The proposed consent order contains provisions designed to prevent respondent from failing to make disclosures required by TILA and Regulation Z in the future.

Part I.A. of the proposed order prohibits respondent, in connection with any advertisement of consumer credit, from stating the amount or percentage of any down payment, the number of payments or period of repayment, the amount of any payment, or the amount of any finance charge, without disclosing clearly and conspicuously all of the terms required by TILA and Regulation Z, including the amount or percentage of the down payment, the terms of repayment, and the annual percentage rate, using that term or the abbreviation "APR."

Part I.B. of the proposed order prohibits respondent from stating a rate of finance charge without stating the rate as an "annual percentage rate" or the abbreviation "APR."

Part I.C. of the proposed order prohibits respondent from failing to comply in any other respect with TILA or Regulation Z.

Part II of the proposed order contains a document retention requirement, the purpose of which is to ensure compliance with the proposed order. It requires that respondent maintain all records that will demonstrate compliance with the proposed order.

Part III of the proposed order requires respondent to distribute copies of the order to various principals, officers, directors, and managers, and all current and future employees, agents and representatives having responsibilities with respect to the subject matter of the order.

Part IV of the proposed order requires respondent to notify the Commission of any changes in its corporate structure that might affect compliance with the order.

Part V of the proposed order requires respondent to file with the Commission one or more reports detailing compliance with the order.

Part VI of the proposed order is a "sunset" provision, dictating the conditions under which the order will terminate twenty years from the date it is issued or twenty years after a complaint is filed in federal court, by either the United States or the FTC, alleging any violation of the order.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

By direction of the Commission.

#### Donald S. Clark,

Secretary.

[FR Doc. E8–4302 Filed 3–4–08: 8:45 am] BILLING CODE 6750–01–S

# 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) 2009 State Median Income Estimates for Use Under the Low Income Home Energy Assistance Program (LIHEAP) (CFDA Number 93.568) 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 State median income estimates for FFY 2009.

**SUMMARY:** This notice announces the estimated median income for fourperson families in each State and the District of Columbia for FFY 2009 (October 1, 2008 to September 30, 2009). 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, 2008, 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 2009 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 become effective at any time between the date of this publication and October 1, 2008, or 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 (Pub. L.) 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 2009 (October 1, 2008, through September 30, 2009).

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 Health and Human Services, is one of the income criteria that LIHEAP grantees may use in determining a household's eligibility for LIHEAP.

LIHEAP was last authorized by the Energy Policy Act of 2005, PL 109–58, enacted on August 8, 2005. This authorization expired on September 30, 2007. Reauthorization of LIHEAP is pending.

Estimates of the median income for a four-person family for each State and the District of Columbia for FFY 2009 have been produced by the U.S. Census Bureau, U.S. Department of Commerce. In developing these estimates, the U.S. Census Bureau used the most recently available income data, which was data from the 2006 American Community Survey (ACS). For additional information about the ACS State median income estimates, see http:// www.census.gov/hhes/www/income/ medincsizeandstate.html or contact the U.S. Census Bureau's Housing and Household Economic Statistics Division at (301) 763-3243. For additional information about the ACS in general, see http://www.census.gov/acs/www/.

The State median income estimates, like those that derive from any survey, are subject to two types of errors: (1) Nonsampling Error, which consists of random errors that increase the variability of the data and non-random errors that consistently direct the data into a specific direction; and (2) Sampling Error, which consists of the error that arises from the use of probability sampling to create the sample. For additional information about the accuracy of the ACS State median income estimates, see http:// www.census.gov/acs/www/Downloads/ ACS/accuracy2006.pdf.

A State-by-State listing of median income and 60 percent of median income for a four-person family for FFY 2009 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: February 11, 2008.

Josephine B. Robinson,

Director, Office of Community Services.

