

funding under the SEDS program. The **Federal Register** notice (Vol. 71, No. 246) stated that ANA was "reinforcing the policy that applicants may submit only one application for SEDS or one application for NAHMI but not for both." Three public comments were received in response to the notice. All of the comments stated that Native communities experience tremendous needs and Tribes and Native Organizations plan and target their requests for financial assistance, and requested that ANA allow multiple awards under Catalog of Federal Domestic Assistance number 93.612. After review and further consideration of the comments, an analysis of the annual requests for funding, which far exceed the funding amount available, and review of the award distribution among applicants for ANA funding, it is necessary that ANA issue this Notice applying to the Healthy Marriage program ANA's long-standing policy that applicants may only receive one award at any one time under Catalog of Federal Domestic Assistance number 93.612. Therefore, applicants may submit only one application for project funding under the SEDS program or one application for project funding under NAHMI, but not for both.

Dated: February 26, 2007.

Sheila Cooper,

Director of the Division of Program Operations, Administration for Native Americans.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

State Median Income Estimate for a Four-Person Family: Notice of the Federal Fiscal Year (FFY) 2008 State Median Income Estimates for Use Under the Low Income Home Energy Assistance Program (LIHEAP), Administered by the U.S. Department of Health and Human Services (HHS), Administration for Children and Families, Office of Community Services, Division of Energy Assistance

AGENCY: Administration for Children and Families, Office of Community Services, Division of Energy Assistance, HHS.

ACTION: Notice of estimated State median income estimates for FFY 2008.

SUMMARY: This notice announces the estimated median income for four-person families in each State and the District of Columbia for FFY 2008 (October 1, 2007 to September 30, 2008). LIHEAP grantees may adopt the State median income estimates beginning with the date of publication in the **Federal Register** or at a later date as discussed below. This enables LIHEAP grantees to choose to implement this notice during the period between the heating and cooling seasons. However, by October 1, 2007, or the beginning of a grantee's fiscal year, whichever is later, LIHEAP grantees using State median income estimates must adjust their income eligibility criteria to be in accord with the FFY 2008 State median income estimates.

This listing of estimated State median incomes provides one of the maximum income criteria that LIHEAP grantees may use in determining a household's income eligibility for LIHEAP.

DATES: Effective Date: The estimates are effective at any time between the date of this publication and October 1, 2007, or until the beginning of a LIHEAP grantee's fiscal year, whichever is later.

FOR FURTHER INFORMATION CONTACT:

Peter Edelman, Office of Community Services, Division of Energy Assistance, 5th Floor West, 370 L'Enfant Promenade, SW., Washington, DC 20447, Telephone: (202) 401-5292, E-Mail: peter.edelman@acf.hhs.gov.

SUPPLEMENTARY INFORMATION: Under the provisions of section 2603(11) of Title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law (PL) 97-35, as amended, HHS announces the estimated median income of a four-person family for each State, the District of Columbia, and the United States for FFY 2008 (October 1, 2007, through September 30, 2008).

Section 2605(b)(2)(B)(ii) of the LIHEAP statute provides that 60 percent of the median income for each State, as annually established by the Secretary of the Department of Health and Human Services, is one of the income criteria that LIHEAP grantees may use in determining a household's eligibility for LIHEAP.

LIHEAP is authorized through the end of FFY 2008 by the Energy Policy Act of 2005, PL 109-58, enacted on August 8, 2005.

Estimates of the median income for a four-person family for each State and

the District of Columbia for FFY 2008 are produced by the Census Bureau of the U.S. Department of Commerce, using the most recently available income data. In previous years, model-based estimates of the median income for a four-person family used the following data sources: (1) The Current Population Survey's Annual Social and Economic Supplement File; (2) the 2000 Decennial Census of Population; and (3) per capita personal income estimates, by State, from the Bureau of Economic Analysis (BEA) of the U.S. Department of Commerce.

