

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.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Special Supplemental Nutrition Program for Women, Infants and Children (WIC): 2017/2018 Income Eligibility Guidelines

AGENCY: Food and Nutrition Service (FNS), Department of Agriculture (USDA).

ACTION: Notice.

SUMMARY: The U.S. Department of Agriculture (“Department”) announces adjusted income eligibility guidelines to be used by State agencies in determining the income eligibility of persons applying to participate in the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). These income eligibility guidelines are to be used in conjunction with the WIC Regulations.

DATES: Effective date July 1, 2017.

FOR FURTHER INFORMATION CONTACT: Kurtria Watson, Chief, Policy Branch, Supplemental Food Programs Division, FNS, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302, (703) 605-4387.

SUPPLEMENTARY INFORMATION:

Executive Order 12866

This notice is exempt from review by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

This action is not a rule as defined by the Regulatory Flexibility Act (5 U.S.C. 601–612) and thus is exempt from the provisions of this Act.

Paperwork Reduction Act of 1995

This notice does not contain reporting or recordkeeping requirements subject to approval by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507).

Executive Order 12372

This program is listed in the Catalog of Federal Domestic Assistance Programs under No. 10.557, and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR part 3015, subpart V, 48 FR 29100, June 24, 1983, and 49 FR 22675, May 31, 1984).

Description

Section 17(d)(2)(A) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786(d)(2)(A)), requires the Secretary of Agriculture to establish income criteria to be used with nutritional risk criteria in determining a person’s eligibility for participation in the WIC Program. The law provides that persons will be income-eligible for the WIC Program only if they are members of families that satisfy the income standard prescribed for reduced-price school meals under section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)). Under section 9(b), the income limit for reduced-price school meals is 185 percent of the Federal poverty guidelines, as adjusted. Section 9(b) also requires that these guidelines be revised annually to reflect changes in the Consumer Price Index. The annual revision for 2017 was published by the Department of Health and Human Services (HHS) at 82 FR 8831, January 31, 2017. The guidelines published by

HHS are referred to as the “poverty guidelines.”

Section 246.7(d)(1) of the WIC regulations (Title 7, Code of Federal Regulations) specifies that State agencies may prescribe income guidelines either equaling the income guidelines established under section 9 of the Richard B. Russell National School Lunch Act for reduced-price school meals, or identical to State or local guidelines for free or reduced-price health care. However, in conforming WIC income guidelines to State or local health care guidelines, the State cannot establish WIC guidelines which exceed the guidelines for reduced-price school meals, or which are less than 100 percent of the Federal poverty guidelines. Consistent with the method used to compute income eligibility guidelines for reduced-price meals under the National School Lunch Program, the poverty guidelines were multiplied by 1.85 and the results rounded upward to the next whole dollar.

At this time, the Department is publishing the maximum and minimum WIC income eligibility guidelines by household size for the period of July 1, 2017 through June 30, 2018. Consistent with section 17(f)(17) of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1786(f)(17)), a State agency may implement the revised WIC income eligibility guidelines concurrently with the implementation of income eligibility guidelines under the Medicaid Program established under Title XIX of the Social Security Act (42 U.S.C. 1396, *et seq.*). State agencies may coordinate implementation with the revised Medicaid guidelines, *i.e.*, earlier in the year, but in no case may implementation take place later than July 1, 2017. State agencies that do not coordinate implementation with the revised Medicaid guidelines must implement the WIC income eligibility guidelines on or before July 1, 2017.

INCOME ELIGIBILITY GUIDELINES
 (Effective from July 1, 2017 to June 30, 2018)

| Household Size | Federal Poverty Guidelines- 100% | | | | | Reduced Price Meals - 185% | | | | |
|---|----------------------------------|---------|---------------|-----------|--------|----------------------------|---------|---------------|-----------|--------|
| | Annual | Monthly | Twice-Monthly | Bi-Weekly | Weekly | Annual | Monthly | Twice-Monthly | Bi-Weekly | Weekly |
| 48 Contiguous States, D.C., Guam and Territories | | | | | | | | | | |
| 1..... | \$12,060 | \$1,005 | \$503 | \$464 | \$232 | \$22,311 | \$1,860 | \$930 | \$859 | \$430 |
| 2..... | 16,240 | 1,354 | 677 | 625 | 313 | 30,044 | 2,504 | 1,252 | 1,156 | 578 |
| 3..... | 20,420 | 1,702 | 851 | 786 | 393 | 37,777 | 3,149 | 1,575 | 1,453 | 727 |
| 4..... | 24,600 | 2,050 | 1,025 | 947 | 474 | 45,510 | 3,793 | 1,897 | 1,751 | 876 |
| 5..... | 28,780 | 2,399 | 1,200 | 1,107 | 554 | 53,243 | 4,437 | 2,219 | 2,048 | 1,024 |
| 6..... | 32,960 | 2,747 | 1,374 | 1,268 | 634 | 60,976 | 5,082 | 2,541 | 2,346 | 1,173 |
| 7..... | 37,140 | 3,095 | 1,548 | 1,429 | 715 | 68,709 | 5,726 | 2,863 | 2,643 | 1,322 |
| 8..... | 41,320 | 3,444 | 1,722 | 1,590 | 795 | 76,442 | 6,371 | 3,186 | 2,941 | 1,471 |
| Each add'l family member add | + | + | + | + | + | + | + | + | + | + |
| | \$4,180 | \$349 | \$175 | \$161 | \$81 | \$7,733 | \$645 | \$323 | \$298 | \$149 |
| Alaska | | | | | | | | | | |
| 1..... | \$15,060 | \$1,255 | \$628 | \$580 | \$290 | \$27,861 | \$2,322 | \$1,161 | \$1,072 | \$536 |
| 2..... | 20,290 | 1,691 | 846 | 781 | 391 | 37,537 | 3,129 | 1,565 | 1,444 | 722 |
| 3..... | 25,520 | 2,127 | 1,064 | 982 | 491 | 47,212 | 3,935 | 1,968 | 1,816 | 908 |
| 4..... | 30,750 | 2,563 | 1,282 | 1,183 | 592 | 56,888 | 4,741 | 2,371 | 2,188 | 1,094 |
| 5..... | 35,980 | 2,999 | 1,500 | 1,384 | 692 | 66,563 | 5,547 | 2,774 | 2,561 | 1,281 |
| 6..... | 41,210 | 3,435 | 1,718 | 1,585 | 793 | 76,239 | 6,354 | 3,177 | 2,933 | 1,467 |
| 7..... | 46,440 | 3,870 | 1,935 | 1,787 | 894 | 85,914 | 7,160 | 3,580 | 3,305 | 1,653 |
| 8..... | 51,670 | 4,306 | 2,153 | 1,988 | 994 | 95,590 | 7,966 | 3,983 | 3,677 | 1,839 |
| Each add'l family member add | + | + | + | + | + | + | + | + | + | + |
| | \$5,230 | \$436 | \$218 | \$202 | \$101 | \$9,676 | \$807 | \$404 | \$373 | \$187 |
| Hawaii | | | | | | | | | | |
| 1..... | \$13,860 | \$1,155 | \$578 | \$534 | \$267 | \$25,641 | \$2,137 | \$1,069 | \$987 | \$494 |
| 2..... | 18,670 | 1,556 | 778 | 719 | 360 | 34,540 | 2,879 | 1,440 | 1,329 | 665 |
| 3..... | 23,480 | 1,957 | 979 | 904 | 452 | 43,438 | 3,620 | 1,810 | 1,671 | 836 |
| 4..... | 28,290 | 2,358 | 1,179 | 1,089 | 545 | 52,337 | 4,362 | 2,181 | 2,013 | 1,007 |
| 5..... | 33,100 | 2,759 | 1,380 | 1,274 | 637 | 61,235 | 5,103 | 2,552 | 2,356 | 1,178 |
| 6..... | 37,910 | 3,160 | 1,580 | 1,459 | 730 | 70,134 | 5,845 | 2,923 | 2,698 | 1,349 |
| 7..... | 42,720 | 3,560 | 1,780 | 1,644 | 822 | 79,032 | 6,586 | 3,293 | 3,040 | 1,520 |
| 8..... | 47,530 | 3,961 | 1,981 | 1,829 | 915 | 87,931 | 7,328 | 3,664 | 3,382 | 1,691 |
| Each add'l family member add | + | + | + | + | + | + | + | + | + | + |
| | \$4,810 | \$401 | \$201 | \$185 | \$93 | \$8,899 | \$742 | \$371 | \$343 | \$172 |

INCOME ELIGIBILITY GUIDELINES
Supplemental Chart for Family Sizes Greater Than Eight
(Effective from July 1, 2017 to June 30, 2018)

| Household Size | Federal Poverty Guidelines- 100% | | | | | Reduced Price Meals - 185% | | | | |
|---|----------------------------------|---------|---------------|-----------|---------|----------------------------|---------|---------------|-----------|---------|
| | Annual | Monthly | Twice-Monthly | Bi-Weekly | Weekly | Annual | Monthly | Twice-Monthly | Bi-Weekly | Weekly |
| 48 Contiguous States, D.C., Guam and Territories | | | | | | | | | | |
| 9..... | \$45,500 | \$3,792 | \$1,896 | \$1,750 | \$875 | \$84,175 | \$7,015 | \$3,508 | \$3,238 | \$1,619 |
| 10..... | 49,680 | 4,140 | 2,070 | 1,911 | 956 | 91,908 | 7,659 | 3,830 | 3,535 | 1,768 |
| 11..... | 53,860 | 4,489 | 2,245 | 2,072 | 1,036 | 99,641 | 8,304 | 4,152 | 3,833 | 1,917 |
| 12..... | 58,040 | 4,837 | 2,419 | 2,233 | 1,117 | 107,374 | 8,948 | 4,474 | 4,130 | 2,065 |
| 13..... | 62,220 | 5,185 | 2,593 | 2,394 | 1,197 | 115,107 | 9,593 | 4,797 | 4,428 | 2,214 |
| 14..... | 66,400 | 5,534 | 2,767 | 2,554 | 1,277 | 122,840 | 10,237 | 5,119 | 4,725 | 2,363 |
| 15..... | 70,580 | 5,882 | 2,941 | 2,715 | 1,358 | 130,573 | 10,882 | 5,441 | 5,023 | 2,512 |
| 16..... | 74,760 | 6,230 | 3,115 | 2,876 | 1,438 | 138,306 | 11,526 | 5,763 | 5,320 | 2,660 |
| Each add'l family member add | + \$4,180 | + \$349 | + \$175 | + \$161 | + \$81 | + \$7,733 | + \$645 | + \$323 | + \$298 | + \$149 |
| Alaska | | | | | | | | | | |
| 9..... | \$56,900 | \$4,742 | \$2,371 | \$2,189 | \$1,095 | \$105,265 | \$8,773 | \$4,387 | \$4,049 | \$2,025 |
| 10..... | 62,130 | 5,178 | 2,589 | 2,390 | 1,195 | 114,941 | 9,579 | 4,790 | 4,421 | 2,211 |
| 11..... | 67,360 | 5,614 | 2,807 | 2,591 | 1,296 | 124,616 | 10,385 | 5,193 | 4,793 | 2,397 |
| 12..... | 72,590 | 6,050 | 3,025 | 2,792 | 1,396 | 134,292 | 11,191 | 5,596 | 5,166 | 2,583 |
| 13..... | 77,820 | 6,485 | 3,243 | 2,994 | 1,497 | 143,967 | 11,998 | 5,999 | 5,538 | 2,769 |
| 14..... | 83,050 | 6,921 | 3,461 | 3,195 | 1,598 | 153,643 | 12,804 | 6,402 | 5,910 | 2,955 |
| 15..... | 88,280 | 7,357 | 3,679 | 3,396 | 1,698 | 163,318 | 13,610 | 6,805 | 6,282 | 3,141 |
| 16..... | 93,510 | 7,793 | 3,897 | 3,597 | 1,799 | 172,994 | 14,417 | 7,209 | 6,654 | 3,327 |
| Each add'l family member add | + \$5,230 | + \$436 | + \$218 | + \$202 | + \$101 | + \$9,676 | + \$807 | + \$404 | + \$373 | + \$187 |
| Hawaii | | | | | | | | | | |
| 9..... | \$52,340 | \$4,362 | \$2,181 | \$2,014 | \$1,007 | \$96,829 | \$8,070 | \$4,035 | \$3,725 | \$1,863 |
| 10..... | 57,150 | 4,763 | 2,382 | 2,199 | 1,100 | 105,728 | 8,811 | 4,406 | 4,067 | 2,034 |
| 11..... | 61,960 | 5,164 | 2,582 | 2,384 | 1,192 | 114,626 | 9,553 | 4,777 | 4,409 | 2,205 |
| 12..... | 66,770 | 5,565 | 2,783 | 2,569 | 1,285 | 123,525 | 10,294 | 5,147 | 4,751 | 2,376 |
| 13..... | 71,580 | 5,965 | 2,983 | 2,754 | 1,377 | 132,423 | 11,036 | 5,518 | 5,094 | 2,547 |
| 14..... | 76,390 | 6,366 | 3,183 | 2,939 | 1,470 | 141,322 | 11,777 | 5,889 | 5,436 | 2,718 |
| 15..... | 81,200 | 6,767 | 3,384 | 3,124 | 1,562 | 150,220 | 12,519 | 6,260 | 5,778 | 2,889 |
| 16..... | 86,010 | 7,168 | 3,584 | 3,309 | 1,655 | 159,119 | 13,260 | 6,630 | 6,120 | 3,060 |
| Each add'l family member add | + \$4,810 | + \$401 | + \$201 | + \$185 | + \$93 | + \$8,899 | + \$742 | + \$371 | + \$343 | + \$172 |

The table of this Notice contains the income limits by household size for the 48 contiguous States, the District of Columbia, and all United States Territories, including Guam. Separate tables for Alaska and Hawaii have been

included for the convenience of the State agencies because the poverty guidelines for Alaska and Hawaii are higher than for the 48 contiguous States.

Authority: 42 U.S.C. 1786.

Dated: February 27, 2017.

Jessica Shahin,

Acting Administrator, Food and Nutrition Service, USDA.

[FR Doc. 2017-05119 Filed 3-14-17; 8:45 am]

BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Request for Information: Supplemental Nutrition Assistance Program (SNAP) Income Conversion Factors for Anticipated Income

AGENCY: Food and Nutrition Service (FNS), USDA.

ACTION: Notice.

SUMMARY: The Food and Nutrition Service (FNS) seeks input on the use of the current Supplemental Nutrition Assistance Program (SNAP) income conversion factors used to anticipate a household's income for the purposes of SNAP eligibility when a household's income is received on a weekly or biweekly basis. FNS hopes to obtain perspective from State agencies and other stakeholders as it considers how to best balance the flexibilities States are granted in calculating anticipated monthly income under current SNAP regulations, while adhering to the legislative intent of reducing administrative burden on State agencies and removing barriers to eligibility for needy households.

DATES: Written comments must be received on or before May 15, 2017.

ADDRESSES: Comments may be sent to Sasha Gersten-Paal, Chief, Certification Policy Branch, Program Development Division, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 812, Alexandria, VA 22302. Comments will also be accepted through the Federal eRulemaking Portal. Go to <http://www.regulations.gov> and follow the online instructions for submitting comments electronically. All written comments will be open for public inspection at the FNS office located at 3101 Park Center Drive, Alexandria, Virginia, 22302, Room 812, during regular business hours (8:30 a.m. to 5:00 p.m., Monday through Friday). All responses to this notice will be summarized and included in the request for Office of Management and Budget

(OMB) approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of this request for information should be directed to Sasha Gersten-Paal via email to Sasha.Gersten-Paal@fns.usda.gov.