# ESTIMATED STATE MEDIAN INCOME FOR A FOUR-PERSON FAMILY, BY STATE, FEDERAL FISCAL YEAR [(FFY) 2009 1]

Connecticut         93.821         56.295           Delaware         78,321         46.993           District of Columbia         71,571         42,945           Florida         65,024         39.014           Georgia         66,711         40,027           Hawaii         84,472         50,685           Idaho         55,066         38,444           Ilinios         67,787         40,677           Iowa         67,787         40,677           Iowa         67,782         40,677           Kentucky         60,202         36,121           Louisiana         60,502         36,121           Maine         63,501         38,101           Maryland         94,017         56,416           Massachusetts         98,347         53,500           Michigan         72,591         43,555           Minnesota         81,477         43,555           Minnesota         81,477         43,555           Missouri         60,292         31,796           Missouri         60,095         39,557           Missouri         60,095         39,557           Mortana         60,095         39,557     <	States	Estimated state me- dian income for a four- person family <sup>2</sup>	60 percent of estimated State me- dian income for a four- person family <sup>3</sup>
Alaska       71,781       43,065         Artzona       65,050       30,03         Artzona       52,185       31,311         Colorado       75,775       45,468         Colorado       93,821       56,202         Delaware       78,321       46,902         District of Columbia       71,571       42,945         Florida       65,024       39,014         Georgia       66,714       40,027         Hawari       84,472       50,028         Illinois       58,066       34,944         Illinois       58,066       34,944         Illinois       75,484       45,944         Indiana       67,787       40,677         Iowa       67,787       40,677         Kansas       67,987       40,772         Kansas       67,987       40,772         Kanjana       60,161       30,907         Maire       63,501       38,01         Maire       69,01 <td< td=""><td>Alahama</td><td>\$60.298</td><td>\$36,179</td></td<>	Alahama	\$60.298	\$36,179
Arizona 65,050 39,03 Arkansas 52,185 31,311 California 74,801 44,881 Colorado 75,775 44,801 Colorado 78,321 56,203 Delaware 78,321 46,393 District of Columbia 71,571 42,941 Florida 65,024 43,901 Idaho 18,060 38,060 34,844 Illinois 84,472 50,883 Illinois 75,484 45,299 Indiana 67,787 40,678 Kansas 67,897 40,678 Kansas 67,897 40,678 Kantucky 60,202 36,121 Cuoisiana 60,161 36,301 Maine 60,161 36,301 Maine 72,591 43,555 Minnesota 81,477 48,898 Mississippi 72,591 43,555 Minnesota 81,477 48,898 Mississippi 72,591 43,555 Minnesota 81,477 48,898 Mississippi 66,095 39,555 Minnesota 68,974 37,986 Mortana 68,974 38,984 Mortana 68,974 38,974 Mortana 68,974 38,9		' '	
Arkansas			· '
California       74,801       44,88         Colorado       75,775       45,46         Connecticut       93,821       56,29         Delaware       78,321       46,99         District of Columbia       71,571       42,94         Florida       65,024       33,01         Georgia       66,711       40,02         Hawaii       84,472       50,88         Idaho       55,066       34,84         Illinois       75,484       45,29         Indiana       67,787       40,67         Iowa       67,792       40,67         Kentucky       60,202       36,12         Louisiana       60,161       36,90         Maire       63,501       38,101         Massachusetts       83,47       25,300         Michigan       83,47       25,300         Michigan       72,591       48,88         Mississippi       83,47       35,800         Minesota       81,47       48,88         Mississippi       52,992       31,796         Mortinan       93,292       31,796         Nev Jampshire       60,917       39,305         New Jampshire </td <td></td> <td></td> <td></td>			
Colorado         75,775         45,46           Connecticut         93,821         56,205           Delaware         78,321         46,932           District of Columbia         71,571         42,944           Florida         65,024         39,014           Georgia         66,711         40,022           Idavia         55,066         38,447           So,666         34,844         59,066           Idaho         55,066         34,844           Ilmiosi         67,787         40,677           Iowa         67,797         40,677           Kansas         67,897         40,737           Kansas         60,161         36,091           Kansas         60,161         36,091           Maine         60,161         36,091           Maine         93,407         55,01           Massachusetts         93,447         55,001           Massachusetts         93,447         35,50           Michigan         72,591         34,55           Minesouri         93,477         35,50           Mississippi         52,992         31,79           Missouri         68,917         43,55		1	
Connecticut         93.821         56.295           Delaware         78,321         46.993           District of Columbia         71,571         42,945           Florida         65,024         39.014           Georgia         66,711         40,027           Hawaii         84,472         50,685           Idaho         55,066         38,444           Ilinios         67,787         40,677           Iowa         67,787         40,677           Iowa         67,782         40,677           Kentucky         60,202         36,121           Louisiana         60,502         36,121           Maine         63,501         38,101           Maryland         94,017         56,416           Massachusetts         98,347         53,500           Michigan         72,591         43,555           Minnesota         81,477         43,555           Minnesota         81,477         43,555           Missouri         60,292         31,796           Missouri         60,095         39,557           Missouri         60,095         39,557           Mortana         60,095         39,557     <			45,465