In preparing State-level, four-person family median income estimates for FFY 2008, the Census Bureau revised its methodology. The Census Bureau chose to use direct estimates derived from the American Community Survey (ACS) instead of using the model-based estimates. Generally, this change decreased, on average, State median income estimates by about 0.8 percent compared to the model-based estimates.

There are two key advantages in using the ACS over the previous methodology. First, as the Federal Government's largest current household survey (approximately 3 million addresses per year), the ACS is able to produce State-level estimates with very low sampling errors. Second, since it is possible to obtain reliable State income estimates directly from the ACS (as opposed to the previous methodology that used a model based on several data sources), ACS estimates will be available on a more timely basis. For example, the ACS 2005 State median income estimates were released by the Census Bureau in August 2006.

Information about the ACS is available at <http://www.census.gov/acs/www/>. For further information on the ACS State median income estimates, contact the Housing and Household Economic Statistics Division, at the Census Bureau (301) 763-3243.

A State-by-State listing of median income and 60 percent of median income for a four-person family for FFY 2008 follows. The listing describes the method for adjusting median income for families of different sizes as specified in regulations applicable to LIHEAP, at 45 CFR 96.85(b), published in the **Federal Register** on March 3, 1988 at 53 FR 6824.

Dated: March 21, 2007.

Yolanda Butler,

Deputy Director, Office of Community Services.

ESTIMATED STATE MEDIAN INCOME FOR A FOUR-PERSON FAMILY, BY STATE, FEDERAL FISCAL YEAR (FFY) 2008¹

States	Estimated State median income for a four-person family ²	60 percent of estimated State median income for a four-person family
Alabama	\$53,690	\$32,214
Alaska	76,560	45,936
Arizona	61,102	36,661
Arkansas	52,217	31,330
California	70,712	42,427
Colorado	70,300	42,180
Connecticut	92,205	55,323
Delaware	76,288	45,773
District of Columbia	50,248	30,149
Florida	62,269	37,361
Georgia	64,427	38,656
Hawaii	79,240	47,544
Idaho	52,470	31,482
Illinois	72,368	43,421
Indiana	64,564	38,738
Iowa	65,575	39,345
Kansas	64,929	38,957
Kentucky	54,992	32,995
Louisiana	55,945	33,567
Maine	64,806	38,884
Maryland	89,608	53,765
Massachusetts	85,420	51,252
Michigan	71,542	42,925
Minnesota	77,395	46,437
Mississippi	47,726	28,636
Missouri	63,847	38,308
Montana	55,641	33,385
Nebraska	64,800	38,880
Nevada	61,777	37,066
New Hampshire	81,522	48,913
New Jersey	90,261	54,157
New Mexico	48,223	28,934
New York	72,170	43,302
North Carolina	59,481	35,689
North Dakota	59,926	35,956
Ohio	66,734	40,040
Oklahoma	53,138	31,883
Oregon	61,945	37,167
Pennsylvania	68,646	41,188
Rhode Island	78,297	46,978
South Carolina	57,932	34,759
South Dakota	61,309	36,785
Tennessee	56,874	34,124
Texas	57,511	34,507
Utah	57,999	34,799
Vermont	71,382	42,829
Virginia	77,430	46,458
Washington	72,103	43,262
West Virginia	52,292	31,375
Wisconsin	71,064	42,638
Wyoming	62,933	37,760

Note: FFY 2008 covers the period of October 1, 2007 through September 30, 2008. The estimated median income for a four-person family living in the United States is \$67,019 for FFY 2008. The estimates are effective for the Low Income Home Energy Assistance Program (LIHEAP) at any time between the date of this publication and October 1, 2007, or by the beginning of a LIHEAP grantee's fiscal year, whichever is later.

¹ In accordance with 45 CFR 96.85, each State's estimated median income for a four-person family is multiplied by the following percentages to adjust for family size for LIHEAP: 52 percent for one person, 68 percent for two persons, 84 percent for three persons, 100 percent for four persons, 116 percent for five persons, and 132 percent for six persons. For each additional family member above six persons, add 3 percentage points to the percentage for a six-person family (132 percent), and multiply the new percentage by the State's estimated median income for a four-person family.

