

MAR 20 1997

970028, 970145 & 970189

SUBJECT: FSP—New Jersey - Request to Waive Section 6(o) of the Food Stamp Act, as Amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996

TO: Christopher Martin, Regional Administrator
Food and Consumer Service
Mid-Atlantic Region

This is in response to the New Jersey State Agency's request to exempt individuals from Section 6(o) of the Food Stamp Act, as amended by Section 824 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

The New Jersey State Agency requested an exemption for individuals in Buena, Buena Vista, Egg Harbor City, Longport and Mullica in Atlantic County, Wallington in Bergen County, Wrightstown in Burlington County, Lawnside in Camden County, Downe in Cumberland County, National Park and Paulsboro in Gloucester County, Quinton in Salem County, and Stillwater in Sussex County, on the basis that there is an unemployment rate over 10 percent in those areas.

The State agency also requested an exemption for individuals residing in the counties of Atlantic, less Atlantic City (already approved as over 10 percent unemployment); Cumberland, less Millville City and Vineland; Gloucester, less Monroe and Washington Townships; and in the cities of Orange Township; Garfield; Hackensack; Linden; Long Branch; Millville; New Brunswick; Plainfield and Vineland; and in Berkeley Township; Egg Harbor Township; Irvington Township; Lakewood Township; Manchester Township; North Bergen Township; Pemberton Township; and in West New York Town, on the basis of insufficient jobs.

We are approving a waiver for Egg Harbor City and the towns of Buena, Buena Vista, Lawnside, Longport, Mullica, Wrightstown, Downe, National Park, Paulsboro and Quinton, because they have unemployment rates above 10 percent. We are not approving a waiver under the 10 percent authority for Wallington and Stillwater because they do not have current unemployment rates above 10 percent. Although Wallington had a 10.3 percent unemployment rate in 1995, the State agency's figures show that it now has an unemployment rate of 9.8 percent. Stillwater's unemployment rate, which was 10.3 percent in 1995, fell to 9.9 percent in 1996.

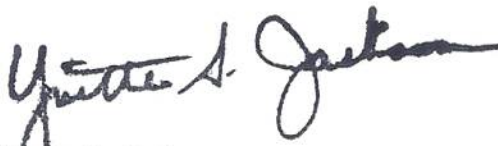
We are approving a waiver based on insufficient jobs for individuals residing in: Atlantic County (including Egg Harbor Township, but excluding Atlantic City, Egg Harbor City, and the towns of Buena, Buena Vista, Longport and Mullica, approved under waiver No. 970028), Cumberland County (including Millville City and Vineland, but excluding Downe, which is approved under waiver No. 970028), Gloucester County (excluding Monroe and Washington Townships, which are not LSAs, and Fairfield, Lawrence, National Park and Paulsboro, which are approved under waiver No. 970028);

the cities of Orange Township, Garfield, Hackensack, Linden, Long Branch, New Brunswick, and Plainfield; Berkeley Township, Irvington Township, Lakewood Township, Manchester Township, North Bergen Township, Pemberton Township; and West New York Town.

The areas are approved because they have been identified by the Employment and Training Administration as being Labor Surplus Areas.

We are approving a six month waiver (No. 970189) for individuals residing in Wallington and Stillwater, based on insufficient jobs. The State agency provided 22 months of data (January 1995 through October 1996). This data showed the unemployment rate for Wallington was 10.3 percent for calendar year 1995, and 9.8 percent for the period from November 1995 through October 1996, and the unemployment rate for Stillwater was also 10.3 percent for calendar year 1995 and 9.9 percent for the period from November 1995 through October 1996. These rates would, if continued for another two months, qualify the municipalities as LSAs for a later period of time. Given that the unemployment rates are almost 10 percent for the most recent period, and as the areas could probably qualify as LSAs, we are approving a six month waiver.

Our response is attached. If you have any questions, please contact Dan Woodhead of my staff at 703-305-2501.


Yvette S. Jackson
Deputy Administrator
Food Stamp Program

Attachment

cc: Joseph Pinto, John Knaus, Joe Shea, Maurice Tracy, All Regions (except MARO)
Civil Rights, CPB (circulate), OAE - Bob Dalrymple

FINAL:FCS:FSP:PDD:CPB:CPI:DWoodhead:REDRAFT:3/13/97:FINAL:3/18/97:va

FC: ABAWDs

DIR: New Jersey ABAWD Waiver Memo 

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PDD-110	unbath	3/18/97			
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Christopher Martin

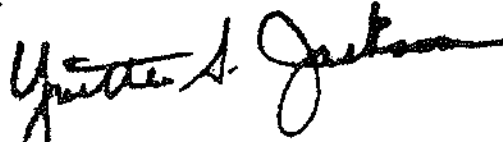
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the cities of Orange Township, Garfield, Hackensack, Linden, Long Branch, New Brunswick, and Plainfield; Berkeley Township, Irvington Township, Lakewood Township, Manchester Township, North Bergen Township, Pemberton Township; and West New York Town.

The areas are approved because they have been identified by the Employment and Training Administration as being Labor Surplus Areas.