SUPPLEMENTARY INFORMATION: SNAP regulations at 7 CFR 273.10(c)(2)(i) provide State agencies with three options when converting weekly and biweekly income into anticipated monthly income: Multiplying by 4.3 for weekly income or by 2.15 for biweekly income; using the State agency's public assistance (PA) conversion standard; or, using a household's exact amount, if it can be anticipated. These options have been available to State agencies since the enactment of the Food Stamp Act of 1977, and the majority of States opt to use the first set of conversion factors.

Generally, when calculating a SNAP recipient's benefit amount, the lower the recipient's income, the greater their SNAP benefit will be. Some stakeholders contend that using the first set of conversion factors (4.3 for weekly income or 2.15 for biweekly income) underestimates a recipient's actual monthly income, which in turn raises the amount of the recipient's SNAP benefit. These stakeholders maintain that not only does this result in an overpayment to the recipient, it also creates inequity between SNAP recipients paid on a monthly basis and those paid on a weekly or biweekly basis. These stakeholders recommend that FNS increase income conversion accuracy by amending current SNAP regulations to carry the current factors out by two decimal places, specifically, to 4.33 for weekly income, and 2.17 for biweekly income.

In 1971, Congress amended the Food Stamp Act of 1964 and directed FNS to establish standards of eligibility for the Food Stamp Program. In implementing the amendment, FNS began adjusting a household's monthly income to include income anticipated to be received during the certification period. For income received less frequently than a monthly basis, the factors used to average income were 4.3 for weekly income, and 2.15 for biweekly income.

In the Food Stamp Act of 1977, Congress expanded the definition of anticipated income in Section 5(f) to include "income reasonably anticipated to be received" during the certification period, and again provided FNS the authority to establish standards for calculating anticipated income. The House Committee of Agriculture's Report on the Food Stamp Act of 1977

states that the purpose in adopting this standard was ". . . to smooth the way for participation by the needy, not to place obstacles in their path by making them out to be less needy than they in fact are."

FNS codified these conversion factors through rulemaking, including a Notice of Proposed Rulemaking published on May 2, 1978, and a Final Rule published on October 17, 1978. Between the Proposed Rulemaking and the Final Rule, FNS received nearly 500 comments regarding the sections on determining anticipated income. In the preamble to the Final Rule, FNS stated that "State and local agencies were frequently concerned with the use of the proposed multipliers for converting income received on a weekly (4.3) or biweekly (2.15) basis. Some recommended using 4.333 and 2.167 to conform to the [Aid to Families with Dependent Children (AFDC)] factors for weekly and biweekly income conversions." To address this concern, in addition to using the established factors of 4.3 and 2.15, the Final Rule permitted State agencies to align their conversion factors with other public assistance programs, or to use the exact monthly figure if it could be obtained for the entire certification period.

In 1981, Congress added Section 5(f)(4) to the Act and directed FNS to ensure, "to the extent feasible," that the income of households receiving both Food Stamp benefits and benefits from AFDC, the predecessor to Temporary Assistance for Needy Families, were "calculated on a comparable basis under the two Acts."

With this history in mind, FNS is seeking information from State agency partners and stakeholders on the following particular questions:

1. Of the three income conversion options provided by 7 CFR 273.10(c)(2)(i), which option does your State agency use?
 - a. Why does your State agency use this particular option?
 - b. What are the perceived strengths, if any, of this option?
 - c. What are the perceived weaknesses, if any, of this option?
2. What, if any, administrative challenges would your State agency face in adopting a different income conversion option?
3. What, if any, technological challenges would your State agency face in adopting a different income conversion option?
4. Is there another methodology in converting weekly and biweekly income that FNS should consider?