

**SUPPORTING STATEMENT FOR**  
**OMB CONTROL NUMBER 0584-0006**  
**7 CFR PART 210 NATIONAL SCHOOL LUNCH PROGRAM**

**Susan Weeks, Program Analyst**

**Food and Nutrition Service, USDA**

**Special Nutrition Programs**

**Child Nutrition Programs**

**Program Monitoring Branch**

**3101 Park Center Drive**

**Alexandria, VA 22302**

**PH: 703-305-1506**

**[susan.weeks@fns.usda.gov](mailto:susan.weeks@fns.usda.gov)**

**Table of Contents**

A1. Circumstances that make the collection of information necessary.....3

A2. Purpose and Use of the Information.....4

A3. Use of the Information Technology and Burden Reduction.....5

A4. Efforts to Identify Duplication.....6

A5. Impacts on Small Businesses or Other Small Entities.....7

A6. Consequences of Collecting the Information Less Frequently.....7

A7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5.....8

A8. Comments to the Federal Register Notice and Efforts for Consultation.....9

A9. Explain any decision to provide any payment or gift to respondents.....10

A10. Assurances of Confidentiality Provided to Respondents.....10

A11. Justification for any questions of a sensitive nature.....11

A12. Estimates of the Hour Burden of the Collection of Information.....11

A13. Estimate of Other Total Annual Cost Burden.....17

A14. Provide Estimates of Annualized Cost to the Federal Government.....17

A15. Explanation of Program Changes or Adjustments.....17

A16. Plans for tabulation, and publication and project time schedule.....18

A17. Displaying the OMB Approval Expiration Date.....19

A18. Exceptions to the Certification Statement Identified in Item 19.....19

**Attachments**

- A. FNS-10 Report of School Program Operations
- B. FNS-13 Annual Report of State Revenue Matching
- C. FNS-777 Financial Status Report
- D. FNS-828 School Food Authority Paid Lunch Price Report

- E. OMB# 0584-0594 Food Programs Reporting System (FPRS) Home Screen with OMB Information and Public Burden Statement
- F. FNS-66A National School Lunch, Breakfast, and Commodity School Application
- G. Form FNS-640 Coordinated Review Effort (CRE) Data Report
- H. Burden Chart for 0584-0006 7 CFR Part 210 National School Lunch Program
- I. Estimate of the Information Collection Burden for the National School Lunch Program
- J.**

## **A. JUSTIFICATION**

### **A1. Circumstances that make the collection of information necessary.**

**Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

This is a revision of the currently approved information collection for the National School Lunch Program. Section 10 of the Child Nutrition Act of 1966 (42 U.S.C. 1779) requires the Secretary of Agriculture to prescribe such regulations as deemed necessary to carry out this Act and the Richard B. Russell National School Lunch Act (NSLA) (42 U.S.C. 1751 et seq.). The NSLA, as amended, authorizes the National School Lunch Program (NSLP) to safeguard the health and well-being of the Nation's children and provide free or reduced-price school lunches to eligible students through subsidies to schools. As required, the Secretary of Agriculture issued 7 CFR Part 210, which sets forth policies and procedures for the administration and operation of the NSLP. The United States Department of Agriculture (USDA) provides States with general and special cash assistance and donations of foods to assist schools in serving nutritious lunches to children each school day. Participating schools must serve lunches that are nutritionally adequate, and maintain menu and production records to demonstrate compliance with the meal requirements. This information collection is required to administer and operate this program in accordance with the NSLA. All of the reporting and recordkeeping requirements associated with the NSLP are currently approved by the Office of Management and Budget and are in force.

## **A2. Purpose and Use of the Information.**

**Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

This information is required to administer and operate this program in accordance with the NSLA. The Program is administered at the State and school food authority (SFA) levels and States, SFAs, and schools under this Act are required to keep accounts and records as may be necessary to enable FNS to determine whether the program is in compliance with this Act and the regulations. Program operations include the submission of applications and agreements and monthly reports of program participation and numbers of meals served submitted from monthly claims for reimbursement. Records maintained include documentation of payment of monthly claims, annual data from Program monitoring reviews, and menu and food production records. FNS would not be able to properly monitor State agency and SFA compliance without this information collection.

State agencies are required to report program data to FNS using FNS forms. The reporting burden for some of these reporting forms is associated with the information collection for the Food Programs Reporting System (FPRS), OMB Control #0584-0594, expiration date 6/30/2017 and is not duplicated in this information collection. However, the recordkeeping burden is still maintained in this collection. The FNS forms that are collected via FPRS are FNS-10 (Report of School Program Operations), FNS-13 (Annual Report of State Revenue Matching), FNS-777 (Financial

Status Report), and FNS-828 (School Food Authority Paid Lunch Price Report). These forms and the FPRS home screen containing the OMB information are provided in Attachments A through E. The FNS-66A and FNS-66 forms were previously used by a Regional Office Administered Program (ROAP) to collect application data for institutions to participate in the National School Lunch Program (NSLP) in States that do not administer the Program. The ROAP uses a web-based electronic system which replaced the use of the FNS-66A form. Screen prints from the ROAP system are included in Attachment F. The ROAP system is covered under OMB control # 0584-0284 (expiration date 04/30/2016). The FNS-66 form has not been used since the last renewal of this information collection. FNS is removing the outdated FNS-66 form and removing the FNS-66A form from this information collection. The information requirement to collect applications remains in this collection and the associated recordkeeping burden continues to be included in the burden for this collection. The FNS-640 (Coordinated Review Data Report) will soon have proposed revisions including programming into FPRS, but is currently collected as part of this information collection (Attachment G).

