

correctional facility; inmates on December 31 by race and Hispanic origin; testing of incoming inmates for HIV; and HIV infection and AIDS cases on December 31.

The Bureau of Justice Statistics uses this information in published reports and for the U.S. Congress, Executive Office of the President, practitioners, researchers, students, the media, and others interested in criminal justice statistics.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* BJS estimates 51 respondents will respond to the collection. It will take the average respondent approximately 6.5 hours to respond to the information collection.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total annual burden hours associated with this information collection is 332.

If additional information is required contact: Brenda E. Dyer, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: May 5, 2005.

**Brenda E. Dyer,**

*Department Clearance Officer, Department of Justice.*

[FR Doc. 05-9344 Filed 5-10-05; 8:45 am]

**BILLING CODE 4410-18-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Workforce Investment Act; Lower Living Standard Income Level

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of determination of lower living standard income level.

**SUMMARY:** Under Title I of the Workforce Investment Act of 1998 (Pub. L. 105-220), the Secretary of Labor annually determines the Lower Living Standard Income Level (LLSIL) for uses described in the Law. WIA defines the term "Low Income Individual" as one who qualifies under various criteria, including an individual who received income for a six-month period that does not exceed the higher of the poverty line or 70 percent of the lower living standard income level. This issuance provides the Secretary's annual LLSIL for 2005 and references the current 2005

Health and Human Services "Poverty Guidelines."

**DATES:** *Effective Date:* This notice is effective on date of publication in the **Federal Register**.

**ADDRESSES:** Send written comments to: Ms. Libby Queen, Employment and Training Administration, Department of Labor, Room N-4464, 200 Constitution Avenue NW., Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Ms. Libby Queen, Telephone 202-693-3607; Fax 202-693-3532 (these are not toll free numbers).

**SUPPLEMENTARY INFORMATION:** It is the purpose of the Workforce Investment Act of 1998 (WIA) "to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation."

The LLSIL is used for several purposes under WIA: specifically, WIA Section 101(25) defines the term "low income individual" for eligibility purposes, Sections 127(b)(2)(C) and 132(b)(1)(V)(IV) define the terms "disadvantaged youth," and "disadvantaged adult" in terms of the poverty line or LLSIL for purposes of State formula allotments. The Governor and State/Local Workforce Investment Boards use the LLSIL for determining eligibility for youth, eligibility for employed adult workers for certain services, and for the Work Opportunity Tax Credit (WOTC). We encourage the Governors and State/local Workforce Investment Boards to consult WIA and its regulations and the preamble to the WIA Final Rule (published at 65 FR 49294 (August 11, 2000)) *et al.*, for more specific guidance in applying the LLSIL to program requirements. The Department of Health and Human Services published the annual 2005 update of the poverty-level guidelines in the **Federal Register** at 70 FR 8373-8375, (Feb. 18, 2005). The HHS 2005 Poverty guidelines may also be found on the Internet at: <http://aspe.hhs.gov/poverty/05fedreg.html>.

ETA plans to have the 2005 LLSIL available on its Web site at: <http://www.doleta.gov/llsil/>.

WIA Section 101(24) defines the LLSIL as "that income level (adjusted for regional, metropolitan, urban, and rural differences and family size) determined annually by the Secretary [of Labor] based on the most recent lower living family budget issued by the

Secretary." The most recent lower living family budget was issued by the Secretary of Labor in the fall of 1981. The four-person urban family budget estimates, previously published by the Bureau of Labor Statistics (BLS) provided the basis for the Secretary to determine the LLSIL. BLS terminated the four-person family budget series in 1982, after publication of the fall 1981 estimates. Currently BLS provides data to ETA, from which it develops the LLSIL tables.

