

Estimate of the Information Collection Burden for the  
Summer Food Service Program (OMB #0584-0280)

This document explains the calculation of the information collection burden for the Summer Food Service Program under OMB #0584-0280 as submitted for the renewal of the existing regulation. A 60-day notice was published in the Federal Register on December 19, 2012 (Volume 77, Number 244, pages 75106-75110).

REPORTING REQUIREMENTS

AFFECTED PUBLIC: STATE AGENCIES

1. Section 225.3(b) requires that each State agency must notify the Department by November 1 of each fiscal year regarding its intention to administer the Summer Food Service Program.

FNS estimates that each of the 53 State agencies will file 1 report annually for a total of 53 responses ( $53 \times 1=53$ ). The estimated average number of burden hours per response is 0.25 resulting in estimated total burden hours of 13.25 ( $53 \times .25=13.25$ ).

2. Section 225.4(a) requires that no later than February 15<sup>th</sup> of each year, each State agency shall submit to FNSRO a Program Management and Administration Plan for that fiscal year.

FNS estimates that each of the 53 State agencies will file 1 Management and Administration Plan annually for a total of 53 responses ( $53 \times 1=53$ ). The estimated average number of burden hours per response is 1 resulting in estimated total burden hours of 53 ( $53 \times 1= 53$ ).

3. Section 225.8(d) (2) requires that State agencies must notify the appropriate FNSRO within 5 working days after they approve each private nonprofit organization to participate as a SFSP sponsor.

FNS estimates that each of the 53 State agencies that will file 90 (90 is the average number of sponsors/State agency) reports annually for a total of 4,770 responses ( $53 \times 90=4,770$ ). The estimated average number of burden hours per response is 1 resulting in estimated total burden hours of 4,770 ( $4,770 \times 1=4,770$ ).

4. Section 225.8(b) requires that each State agency shall submit to FNS a final report (FNS-418) on the SFSP operations for each month no more than 90 days following the last day of the month covered by the report.

FNS estimates that each of the 53 State agencies will file 3 reports annually for a total of 477 responses (53 X 3=159). The estimated average number of burden hours per response is 2 resulting in estimated total burden hours of 318 (159 X 2=318).

5. Section 225.8(d)(1) requires that by May 1 of each year, State agencies must submit to the FNSRO a list of potential private nonprofit organization sponsors for each site, the first day of operation, and the estimated daily attendance.

FNS estimates that there will be audits of 53 State agencies and each will file 1 (average number of potential private nonprofit sponsors/State agency) reports annually for a total of 53 responses (53 X 1=53). The estimated average number of burden hours per response is 1 resulting in estimated total burden hours of 53 (53 X 1=53).

6. Section 225.9(b)(2) requires that the State agency prepare and submit a list of sponsors eligible to receive commodities and the daily number of eligible meals to be served by each sponsor not later than June 1 of each year.

FNS estimates that the 53 State agencies will each file 1 report annually for a total of 53 responses (53 X 1=53). The estimated average number of burden hours per response is 1 resulting in estimated total burden hours of 53 (53 X 1=53).

7. Section 225.9(d)(4) requires that the State agency shall forward reimbursement within 45 days of receiving valid claims.

FNS estimates that of the 53 State agencies, 270 (90 sponsors/State agency X 3 reports) reports will be filed annually for a total of 14,310 responses. The estimated average number of burden hours per response is 0.5 resulting in an estimated total burden hours of 7,155 (14,310 X 0.5=7,155).

8. Section 225.12(a) requires that the State agency shall disallow any portion of a claim for reimbursement and recover any payment to a sponsor not properly payable.

FNS estimates that 53 State agencies will each file 9 (1% of the average number of sponsors/State agency) reports annually for a total of 477 (53 X 9=477). The estimated average number of burden hours per response is 4 resulting in an estimated total burden hours of 1,908 (477 X 4=1,908).

9. Section 225.18(b)(2) requires that the State agency shall terminate a sponsor's participation in the program by written notice whenever it is determined by the State agency that the sponsor has failed to comply.