### **A3. Use of the Information Technology and Burden Reduction.**

**Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

FNS is committed to complying with the E-Government Act, 2002 to promote the use of the

Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes. All 56 State agencies that administer the NSLP submit some Program and financial data to FNS electronically via the Food Programs Reporting System (FPRS) at <https://www.FPRS.usda.gov> using forms FNS-10, FNS-13, FNS-777, and FNS-828, which are included in the FPRS information collection, OMB control # 0584-0594. State agencies collect participation and meal count data from SFAs via their own electronic systems. There is a small amount of non-electronic submissions that are sent via email, flash drive or facsimile such as providing records for Management Evaluations to FNS upon request. The FNS-640 form is submitted via email. FNS estimates that 98% of the information submitted in this collection is collected electronically (via FPRS or the State agency systems) and only a negligible amount is submitted non-electronically. Overall, out of the total 49,246,996 responses for this collection, FNS estimates that approximately 2% (984,940 responses) will be submitted non-electronically.

#### **A4. Efforts to Identify Duplication.**

**Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2.**

There is no similar data collection available. Every effort has been made to avoid duplication. FNS has reviewed USDA reporting requirements and state administrative agency requirements. FNS solely administers and monitors the NSLP.

**A5. Impacts on Small Businesses or Other Small Entities.**

**If the collection of information impacts small businesses or other small entities (item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

Information being requested or required has been held to the minimum required for the intended use. State agencies are not considered small entities as state populations exceed the 50,000 threshold for a small government jurisdiction. However, School Food Authorities, Local Educational Agencies, and schools generally meet the definition of a “small governmental jurisdiction” which meets the definition of “small entity” in the Regulatory Flexibility Act. FNS estimates that 98% of respondents (approximately 19,426 of the SFAs and all of the 101,332 schools) are small entities.

**A6. Consequences of Collecting the Information Less Frequently.**

**Describe the consequence to Federal program or policy activities if the collection is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

The information is collected for the purpose of administering an ongoing program. Applications can be accepted and agreements executed at any time, although SFAs generally execute agreements at or shortly before the beginning of each school year. SFAs submit claims for reimbursement for every month they operate the NSLP because funds for NSLP are budgeted on a fiscal year basis. If



the data is collected less frequently, FNS would not be able to properly fund Programs or monitor funding and program trends.

#### **A7. Special Circumstances Relating to the Guidelines of 5 CFR 1320.5.**

**Explain any special circumstances that would cause an information collection to be conducted in a manner that is inconsistent with 5 CFR 1320.5:**

- **Requiring respondents to report information to the agency more often than quarterly;**  
School Food Authorities (SFAs) submit monthly claims for reimbursement necessary for SFAs to receive timely reimbursement for actual lunches served and to ensure Program accountability.
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
- **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with**

**other agencies for compatible confidential use; or**

- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

There are no other special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

**A8. Comments to the Federal Register Notice and Efforts for Consultation.**

**If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

A 60-day notice was published on November 18, 2015 in Federal Register, Vol. 80, No. 222, pp. 72040 - 72041. The comment period ended on January 19, 2016. No comments were received in response to the agency's notice.

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping,**

**disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

FNS consults with its Regional Offices regarding any proposed changes as a result of legislative, regulatory, or administrative changes. Regional offices are in contact with State agencies which provide feedback on FNS processes and procedures for this information collection.

**A9. Explain any decision to provide any payment or gift to respondents.**

**Explain any decisions to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

No payment or gift was provided to respondents.

**A10. Assurances of Confidentiality Provided to Respondents.**

**Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

The Department will comply with the Privacy Act of 1974. No confidential information is associated with this information collection.

**A11. Justification for any questions of a sensitive nature.**

**Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature included in this information collection.

**A12. Estimates of the Hour Burden of the Collection of Information.**

**Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated:**

**A. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

This is a revision of the currently approved collection. This revision will reduce 1,466,392 burden hours in the OMB information collection inventory. The following tables and Attachment H reflect the estimated burden associated with this information collection for each type of respondent:

**ESTIMATED ANNUAL BURDEN FOR 0584-0006, NATIONAL SCHOOL LUNCH PROGRAM – 7 CFR PART 210 – REVISION OF AN APPROVED COLLECTION**