ETA published the 2004 updates to the LLSIL in the **Federal Register** of June 25, 2004, at 69 FR 35679. This notice again updates the LLSIL to reflect cost of living increases for 2004, by applying the percentage change in the December 2004 Consumer Price Index for All Urban Consumers (CPI-U), compared with the December 2003, CPI-U, to each of the June 25, 2004 LLSIL figures. Those updated figures for a family of four are listed in Table 1 below by region for both metropolitan and nonmetropolitan areas. Figures in all of the accompanying tables are rounded up to the nearest ten. Since "low income individual," "disadvantaged adult," and "disadvantaged youth" may be determined by family income at 70 percent of the LLSIL, pursuant to WIA Sections, 101(25), 127(b)(2)(C) and 132(b)(1)(B)(v)(IV), respectively, those figures are listed below as well.

Jurisdictions included in the various regions, based generally on Census Divisions of the U.S. Department of Commerce, are as follows:

#### Northeast

Connecticut  
Maine  
Massachusetts  
New Hampshire  
New Jersey  
New York  
Pennsylvania  
Rhode Island  
Vermont  
Virgin Islands

#### Midwest

Illinois  
Indiana  
Iowa  
Kansas  
Michigan  
Minnesota  
Missouri  
Nebraska  
North Dakota  
Ohio  
South Dakota  
Wisconsin

#### South

Alabama

American Samoa  
Arkansas  
Delaware  
District of Columbia  
Florida  
Georgia  
Northern Marianas  
Oklahoma  
Palau  
Puerto Rico  
South Carolina  
Kentucky  
Louisiana  
Marshall Islands  
Maryland  
Micronesia  
Mississippi  
North Carolina  
Tennessee  
Texas  
Virginia  
West Virginia

#### *West*

Arizona  
California  
Colorado  
Idaho  
Montana  
Nevada  
New Mexico  
Oregon  
Utah  
Washington  
Wyoming

Additionally, separate figures have been provided for Alaska, Hawaii, and Guam as indicated in Table 2 below.

For Alaska, Hawaii, and Guam, the year 2005 figures were updated from the June 25, 2004, "State Index" based on the ratio of the urban change in the State (using Anchorage for Alaska and Honolulu for Hawaii and Guam) compared to the West regional

metropolitan change, and then applying that index to the West regional metropolitan change.

Data on 23 selected Metropolitan Statistical Areas (MSAs) are also available. These are based on semiannual CPI-U changes for a 12-month period ending in December 2004. The updated LLSIL figures for these MSAs and 70 percent of the LLSIL are reported in Table 3 below.

Table 4 below lists each of the various figures at 70 percent of the updated 2005 LLSIL for family sizes of one to six persons. For families larger than six persons, an amount equal to the difference between the six-person and the five-person family income levels should be added to the six-person family income level for each additional person in the family. Where the poverty level for a particular family size is greater than the corresponding LLSIL figure, the figure is indicated in parentheses. Table 5, 100 percent of LLSIL, is used to determine self-sufficiency as noted at 20 CFR 663.230 of WIA Regulations and WIA section 134(d)(3)(A)(ii).

#### **Use of These Data**

Governors should designate the appropriate LLSILs for use within the State from Tables 1 through 3. Tables 4 and 5 may be used with any of the levels designated. The Governor's designation may be provided by disseminating information on Metropolitan Statistical Areas (MSAs) and metropolitan and nonmetropolitan areas within the State, or it may involve further calculations. For example, the State of New Jersey may have four or more LLSIL figures: for Northeast

metropolitan, for Northeast nonmetropolitan, for portions of the State in the New York City MSA, and for those in the Philadelphia MSA. If a workforce investment area includes areas that would be covered by more than one figure, the Governor may determine which is to be used.

Under 20 CFR 661.110, a State's policies and measures for the workforce investment system shall be accepted by the Secretary to the extent that they are consistent with the WIA and the WIA regulations.