FNS estimates that 53 State agencies will each file 5 reports (average number of

terminated sponsors per year) annually for a total of 265 ( $53 \times 5=265$ ). The estimated average number of burden hours per response is 1 resulting in an estimated total burden hours of 265 ( $265 \times 1=265$ ).

#### AFFECTED PUBLIC: SPONSORS

1. **Section 225.6(c) (1) require that sponsors submit written application to State agencies for participation in the SFSP. Section 225.6(b)(7) modifies this requirement by allowing SAs to exempt sponsors that participated successfully in the Program in the prior year from the annual budget submission requirement.**

**FNS estimates that there are 4,754 sponsors that will each file 1 report annually for a total of 4,754 responses ( $4,754 \times 1=4,754$ ). The estimated average number of burden hours per response is 2 resulting in estimated total burden hours of 9,508 ( $4,754 \times 2=9,508$ ). FNS estimates that the exemption will reduce the average annual burden time from 3.3 hours to 2 hours. This change results in a decrease of 6,180 hours.**

2. Section 225.6(c) (2) requires that sponsors submit site information for each site where a food service operation is proposed.

FNS estimates that there are 4,754 sponsors that will each file 1 report annually for a total of 4,754 responses ( $4,754 \times 1=4,754$ ). The estimated average number of burden hours per response is 1 resulting in estimated total burden hours of 4,754 ( $4,754 \times 1=4,754$ ).

3. Section 225.6(c) (3) requires that sponsors submit a Statement of its policy for serving free meals.

FNS estimates that there are 475 sponsors that will each file 1 report annually for a total of 475 responses ( $475 \times 1=475$ ). The estimated average number of burden hours per response is 0.01 resulting in estimated total burden hours of 5( $475 \times 0.01= 5$ ).

4. **Section 225.6(e) requires that sponsors approved for participation enter into written agreements with State agencies to operate the program in accordance with regulatory requirements. 225.6 (b)(7) in proposed rule exempts only sponsors that participated successfully in the program, where as new sponsors will have slight increase in burden. FNS estimates that there are 475 sponsors (10% of the number of sponsors/State agency) that will each file 1 report annually for a total of 475 responses ( $475 \times 1 = 475$ ). The estimated average number of burden hours per response is increased to 1 hour resulting in estimated total burden hours of 475 ( $475 \times 1=475$ ) hours. This change resulted in an increase of burden by 417 hours.**

5. Section 225.6(h) (2) (iii) requires that sponsors provide food service management companies with a list of approved sites.

FNS estimates that approximately 1426 sponsors will contract with food service management companies and will each file 1 report annually for a total of 1426 (1426 X 1=1426). The estimated average number of burden hours per response is .5 resulting in an estimated total burden hours of 713 (1426 X .5=713).

6. Section 225.6(h) (3) requires that sponsors submit requests to State agencies for exception to unitizing requirements for certain components of a meal.

FNS estimates that 1% of sponsors that have contracts with food service management companies will submit 1 of these requests. Since FNS estimates that 475 sponsors hire food service management companies, 1% of that would be 47. 47 would file 1 report annually for a total of 47 (47 X 1=47). The estimated average number of burden hours per response is .5 resulting in an estimated total burden hours of 23.5(47 X .5=23.5).

7. **Sections 225.6(h) (5) and 225.6(h) (2) require that sponsors submit to State agencies copies of the contracts with food service management companies, the bids received, and the reasons why the food service management company was chosen. The rule proposes to allow sponsors that are public entities, sponsors with exclusive year-round contracts with a food service management company, and sponsors that have no food service management company contracts exceeding the small purchase threshold in 41 U.S.C. 403(11), as applicable, to use their existing or usual form of contract, provided that such form of contract has been submitted to and approved by the State agency.**

**FNS estimates that there is approximately 1426 food service management Companies doing business in the SFSP and that sponsors submit 1 report annually for a total of 1,426 annual responses (1,426 X 1 = 1,426). The estimated average number of burden hours per response is 5 resulting in an estimated total burden hours of 7,130 (1,426 X 5 = 7,130). The proposed rule allows sponsors, as specified above, to use existing contracts. This reduces the average annual burden from 20 hours to 5 hours. This change results in a decrease of 21,390 hours.**

#### AFFECTED CAMPS AND OTHER SITES

1. Section 225.6(c) (5) requires that camps submit copies of hearing procedures.

FNS estimates that 791 camps participate in the SFSP. Each camp will file 1 report annually for a total of 791 responses (791 X 1=791). The estimated average number

of burden hours per response is .25 resulting in an estimated total burden hours of 198 (791 X .25=198).

### AFFECTED HOUSEHOLDS

1. Section 225.15(f) requires households to read instructions, complete free meal applications, and return to camps and sites.

FNS estimates that 100,589 households participate in the SFSP. Each household will file 1 report annually for a total of 100,589 responses (100,589 X 1=100,589). The estimated average number of burden hours per response is .5 resulting in an estimated total burden hours of 50,295 (100,589 X .5=50,295).

2. Section 225.15(j) requires households to provide written consent for sponsors to use or disclose information.

FNS estimates that 100,589 households participate in the SFSP. Each household will file 1 report annually for a total of 100,589 responses (100,589 X 1=100,589). The estimated average number of burden hours per response is .25 resulting in an estimated total burden hours of 25,147 (100,589 X .25=25,147).

### RECORDKEEPING REQUIREMENTS

#### AFFECTED PUBLIC: STATE AGENCIES

1. **Section 225.8(a), 225.13(d) and 225.7(d) requires state agencies to maintain accurate accounting records for reviews, appeals and accounting.**

**FNS estimates that 53 state agencies will maintain 30 records for reviews resulting in 2067 total records (53x30). The estimated average number of burden hours per each record is 0.085 hours resulting in 135.15 hours (1590x.085). This proposed rule amends 225.7(d) to establish the responsibilities of State agencies when reviewing a sponsor's operation under simplified procedures and to require State agencies to closely monitor the sponsor's use of funds. FNS estimates that this requirement reduces the number of records to maintain, as SFSP is operated in the same schools as NSLP and slight increase in review time as the scope of review is slightly more.** For appeals, FNS estimates that 53 state agencies will each maintain 2 appeal records resulting in 106 records (53x2) and estimated average number of burden hours per each record is 0.08 resulting in 8.480 hours (106x0.08). For accounting records 53 state agencies will each maintain 90 records resulting in 4770 (53x90) and estimated average time per each record is 0.08 hours resulting in an estimated total burden hours of 381.6 (4770x0.08). **This change resulted in a reduction of 30 hours in record keeping burden.**

## AFFECTED SPONSORS

1. Section 225.15(c), 225.15(a) and 225.9(g) requires sponsors to maintain records that justify all cost and meals claimed.

FNS estimates that 4754 sponsors will each maintain 1 record for a total of 4,754 records. The estimated average burden for each record is 0.08 hours resulting in a total of 380 burden hours ( $4,754 \times 0.08$ ).

2. Section 225.16(b) requires sponsors to maintain copies of the documentation establishing the eligibility of child receiving meals and all other meal service requirement information.

FNS estimates that 4,754 sponsors will each maintain 90 records resulting in 427,860 ( $4754 \times 90$ ) records. The estimated average burden hours for each record are 0.08 hours resulting in a total of 34,229 hours ( $427,860 \times 0.08$ ).

## AFFECTED CAMPS AND OTHER SITES

1. Section 225.6(c) (5) (XII) requires that camps maintain records of hearing.

FNS estimates that 791 camps participate in the SFSP. Each camp will file 1 report annually for a total of 791 responses ( $791 \times 1 = 791$ ). The estimated average number of burden hours per response is .3 resulting in an estimated total burden hours of 237 ( $791 \times .3 = 237$ ).