Delaware       78,321       46,932         District of Columbia       71,571       42,944         Florida       65,024       39,014         Georgia       66,711       40,027         Hawaii       84,472       50,686         Idaho       85,066       34,844         Illinois       67,797       40,672         Iowa       67,797       40,672         Kansas       67,897       40,738         Kentucky       60,202       36,121         Louisiana       60,161       38,010         Maine       63,501       38,101         Maryland       94,017       56,411         Massachusetts       89,347       53,500         Michigan       81,477       48,886         Minesota       81,477       48,886         Mississippi       81,477       48,886         Mississippi       81,972       31,796         Mississippi       81,972       31,796         Mortana       66,095       39,957         Missouri       66,095       39,957         Missouri       67,396       49,441       56,666         Newadca       66,095       39,956       39		1 '	· '
District of Columbia         71,571         42,945           Florida         56,024         39,011           Georgia         66,711         40,027           Hawaii         84,472         50,685           Idaho         55,026         38,444           Illinois         75,484         45,299           Indiana         67,792         40,677           Iowa         67,897         40,737           Kentucky         60,202         36,121           Louisiana         63,591         39,101           Mairne         63,591         39,101           Mayland         94,017         55,411           Massachusetts         89,347         55,600           Michigan         72,591         48,586           Mississippi         52,992         31,793           Missouri         63,272         37,966           Montana         60,576         36,344           New Jacres         66,095         39,657           New Jacres         66,095         39,655           New Jacres         66,095         39,655           New Jacres         66,095         39,656           New Jacres         66,095         39,65			46,993
Florida			42,943
Georgia         40,027           Hawaii         84,472         50,683           Idaho         58,066         34,840           Illinois         75,484         45,290           Indiana         67,787         40,677           Iowa         67,792         40,677           Kentucky         60,202         36,121           Louisiana         60,161         36,097           Maine         63,501         38,101           Massachusetts         89,347         55,600           Michigan         72,591         43,552           Michigan         72,591         43,552           Mississippi         52,992         31,796           Missouri         63,274         37,964           Mortana         60,576         36,344           Nebraska         68,917         41,355           New Herry         94,411         56,666           New Jersey         94,411         56,666           New Mexico         52,034         31,220           New York         75,513         45,095           New York         75,513         45,095           North Carolina         68,579         41,147			39,014
Hawaii         84,472         50,685           Idaho         58,066         34,844           Illinois         75,484         45,290           Indiana         67,787         40,672           Iowa         67,792         40,672           Kansas         67,897         40,673           Kentucky         60,202         60,122           Louisiana         60,161         36,091           Maine         63,501         38,101           Maryland         94,017         56,410           Massachusetts         89,347         53,600           Michigan         72,591         48,866           Mississippi         52,992         31,796           Mississippi         52,992         31,796           Mortana         63,274         37,964           Mortana         63,274         37,964           Mortana         66,095         39,655           New Hamphire         86,917         41,357           New Hamphire         86,917         43,354           New Mexico         52,034         31,222           New York         75,513         45,306           New Morkico         60,935         36,555	Georgia		40,027
Illinois         75,484         45,290           Indiana         67,787         40,672           Iowa         67,792         40,673           Kansas         67,897         40,738           Kentucky         60,202         36,121           Louisiana         60,161         36,097           Maine         83,501         38,101           Maryland         94,017         56,411           Massachusetts         89,347         53,600           Michigan         72,591         43,555           Minnesota         81,477         48,886           Mississippi         52,992         31,799           Missouri         68,297         37,966           Montana         60,576         36,344           Nebraska         68,917         41,350           New Jersey         94,441         56,665           New Hampshire         87,396         52,433           New Jersey         94,441         56,666           New Mexico         52,034         31,220           New York         75,513         45,300           North Dakota         67,560         40,530           Ohio         68,879         41,147 <td>Hawaii</td> <td>84,472</td> <td>50,683</td>	Hawaii	84,472	50,683
Indiana         67,787         40,675           Iowa         67,792         40,675           Kansas         67,897         40,675           Kentucky         60,202         36,121           Louisiana         60,161         36,091           Maine         63,501         38,101           Maryland         94,017         56,410           Massachusetts         89,347         53,600           Michigan         72,591         43,555           Miransota         81,477         48,88           Mississippi         52,992         31,796           Montana         60,576         36,344           Nebraska         68,917         41,357           Nevada         66,907         39,657           New Hampshire         87,396         52,438           New Jersey         94,441         56,668           New Mexico         52,034         31,222           New York         75,513         45,308           North Dakota         67,560         40,538           Ohio         68,579         41,147           Okiahoma         55,031         33,011           Oregon         64,832         38,899     <	Idaho	58,066	34,840
lowa         67,792         40,675           Kansas         67,897         40,735           Kentucky         60,202         36,121           Louisiana         60,161         36,091           Maine         63,501         38,101           Maryland         94,017         56,410           Massachusetts         89,347         53,600           Michigan         72,591         43,555           Minnesota         81,477         48,886           Mississippi         52,992         31,796           Missouri         63,274         37,966           Montana         60,576         36,344           Nebraska         66,095         39,657           New Hampshire         66,095         39,657           New Hampshire         87,396         52,034           New Jersey         94,441         56,666           New York         75,513         45,006           New York         52,034         31,220           New York         52,034         31,220           North Dakota         61,420         36,852           Ohio         68,579         41,147           Oklahoma         55,031         33,015 </td <td>Illinois</td> <td>75,484</td> <td>45,290</td>	Illinois	75,484	45,290
Kansas         67,897         40,738           Kentucky         60,202         36,122           Louisiana         60,161         36,097           Maine         63,501         38,101           Maryland         94,017         56,410           Massachusetts         89,347         53,600           Michigan         72,591         43,555           Milnesota         81,477         48,868           Mississippi         52,992         31,795           Missouri         63,274         37,966           Mostana         60,576         36,344           Nebraska         68,917         41,355           New Hampshire         87,396         52,433           New Hampshire         97,396         52,433           New Mexico         52,034         31,222           New York         55,031         31,222           New York         55,031         36,852           North Carolina         61,420         36,852           Ohio         68,579         41,147           Oklahoma         55,031         33,019           Oregon         54,832         38,899           Pennsylvania         74,072	Indiana	67,787	40,672
Kentucky         60,202         36,121           Louisiana         60,161         36,097           Maine         63,501         38,101           Maryland         94,017         56,411           Massachusetts         89,347         53,600           Michigan         72,591         43,555           Minnesota         81,477         48,886           Mississippi         52,992         31,796           Missouri         63,274         37,966           Montana         60,576         36,344           Nebraska         68,917         41,355           New Hampshire         87,396         52,438           New Jersey         94,441         56,666           New Mexico         52,034         31,222           New York         75,513         45,306           North Dakota         61,420         36,852           North Dakota         67,560         40,536           Ohio         68,579         41,147           Oklahoma         55,031         33,016           Oregon         64,832         38,852           Orin         68,579         41,147           Oklahoma         55,031         33,016<	lowa	67,792	40,675
Louisiana         60,161         36,001           Maine         63,501         38,101           Maryland         94,017         56,410           Massachusetts         89,347         53,606           Michigan         72,591         43,555           Minnesota         81,477         48,886           Mississippi         52,992         31,796           Missouri         63,274         37,964           Montana         60,576         36,344           Nebraska         68,917         41,355           Nevada         66,095         39,657           New Hampshire         87,396         52,438           New Jersey         94,441         56,666           New Mexico         52,034         31,222           New York         75,513         45,306           North Carolina         61,420         36,852           Ohio         68,579         41,147           Oklahoma         55,031         33,015           Oregon         64,832         38,89           Pennsylvania         74,072         44,44           Rhode Island         78,189         46,911           South Carolina         59,663	Kansas	67,897	40,738