#### **Disclaimer on Statistical Uses**

It should be noted that the publication of these figures is only for the purpose of meeting the requirements specified by WIA as defined in the law and regulations. BLS has not revised the lower living family budget since 1981, and has no plans to do so. The four-person urban family budget estimates series has been terminated. The CPI-U adjustments used to update the LLSIL for this publication are not precisely comparable, most notably because certain tax items were included in the 1981 LLSIL, but are not in the CPI-U. Thus, these figures should not be used for any statistical purposes, and are valid only for those purposes under the WIA as defined in the law and regulations.

Signed at Washington, DC, this 3rd day of May 2005.

**Gay Gilbert,**

*Administrator, Office of Workforce Investment.*

#### **Attachments.**

**BILLING CODE 4510-30-P**

**Table 1: Lower Living Standard Income Level (for a family of four persons) by Region<sup>1</sup>**

<b>Region<sup>2</sup></b>	<b>2004 Adjusted LLSIL</b>	<b>2005 Factor</b>	<b>2005 Adjusted LLSIL</b>	<b>70 percent LLSIL</b>			
Northeast							
Metro	\$ 32,640	1.036	\$ 33,820	\$ 23,680			
Non-Metro <sup>3</sup>	\$ 31,370	1.03	\$ 32,320	\$ 22,620			
Midwest							
Metro	\$ 29,720	1.03	\$ 30,620	\$ 21,430			
Non-Metro	\$ 27,860	1.034	\$ 28,810	\$ 20,170			
South							
Metro	\$ 28,050	1.033	\$ 28,980	\$ 20,290			
Non-Metro	\$ 26,520	1.039	\$ 27,560	\$ 19,290			
West							
Metro	\$ 32,130	1.032	\$ 33,160	\$ 23,220			
Non-Metro <sup>4</sup>	\$ 31,140	1.028	\$ 32,020	\$ 22,410			

<sup>1</sup>For ease of use, these figures have been rounded to the next highest ten dollars.

<sup>2</sup>Metropolitan area measures were calculated from the weighted average CPI-Us for city size classes A and B/C. Non-metropolitan area measures were calculated from the CPI-Us for city size class D.

<sup>3</sup>Nonmetropolitan area percent changes for the Northeast region are no longer available. The Non-metropolitan percent change was calculated using the U.S. average CPI-U for city size Class D.

<sup>4</sup>Non-metropolitan area percent changes for the West region are unpublished data.

**Table 2: Lower Living Standard Income Level (for a family of four persons) -- Alaska, Hawaii and Guam<sup>1</sup>**

<b>Region</b>	<b>2004 Adjusted LLSIL</b>	<b>2005 Factor</b>	<b>2005 Adjusted LLSIL</b>	<b>70 percent LLSIL</b>			
Alaska							
Metro	\$ 39,920	1.023	\$ 40,840	\$ 28,590			
Non-Metro <sup>2</sup>	\$ 39,080	1.028	\$ 40,180	\$ 28,130			
Hawaii, Guam							
Metro	\$ 40,550	1.033	\$ 41,890	\$ 29,330			
NonMetro <sup>2</sup>	\$ 41,730	1.028	\$ 42,900	\$ 30,030			

<sup>1</sup>Rounded to next highest ten dollars.

<sup>2</sup>Non-Metropolitan percent changes for Alaska, Hawaii and Guam were calculated from the CPI-Us for city size Class D in the Western Region.

