

JAN 16 1998

970028 and 970145

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: Joseph Weingart, Regional Director
Food Stamp Program
Mid-Atlantic Region

This is in response to the New Jersey State Agency's memorandum of December 18, 1997, requesting 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. This section limits the receipt of food stamp benefits to 3 months within a 3 year period for able-bodied adults who are not working (or participating in a work program) 20 hours or more each week or participating in workfare. Our response is attached.

If you have any questions, please contact Hayes Brown of my staff at 703-305-2805.

Arthur Foley

Arthur T. Foley
Director
Program Development Division

Attachment

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

FCS:FSP:PDD:CPB:HayesBrown:DRAFT:1/14/98:FINAL:1/16/98:va
DIR: I:CPB:970028 & 970145 ext memo/response

Symbol	Surname	Date	Symbol	Surname	Date
PDD 110	H. Brown	1/16/98			
PDD 110	in Balthus	1/16/98			
PDD	J. Brown	1/16/98			
		1-16-98			

OFFICIAL RECORD COPY

Waiver Response

1. **Waiver serial number:** 970028 & 970145
2. **Type of request:** Extension
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 residing in the municipalities of Atlantic City, Pleasantville, Egg Harbor City, Wrightstown, Bridgeton, Fairfield, Lawrence, Newark, Paulsboro, National Park, Jersey City, Union City, Trenton, Perth Amboy, Asbury Park, Keansburg, Seaside Heights, Passaic, Penns Grove, Salem, and Quinton, 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 or municipalities of Atlantic County (excluding Atlantic City, Pleasantville, and Egg Harbor City), Hackensack, Garfield City, Pemberton, Camden City, Cape May

County, Cumberland County (excluding Bridgeton, Fairfield, and Lawrence), East Orange, Irvington, Orange City, Gloucester County (less Paulsboro, National Park, Monroe Township, and Washington Township), West New York, North Bergen, New Brunswick, Long Branch, Berkeley, Lakewood, Manchester, Paterson, Salem County (excluding Penns Grove, Salem, and Quinton), Elizabeth, Plainfield, and Linden), on the basis of insufficient jobs. The State agency has defined areas with "insufficient jobs" to mean geographic areas that have been designated by the Federal Government as Labor Surplus Areas (LSAs).

9. **Action and reason for approval or denial:** We are approving an extension of waiver No. 970028, based on unemployment rates that exceed 10 percent, and an extension of waiver No. 970145, based on insufficient jobs, for individuals residing in the following areas:

Counties	970028 (10% Unemployment)	970145 (Insufficient Jobs)
Atlantic County	Atlantic City Buena (Borough of) Egg Harbor City Pleasantville (City of)	Balance of Atlantic County
Bergen County		Hackensack (City of) Garfield (City of)
Burlington County	Wrightstown (Borough of)	Pemberton Township
Camden County	Camden (City of)	
Cape May County		Cape May County
Cumberland County	Bridgeton (City of) Fairfield Township Lawrence Township Downe Township	Balance of Cumberland County
Essex County	Newark (City of)	East Orange (City of) Irvington Township Orange City
Gloucester County	Paulsboro (Borough of) National Park (Borough of)	Balance of Gloucester County (excluding Monroe & Washington Townships)
Hudson County	Jersey City Union City	West New York Township North Bergen Township
Mercer County	Trenton (City of)	
Middlesex County	Perth Amboy (City of)	New Brunswick (City of)
Monmouth County	Asbury Park (City of) Keansburg (Borough of)	Long Branch (City of)
Ocean County	Seaside Heights (Borough of)	Berkeley Township Lakewood Township Manchester Township

Counties	970028 (10% Unemployment)	970145 (Insufficient Jobs)
Passaic County	Passaic (City of) Paterson (City of)	
Salem County	Penns Grove (Borough of) Salem (City of) Quinton Township	Balance of Salem County
Union County		Elizabeth (City of) Plainfield (City of) Linden (City of)

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 an unemployment rate of over 10 percent or an insufficient number of 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 No. 970145 are approved for a period of 1 year and expire on December 31, 1998. We are not approving waivers of this type for a period of more than 1 year because labor markets fluctuate and may change significantly within a year.
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:** December 18, 1997.
18. **Date of regional office transmittal of response to State agency:**
19. **Actual implementation date:**

USDA

DEC 22 1997

**United States
Department of
Agriculture**Food and Consumer
Service

Mid-Atlantic Region

Mercer Corporate Park
300 Corporate Boulevard
Robbinsville, N.J. 08691-1598

Date:

Reply to Attention of:

State Operations Section, FSP, MARO

Subject:

ABAWD Waivers #970028 & 970145 (New Jersey)

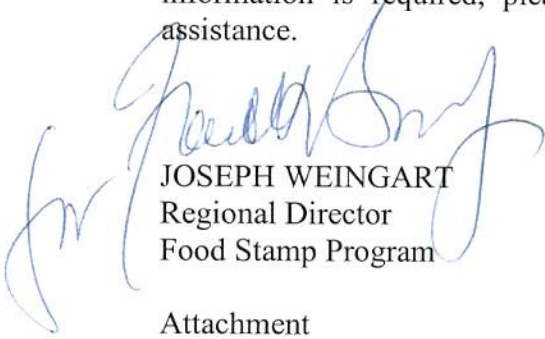
To:

Arthur Foley
Division Director
Program Development Division

Please find attached New Jersey's request to extend the subject waivers. The waivers are for areas that have an unemployment rate greater than ten percent and/or are designated as labor surplus areas. At this time, New Jersey has chosen not to exercise the option to waive an additional fifteen percent of their ABAWD population.

The information submitted for the labor statistics was supplied by the New Jersey Department of Labor. The only changes from the expiring waivers are that all of Salem County is now eligible for a waiver as a labor surplus area and the Borough of Lawnside in Camden County no longer meets the criteria for exemption.

If there are any questions regarding the information submitted or additional information is required, please contact Karen Bowden at (609)259-5081 for assistance.



JOSEPH WEINGART
Regional Director
Food Stamp Program

Attachment





State of New Jersey
DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
CN-716
TRENTON NJ 08625-0716

CHRISTINE TODD WHITMAN
Governor

December 18, 1997

WILLIAM WALDMAN
Commissioner

KAREN HIGHSMITH
Director

TEL (609) 588-2000

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

Dear Mr. Weingart:

We are writing to request waivers for areas that are to be exempted from the Able Bodied Adults Without Dependents (ABAWDs) provisions for calendar year 1998. The requested waivers are based on areas that have an unemployment rate greater than ten percent and/or are designated as labor surplus areas. At this time, we are not choosing to exercise the option to waive an additional fifteen percent of the ABAWDs.

Enclosed is the data supplied by the New Jersey Department of Labor listing those areas that qualify for the waiver based on an unemployment rate greater than ten percent and/or are labor surplus areas. The only changes from our current waivers that expire on December 31, 1997 are that all of Salem County is now eligible for a waiver as a labor surplus area and the Borough of Lawnside in Camden County no longer meets the criteria for exemption. Additionally the waivers for Wallington in Bergen County and Stillwater in Sussex County have already expired and do not meet the waiver criteria.

Your prompt approval of this request will be appreciated.

Sincerely,

Karen Highsmith
Director

KH:HMSR

Enclosure

c David Heins
Gene Martorony
Marybeth Schaedel
William Robinson

**Food Stamp ABAWD Population for Municipalities
with Unemployment Rates Over 10%
or Designated as a Labor Surplus Area**

Effective 11/3/97

<u>COUNTY/MUNICIPALITY</u>	<u>CLIENTS</u>
ATLANTIC	
Atlantic City *	1,052
Pleasantville *	101
Egg Harbor City *	22
Balance of County	<u>334</u>
	1,509
BERGEN	
Hackensack	136
Garfield City	<u>59</u>
	195
BURLINGTON	
Wrightstown *	15
Pemberton	<u>120</u>
	135
CAMDEN	
Camden City	<u>2,210</u>
	2,210
CAPE MAY	
	331
CUMBERLAND	
Bridgeton *	282
Fairfield *	29
Lawrence *	8
Balance of County	<u>689</u>
	1,008

* Unemployment of 10%

COUNTY/MUNICIPALITY**CLIENTS****ESSEX**

East Orange	958
Newark *	8,218
Irvington	698
Orange City	<u>364</u>
	10,238

GLOUCESTER

Paulsboro *	39
National Park *	1
Glassboro	50
Woodbury	41
Balance of County	<u>202</u>
(except Monroe & Washington)	333

HUDSON

Jersey City *	2,146
Union City *	270
West New York	131
North Bergen	<u>105</u>
	2,652