Maine       63,501       38,101         Maryland       94,017       56,410         Massachusetts       89,347       53,600         Michigan       72,591       43,555         Minnesola       81,477       48,886         Mississippi       52,992       31,796         Missouri       63,274       37,964         Montana       60,576       36,348         Nebraska       66,995       39,657         New Hampshire       87,396       52,432         New Jersey       94,441       56,666         New Mexico       52,034       31,220         New York       75,513       45,300         North Carolina       61,420       36,855         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,011         Oregon       64,832       38,895         Pennsylvania       74,072       44,442         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       63,508       38,100         Tennessee       60,143       36,086 </td <td>Kentucky</td> <td>60,202</td> <td>36,121</td>	Kentucky	60,202	36,121
Maryland       94,017       56,416         Massachusetts       89,347       53,606         Michigan       72,591       43,555         Minnesota       81,477       48,886         Mississippi       52,992       31,796         Missouri       63,274       37,966         Montana       60,576       36,346         Nebraska       66,095       39,657         New Hampshire       87,396       52,438         New Jersey       94,441       56,669         New Mexico       52,034       31,222         New York       75,513       45,306         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,899         Pennsylvania       74,072       44,442         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,190         Tennessee       60,143       36,086         Tennessee       60,143       36,086	Louisiana	60,161	36,097
Massachusetts       89,347       53,600         Michigan       72,591       43,555         Minnesota       81,477       48,886         Mississippi       52,992       31,795         Missouri       63,274       37,966         Montana       66,576       36,344         Nebraska       68,917       41,350         New Jacca       86,917       41,350         New Hampshire       87,396       52,438         New Jersey       94,441       56,665         New Mexico       52,034       31,220         New York       75,513       45,306         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,896         Pennsylvania       74,072       44,442         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Tennessee       60,143       36,086	Maine	63,501	38,101
Michigan       72,591       43,555         Minnesota       81,477       48,886         Mississippi       52,992       31,795         Missouri       63,274       37,964         Montana       60,576       36,344         Nebraska       68,917       41,350         Nevada       66,095       39,657         New Hampshire       87,396       52,436         New Jersey       94,441       56,665         New Mexico       52,034       31,222         New York       75,513       45,306         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,899         Pennsylvania       74,072       44,442         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       63,508       35,796         Tennessee       60,143       36,086         Texas       59,808       35,886         Utah       67,884       40,730 <tr< td=""><td>Maryland</td><td>94,017</td><td>56,410</td></tr<>	Maryland	94,017	56,410
Minnesota       81,477       48,886         Mississippi       52,992       31,795         Missouri       63,274       37,964         Montana       60,576       36,346         Nebraska       68,917       41,350         New Hampshire       87,396       52,433         New Jersey       94,441       56,666         New Mexico       52,034       31,220         New York       75,513       45,300         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,899         Pennsylvania       74,072       44,447         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       59,663       35,796         Tennessee       60,143       36,086         Tennessee       60,143       36,086         Tennessee       60,143       36,086         Vermont       67,884       40,704         Vermont       67,844       47,046 <td>Massachusetts</td> <td></td> <td>53,608</td>	Massachusetts		53,608
Mississippi       52,992       31,795         Missouri       63,274       37,966         Montana       60,576       36,344         Nebraska       68,917       41,350         Nevada       66,095       39,657         New Hampshire       87,396       52,438         New Jersey       94,441       56,666         New Mexico       52,034       31,220         New York       75,513       45,306         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,895         Pennsylvania       74,072       44,442         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       63,586       38,106         Texas       59,808       35,886         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048	Michigan		43,555
Missouri       63,274       37,964         Montana       60,576       36,344         Nebraska       68,917       41,350         Nevada       66,095       39,657         New Hampshire       87,396       52,438         New Jersey       94,441       56,666         New Wexico       52,034       31,220         New York       75,513       45,308         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oregon       64,832       38,899         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       63,508       38,103         Texas       60,143       36,086         Utah       63,566       38,152         Vermont       67,884       40,733         Virginia       78,413       47,048			48,886