**Table 3: Lower Living Standard Income Level (for a family of four persons) 23 MSAs<sup>1</sup>**

<b>Metropolitan Statistical Areas (MSAs)</b>	<b>2004 Adjusted LLSIL</b>	<b>2005 Factor</b>	<b>2005 Adjusted LLSIL</b>	<b>70 percent LLSIL</b>
Anchorage, AK	\$ 39,920	1.023	\$ 40,840	\$ 28,590
Atlanta, GA	\$ 28,230	1.019	\$ 28,770	\$ 20,140
Boston--Brockton--Nashua, MA/NH/ME/CT	\$ 36,330	1.021	\$ 37,100	\$ 25,970
Chicago--Gary--Kenosha, IL/IN/WI	\$ 31,320	1.025	\$ 32,110	\$ 22,480
Cincinnati--Hamilton, OH/KY/IN	\$ 29,880	1.017	\$ 30,390	\$ 21,280
Cleveland--Akron, OH	\$ 30,630	1.031	\$ 31,580	\$ 22,110
Dallas--Ft. Worth, TX	\$ 27,340	1.018	\$ 27,840	\$ 19,490
Denver--Boulder--Greeley, CO	\$ 31,760	1.009	\$ 32,050	\$ 22,440
Detroit--Ann Arbor--Flint, MI	\$ 29,410	1.02	\$ 30,000	\$ 21,000
Honolulu, HI	\$ 40,550	1.033	\$ 41,890	\$ 29,330
Houston--Galveston--Brazoria, TX	\$ 26,100	1.034	\$ 26,990	\$ 18,900
Kansas City, MO/KS	\$ 28,950	1.024	\$ 29,650	\$ 20,760
Los Angeles--Riverside--Orange County, CA	\$ 32,920	1.041	\$ 34,270	\$ 23,990
Milwaukee--Racine, WI	\$ 29,660	1.017	\$ 30,170	\$ 21,120
Minneapolis--St. Paul, MN/WI	\$ 30,110	1.03	\$ 31,020	\$ 21,710
New York--Northern NJ--Long Island, NY/NJ/CT/PA	\$ 34,240	1.036	\$ 35,480	\$ 24,840
Philadelphia--Wilmington--Atlantic City, PA/NJ/DE/MD	\$ 31,370	1.047	\$ 32,850	\$ 23,000
Pittsburgh, PA	\$ 29,880	1.211	\$ 36,190	\$ 25,330
St. Louis, MO/IL	\$ 28,370	1.04	\$ 29,510	\$ 20,660
San Diego, CA	\$ 35,970	1.037	\$ 37,310	\$ 26,120
San Francisco--Oakland--San Jose, CA	\$ 34,860	1.018	\$ 35,490	\$ 24,850
Seattle--Tacoma--Bremerton, WA	\$ 35,450	1.012	\$ 35,880	\$ 25,120
Washington--Baltimore, DC/MD/VA/WV <sup>2</sup>	\$ 34,490	1.032	\$ 35,600	\$ 24,920
<sup>1</sup> Rounded to next highest ten dollars.				
<sup>2</sup> Baltimore and Washington are now calculated as a single metropolitan statistical area.				

**Table 4 - Seventy Percent of Updated 2005 Lower Living Standard Income Level (LLSIL), by Family Size**

To use the seventy percent LLSIL value, where it is stipulated for WIA programs, individuals must begin by locating the region or metropolitan area where they reside. These are listed in Tables 1, 2 and 3. Individuals must locate their region or metropolitan statistical area and then find the seventy percent LLSIL amount for that location. The seventy percent LLSIL figures are listed in the last column to the right on each of the three tables. These figures apply to a family of four. Larger and smaller family eligibility is based on a percentage of the family of four. To determine eligibility for other size families consult the table below.

To use Table 4, locate the seventy percent LLSIL value that applies to the individual's region or metropolitan area from Tables 1, 2 or 3. Find the same number in the "family of four" column of Table 4. Move left or right across that row to the size that corresponds to the individual's family unit. That figure is the maximum household income the individual is permitted in order to qualify as economically disadvantaged under WIA.

Where the HHS poverty level for a particular family size is greater than the corresponding LLSIL figure, the LLSIL figure is indicated in a shaded block. Individuals from these size families may consult the 2005 HHS poverty guidelines found in the Federal Register, Vol. 70, No. 33, February 18, 2005, pp. 8373-8375 (on the Internet at <http://www.aspe.hhs.gov/poverty/05fedreg.htm>) to find the higher eligibility standard. Individuals from Alaska and Hawaii should consult the HHS guidelines for the generally higher poverty levels that apply in their states.

