

Service (APHIS) established regulations in 7 CFR part 331 and 9 CFR part 121 governing the possession, use, and transfer of biological agents and toxins that have been determined to have the potential to pose a severe threat to public health and safety, to animal health, to plant health, or to animal or plant products. In a final rule published in today's issue of the **Federal Register**, APHIS is adopting, with changes, the December 2002 interim rule.

The final rule includes certain regulatory provisions that differ from those included in the December 2002 interim rule. Some of those provisions involve changes from the information collection requirements set out in the December 2002 interim rule, which were approved by the Office of Management and Budget (OMB) under OMB control number 0579-0213 (expires May 31, 2005). These changes include the following:

- As a condition of exemption, an entity must report any theft, loss, or release of a select agent or toxin during the period between identification of the agent or toxin and transfer or destruction of such agent or toxin. This is a new requirement in the final rule.
- As a condition of exemption, an entity must immediately report the identification of specified select agents and toxins; identification of the other select agents and toxins must be reported within 7 calendar days after identification. This is a change from the requirement in the December 2002 interim rule that identifications of any select agent or toxin be immediately reported.
- The responsible official must report the identification and final disposition of any select agent or toxin contained in a specimen presented for diagnosis or verification. This is a change from the requirement in the December 2002 interim rule that the responsible official immediately report the identification of a select agent or toxin contained in a specimen presented for diagnosis.
- The responsible official must report the identification and final disposition of any select agent or toxin contained in a specimen presented for proficiency testing. This is a new requirement in the final rule.
- A select agent or toxin that is contained in a specimen for proficiency testing may be transferred without prior authorization from APHIS or the Centers for Disease Control and Prevention (CDC) provided that, at least 7 calendar days prior to the transfer, the sender reports to APHIS or CDC the select agent or toxin to be transferred and the name and address of the recipient. This is a change from the requirement in the

December 2002 interim rule that the transfer of a select agent or toxin be authorized by APHIS or CDC prior to the transfer.

- An individual or entity must report the theft, loss, or release of a select agent or toxin. This is a change from the December 2002 interim rule that required such reporting for registered entities only.
- The responsible official is no longer required to notify APHIS 5 business days prior to the planned inactivation of a select agent or toxin if he/she wishes to discontinue possessing, using, or transferring a particular agent or toxin. In addition, the responsible official is no longer required to submit information about an individual's training and skills. These requirements have been deleted in the final rule.

In addition, there are a number of nonsubstantive changes, including changes in terminology and changes to form numbers.

In accordance with section 3507(j) of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the information collection and recordkeeping requirements included in the final rule have been submitted for emergency approval to the Office of Management and Budget (OMB). The purpose of this notice is to solicit comments from the public (as well as affected agencies) concerning our information collection. These comments will help us:

- (1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;
- (2) Evaluate the accuracy of our estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collection of information on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies; *e.g.*, permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 2.8495857 hours per response.

Respondents: Researchers, universities, research and development organizations, diagnostic laboratories and other interested parties who possess, use, or transfers select agents or toxins.

Estimated annual number of respondents: 915.

Estimated annual number of responses per respondent: 5.1442622.

Estimated annual number of responses: 4,707.

Estimated total annual burden on respondents: 13,413. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

APHIS will provide OMB with a copy of all comments received on this notice. All comments will also become a matter of public record.

When OMB notifies us of its decision, we will publish a document in the **Federal Register** providing notice of the assigned OMB control number or, if approval is denied, providing notice of what action we plan to take.

Done in Washington, DC, this 10th day of March 2005.

Elizabeth E. Gaston,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 05-5065 Filed 3-17-05; 8:45 am]

BILLING CODE 3410-34-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 or free milk for the period from July 1, 2005 through June 30, 2006. 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.

EFFECTIVE DATE: July 1, 2005.

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 action is exempted from review by the Office of Management and Budget under 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 legislative 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, 2005 through June 30, 2006. The Department's guidelines for free meals and milk and reduced price meals were obtained by multiplying the year 2005 Federal income poverty guidelines by 1.30 and 1.85, respectively, and by

rounding the result upward to the next whole dollar.

The income eligibility chart for School Year 2005–2006 contains a few minor changes that were implemented for School Year 2004–2005. Prior to School Year 2004–2005, the Department displayed the monthly and weekly amounts for the Federal poverty guidelines in addition to the annual figures as issued by the Department of Health and Human Services. This Notice, however, only displays the annual figures because the monthly and weekly Federal poverty guidelines were not used to determine the Income Eligibility Guidelines. As detailed below, all calculations are based on the annual figures.

In addition, the chart which details the free and reduced price eligibility criteria includes columns for income received twice monthly as well as income received every two weeks. To differentiate: a person paid every two weeks is paid 26 times per year, whereas a person paid twice monthly is paid 24 times per year. Furthermore, the inclusion of information about income received twice per month as well as income received every two weeks conforms to the format used by the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) (42 U.S.C. 1786; 7 CFR part 246).