² Prepared by the Census Bureau from the 2005 American Community Survey. For further information, contact the Housing and Household Economic Statistics Division at the Census Bureau (301-763-3243).

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 2007N-0091]

Agency Information Collection Activities; Proposed Collection; Comment Request; Preparing a Claim of Categorical Exclusion or an Environmental Assessment for Submission to the Center for Food Safety and Applied Nutrition

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act of 1995 (the PRA), Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment in response to the notice. This notice solicits comments on the information collection provisions in the guidance document entitled "Preparing a Claim of Categorical Exclusion or an Environmental Assessment for Submission to the Center for Food Safety and Applied Nutrition."

DATES: Submit written or electronic comments on the collection of information by May 29, 2007.

ADDRESSES: Submit electronic comments on the collection of information to: <http://www.fda.gov/dockets/ecomments>. Submit written comments on the collection of information to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. All comments should be identified with the docket number found in brackets in the heading of this document.

FOR FURTHER INFORMATION CONTACT: Jonna Capezzuto, Office of the Chief Information Officer (HFA-250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-4659.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501-3520), Federal agencies must obtain approval from the

Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. "Collection of information" is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c) and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA (44 U.S.C. 3506(c)(2)(A)) requires Federal agencies to provide a 60-day notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information, before submitting the collection to OMB for approval. To comply with this requirement, FDA is publishing notice of the proposed collection of information set forth in this document.

With respect to the following collection of information, FDA invites comments on these topics: (1) Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility; (2) the accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

Preparing a Claim of Categorical Exclusion or an Environmental Assessment for Submission to the Center for Food Safety and Applied Nutrition (OMB Control Number 0910-0541)—Extension

As an integral part of its decisionmaking process, FDA is obligated under the National Environmental Policy Act of 1969 (NEPA) to consider the environmental impact of its actions, including allowing notifications for food contact substances to become effective and approving food additive petitions, color additive petitions, GRAS affirmation petitions, requests for exemption from regulation as a food additive, and actions on certain food labeling citizen petitions, nutrient content claims petitions, and health claims petitions. In 1997, FDA amended its regulations in part 25 (21 CFR part 25) to provide for categorical exclusions for additional classes of actions that do not individually or

cumulatively have a significant effect on the human environment (62 FR 40570, July 29, 1997). As a result of that rulemaking, FDA no longer routinely requires submission of information about the manufacturing and production of FDA-regulated articles. FDA also has eliminated the previously required Environmental Assessment (EA) and abbreviated EA formats from the amended regulations. Instead, FDA has provided guidance that contains sample formats to help industry submit a claim of categorical exclusion or an EA to CFSAN. The guidance document entitled "Preparing a Claim of Categorical Exclusion or an Environmental Assessment for Submission to the Center for Food Safety and Applied Nutrition" identifies, interprets, and clarifies existing requirements imposed by statute and regulation, consistent with the Council on Environmental Quality regulations (40 CFR 1507.3). It consists of recommendations that do not themselves create requirements; rather, they are explanatory guidance for FDA's own procedures in order to ensure full compliance with the purposes and provisions of NEPA.

The guidance provides information to assist in the preparation of claims of categorical exclusion and EAs for submission to CFSAN. The following questions are covered in this guidance: (1) What types of industry-initiated actions are subject to a claim of categorical exclusion? (2) What must a claim of categorical exclusion include by regulation? (3) What is an EA? (4) When is an EA required by regulation and what format should be used? (5) What are extraordinary circumstances? and (6) What suggestions does CFSAN have for preparing an EA? Although CFSAN encourages industry to use the EA formats described in the guidance because standardized documentation submitted by industry increases the efficiency of the review process, alternative approaches may be used if these approaches satisfy the requirements of the applicable statutes and regulations.

FDA is requesting the extension of OMB approval for the information collection provisions in the guidance.

Description of Respondents: The likely respondents include businesses engaged in the manufacture or sale of food, food ingredients, and substances used in materials that come into contact with food.

FDA estimates the burden of this collection of information as follows: