jersey City in Hudson County.
Long Branch City.....	Long Branch City in Monmouth County.
Millville City.....	Millville City in Cumberland County.
New Brunswick City.....	New Brunswick City in Middlesex County.
Newark City.....	Newark City in Essex County.
Passaic City.....	Passaic City in Passaic County.
Paterson City.....	Paterson City in Passaic County.
Perth Amboy City.....	Perth Amboy City in Middlesex County.
Plainfield City.....	Plainfield City in Union County.
Trenton City.....	Trenton City in Mercer County.
Union City.....	Union City in Hudson County.
Vineland City.....	Vineland City in Cumberland County.
West New York Town.....	West New York Town in Hudson County.

New Mexico

Carlsbad City.....	Carlsbad City in Eddy County.
Catron County.....	Catron County.
Balance of Chaves County.....	Chaves County less Roswell City.
Cibola County.....	Cibola County.
Balance of Dona Ana County.....	Dona Ana County less Las Cruces City.
Balance of Eddy County.....	Eddy County less Carlsbad City.
Grant County.....	Grant County.
Guadalupe County.....	Guadalupe County.
Hidalgo County.....	Hidalgo County.
Hobbs City.....	Hobbs City in Lea County.
Las Cruces City.....	Las Cruces City in Dona Ana County.
Balance of Lea County.....	Lea County less Hobbs City.
Luna County.....	Luna County.
McKinley County.....	McKinley County.
Mora County.....	Mora County.
Balance of Otero County.....	Otero County less Alamogordo City.
Rio Arriba County.....	Rio Arriba County.
Roswell City.....	Roswell City in Chaves County.
Balance of San Juan County.....	San Juan County less Farmington City.
San Miguel County.....	San Miguel County.

<http://frwebgate3.access.gpo.gov/cgi-bin/waisgate.cgi?WAISdocID=9945293738+0+0+0&W...> 1/2/02