

# Notices

Federal Register

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Tuesday, May 11, 1999

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

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## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

#### Notice of Federal Invention Available for Licensing and Intent To Grant Exclusive License

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of availability and intent.

**SUMMARY:** Notice is hereby given that a Federally owned invention U.S. Serial No. 09/216,513, filed December 18, 1998, entitled "An Insect Barrier System for Prevention of the Passage of Crawling Insects" is available for licensing and the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to Aqua-Tainer Company of Shorewood, Illinois, an exclusive license to Serial No. 09/216,513.

**DATES:** Comments must be received on or before August 9, 1999.

**ADDRESSES:** Send comments to: USDA, ARS, Office of Technology Transfer, 5601 Sunnyside Avenue, Room 4-1158, Beltsville, Maryland 20705-5131.

**FOR FURTHER INFORMATION CONTACT:** June Blalock of the Office of Technology Transfer at the Beltsville address given above; telephone: 301-504-5989.

**SUPPLEMENTARY INFORMATION:** The Federal Government's patent rights to this invention are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as the Aqua-Tainer Company has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within ninety (90) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license

would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

**Richard M. Parry, Jr.,**

*Assistant Administrator.*

[FR Doc. 99-11868 Filed 5-10-99; 8:45 am]

BILLING CODE 3410-03-P

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## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

#### Notice of Federal Invention Available for Licensing and Intent To Grant Exclusive License

**AGENCY:** Agricultural Research Service, USDA.

**ACTION:** Notice of availability and intent.

**SUMMARY:** Notice is hereby given that a Federally owned invention U.S. Serial No. 08/944,245, filed October 6, 1997, entitled "Methods and Compositions for Producing Desiccation Tolerant *Paecilomyces fumosoroseus* Spores" is available for licensing and the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to Eco Soil Systems, Inc., of San Diego, California, an exclusive license to Serial No. 08/944,245.

**DATES:** Comments must be received on or before August 9, 1999.

**ADDRESSES:** Send comments to: USDA, ARS, MWA, Office of Director, National Center for Agricultural Utilization Research, Room 2042, 1815 N. University Street, Peoria, Illinois 61604.

**FOR FURTHER INFORMATION CONTACT:** Andrew Watkins of the National Center for Agricultural Utilization Research at the Peoria address given above; telephone: 309-681-6545.

**SUPPLEMENTARY INFORMATION:** The Federal Government's patent rights to this invention are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as Eco Soil Systems, Inc., has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within ninety (90) days from the date of this published Notice, the Agricultural Research Service receives written

evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

**Richard M. Parry, Jr.,**

*Assistant Administrator.*

[FR Doc. 99-11867 Filed 5-10-99; 8:45 am]

BILLING CODE 3410-03-M

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## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

RIN 0584-AC70

#### Food Stamp Program: Maximum Allotments for Alaska, Hawaii, Guam, and the Virgin Islands

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** General notice.

**SUMMARY:** By this notice, the Department of Agriculture is updating for Fiscal Year 1999 the maximum food stamp allotments for participating households in Alaska, Hawaii, Guam, and the Virgin Islands. These annual adjustments, required by law, take into account changes in the cost of food and statutory adjustments since the amounts were last calculated.

**EFFECTIVE DATE:** This notice is effective May 11, 1999.

**FOR FURTHER INFORMATION CONTACT:** Margaret Werts Batko, Assistant Branch Chief, Certification Policy Branch, Program Development Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Alexandria, VA 22302, or telephone at (703) 305-2516. The e-mail address is Margaret.Batko@FNS.USDA.GOV.

**SUPPLEMENTARY INFORMATION:**

#### Implementation

As required by section 3(o) of the Food Stamp Act of 1977 (the Act), 7 U.S.C. 2012(o), State agencies should have implemented this action on October 1, 1998, based on advance notice of the new amounts. As required by regulations published at 47 FR 46485 (October 19, 1982), annual statutory adjustments to the maximum allotment levels and income eligibility standards are issued by General Notices published in the **Federal Register** and not through rulemaking proceedings.

*Executive Order 12866*

This notice has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

*Executive Order 12372*

The Food Stamp Program is listed in the Catalog of Federal Domestic Assistance under No. 10.551. For the reasons set forth in the Final rule and related notice to 7 CFR part 3015, Subpart V (48 FR 29916, June 24, 1983), this program is excluded from the scope of Executive Order No. 12372 which requires intergovernmental consultation with State and local officials.

