



Dated: March 19, 2012.
Jeffrey J. Tribiano,
Acting Administrator, Food and Nutrition
Service.
[FR Doc. 2012-7033 Filed 3-22-12; 8:45 am]
BILLING CODE 3410-30-P

**DEPARTMENT OF
AGRICULTURE—Food and Nutrition
Service**

**Agency Information Collection
Activities: Proposed Collection;
Comment Request—Supplemental
Nutrition Assistance Program,
Administrative Review Requirements—
Food Retailers and Wholesalers**

AGENCY: Food and Nutrition Service
(FNS), USDA. **ACTION:** Notice.

SUMMARY: In accordance with the
Paperwork Reduction Act of 1995, this
notice invites the general public and other
public agencies to comment on proposed
information collections. The proposed
collection is a revision of a currently
approved collection.

DATES: Written comments must be
received on or before May 22, 2012 to be
assured of consideration.

ADDRESSES: Comments are invited on
(a) Whether the proposed collection of
information is necessary for the proper
performance of the functions of the
agency, including whether the
information has practical utility; (b) the
accuracy of the agency's estimate of the
burden of the proposed collection of
information, including the validity of the
methodology and assumptions that were
used; (c) ways to enhance the quality,
utility, and clarity of the information to be
collected; and (d) ways to minimize the
burden of the collection of information on
those who are to respond, including the
use of appropriate automated, electronic,
mechanical, or other technological
collection techniques or other forms of
information technology.

Comments may be sent to Karen
Walker, Chief, Administrative Review
Branch, Benefit Redemption Division,
U.S. Department of Agriculture, Food and
Nutrition Service, 3101 Park Center Drive,
Room 438, Alexandria, Virginia 22302.
Comments may also be submitted via fax
to the attention of
Karen Walker at (703) 305-2822, or via
email to brdhdq-web@fns.usda.gov.

All written comments will be open for
public inspection at the office of the Food
and Nutrition Service during regular

business hours (8:30 a.m. to 5 p.m.,
Monday through Friday) at 3101
Park Center Drive, Alexandria, Virginia
22302, Room 438.

All responses to this notice will be
summarized and included in the request
for Office of Management and Budget
(OMB) approval. All comments will be a
matter of public record. **FOR FURTHER
INFORMATION CONTACT:** Requests
for additional information should be
directed to Karen Walker, (703) 305-2822.

SUPPLEMENTARY INFORMATION:

Title: Request for Administrative Review.
OMB Number: 0584-0520.
Expiration Date: August 31, 2012.

Type of Request: Revision of a currently
approved collection of information.

Abstract: The Food and Nutrition Service
(FNS) of the U.S. Department of Agriculture is
the Federal agency responsible for the
Supplemental Nutrition Assistance Program
(SNAP).

The Food and Nutrition Act of 2008, (7
U.S.C. 2011-2036) requires that the FNS
determine the eligibility of retail food stores
and certain food service organizations in order
to participate in SNAP. If a food retailer or
wholesale food concern is aggrieved by certain
administrative action by FNS, that store has the
right to file a written request for review of the
administrative action with
FNS.

Respondents: Business-for-profit: Retail food
stores and wholesale food concerns.
Estimated Number of Respondents:
897.

Number of Responses per
Respondent: 1.2.

Estimated Total Annual Response per
Respondent: 1,076.4

Estimated Time per Response: Public
reporting burden for this collection of
information is estimated to average 0.17 of an
hour per response.

*Estimated Total Annual Burden on
Respondents:* 183.00 hours.

Dated: March 19, 2012.

Jeffrey J. Tribiano,
*Acting Administrator, Food and Nutrition
Service.*
[FR Doc. 2012-7034 Filed 3-22-12; 8:45 am]
BILLING CODE 3410-30-P

**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, 2012 through June 30, 2013. 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, 2012. **FOR**

FURTHER INFORMATION CONTACT:
William Wagoner, Supervisory Program
Analyst, School Programs Section, Child
Nutrition Division, Food and Nutrition
Service (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 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.

The affected 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 Manual for School Meals*, "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, 2012 through June 30, 2013. The Department's guidelines for free meals and milk and reduced price meals were obtained by multiplying the year 2012 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 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 3.1% over last year's level for a family of the same size.

INCOME ELIGIBILITY GUIDELINES											
Effective from July 1, 2012 to June 30, 2013											
HOUSEHOLD SIZE	FEDERAL POVERTY GUIDELINES	REDUCED PRICE MEALS -185 %									
	ANNUAL	ANNUAL	MONTHLY	TWICE PER MONTH	EVERY TWO WEEKS	WEEKLY	ANNUAL	MONTHLY	TWICE PER MONTH	EVERY TWO WEEKS	WEEKLY
48 CONTIGUOUS STATES, DISTRICT OF COLUMBIA, GUAM, AND TERRITORIES											
1	11,170	20,665	1,723	862	795	398					
2	15,130	27,991	2,333	1,167	1,077	539					
3	19,090	35,317	2,944	1,472	1,359	680					
4	23,050	42,643	3,554	1,777	1,641	821					
5	27,010	49,969	4,165	2,083	1,922	961					
6	30,970	57,295	4,775	2,388	2,204	1,102					
7	34,930	64,621	5,386	2,693	2,486	1,243					
8	38,890	71,947	5,996	2,998	2,768	1,384					
For each add'l family member, add	3,960	7,326	611	306	282	141					

Authority: 42 U.S.C. 1758(b)(1). Dated: March 19, 2012. Jeffrey J. Tribiano, Acting Administrator. [FR Doc. 2012-7036 Filed 3-22-12; 8:45 am] BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Income Eligibility Guidelines

AGENCY: Food and Nutrition Service (FNS), USDA. ACTION: Notice.

SUMMARY: The Department announces adjusted income eligibility guidelines to be used by State agencies in determining the income eligibility of persons applying to participate in the Special Supplemental Nutrition Program for Women, Infants and Children Program (WIC). These income eligibility guidelines are to be used in conjunction with the WIC Regulations. DATES: Effective Date: July 1, 2012.

FOR FURTHER INFORMATION CONTACT: Donna Hines, Branch Chief, Policy Branch, Supplemental Food Programs Division, FNS, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302, (703) 305-2746.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This notice is exempt from review by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

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 this Act.

Paperwork Reduction Act of 1995

This notice does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

Executive Order 12372

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, 48 FR 29114, June 24, 1983, and 49 FR 22676, May 31, 1984).

Description

Section 17(d)(2)(A) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786(d)(2)(A)), requires the Secretary of Agriculture to establish income criteria to be used with nutritional risk criteria in determining a person's

eligibility for participation in the WIC Program. The law provides that persons will be income eligible for the WIC Program only if they are members of families that satisfy the income standard prescribed for reduced-price school meals under section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)). Under section 9(b), the income limit for reduced-price school meals is 185 percent of the Federal poverty guidelines, as adjusted. Section 9(b) also requires that these guidelines be revised annually to reflect changes in the Consumer Price Index. The annual revision for 2012/2013 was published by the Department of Health and Human