HUNTERDON

0

MERCER

Trenton *	1,796
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MIDDLESEX

Perth Amboy *	210
New Brunswick	<u>216</u>
	426

MONMOUTH

Asbury Park *	380
Keansburg *	79
Long Branch	<u>244</u>
	703

<u>COUNTY/MUNICIPALITY</u>	<u>CLIENTS</u>
MORRIS	0
OCEAN	
Seaside Heights *	40
Berkeley	31
Lakewood	338
Manchester	<u>25</u>
	434
PASSAIC	
Passaic *	537
Patterson	<u>2,481</u>
	3,018
SALEM	
Penns Grove *	45
Salem *	75
Quinton *	2
Balance of County	<u>196</u>
	316
SOMERSET	0
SUSSEX	0
UNION	
Elizabeth	1,111
Plainfield	398
Linden	<u>97</u>
	1,606
WARREN	0
TOTAL ABAWDS	31,815
TOTAL EXEMPTED	<u>26,912</u>
NON-EXEMPT ABAWDS	4,903

* Unemployment of 10%

MEMORANDUM

TO: J. Robert White, Director
Workforce New Jersey - Support

FROM: Shirley Goetz, Director
Labor Market and Demographic Research

SUBJECT: Data Requested for Food Stamp Waiver

DATE: 10/6/97

Enclosed you will find a list of municipalities by county, that meet the greater then 10.0 percent unemployment rate for the most recent 12 month period (9/96 - 8/97 preliminary). Please note that only Cape May County in its entirety meets that threshold.

Also enclosed are a draft of an article which will be published in the October Economic Indicators on labor surplus areas for fiscal year 1998 and a table of all current labor surplus areas with a precise civil jurisdiction definition.

If you have any further questions, please contact Ron Parker of my staff at (609) 292-2582.

Enc.

c: D. Felsheim

R. Parker

B. Robinson

Food Stamp Employment and Training Program (FSETP)

LABOR FORCE ESTIMATES BY MUNICIPALITY
9/96 THRU 8/97(P) AREAS GE 10.1%

For The County of Atlantic

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Atlantic City	20,185	17,455	2,730	13.5
Buena	2,363	2,014	349	14.8
Egg Harbor City	2,337	2,083	254	10.9
Pleasantville	9,177	8,065	1,112	12.1

For The County of Burlington

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Wrightstown	1,154	1,031	123	10.7

For The County of Camden

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Camden	32,682	27,636	5,046	15.4

For The County of Cumberland

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Bridgeton	8,112	7,104	1,008	12.4
Downe	821	736	85	10.4
Fairfield	2,931	2,461	470	16.0
Lawrence	1,153	1,020	133	11.5

For The County of Essex

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Newark	114,440	100,594	13,846	12.1

For The County of Gloucester

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
National Park	1,743	1,553	190	10.9
Paulsboro	2,978	2,637	341	11.5

For The County of Hudson

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Jersey City	114,423	102,455	11,968	10.5
Union City	30,151	26,986	3,165	10.5

For The County of Mercer

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Trenton	40,565	36,211	4,354	10.7

For The County of Middlesex

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Perth Amboy	22,898	20,578	2,320	10.1

For The County of Monmouth

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Asbury Park	8,858	7,883	975	11.0
Keansburg	5,685	5,102	583	10.3

For The County of Ocean

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Seaside Heights	1,280	1,122	158	12.3

For The County of Passaic

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Passaic	28,597	25,294	3,303	11.6
Paterson	67,662	59,780	7,882	11.6

For The County of Salem

Municipality	Labor Force	Employment	Unemployment	Unemployment Rate
Penns Grove	2,281	1,951	330	14.5
Quinton	1,152	1,018	134	11.6
Salem	2,898	2,476	422	14.6

New Jersey Department of Labor
 Labor Research and Analysis
 Bureau of Labor Force Statistics
 Local Area Unemployment Statistics
 October 3, 1997
 1996 Benchmark

New Labor Surplus Areas Designated
by David Felsheim, Division of Labor Market & Demographic Research

The U.S. Department of Labor has released an updated list of labor surplus areas as authorized by executive orders 12073 and 10582. Employers in labor surplus areas are eligible for preference in bidding on designated Federal contracts. The purpose in providing preference is to direct the Federal government's procurement dollars into areas with significantly higher-than-national rates of unemployment. The latest classifications are effective from October 1, 1997 to September 30, 1998.

Salem County has been added to the labor surplus list. The number of eligible areas now stands at 33. The updated list includes the previously designated cities of Atlantic City, Camden, East Orange, Elizabeth, Garfield, Hackensack City, Jersey City, Linden, Long Branch, Millville, New Brunswick, Newark, Passaic, Paterson, Perth Amboy, Plainfield, Trenton, Union, Vineland; the town of West New York; the townships of Berkeley, Egg Harbor, Irvington, Lakewood, Manchester, North Bergen, Orange City and Pemberton; Cape May County, the Balance of Atlantic County (County less Atlantic City and Egg Harbor township), the Balance of Cumberland County (County less Millville and Vineland), and Balance of Gloucester County (County less Monroe and Washington Townships).