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 2.65 % over the July 2004 numbers for a family of the same size.

BILLING CODE 3410–30–P

INCOME ELIGIBILITY GUIDELINES											
Effective from July 1, 2005 to June 30, 2006											
HOUSEHOLD SIZE	FEDERAL POVERTY GUIDELINES			REDUCED PRICE MEALS - 185 %			FREE MEALS - 130 %				
	ANNUAL	MONTHLY	EVERY TWO WEEKS	ANNUAL	MONTHLY	EVERY TWO WEEKS	ANNUAL	MONTHLY	EVERY TWO WEEKS	WEEKLY	
48 CONTIGUOUS STATES, DISTRICT OF COLUMBIA, GUAM, AND TERRITORIES											
1	9,570	17,705	738	1,476	881	341	12,441	1,037	519	479	240
2	12,830	23,736	989	1,978	913	457	16,679	1,390	695	642	321
3	16,090	29,767	1,241	2,481	1,145	573	20,917	1,744	872	805	403
4	19,350	35,798	1,492	2,984	1,377	689	25,155	2,057	1,049	968	484
5	22,610	41,829	1,743	3,486	1,609	805	29,393	2,450	1,225	1,131	566
6	25,870	47,860	1,995	3,989	1,841	921	33,631	2,803	1,402	1,294	647
7	29,130	53,891	2,246	4,491	2,073	1,037	37,869	3,156	1,578	1,457	729
8	32,390	59,922	2,497	4,994	2,305	1,153	42,107	3,509	1,755	1,620	810
For each add'l family member, add	3,260	6,031	252	503	232	116	4,238	354	177	163	82
ALASKA											
1	11,950	22,108	922	1,843	851	426	15,535	1,295	648	598	299
2	16,030	29,656	1,236	2,472	1,141	571	20,839	1,737	869	802	401
3	20,110	37,204	1,551	3,101	1,431	716	26,143	2,179	1,090	1,006	503
4	24,190	44,752	1,865	3,730	1,722	861	31,447	2,621	1,311	1,210	605
5	28,270	52,300	2,180	4,359	2,012	1,006	36,751	3,063	1,532	1,414	707
6	32,350	59,848	2,494	4,988	2,302	1,151	42,055	3,505	1,753	1,618	809
7	36,430	67,396	2,809	5,617	2,593	1,297	47,359	3,947	1,974	1,822	911
8	40,510	74,944	3,123	6,246	2,883	1,442	52,663	4,389	2,195	2,026	1,013
For each add'l family member, add	4,080	7,548	315	629	291	146	5,304	442	221	204	102
HAWAII											
1	11,010	20,369	849	1,698	784	392	14,313	1,193	597	551	276
2	14,760	27,306	1,138	2,276	1,051	526	19,188	1,599	800	738	369
3	18,510	34,244	1,427	2,854	1,318	659	24,063	2,006	1,003	926	463
4	22,260	41,181	1,716	3,432	1,584	792	28,938	2,412	1,206	1,113	557
5	26,010	48,119	2,005	4,010	1,851	926	33,813	2,818	1,409	1,301	651
6	29,760	55,056	2,294	4,588	2,118	1,059	38,688	3,224	1,612	1,488	744
7	33,510	61,994	2,584	5,167	2,385	1,193	43,563	3,631	1,816	1,676	838
8	37,260	68,931	2,873	5,745	2,652	1,326	48,438	4,037	2,019	1,863	932
For each add'l family member, add	3,750	6,938	290	579	267	134	4,875	407	204	188	94

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

Dated: March 11, 2005.

Roberto Salazar,

Administrator.

[FR Doc. 05-5393 Filed 3-17-05; 8:45 am]

BILLING CODE 3410-30-C

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

Trade Adjustment Assistance for Farmers; Correction

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice; correction.

SUMMARY: The Foreign Agricultural Service (FAS) published a document in the **Federal Register** of March 4, 2005, concerning the approval of a petition for trade adjustment assistance (TAA) that was filed on February 1, 2005, by Gollott's Oil Dock and Icehouse, Inc., Biloxi, Mississippi. The document contained incorrect state information.

FOR FURTHER INFORMATION CONTACT: Jean-Louis Pajot, 202-720-2916.

Correction

In the **Federal Register** of March 4, 2005, in FR Doc. 05-4164, on page 10591, in the third column, correct the notice to read:

The Administrator, Foreign Agricultural Service (FAS), approved a petition for trade adjustment assistance (TAA) that was filed on February 1, 2005, by Gollott's Oil Dock and Icehouse, Inc., Biloxi, Mississippi. The certification date is March 14, 2005. Beginning on this date, shrimpers who land their catch in Mississippi will be eligible to apply for fiscal year 2005 benefits during an application period ending June 13, 2005.