Montana       60,576       36,346         Nebraska       68,917       41,350         Nevada       66,095       39,657         New Hampshire       87,396       52,434         New Jersey       94,441       56,665         New Mexico       52,034       31,220         New York       75,513       45,305         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,899         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,653       35,796         South Carolina       59,653       35,796         South Dakota       63,508       38,108         Tennessee       60,143       36,086         Texas       69,808       35,886         Utah       67,884       40,733         Vermont       67,884       40,733         Virginia       78,413       47,048			31,795
Nebraska       68,917       41,350         Nevada       66,095       39,657         New Hampshire       87,396       52,438         New Jersey       94,441       56,666         New Mexico       52,034       31,220         New York       75,513       45,306         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,896         Pennsylvania       74,072       44,442         Rhode Island       74,072       44,444         Rhode Island       75,963       35,796         South Carolina       59,663       35,796         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       38,105         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048		1 '	
Nevada       66,095       39,657         New Hampshire       87,396       52,438         New Jersey       94,441       56,665         New Mexico       52,034       31,220         New York       75,513       45,306         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,899         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,886         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
New Hampshire       87,396       52,436         New Jersey       94,441       56,666         New Mexico       52,034       31,220         New York       75,513       45,306         North Carolina       61,420       36,855         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,019         Oregon       64,832       38,895         Pennsylvania       74,072       44,413         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,108         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,158         Vermont       67,884       40,730         Virginia       78,413       47,048			
New Jersey       94,441       56,665         New Mexico       52,034       31,220         New York       75,513       45,306         North Carolina       61,420       36,852         North Dakota       68,579       41,147         Oklahoma       55,031       33,015         Oregon       64,832       38,895         Pennsylvania       74,072       44,442         Rhode Island       78,189       46,913         South Carolina       59,663       35,796         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,886         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
New Mexico       52,034       31,220         New York       75,513       45,308         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,019         Oregon       64,832       38,899         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,886         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
New York       75,513       45,308         North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,019         Oregon       64,832       38,899         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,108         Tennessee       60,143       36,086         Texas       59,808       35,888         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
North Carolina       61,420       36,852         North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,018         Oregon       64,832       38,899         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,102         Tennessee       60,143       36,086         Texas       59,808       35,888         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
North Dakota       67,560       40,536         Ohio       68,579       41,147         Oklahoma       55,031       33,018         Oregon       64,832       38,898         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,108         Tennessee       60,143       36,086         Texas       59,808       35,888         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
Ohio       68,579       41,147         Oklahoma       55,031       33,018         Oregon       64,832       38,898         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
Oklahoma       55,031       33,019         Oregon       64,832       38,895         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
Oregon       64,832       38,895         Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
Pennsylvania       74,072       44,443         Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048		· '	· '
Rhode Island       78,189       46,913         South Carolina       59,663       35,798         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
South Carolina       59,663       35,798         South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048	•		
South Dakota       63,508       38,105         Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
Tennessee       60,143       36,086         Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			
Texas       59,808       35,885         Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			· '
Utah       63,586       38,152         Vermont       67,884       40,730         Virginia       78,413       47,048			35,885
Vermont       67,884       40,730         Virginia       78,413       47,048			38,152
Virginia         78,413         47,048			40,730
			47,048
70,140   40,000	Washington	75,140	45,084
			33,552
		72,495	43,497
Wyoming	Wyoming	71,559	42,935

