

**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 J&F Saw and Gin Machinery, Inc. and Scott Gin Machinery, Inc. have submitted complete and sufficient applications for a license. The prospective coexclusive licenses 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 coexclusive 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.

**Michael D. Ruff,**

*Assistant Administrator.*

[FR Doc. 01-10604 Filed 4-27-01; 8:45 am]

**BILLING CODE 3410-03-P**

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Commodity Supplemental Food Program: Elderly Income Guidelines

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

**ACTION:** Notice.

**SUMMARY:** This notice announces the adjusted income guidelines to be used by State agencies in determining the eligibility of elderly persons applying to participate in the Commodity Supplemental Food Program. These guidelines are to be used in conjunction with the regulations found at 7 CFR part 247.

**EFFECTIVE DATE:** April 30, 2001.

#### FOR FURTHER INFORMATION CONTACT:

Lillie F. Ragan, Assistant Branch Chief, Household Programs Branch, U.S. Department of Agriculture, 3101 Park Center Drive, Alexandria, Virginia 22302-1594, or telephone (703) 305-2662.

#### SUPPLEMENTARY INFORMATION:

##### 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 that Act.

##### Paperwork Reduction Act

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. 10.565 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 29112).

#### Description

The Food Security Act of 1985 (Pub. L. 99-198) amended section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) to require that the Secretary permit agencies administering the Commodity Supplemental Food Program (CSFP) to serve low-income elderly persons if such service can be provided without reducing service levels for women, infants, and children. The law also mandates establishment of income eligibility requirements for elderly participation. Prior to enactment of Pub. L. 99-198, elderly participation was restricted by law to three designated pilot projects which served the elderly in accordance with agreements with the Department.

To implement the CSFP mandates of Pub. L. 99-198, the Department published an interim rule on September 17, 1986 at 51 FR 32895 and a final rule on February 18, 1988, at 53 FR 4831. These regulations defined "elderly persons" as persons who are 60 years of age or older (7 CFR 247.2). The final rule further stipulates that elderly persons certified on or after September 17, 1986 must have "household income at or below 130 percent of the Federal Poverty Income Guidelines published annually by the Department of Health and Human Services." (7 CFR 247.7(a)(3)).

The Federal Poverty Income Guidelines are revised annually to reflect changes in the Consumer Price Index. The revision for 2001 was published by the Department of Health and Human Services in the **Federal Register** on February 16, 2001 at 66 FR 10695. To establish income limits of 130 percent, the guidelines were multiplied by 1.30 and the results rounded up to the next whole dollar.

At this time, the Department is publishing the income limits of 130 percent of the poverty income guidelines. The table in this notice contains the income limits by household size to be used for elderly certification in the CSFP. These income

guidelines will be effective on the date that they are published in the **Federal Register** and will remain in effect until notification of revised guidelines in 2002.

#### FNS INCOME ELIGIBILITY GUIDELINES FOR THE ELDERLY IN CSFP (130 PERCENT OF POVERTY INCOME GUIDELINES)

[Effective April 30, 2001]

| Family size                                 | Annual | Month | Week |
|---------------------------------------------|--------|-------|------|
| 1 .....                                     | 11,167 | 931   | 215  |
| 2 .....                                     | 15,093 | 1,258 | 291  |
| 3 .....                                     | 19,019 | 1,585 | 366  |
| 4 .....                                     | 22,945 | 1,913 | 442  |
| 5 .....                                     | 26,871 | 2,240 | 517  |
| 6 .....                                     | 30,797 | 2,567 | 593  |
| 7 .....                                     | 34,723 | 2,894 | 668  |
| 8 .....                                     | 38,649 | 3,221 | 744  |
| For each additional family member add ..... | +3,926 | +328  | +76  |

**Authority:** Pub. L. 93-86 (7 U.S.C. 612c note)

Dated: April 24, 2001.

**George A. Braley,**

*Acting Administrator, Food and Nutrition Service.*

[FR Doc. 01-10627 Filed 4-27-01; 8:45 am]

**BILLING CODE 3410-30-P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Stimson Access Project, Idaho Panhandle National Forests, Pend Oreille County, WA

**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) to disclose the potential environmental effects of authorizing an easement across National Forest System lands to private property owned by Stimson Lumber Company. The project is located on the Priest Lake Ranger District, Idaho Panhandle National Forests, Pend Oreille County, Washington.