To be designated for the labor surplus classification, an area must be a county or a civil jurisdiction of at least 25,000 in population and have an unemployment rate, determined by the New Jersey Department of Labor and the U.S. Bureau of Labor Statistics, of at least 20 percent above the national average (including Puerto Rico) for the previous two calendar years. For the current classification period, an area must have an average unemployment rate in calendar years 1995 and 1996 of at least 6.7 percent.

The labor surplus area listing and a complete description of the classification criteria, as well as updates to the annual listing, are published in *Area Trends in Employment and Unemployment*, a monthly publication prepared by the U.S. Department of Labor's Employment and Training Administration.

Employers located in labor surplus areas and interested in bidding on Federal contracts should consult the *Commerce Business Daily*, which lists Federal contract requirements and indicates those to be awarded under preference procedures.

Both of these publications are available by subscription. Further information may be obtained by writing to the Superintendent of Documents, US Government Printing Office, Washington, DC 20402 or by calling (202-512-1800).

Employers may obtain additional contracting information from the nearest Business Service Center of the General Services Administration. Employers located in Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic or Union counties may call (212) 264-1236 or write to Colleen Pappas, Procurement Analyst, Business Service Center, Room 18-130, General Service Administration, Jacob K. Javits Building, 26 Federal Plaza, New York, NY 10278. Employers located in the other counties of New Jersey may call (215) 656-5525 or write to James Gillern, Director of Program Services, Mid-Atlantic Business Service Center, General Services Administration, Wanamaker Building, 100 Penn Square East, Room 829, Philadelphia, PA 19107.

Employers or other interested persons needing more information on the classification procedure may also contact the New Jersey Department of Labor by calling (609) 292-2568 or writing to the New Jersey Department of Labor, Division of Labor Market and Demographic Research, Local Area Unemployment Statistics, P.O. Box 383, Trenton, NJ 08625-0383.

New Jersey Labor Surplus Areas * **Eligible for Federal Procurement Preference** **From October 1, 1997 Through September 30, 1998**

Counties

Cape May County
 Salem County

Balance of Counties

Balance of Atlantic County

Balance of Cumberland County

Balance of Gloucester County

Cities

Atlantic City
 Berkeley
 Camden
 East Orange
 Egg Harbor
 Elizabeth
 Garfield
 Hackensack City
 Irvington
 Jersey City
 Lakewood
 Linden
 Long Branch
 Manchester
 Millville
 New Brunswick
 Newark
 North Bergen
 Orange
 Passaic
 Paterson
 Pemberton
 Perth Amboy
 Plainfield
 Trenton
 Union City
 Vineland
 West New York

Political Jurisdiction Includes

Cape May County
 Salem County

Atlantic County less Atlantic City
 Egg Harbor Township
 Cumberland County less Millville City
 Vineland City
 Gloucester County less Monroe Township
 Washington Township

Atlantic City in Atlantic County
 Berkeley Township in Ocean County
 Camden City in Camden County
 East Orange City in Essex County
 Egg Harbor Township in Atlantic County
 Elizabeth City in Union County
 Garfield City in Bergen County
 Hackensack City in Bergen County
 Irvington Township in Essex County
 Jersey City in Hudson County
 Lakewood Township in Ocean County
 Linden City in Union County
 Long Branch City in Monmouth County
 Manchester Township in Ocean County
 Millville City in Cumberland County
 New Brunswick City in Middlesex County
 Newark City in Essex County
 North Bergen Township in Hudson County
 Orange City in Essex County
 Passaic City in Passaic County
 Paterson City in Passaic County
 Pemberton Township in Burlington County
 Perth Amboy City in Middlesex County
 Plainfield City in Union County
 Trenton City in Mercer County
 Union City in Hudson County
 Vineland City in Cumberland County
 West New York City in Hudson County

* All jurisdictions with a population of at least 25,000 are considered for classification as labor surplus areas.

The annual classifications are based on an average of each area's unemployment rate for the previous two calendar years. By using this reference period, it is possible to target Federal procurement contracts into areas experiencing high structural unemployment, that is, unemployment relatively long-term in nature and due primarily to workers' lack of skills rather than to cyclical factors. To be included on this labor surplus list, an area must have had an average unemployment rate of at least 6.7 percent during the two-year period from January 1995 through December 1996.

The U.S. Department of Labor may waive the eligibility criteria when a sudden and unforeseen rise in the unemployment rate occurs that was not reflected in the reference period. Such instances can arise due to natural disasters, plant closings, contract cancellations, and so forth, that have a substantial impact on the area's unemployment.

Source: U.S. Department of Labor, Employment and Training Administration, October 1, 1997.