

April 3, 2008

970028

SUBJECT: FSP – New Jersey 2008 Request for Extension of Waiver 970028

TO: William Kluxen, Regional Director
Food Stamp Program
Mid-Atlantic Region

This is in response to your email forwarding the New Jersey State agency's request for an extension and modification of its current waiver exempting residents of various counties and municipalities in the State of New Jersey from the work requirements stipulated in 7 CFR 273.24. The waiver is based on insufficient jobs as indicated by an unemployment rate that exceeded the national unemployment rate by 20 percent for the accounting period from November 2005 through October 2007.

Our response approving the waiver as requested is attached. If you have any questions, please contact Larry Tropp by email at larry.tropp@fns.usda.gov or by telephone at (703) 305-2504.

/S/

Patrick Waldron
Chief
Certification Policy Branch
Program Development Division

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 13 counties in two multi-county regions and ten stand-alone cities and towns based on an unemployment rate greater than 20 percent above the national average for the 24-month period from November 2005 through October 2007. The national unemployment rate for the period was 4.6 percent with an approval threshold (20 percent above the national average) of 5.5 percent. The areas, including the supporting labor force data are listed in the tables below:

Region 1

County	Labor Force	Unemployed	Unemployment Rate
Essex County	8,862,331	498,308	5.6
Hudson County	7,029,027	374,606	5.3
Passaic County	5,750,928	317,414	5.5
Total for the Region	21,642,286	1,190,328	5.5

Region 2

County	Labor Force	Unemployed	Unemployment Rate
Atlantic County	3,326,315	193,132	5.8
Camden County	6,525,356	323,646	5.0
Cape May County	1,410,640	94,160	6.7
Cumberland County	1,688,451	113,915	6.7
Salem County	772,974	38,489	5.0
Total for the Region	13,723,736	763,342	5.6

Other Areas

Area	Labor Force	Unemployed	Unemployment Rate
Berkeley township	305,070	17,480	5.7
Elizabeth city	1,330,538	88,106	6.6
Garfield city	379,825	23,938	6.3
Manchester township	273,829	17,185	6.3
Neptune township	352,049	19,928	5.7
Pemberton township	361,198	20,319	5.6
Perth Amboy city	531,748	45,823	8.6
Plainfield city	610,705	38,556	6.3
Trenton city	956,144	98,336	10.3
Willingboro township	411,891	23,630	5.7

9. **Action and reason for approval or denial:** Based on the data provided by the State agency, which was originally extracted from the Bureau of Labor Statistics website, we are approving the waiver as requested.
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, 2009
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:** March 12, 2008
18. **Date of regional office transmittal of response to national office:** March 11, 2008 (advance copy by email)
19. **Actual implementation date:**