**Note:** FFY 2009 covers the period of October 1, 2008 through September 30, 2009. The estimated median income for a four-person family living in the United States is \$70,354 for FFY 2009. The estimates become effective for the Low Income Home Energy Assistance Program (LIHEAP) at any time between the date of this publication and October 1, 2008, or the beginning of a LIHEAP grantee's fiscal year, whichever is later.

¹Prepared by the U.S. Census Bureau from the 2006 American Community Survey (ACS). The State median income estimates, like those that derive from any survey, are subject to two types of errors: (1) Nonsampling Error, which consists of random errors that increase the variability of the data and non-random errors that consistently direct the data into a specific direction; and (2) Sampling Error, which consists of the error that arises from the use of probability sampling to create the sample.

<sup>2</sup> 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.

<sup>3</sup>These figures were calculated by the Division of Energy Assistance (DEA). DEA calculated these figures by multiplying the estimated State median income for a four-person family for each State by 60 percent.

[FR Doc. E8-4190 Filed 3-4-08; 8:45 am] BILLING CODE 4184-01-P

### **DEPARTMENT OF HEALTH AND HUMAN SERVICES**

### **Food and Drug Administration**

[Docket No. FDA-2008-N-0144]

**Agency Information Collection Activities; Proposed Collection; Comment Request; Certification to** Accompany Drug, Biological Product, and Device Applications or Submissions (Form FDA 3674)

**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 certification to accompany human drug, biological product, and device applications or submissions (Form FDA

**DATES:** Submit written or electronic comments on the collection of information by May 5, 2008.

ADDRESSES: Submit electronic comments on the collection of information to http:// www.regulations.gov. 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.

### Certification to Accompany Drug, **Biological Product, and Device** Applications or Submissions (Form FDA 3674)—(OMB Control Number 0910-0616)-Extension

The information required under section 402(j)(5)(B) of the Public Health Service Act (PHS Act) (42 U.S.C. 282(j)(5)(B)) will be submitted in the form of a certification with applications and submissions currently submitted to FDA under part 312 (21 CFR part 312) and 21 CFR part 314 (human drugs) and approved under OMB control numbers 0910-0014 (expires May 31, 2009) and 0910-0001 (expires May 31, 2008),

respectively; submitted to FDA under part 312 and 21 CFR part 601 (biological products) and approved under OMB control numbers 0910-0014 and 0910-0338 (expires June 30, 2010); and submitted to FDA under 21 CFR parts 807 and 814 (devices) and approved under OMB control numbers 0910-0120 (expires August 31, 2010) and 0910-0231 (expires November 30, 2010). respectively.

Title VIII of the Food and Drug Administration Amendments Act of 2007 (FDAAA) (Public Law 110–85) amended the PHS Act by adding section 402(j) (42 U.S.C. 282(j)). The new provisions require additional information to be submitted to the clinical trials data bank (ClinicalTrials.gov)<sup>1</sup> previously established by the National Institutes of Health/National Library of Medicine, including expanded information on clinical trials and information on the results of clinical trials. The provisions include new responsibilities for FDA as well as several amendments to the Federal Food, Drug, and Cosmetic Act (FD&C Act).

One new provision, section 402(j)(5)(B) of the PHS Act, requires that a certification accompany human drug, biological, and device product submissions made to FDA. Specifically, at the time of submission of an application under sections 505, 515, or 520(m) of the FD&C Act (21 U.S.C. 355. 360e, or 360j(m)), or under section 351 of the PHS Act (42 U.S.C. 262), or submission of a report under section 510(k) of the FD&C Act (21 U.S.C. 360(k)), such application or submission must be accompanied by a certification that all applicable requirements of section 402(j) of the PHS Act have been met. Where available, such certification must include the appropriate National Clinical Trial (NCT) numbers.

The proposed collection of information is necessary to satisfy the previously mentioned statutory

requirement.

The importance of obtaining these data relates to adherence to the legal requirements for submissions to the clinical trials registry and results data bank and ensuring that individuals and

<sup>&</sup>lt;sup>1</sup> (FDA has verified the Web site address, but FDA is not responsible for any subsequent changes to the Web site after this document publishes in the Federal Register.)