Family of One	Family of Two	Family of Three	Family of Four	Family of Five	Family of Six
\$ 6,810	\$ 11,160	\$ 15,310	\$ 18,900	\$ 22,310	\$ 26,090
\$ 6,950	\$ 11,390	\$ 15,630	\$ 19,290	\$ 22,770	\$ 26,630
\$ 7,020	\$ 11,500	\$ 15,790	\$ 19,490	\$ 23,000	\$ 26,900
\$ 7,260	\$ 11,890	\$ 16,320	\$ 20,140	\$ 23,770	\$ 27,800
\$ 7,270	\$ 11,910	\$ 16,340	\$ 20,170	\$ 23,810	\$ 27,840
\$ 7,310	\$ 11,980	\$ 16,440	\$ 20,290	\$ 23,950	\$ 28,010
\$ 7,440	\$ 12,190	\$ 16,740	\$ 20,660	\$ 24,380	\$ 28,520
\$ 7,480	\$ 12,250	\$ 16,820	\$ 20,760	\$ 24,500	\$ 28,650
\$ 7,560	\$ 12,390	\$ 17,010	\$ 21,000	\$ 24,780	\$ 28,980
\$ 7,610	\$ 12,470	\$ 17,110	\$ 21,120	\$ 24,930	\$ 29,150
\$ 7,670	\$ 12,560	\$ 17,240	\$ 21,280	\$ 25,120	\$ 29,370
\$ 7,720	\$ 12,650	\$ 17,360	\$ 21,430	\$ 25,290	\$ 29,580
\$ 7,820	\$ 12,810	\$ 17,590	\$ 21,710	\$ 25,620	\$ 29,960
\$ 7,960	\$ 13,050	\$ 17,910	\$ 22,110	\$ 26,090	\$ 30,520
\$ 8,070	\$ 13,230	\$ 18,160	\$ 22,410	\$ 26,450	\$ 30,930
\$ 8,080	\$ 13,240	\$ 18,180	\$ 22,440	\$ 26,480	\$ 30,970
\$ 8,100	\$ 13,270	\$ 18,210	\$ 22,480	\$ 26,530	\$ 31,030
\$ 8,150	\$ 13,350	\$ 18,330	\$ 22,620	\$ 26,700	\$ 31,220
\$ 8,280	\$ 13,570	\$ 18,630	\$ 23,000	\$ 27,140	\$ 31,740
\$ 8,360	\$ 13,700	\$ 18,810	\$ 23,220	\$ 27,400	\$ 32,050
\$ 8,530	\$ 13,980	\$ 19,190	\$ 23,680	\$ 27,950	\$ 32,680
\$ 8,640	\$ 14,160	\$ 19,440	\$ 23,990	\$ 28,310	\$ 33,110
\$ 8,950	\$ 14,660	\$ 20,130	\$ 24,840	\$ 29,320	\$ 34,280
\$ 8,950	\$ 14,670	\$ 20,130	\$ 24,850	\$ 29,330	\$ 34,300
\$ 8,980	\$ 14,710	\$ 20,190	\$ 24,920	\$ 29,410	\$ 34,390
\$ 9,050	\$ 14,830	\$ 20,350	\$ 25,120	\$ 29,650	\$ 34,670
\$ 9,120	\$ 14,950	\$ 20,520	\$ 25,330	\$ 29,890	\$ 34,960
\$ 9,350	\$ 15,330	\$ 21,040	\$ 25,970	\$ 30,650	\$ 35,840
\$ 9,410	\$ 15,420	\$ 21,160	\$ 26,120	\$ 30,830	\$ 36,050
\$ 10,130	\$ 16,600	\$ 22,790	\$ 28,130	\$ 33,200	\$ 38,820
\$ 10,300	\$ 16,870	\$ 23,160	\$ 28,590	\$ 33,740	\$ 39,460
\$ 10,560	\$ 17,310	\$ 23,760	\$ 29,330	\$ 34,610	\$ 40,480
\$ 10,820	\$ 17,720	\$ 24,330	\$ 30,030	\$ 35,440	\$ 41,450