The proposed action includes issuing an easement for the purpose of road building to access the private inholding. Specific activities would include removal of road right-of-way timber, surfacing of the road, installation of drainage structures, seeding, noxious weed treatment and installation of a barrier to limit access. These management activities will be administered by the Priest Lake Ranger

District of the Idaho Panhandle National Forests in Bonner County, Idaho. This EIS will tier to the Idaho Panhandle National Forests Forest Plan (September 1987).

**DATES:** On February 28, 2001, the Forest Service produced an Environmental Assessment (EA) and provided a 30-day comment period. Instead of providing another comment period following the publication of this notice, we will incorporate the comments we received on the EA into the Draft EIS. There will be a 45-day review and comment period on the Draft EIS prior to the completion of a Final EIS.

**ADDRESSES:** Submit written comments and suggestions on the proposed management activities or request to be placed on the project mailing list to Stimson Access Project, c/o David Asleson, Priest Lake Ranger District, 32203 Highway 57, Priest River, Idaho 83856.

**FOR FURTHER INFORMATION CONTACT:**

Debbie Butler, Project Team Leader, Priest Lake Ranger District, 32203 Highway 57, Priest River, ID 83856; send e-mail to [dabutler@fs.fed.us](mailto:dabutler@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** Based on policy established in the Final Rule for the Forest Transportation System (36 CFR part 212), it was determined that an EIS should be prepared.

The project includes approximately 4 acres on National Forest System land. The area is situated totally within Pend Oreille County, Washington, approximately 12 miles northwest of the Priest Lake Ranger District. The legal description for the project is as follows: Sections 8; Township 36 North; Range 45 East and Sections 4; Township 36 North, Range 45 East.

As Deciding Officer, I will decide what action will occur on National Forest lands. I also will decide specific project mitigation measures, as necessary, to achieve Forest Plan objectives and standards for affected resources.

Public participation plays an important role in the environmental analysis process. The initial public participation process for this analysis began April 7, 1998. An environmental assessment was produced in February 2001. The decision to prepare an EIS occurred on April 12, 2001. The mailing list for public scoping will include those individuals who have previously expressed interest in this project as well as those responding to the Idaho Panhandle National Forests Quarterly Schedule of Proposed Actions. In addition, the public is encouraged to visit with Forest Service officials during the analysis and prior to the decision.

The Forest Service will also be seeking information, comments, and assistance from Federal, State, and local agencies and other individuals or organizations that may be interested in or affected by the proposed actions.

Comments from the public and other agencies will be used in preparation of the Draft EIS. Some public concerns have already been expressed through earlier scoping and the following significant issues have been identified: threatened and endangered wildlife habitat, inventoried roadless area values, watershed concerns, and fisheries concerns. This list will be verified, expanded, or modified based on public scoping and interdisciplinary review for this proposal.

The draft environmental impact statement is expected to be filed with the Environmental Protection Agency (EPA) and available for public review June 1, 2001. The final environmental impact statement is expected to be completed in July 2001. The comment period on the draft environmental impact will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the **Federal Register**.

The Forest Service believes, at this early state, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental statement stage but that are not raised until after completion of the final environmental statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concern on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if

comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviews may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means of communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, DC 20250, or call 1-800-245-6340 (voice) or 202-720-1127 (TDD). USDA is an equal employment opportunity employer.

Dated: April 16, 2001.

**Dale N. Bosworth,**

*Regional Forester, Northern Region.*

[FR Doc. 01-10537 Filed 4-27-01; 8:45 am]

**BILLING CODE 3410-11-M**

## COMMISSION ON CIVIL RIGHTS

### Sunshine Act Meeting

**AGENCY:** U.S. Commission on Civil Rights.

**DATE AND TIME:** Friday, May 4, 2001, 9:30 a.m.

**PLACE:** U.S. Commission on Civil Rights, 624 Ninth Street, NW., Room 540, Washington, DC 20425.

**STATUS:**

*Agenda*

- I. Approval of Agenda
- II. Approval of Minutes of April 13, 2001 Meeting
- III. Announcements
- IV. Staff Director's Report
- V. State Advisory Committee Report
  - Race Relations and Des Moines' New Immigrants (Iowa)
  - Equal Educational Opportunity for Native American Students in Montana Public Schools (Montana)
- VI. Future Agenda Items