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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, 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 (WIC Program). These income eligibility guidelines are to be used in conjunction with the WIC Regulations. **EFFECTIVE DATE:** July 1, 2004.

FOR FURTHER INFORMATION CONTACT: Debra Whitford, Branch Chief, Policy and Program Development 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 29112, June 24, 1983, and 49 FR 22676, May 31, 1984).

Description

Section 17(d)(2)(A) of the Child Nutrition Act of 1966 (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 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 2004 was published by the Department of Health and Human Services (HHS) at 69 FR 7336, February 13, 2004. The guidelines published by HHS are referred to as the poverty guidelines.

Section 246.7(d)(1) of the WIC regulations (title 7, Code of Federal Regulations) specifies that State agencies may prescribe income guidelines either equaling the income guidelines established under section 9 of the National School Lunch Act for reduced-price school meals or identical

to State or local guidelines for free or reduced-price health care. However, in conforming WIC income guidelines to State or local health care guidelines, the State cannot establish WIC guidelines which exceed the guidelines for reduced-price school meals, or which are less than 100 percent of the Federal poverty guidelines. Consistent with the method used to compute income eligibility guidelines for reduced-price meals under the National School Lunch Program, the poverty guidelines were multiplied by 1.85 and the results rounded upward to the next whole dollar.

At this time the Department is publishing the maximum and minimum WIC income eligibility guidelines by household size for the period July 1, 2004, through June 30, 2005. Consistent with section 17(f)(17) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(f)(17)), a State agency may implement the revised WIC income eligibility guidelines concurrently with the implementation of income eligibility guidelines under the Medicaid program established under Title XIX of the Social Security Act (42 U.S.C. 1396, *et seq.*). State agencies may coordinate implementation with the revised Medicaid guidelines, but in no case may implementation take place later than July 1, 2004. State agencies that do not coordinate implementation with the revised Medicaid guidelines must implement the WIC income eligibility guidelines on July 1, 2004. The first table of this notice contains the income limits by household size for the 48 contiguous States, the District of Columbia and all Territories, including Guam. Because the poverty guidelines for Alaska and Hawaii are higher than for the 48 contiguous States, separate tables for Alaska and Hawaii have been included for the convenience of the State agencies.

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INCOME ELIGIBILITY GUIDELINES
(Effective from July 1, 2004 to June 30, 2005)

Household Size	Federal Poverty Guidelines - 100%			Reduced Price Meals - 185%		
	Annual	Monthly	Bi-Weekly	Annual	Monthly	Bi-Weekly
48 Contiguous States, D.C., Guam and Territories						
1.....	\$9,310	\$776	\$359	\$180	\$1,436	\$718
2.....	12,490	1,041	481	241	1,926	963
3.....	15,670	1,306	603	302	2,416	1,208
4.....	18,850	1,571	725	363	2,907	1,454
5.....	22,030	1,836	848	424	3,397	1,699
6.....	25,210	2,101	970	485	3,887	1,944
7.....	28,390	2,366	1,092	546	4,377	2,189
8.....	31,570	2,631	1,215	608	4,868	2,434
Each Add'l Member Add	+\$3,180	+\$265	+\$123	+\$62	+\$491	+\$246
Alaska						
1.....	\$11,630	\$970	\$448	\$224	\$1,793	\$897
2.....	15,610	1,301	601	301	2,407	1,204
3.....	19,590	1,633	754	377	3,021	1,511
4.....	23,570	1,965	907	454	3,634	1,817
5.....	27,550	2,296	1,060	530	4,248	2,124
6.....	31,530	2,628	1,213	607	4,861	2,431
7.....	35,510	2,960	1,366	683	5,475	2,738
8.....	39,490	3,291	1,519	760	6,089	3,045
Each Add'l Member Add	+\$3,980	+\$332	+\$154	+\$77	+\$614	+\$307
Hawaii						
1.....	\$10,700	\$892	\$412	\$206	\$1,650	\$825
2.....	14,360	1,197	553	277	2,214	1,107
3.....	18,020	1,502	694	347	2,779	1,390
4.....	21,680	1,807	834	417	3,343	1,672
5.....	25,340	2,112	975	488	3,907	1,954
6.....	29,000	2,417	1,116	558	4,471	2,236
7.....	32,660	2,722	1,257	629	5,036	2,518
8.....	36,320	3,027	1,397	699	5,600	2,800
Each Add'l Member Add	+\$3,660	+\$305	+\$141	+\$71	+\$565	+\$283

Authority: 42 U.S.C. 1786.

Dated: March 23, 2004.

Roberto Salazar,
Administrator.

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DEPARTMENT OF AGRICULTURE

Natural Resources Conservation Service

Big Delta State Historical Park Streambank Protection Project, Big Delta, AK

AGENCY: Natural Resources Conservation Service, USDA.

ACTION: Finding of no significant impact according to the environmental assessment.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969; the Council on Environmental Quality Guidelines (40 CFR Part 1500); and the Natural Resources Conservation Service Guidelines (7 CFR Part 650); the Natural Resources Conservation Service, U.S.