

MAY 15 2007

970028

SUBJECT: FSP – New Jersey Request for Extension of Waiver 970028

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

This is in response to your email dated April 12, 2007, which requested the exemption of various counties/municipalities in the State of New Jersey from the work requirements stipulated in 7 CFR 273.24. The State submitted a waiver request that includes Fiscal Year 2007 Labor Surplus Areas and two aggregate regions, and two townships, which exceeded the national unemployment rate by 20 percent for the accounting period December 2004 through November 2006.

The waiver request refers to calendars years, which is not correct. The accounting period listed throughout the waiver is December 2004 through November 2006. Also, with respect to the justification for exempting Region 1, please remind the State agency that the LSA status of a jurisdiction is immaterial if the State is including that jurisdiction in an area for purposes of calculating the ABAWD exemption.

The waiver is approved as requested, effective May 1, 2007, and it will expire April 30, 2008. The attached Waiver Response provides specific details. Please remind the state that in the future all waiver extensions must be submitted 60 days prior to expiration.

If you have any questions, please contact Dwight Ricker.

Patrick Waldron (for)

Patrick Waldron
Chief
Certification Policy Branch
Program Development Division

FINAL:FNS:FSP:PDD:CPB:DRICKER:041707:VW
DIR:I:CPB:WAIVERS: 970028 –NJ (ABAWD) FY07

Symbol	Surname	Date	Symbol	Surname	Date
	<i>PA</i>	<i>5/15/07</i>			

OFFICIAL RECORD COPY

WAIVER RESPONSE

1. **Waiver serial number:** 970028
2. **Type of request:** Extension
3. **Primary regulation citation, if any:** 7 CFR 273.24(f)
4. **Secondary regulation citation, if any:** 7 CFR 273.24 (f)(3)(iii)
5. **State:** New Jersey
6. **Region:** MARO
7. **Regulatory requirements:** The Food Stamp Program Regulations at 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.

In addition, 7 CFR 273.24 (f) (3) (iii) permits states to use data from the BLS or the BLS cooperating agency that an area has a 24-month average unemployment rate that exceeds the national average by 20 percent for any 24-month period no earlier than the same periods the ETA used to designate Labor Surplus Areas (LSA) for the current fiscal year.

8. **Proposed procedures:** The New Jersey Department of Human Services, Division of Family Development is requesting a waiver exempting individuals residing in select municipalities from the ABAWD requirements, because they have been classified as LSAs by the U.S. Department of Labor. The municipalities are: Garfield City in Bergen County, Willingboro Township in Burlington County, Camden City in Camden County; East Orange, Irvington Township, and the City of Orange, in Essex County, City of Trenton in Mercer County; City of Perth Amboy in Middlesex County; Neptune Township in Monmouth County, Berkeley Township in Ocean County, and Elizabeth City and Plainfield City in Union County.

The State is also requesting a waiver to add six counties and one city within two regions because the unemployment rate is at least 20 percent above the national average from December 2004 through November 2006. During this period, the national average unemployment rate plus 20 percent is 5.9.

Region 1:

Area	Total No. of Unemployed	Total Labor Force	Unemployment Rates (%)
Newark City	219,677	2,510,686	8.7
Hudson County	392,293	6,988,544	5.6
Passaic County	322,006	5,698,550	5.6
TOTAL	933,976	15,197,780	6.1

Region 2:

Area	Total No. of Unemployed	Total Labor Force	Unemployment Rates (%)
Atlantic County	182,275	3,337,460	5.5
Cape May	94,016	1,412,595	6.7
Cumberland County	112,515	1,705,497	6.6
Salem County	38,055	758,748	5.0
Total	426,861	7,214,310	5.91
Townships			
Manchester	16,458	272,598	6.0
Winslow	28,622	469,218	6.1

The state is also requesting an exemption for two townships: Manchester and Winslow, because their unemployment rate is at least 20 percent above the national average from December 2004 through November 2006.

9. **Action and reason for approval or denial:** The waiver is approved as requested. The following municipalities are approved:

LSA: Garfield City, Willingboro Township, Camden City, East Orange, Irvington Township, City of Orange, Trenton, City of Perth Amboy, Neptune Township, and Elizabeth, Plainfield, and Berkeley Township.

Regions One and Two: Newark City and Hudson, Passaic, Atlantic, Cape May, Cumberland and Salem Counties.

Townships (December 2004/November 2006) Manchester and Winslow.

10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24 which allows the Food and Nutrition Service to waive the applicability of the work requirements provisions in 7 CFR 273.24 for any group of individuals in the State if FNS makes a determination that the area in which the individuals reside has an insufficient number of jobs.
11. **Conditions and Reasons:** N/A
12. **Information required for extension:** Please submit supporting unemployment data that relies on standard Bureau of Labor Statistics data and/or methods and data indicating unemployment over 10 percent or a lack of sufficient jobs.
13. **Expiration date:** April 30, 2008
14. **Limitation:** Limited to New Jersey State agency.
15. **Quality Control Procedures:** N/A
16. **Date of national office actions:**
17. **Date of State agency's request:**
18. **Date of regional office transmittal of response to national office:**
19. **Actual implementation date:**