

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Child Nutrition Programs—Income Eligibility Guidelines

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** This Notice announces the Department's annual adjustments to the Income Eligibility Guidelines to be used in determining eligibility for free and reduced price meals and free milk for the period from July 1, 2008 through June 30, 2009. These guidelines are used by schools, institutions, and facilities participating in the National School Lunch Program (and Commodity School Program), School Breakfast Program, Special Milk Program for Children, Child and Adult Care Food Program and Summer Food Service Program. The annual adjustments are required by section 9 of the Richard B. Russell National School Lunch Act. The guidelines are intended to direct benefits to those children most in need and are revised annually to account for changes in the Consumer Price Index.

**DATES:** *Effective Date:* July 1, 2008.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert M. Eadie, Chief, Policy and Program Development Branch, Child Nutrition Division, FNS, USDA, Alexandria, Virginia 22302, or by phone at (703) 305-2590.

**SUPPLEMENTARY INFORMATION:** This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601-612) and thus is exempt from the provisions of that Act.

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), no new recordkeeping or reporting requirements have been included that are subject to approval from the Office of Management and Budget.

This notice has been determined to be not significant and was reviewed by the

Office of Management and Budget in conformance with Executive Order 12866.

These programs are listed in the Catalog of Federal Domestic Assistance under No. 10.553, No. 10.555, No. 10.556, No. 10.558 and No. 10.559 and are subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR Part 3015, Subpart V, and the final rule related notice published at 48 FR 29114, June 24, 1983.)

#### Background

Pursuant to sections 9(b)(1) and 17(c)(4) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)(1) and 42 U.S.C. 1766(c)(4)), and sections 3(a)(6) and 4(e)(1)(A) of the Child Nutrition Act of 1966 (42 U.S.C. 1772(a)(6) and 1773(e)(1)(A)), the Department annually issues the Income Eligibility Guidelines for free and reduced price meals for the National School Lunch Program (7 CFR Part 210), the Commodity School Program (7 CFR Part 210), School Breakfast Program (7 CFR Part 220), Summer Food Service Program (7 CFR Part 225) and Child and Adult Care Food Program (7 CFR Part 226) and the guidelines for free milk in the Special Milk Program for Children (7 CFR Part 215). These eligibility guidelines are based on the Federal income poverty guidelines and are stated by household size. The guidelines are used to determine eligibility for free and reduced price meals and free milk in accordance with applicable program rules.

#### Definition of Income

In accordance with the Department's policy as provided in the Food and Nutrition Service publication *Eligibility Guidance for School Meals Manual*, "income," as the term is used in this Notice, means income before any deductions such as income taxes, Social Security taxes, insurance premiums, charitable contributions and bonds. It includes the following: (1) Monetary compensation for services, including wages, salary, commissions or fees; (2) net income from nonfarm self-employment; (3) net income from farm self-employment; (4) Social Security; (5) dividends or interest on savings or bonds or income from estates or trusts; (6) net rental income; (7) public assistance or welfare payments; (8)

unemployment compensation; (9) government civilian employee or military retirement, or pensions or veterans payments; (10) private pensions or annuities; (11) alimony or child support payments; (12) regular contributions from persons not living in the household; (13) net royalties; and (14) other cash income. Other cash income would include cash amounts received or withdrawn from any source including savings, investments, trust accounts and other resources that would be available to pay the price of a child's meal.

"Income," as the term is used in this Notice, does not include any income or benefits received under any Federal programs that are excluded from consideration as income by any statutory prohibition. Furthermore, the value of meals or milk to children shall not be considered as income to their households for other benefit programs in accordance with the prohibitions in section 12(e) of the Richard B. Russell National School Lunch Act and section 11(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1760(e) and 1780(b)).

#### The Income Eligibility Guidelines

The following are the Income Eligibility Guidelines to be effective from July 1, 2008 through June 30, 2009. The Department's guidelines for free meals and milk and reduced price meals were obtained by multiplying the year 2008 Federal income poverty guidelines by 1.30 and 1.85, respectively, and by rounding the result upward to the next whole dollar.

This Notice displays only the annual Federal poverty guidelines issued by the Department of Health and Human Services figures because the monthly and weekly Federal poverty guidelines are not used to determine the Income Eligibility Guidelines. The chart details the free and reduced price eligibility criteria for monthly income, income received twice monthly (24 payments per year), income received every two weeks (26 payments per year) and weekly income.

Income calculations are made based on the following formulas: Monthly income is calculated by dividing the annual income by 12; twice monthly income is computed by dividing annual income by 24; income received every two weeks is calculated by dividing annual income by 26; and weekly income is computed by dividing annual

income by 52. All numbers are rounded upward to the next whole dollar. The numbers reflected in this notice for a

family of four in the 48 contiguous states, the District of Columbia, Guam and the territories represent an increase

of 2.7% over last year's level for a family of the same size.