**Table 5 - Updated 2005 LLSIL (100%), By Family Size**

To use the LLSIL to determine the minimum level for establishing self-sufficiency criteria at the state or local level, begin by locating the metropolitan area or region from Table 1, 2 or 3. The individual must locate their region or metropolitan statistical area and then find the 2005 Adjusted LLSIL amount for that location. These figures apply to a family of four. Locate the corresponding number in the family of four column below. Move left or right across that row to the size that corresponds to the individual's family unit. That figure is the minimum figure States must set for determining whether employment leads to self-sufficiency under WIA programs.

	Family of One	Family of Two	Family of Three	Family of Four	Family of Five	Family of Six			
	\$ 9,720	\$15,930	\$21,870	\$26,990	\$31,850	\$37,250			
	\$ 9,930	\$16,270	\$22,330	\$27,560	\$32,530	\$38,040			
	\$10,030	\$16,430	\$22,560	\$27,840	\$32,860	\$38,420			
	\$10,360	\$16,980	\$23,310	\$28,770	\$33,950	\$39,710			
	\$10,380	\$17,000	\$23,340	\$28,810	\$34,000	\$39,760			
	\$10,440	\$17,100	\$23,480	\$28,980	\$34,200	\$40,000			
	\$10,630	\$17,420	\$23,910	\$29,510	\$34,830	\$40,730			
	\$10,680	\$17,500	\$24,020	\$29,650	\$34,990	\$40,920			
	\$10,800	\$17,700	\$24,300	\$30,000	\$35,400	\$41,400			
	\$10,870	\$17,810	\$24,440	\$30,170	\$35,610	\$41,640			
	\$10,950	\$17,940	\$24,620	\$30,390	\$35,870	\$41,940			
	\$11,030	\$18,070	\$24,810	\$30,620	\$36,140	\$42,260			
	\$11,170	\$18,310	\$25,130	\$31,020	\$36,610	\$42,810			
	\$11,370	\$18,640	\$25,580	\$31,580	\$37,270	\$43,590			
	\$11,530	\$18,900	\$25,940	\$32,020	\$37,790	\$44,190			
	\$11,540	\$18,910	\$25,970	\$32,050	\$37,820	\$44,230			
	\$11,560	\$18,950	\$26,010	\$32,110	\$37,890	\$44,320			
	\$11,640	\$19,070	\$26,180	\$32,320	\$38,140	\$44,610			
	\$11,830	\$19,390	\$26,610	\$32,850	\$38,770	\$45,340			
	\$11,940	\$19,570	\$26,860	\$33,160	\$39,130	\$45,770			
	\$12,180	\$19,960	\$27,400	\$33,820	\$39,910	\$46,680			
	\$12,340	\$20,220	\$27,760	\$34,270	\$40,440	\$47,300			
	\$12,780	\$20,940	\$28,740	\$35,480	\$41,870	\$48,970			
	\$12,780	\$20,940	\$28,750	\$35,490	\$41,880	\$48,980			
	\$12,820	\$21,010	\$28,840	\$35,600	\$42,010	\$49,130			
	\$12,920	\$21,170	\$29,070	\$35,880	\$42,340	\$49,520			
	\$13,030	\$21,360	\$29,320	\$36,190	\$42,710	\$49,950			
	\$13,360	\$21,890	\$30,060	\$37,100	\$43,780	\$51,200			
	\$13,440	\$22,020	\$30,230	\$37,310	\$44,030	\$51,490			
	\$14,470	\$23,710	\$32,550	\$40,180	\$47,420	\$55,450			
	\$14,710	\$24,100	\$33,090	\$40,840	\$48,200	\$56,360			
	\$15,090	\$24,720	\$33,940	\$41,890	\$49,440	\$57,810			
	\$15,450	\$25,320	\$34,750	\$42,900	\$50,630	\$59,210			