We are approving a six month waiver (No. 970189) for individuals residing in Wallington and Stillwater, based on insufficient jobs. The State agency provided 22 months of data (January 1995 through October 1996). This data showed the unemployment rate for Wallington was 10.3 percent for calendar year 1995, and 9.8 percent for the period from November 1995 through October 1996, and the unemployment rate for Stillwater was also 10.3 percent for calendar year 1995 and 9.9 percent for the period from November 1995 through October 1996. These rates would, if continued for another two months, qualify the municipalities as LSAs for a later period of time. Given that the unemployment rates are almost 10 percent for the most recent period, and as the areas could probably qualify as LSAs, we are approving a six month waiver.

Our response is attached. If you have any questions, please contact Dan Woodhead of my staff at 703-305-2501.



Yvette S. Jackson
Deputy Administrator
Food Stamp Program

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Waiver Response

1. **Waiver serial number:** 970028, 970145 & 970189
2. **Type of request:** Initial
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:**
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 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.

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 to exempt individuals in Buena, Buena Vista, Egg Harbor City, Longport and Mullica in Atlantic County, Wallington in Bergen County, Wrightstown in Burlington County, Lawnside in Camden County, Downe in Cumberland County, National Park and Paulsboro in Gloucester County, Quinton in Salem County, and Stillwater in Sussex County, on the basis that there is an unemployment rate over 10 percent in those areas.

The State agency is requesting to exempt individuals residing in the counties of Atlantic (less Atlantic City, which was already approved in the initial approval of waiver No. 970028), Cumberland, Gloucester (less Monroe and Washington

Townships); in the cities of Orange Township, Garfield, Hackensack, Linden, Long Branch, New Brunswick, and Plainfield; and in Berkeley Township, Irvington Township, Lakewood Township, Manchester Township, North Bergen Township, Pemberton Township; and in West New York Town, on the basis of insufficient jobs. The State agency has defined areas with "insufficient jobs" to mean geographic areas which have been designated by the Federal Government as Labor Surplus Areas.

9. **Action and reason for approval or denial:** We are amending waiver No. 970028 to add Egg Harbor City and the towns of Buena, Buena Vista, Lawnside, Longport, Mullica, Wrightstown, Downe, National Park, Paulsboro and Quinton because they have unemployment rates above 10 percent. We are not approving a waiver for Wallington and Stillwater based on unemployment rates above 10 percent because they do not have current unemployment rates above 10 percent. Although Wallington had a 10.3 percent unemployment rate in 1995, the State agency's figures show that it now has an unemployment rate of 9.8 percent. Stillwater's unemployment rate, which was 10.3 percent in 1995, fell to 9.9 percent in 1996.

We are approving a waiver, No. 970145, based on insufficient jobs for individuals residing in: Atlantic County (including Egg Harbor Township, but excluding Atlantic City, Egg Harbor City, and the towns of Buena, Buena Vista, Longport and Mullica, all of which are approved under waiver No. 970028), Cumberland County (including Millville City and Vineland, but excluding Downe, which is approved under waiver No. 970028), Gloucester County (excluding Monroe and Washington Townships, which are not LSAs, and Fairfield, Lawrence, National Park and Paulsboro, which are approved under waiver No. 970028); the cities of Orange Township, Garfield, Hackensack, Linden, Long Branch, New Brunswick, and Plainfield; Berkeley Township, Irvington Township, Lakewood Township, Manchester Township, North Bergen Township, Pemberton Township; and West New York Town.

We are approving a six month waiver (No. 970189) for individuals residing in Wallington and Stillwater, based on insufficient jobs. The State agency provided 22 months of data (January 1995 through October 1996). This data showed the unemployment rate for Wallington was 10.3 percent for calendar year 1995, and 9.8 percent for the period from November 1995 through October 1996, and the unemployment rate for Stillwater was also 10.3 percent for calendar year 1995 and 9.9 percent for the period from November 1995 through October 1996. These rates would, if continued for another two months, qualify the municipalities as LSAs for a later period of time. Given that the unemployment rates are almost 10 percent for the most recent period, and as the areas could probably qualify as LSAs, we are approving a six month waiver.

10. **Regulatory or legislative basis for action:** These waivers are approved pursuant to Section 6(o) of the Food Stamp Act, as amended by Section 824 of the PRWORA, which allows the Secretary to waive the applicability of the work requirement provision in Section 6(o) for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has insufficient jobs.
11. **Conditions and reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data which relies on standard BLS data and/or methods and data indicating a lack of sufficient jobs.
13. **Expiration date:** Waivers No. 970028 and 970145 are approved for the period December 1, 1986 through December 31, 1997. The State agency asked for a nine month waiver. We assume the State agency intended the waiver to run from roughly the date requested (about the end of February 1997) through the end of November 1997. Because waiver No. 970028 was initially approved in November 1996 and expires on December 31, 1997, to avoid confusion, we are giving both of these waivers the same termination date. For consistency with other similar waivers, we have made these waivers retroactive to the first month the State agency could have applied the terms of the waivers. Waiver No. 970189 is approved for the period December 1, 1986 through August 31, 1997. During this period, the State agency will have an opportunity to thoroughly examine the labor market and determine if recent trends support an extension.
14. **Limitation on regional office approval of like requests:** This waiver is limited to the New Jersey State Agency.
15. **Quality Control Procedures:** N/A
16. **Date of national office action:**
17. **Date of State agency's request:** February 21, 1997.
18. **Date of regional office transmittal of response to State agency:**
19. **Actual implementation date:**