**INCOME ELIGIBILITY GUIDELINES**  
[Effective from July 1, 2008 to June 30, 2009]

Household size	Federal poverty guidelines Annual	Reduced price meals—185%					Free meals—130%				
		Annual	Monthly	Twice per month	Every two weeks	Weekly	Annual	Monthly	Twice per month	Every two weeks	Weekly
<b>48 Contiguous States, District of Columbia, Guam, and Territories</b>											
1 .....	10,400	19,240	1,604	802	740	370	13,520	1,127	564	520	260
2 .....	14,000	25,900	2,159	1,080	997	499	18,200	1,517	759	700	350
3 .....	17,600	32,560	2,714	1,357	1,253	627	22,880	1,907	954	880	440
4 .....	21,200	39,220	3,269	1,635	1,509	755	27,560	2,297	1,149	1,060	530
5 .....	24,800	45,880	3,824	1,912	1,765	883	32,240	2,687	1,344	1,240	620
6 .....	28,400	52,540	4,379	2,190	2,021	1,011	36,920	3,077	1,539	1,420	710
7 .....	32,000	59,200	4,934	2,467	2,277	1,139	41,600	3,467	1,734	1,600	800
8 .....	35,600	65,860	5,489	2,745	2,534	1,267	46,280	3,857	1,929	1,780	890
For each add'l family member, add .....	3,600	6,660	555	278	257	129	4,680	390	195	180	90
<b>Alaska</b>											
1 .....	13,000	24,050	2,005	1,003	925	463	16,900	1,409	705	650	325
2 .....	17,500	32,375	2,698	1,349	1,246	623	22,750	1,896	948	875	438
3 .....	22,000	40,700	3,392	1,696	1,566	783	28,600	2,384	1,192	1,100	550
4 .....	26,500	49,025	4,086	2,043	1,886	943	34,450	2,871	1,436	1,325	663
5 .....	31,000	57,350	4,780	2,390	2,206	1,103	40,300	3,359	1,680	1,550	775
6 .....	35,500	65,675	5,473	2,737	2,526	1,263	46,150	3,846	1,923	1,775	888
7 .....	40,000	74,000	6,167	3,084	2,847	1,424	52,000	4,334	2,167	2,000	1,000
8 .....	44,500	82,325	6,861	3,431	3,167	1,584	57,850	4,821	2,411	2,225	1,113
For each add'l family member, add .....	4,500	8,325	694	347	321	161	5,850	488	244	225	113
<b>Hawaii</b>											
1 .....	11,960	22,126	1,844	922	851	426	15,548	1,296	648	598	299
2 .....	16,100	29,785	2,483	1,242	1,146	573	20,930	1,745	873	805	403
3 .....	20,240	37,444	3,121	1,561	1,441	721	26,312	2,193	1,097	1,012	506
4 .....	24,380	45,103	3,759	1,880	1,735	868	31,694	2,642	1,321	1,219	610
5 .....	28,520	52,762	4,397	2,199	2,030	1,015	37,076	3,090	1,545	1,426	713
6 .....	32,660	60,421	5,036	2,518	2,324	1,162	42,458	3,539	1,770	1,633	817
7 .....	36,800	68,080	5,674	2,837	2,619	1,310	47,840	3,987	1,994	1,840	920
8 .....	40,940	75,739	6,312	3,156	2,914	1,457	53,222	4,436	2,218	2,047	1,024
For each add'l family member, add .....	4,140	7,659	639	320	295	148	5,382	449	225	207	104

**Authority:** 42 U.S.C. 1758(b)(1).

Dated: April 4, 2008.

**Roberto Salazar,**  
Administrator.

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**DEPARTMENT OF AGRICULTURE**

**Forest Service**

**Newspapers To Be Used for Publication of Legal Notice of Appealable Decisions and Publication of Notice of Proposed Actions for Southern Region; Alabama, Kentucky, Georgia, Tennessee, Florida, Louisiana, Mississippi, Virginia, West Virginia, Arkansas, Oklahoma, North Carolina, South Carolina, Texas, Puerto Rico**

**AGENCY:** Forest Service, USDA.

**ACTION:** Notice.

**SUMMARY:** Deciding Officers in the Southern Region will publish notice of

decisions subject to administrative appeal under 36 CFR parts 215 and 217 in the legal notice section of the newspapers listed in the **SUPPLEMENTARY INFORMATION** section of this notice. As provided in 36 CFR part 215.5 and 36 CFR part 217.5(d), the public shall be advised through **Federal Register** notice, of the newspaper of record to be utilized for publishing legal notice of decisions. Newspaper publication of notice of decisions is in addition to direct notice of decisions to those who have requested it and to those who have participated in project planning. Responsible Officials in the Southern Region will also publish notice of proposed actions under 36 CFR part 215 in the newspapers that are listed in the **SUPPLEMENTARY INFORMATION** section of this notice. As provided in 36 CFR part 215.5, the public shall be advised, through **Federal Register** notice, of the newspaper of record to be utilized for publishing notices on proposed actions. Additionally, the Deciding Officers in the Southern Region will publish notice

of the opportunity to object to a proposed authorized hazardous fuel reduction project under 36 CFR part 218.4 in the legal notice section of the newspapers listed in the **SUPPLEMENTARY INFORMATION** section of this notice. **DATES:** Use of these newspapers for purposes of publishing legal notice of decisions subject to appeal under 36 CFR parts 215 and 217, notices of proposed actions under 36 CFR part 215, and notices of the opportunity to object under 36 CFR part 218 shall begin on or after the date of this publication. **FOR FURTHER INFORMATION CONTACT:** James W. Bennett, Regional Appeal Review Team Manager, Southern Region, Planning, 1720 Peachtree Road, NW., Atlanta, Georgia 30309, Phone: 404/347-2788. **SUPPLEMENTARY INFORMATION:** Deciding Officers in the Southern Region will give legal notice of decisions subject to appeal under 36 CFR part 217, the Responsible Officials in the Southern Region will give notice of decisions subject to appeal under 36 CFR part 215