*Regulatory Flexibility Act*

The Under Secretary for Food, Nutrition, and Consumer Services has certified that this action will not have a significant economic impact and will not have an impact on a substantial number of small entities. The action will increase the amount of money spent on food through increases in food stamp benefits. However, this money will be distributed among all eligible food stamp vendors, so the effect on any one vendor will not be significant.

*Paperwork Reduction Act*

This action does not contain reporting or record keeping requirements subject to review by OMB pursuant to the provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

*Unfunded Mandate Reform Act of 1995 (UMRA)*

Title II of UMRA establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector.

Under section 202 of the UMRA, FNS generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "Federal mandates" that may result in expenditures to State, local, or tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires FNS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule.

This notice contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector of \$100 million or more in any one year. Thus today's rule is not subject to the requirements of sections 202 and 205 of the UMRA.

**Background**

*Thrifty Food Plan (TFP) and Allotments*

As provided for in section 3(o) of the Act, 7 USC 2012(o), the TFP is a plan for the consumption of foods of different types (food groups) that families might use to provide nutritious meals and snacks for family members. The plan provides for a diet required to feed a family of four persons consisting of a man and woman aged 20 to 50, a child 6 to 8 and a child 9 to 11. The cost of the TFP is adjusted monthly to reflect changes in the costs of the food groups.

The TFPs for Alaska and Hawaii are based on an adjusted average for the six-month period that ends with June 1998. Since the Bureau of Labor Statistics (the source of food price data) no longer publishes monthly information to compute Alaska and Hawaii TFPs, the

adjusted average provides a proxy for actual June 1998 TFP costs. The adjusted average is equal to January-June 1998 TFP costs for Alaska and Hawaii increased by the average percentage difference between the cost of the TFP in Alaska and Hawaii in June and the January-June average in 1986 (a 1.53 percent increase over January-June costs in Alaska and 1.82 percent increase in Hawaii).

For the period January through June 1998, the average cost of the TFP was \$511.70 in Alaska, and \$646.60 in Hawaii. The proxy in Alaska for actual June 1998 TFP costs was \$519.53. This proxy is multiplied by three separate adjustment factors to create three TFPs for Urban Alaska, Rural I Alaska, and Rural II Alaska. The proxy in Hawaii for actual June 1998 TFP costs was \$658.37. The June 1998 cost of the TFP was \$617.40 in Guam and \$538.60 in the Virgin Islands.

The maximum food stamp allotment is paid to households that have no net income. For households with some type of income, their allotments are determined by reducing the maximum allotment for their household size by 30 percent of the household's net income in accordance with section 8 (a) of the Act, 7 U.S.C. 2017 (a). To obtain the maximum food stamp allotment for each household size, the TFP costs are divided by four, multiplied by the appropriate household size and economy of scale factor, and the final result rounded down to the nearest dollar.

Pursuant to section 3 (o) (3) of the Act, maximum food stamp benefits for Guam and the Virgin Islands cannot exceed those in the 50 States and the District of Columbia, so they are based upon either the lower of their respective TFPs or the TFP for rural II Alaska.

MAXIMUM ALLOTMENT AMOUNTS <sup>1</sup>—October 1998 as Adjusted

Household size	Urban Alaska	Rural I Alaska	Rural II Alaska	Hawaii	Guam <sup>2</sup>	Virgin Islands <sup>2</sup>
1 .....	\$157	\$200	\$243	\$197	\$185	\$161
2 .....	287	367	446	362	339	296
3 .....	412	525	639	518	486	424
4 .....	523	667	812	658	617	538
5 .....	621	792	965	781	733	639
6 .....	746	951	1158	938	879	767
7 .....	824	1051	1279	1036	972	848
8 .....	942	1201	1462	1185	1111	969
Each Additional Member .....	+118	+150	+183	+148	+139	+121

<sup>1</sup> Adjusted to reflect the cost of food in June, adjustments for each household size, economies of scale, and 100 percent of the TFP and rounding.

<sup>2</sup> Adjusted to reflect changes in the cost of food in the 48 States and DC, which correlate with price changes in these areas. Maximum allotments in these areas cannot exceed those in Rural II Alaska.

Dated: April 26, 1999.

**Samuel Chambers, Jr.,**

*Administrator, Food and Nutrition Service.*

[FR Doc. 99-11757 Filed 5-10-99; 8:45 am]

BILLING CODE 3410-30-P

## DEPARTMENT OF AGRICULTURE

### Food And Nutrition Service

RIN 0584-AC69

#### **Food Stamp Program: Maximum Allotments for the 48 States and the District of Columbia, and Income Eligibility Standards for the 48 States and the District of Columbia, Alaska, Hawaii, Guam and the Virgin Islands**

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** General notice.

**SUMMARY:** The purpose of this notice is to update for Fiscal Year 1999 the maximum allotment levels, which are the basis for determining the amount of food stamps which participating households receive and the gross and net income limits for food stamp eligibility. These adjustments, required by law, take into account changes in the cost of living and statutory adjustments since the amounts were last calculated.

**DATES:** This notice is effective May 11, 1999.

**FOR FURTHER INFORMATION CONTACT:** Margaret Werts Batko, Assistant Chief, Certification Policy Branch, Program Development Division, Food Stamp Program, Food and Nutrition Service, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302, (703) 305-2516. The e-mail address is Margaret.Batko@FNS.USDA.GOV

#### **SUPPLEMENTARY INFORMATION:**

##### **Implementation**

As required by section 3(o) of the Food Stamp Act of 1977 (the Act), 7 U.S.C. 2012(o), State agencies should have implemented the adjustments to the maximum food stamp allotments reflected in this notice on October 1, 1998, based on advance notice of the new amounts. In accordance with

regulations published at 47 FR 46485-46487 (October 19, 1982), annual statutory adjustments to the maximum allotment levels and income eligibility standards are issued by general notices published in the **Federal Register** and not through rulemaking proceedings.

##### **Classification**

###### *Executive Order 12866*

This notice has been determined to be not significant for purposes of Executive Order 12866 and therefore has not been reviewed by the Office of Management and Budget (OMB).

###### *Executive Order 12372*

The Food Stamp Program is listed in the Catalog of Federal Domestic Assistance under No. 10.551. For the reasons set forth in the final rule related notice to 7 CFR part 3015, subpart V (48 FR 29116, June 24, 1983), this program is excluded from the scope of Executive Order 12372 which requires intergovernmental consultation with State and local officials.

###### *Regulatory Flexibility Act*

The Under Secretary for Food, Nutrition and Consumer Services has certified that this action will not have a significant economic impact and will not have an impact on a substantial number of small entities. The action will increase the amount of money spent on food through food stamps. However, this money will be distributed among the nation's food vendors, so the effect on any one vendor will not be significant.

###### *Paperwork Reduction Act*

This action does not contain reporting or record keeping requirements subject to approval by OMB pursuant to the provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. 3507.

###### *Unfunded Mandate Reform Act of 1995 (UMRA)*

Title II of UMRA establishes requirements for Federal agencies to assess the effects of their regulatory actions on State, local, and tribal governments and the private sector. Under section 202 of the UMRA, FNS

generally must prepare a written statement, including a cost-benefit analysis, for proposed and final rules with "Federal mandates" that may result in expenditures to State, local, or tribal governments, in the aggregate, or to the private sector, of \$100 million or more in any one year. When such a statement is needed for a rule, section 205 of the UMRA generally requires FNS to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective or least burdensome alternative that achieves the objectives of the rule.

This notice contains no Federal mandates (under the regulatory provisions of Title II of the UMRA) for State, local, and tribal governments or the private sector of more than \$100 million or more in any one year. Thus this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

##### **Background**

###### *Income Eligibility Standards*

The eligibility of households for the Food Stamp Program, except those in which, in accordance with section 5(a) of the Act, 7 U.S.C. 2014(a), all members are receiving "benefits under a State program funded under part A of title IV of the Social Security Act [], supplemental security income (SSI) benefits under title XVI of the Social Security Act [], or aid to the aged, blind, or disabled under title I, X, XIV, or XV of the Social Security Act \* \* \* .", is determined by comparing their incomes to the appropriate income eligibility standards (limits). Pursuant to section 5(c)(2) of the Act, households containing an elderly or disabled member are required to have qualifying net incomes, while households which do not contain an elderly or disabled member must have qualifying net incomes *and* qualifying gross incomes. Households in which all members are receiving Social Security Act title IV benefits or SSI are "categorically eligible;" under 7 CFR 273.2(j)(2) their incomes do not have to be below the income limits.