SUPPLEMENTARY INFORMATION: Upon investigation, the Administrator determined that increased imports of farmed shrimp contributed importantly to a decline in the landed prices of shrimp in Mississippi by 30.4 percent during January 2003 through December 2003, when compared with the previous 5-year average.

Eligible producers must apply to the Farm Service Agency for benefits. After submitting completed applications, producers shall receive technical assistance provided by the Extension Service at no cost and may receive an adjustment assistance payment, if certain program criteria are satisfied. Applicants must obtain the technical assistance from the Extension Service by September 12, 2005, in order to be eligible for financial payments.

Producers of raw agricultural commodities wishing to learn more

about TAA and how they may apply should contact the Department of Agriculture at the addresses provided below for General Information.

Producers Certified as Eligible for TAA, Contact: Farm Service Agency service centers in Mississippi.

Dated: March 10, 2005.

A. Ellen Terpstra,

Administrator, Foreign Agricultural Service.

[FR Doc. 05-5359 Filed 3-17-05; 8:45 am]

BILLING CODE 3410-10-P

DEPARTMENT OF AGRICULTURE

Forest Service

Kelsey Vegetation Management Project, Deschutes National Forest, Deschutes County, OR

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The USDA, Forest Service, will prepare an environmental impact statement (EIS) on a proposed action to improve forest health conditions within the 46,175-acre Kelsey planning area. An analysis was initiated to assess tree density and hazardous fuels and associated forest related concerns of wildfire, insect infestations, and disease pathogens. Methods that would be used to reduce tree density and hazardous fuels are: Non-commercial and commercial thinning, mechanical shrub treatment, and prescribed burning. The planning area is located adjacent to the southern urban growth boundary of Bend, Oregon, east and adjacent to the Deschutes River and the community of Sunriver, north of Forest Road 9720, and west of Forest Road 1810. The planning area is a combination of public lands (99%), managed by the Deschutes National Forest, and private lands (1%). The alternatives will include the proposed action, no action, and additional alternatives that respond to issues generated through the scoping process. The agency will give notice of the full environmental analysis and decision-making process so interested and affected public may participate and contribute to the final decision.

DATES: Comments concerning the scope of the analysis must be received by 30 days following the date that this notice appears in the **Federal Register**.

ADDRESSES: Send written comments to Kristin M. Bail, Acting District Ranger, Bend-Fort Rock Ranger District, Red Oaks Square, 1230 NE Third Street Suite A-262, Bend, Oregon 97701.

FOR FURTHER INFORMATION CONTACT: David Frantz, Writer/Editor, Bend-Fort

Rock Ranger District, Red Oaks Square, 1230 NE Third Street Suite A-262, Bend, Oregon 97701, phone (541) 383-4721. E-mail dfrantz@fs.fed.us.

Responsible Official: The responsible official will be Leslie Weldon, Forest Supervisor, Deschutes National Forest, P.O. Box 1645 Hwy 20 East, Bend, OR 97701.

SUPPLEMENTARY INFORMATION:

Background. The analysis of the 46,175-acre Kelsey planning area was initiated in 1999. The planning area includes wildland urban interface, winter deer habitat, key elk habitat, the Upper Deschutes Wild and Scenic River, and the Newberry National Volcanic Monument. In July 2003, the 18 Fire burned approximately 3,520 acres within the planning area along the northeast boundary. The area within the fire perimeter was analyzed separately in the 18 Fire Salvage Recovery Project EIS.

The Kelsey planning area is located within the dry eastside forests of central Oregon. Large ponderosa pine (greater than 21" in diameter) once dominated the landscape. During the 1930s and 1940s, this area was owned and clearcut by private commercial enterprises, leaving few residual individual large trees and very few small stands of larger, older ponderosa pine. The Forest Service acquired these private lands during the ensuing years. The area now consists primarily of an even-aged, single story, black bark ponderosa pine forest with encroaching lodgepole pine. The average size of the ponderosa pine is approximately 12 inches in diameter at breast height (dbh), with much of the tree size within the 9 to 14 inch dbh range. Less than one (1) percent of the planning area is classified as large, old growth ponderosa pine. Highly flammable shrubs are the primary understory vegetation throughout the planning area and beyond. As a result of suppression of wildlife for approximately 90 years, large contiguous areas of dense shrubs can spread fire into the tree canopy.

Desired Condition. To provide a sustainable forest, one where disturbances such as wildfire, insects, and disease occurrences are more typical of a properly functioning eastside forest.

Purpose and Need. Low intensity wildfire frequently burned the eastside ponderosa forest ecosystem with a fire interval of generally less than 30 years, reducing stand density and natural fuels. The combination of fire suppression since the early 1900s and clear cutting has created a scenario with uncharacteristically high stand density