<b>REPORTING</b>						
<b>Description of Activities</b>	<b>Regulation Citation</b>	<b>Estimated # of Respondents</b>	<b>Frequency of Response</b>	<b>Total Annual Responses</b>	<b>Average Burden Hours per Response</b>	<b>Estimated Total Annual Burden Hours</b>
State agencies report to FNS the names of large school food authorities exceeding administrative review thresholds.	210.18(d)(2) & 210.18(i) & 210.18(o)(1) & 210.20(a)(5)	56	1	56	0.2	11
SA notifies SFAs in writing of review findings, corrective actions, deadlines, and potential fiscal action with right to appeal.	210.18(j)	56	118	6,608	8	52,864
SA provides the CACFP SA with a list of all NSLP schools with at least 50% or more children eligible for free or reduced price meals by February 1 each year.	210.19(f)	56	1	56	2	112
SAs report the results of reviews by March 1 each school year. (FNS-640)	210.20(a)(6) & 210.18(n)&(o)(2)	56	1	56	1	56
SA reports to FNS schools' compliance with food safety inspections.	210.20(a)(8)	56	1	56	1.5	84
<b>Total SA Reporting</b>		<b>56</b>		<b>6,832</b>		<b>53,127</b>
SFA provides SA with list of all schools with at least 50% free or reduced-price enrolled children and the attendance boundaries for those schools upon request of a CACFP sponsor of homes.	210.9(b)(21)	19,822	1.25	24,778	0.25	6,194
SFAs review NSLP afterschool care programs.	210.9(c)(7)	482	2	964	0.25	241
SFA submits to the SA monthly claims for reimbursement and eligibility data for enrolled children for October.	210.15(a)(1) & 210.8(b)&(c)	19,822	10.15	201,193	1	201,193
SFA submits to the SA an application, agreement, Free and Reduced Price	210.15(a)(2)&(4) & 210.9(a&b) & 210.7(d)(2)	19,822	1	19,822	0.25	4,956

Policy Statement, commodity preference, and annual certifications.						
SFA submits to the SA a written response to reviews documenting corrective action for Program deficiencies.	210.15(a)(3) & 210.18(k)(2)	6,607	1	6,607	8	52,856
SFA reports to the SA the number of safety inspections obtained by each school.	210.15(a)(7)	19,822	1	19,822	0.5	9,911
School food authorities shall report prices of paid lunches for each school to the State agency.	210.15(a)(8) & 210.14(e)(7)	19,822	1	19,822	0.25	4,956
<b>Total SFA Reporting</b>		<b>19,822</b>		<b>293,008</b>		<b>280,307</b>
Schools shall post the most recent food safety inspection and provide a copy upon request. MOVED FROM RECORDKEEPING*	210.13(b)	101,332	2	202,664	0.1	20,266
<b>Total School Reporting</b>		<b>101,332</b>		<b>202,664</b>		<b>20,266</b>
<b>Total Reporting</b>		<b>121,210</b>		<b>502,504</b>		<b>353,700</b>

\*This portion of the burden is third-party disclosure burden and has been entered as such in ROCIS.

RECORDKEEPING						
Description of Activities	Regulation Citation	Estimated # of Respondents	Frequency of Response	Total Annual Responses	Average Burden Hours per Response	Estimated Total Annual Burden Hours
SA maintains accounting records and source documents to control the receipt, custody and disbursement of Federal NSLP funds and documentation supporting all SFA claims paid by the SA. (FNS-10)	210.20(b)(1&2) & 210.23(c) & 210.5	56	354	19,824	3	59,472
SA maintains documentation to support the amount of State funds reported used for State revenue matching requirements. (FNS-13)	210.20(b)(3) & 210.17(g)&(h)	56	1	56	1	56
SA maintains records of all reviews and audits	210.20(b)(6) & 210.18(p)(f)	56	118	6,608	8	52,864

(including Program violations, corrective action, fiscal action and withholding of payments). (FNS-640)	(k,l,m) & 210.23(c)					
SA maintains documentation of fiscal action taken to disallow improper claims submitted by SFAs, as determined through claims processing, reviews, and USDA audits.	210.20(b)(8) & 210.19(c) & 210.18(p)	56	118	6,608	0.5	3,304
SA shall prepare records on schools eligible to received USDA donated foods.	210.20(b)(11) & 210.19(b)	56	1	56	3	168
SA maintains records from SFAs of food safety inspections obtained by schools.	210.20(b)(12)	56	354	19,824	0.25	4,956
SA maintains records of paid reimbursable lunch prices obtained from SFAs. (FNS-828)	210.20(b)(13) & 210.14(e)(7)	56	354	19,824	0.2	3,965
SA maintains documentation of compliance with professional standards for State directors of School Nutrition Programs.	210.20(b)(15)	56	1	56	0.25	14
SA maintains documentation of LEA/SFA compliance with nutrition standards for competitive foods.	210.18(h)(6)	56	118	6,608	0.25	1,652
<b>Total SA Recordkeeping</b>		<b>56</b>		<b>79,464</b>		<b>126,451</b>
SFA maintains files of children directly certified.	210.9(b)(19)	19,822	4	79,288	0.65	51,537
LEAs & SFAs maintain documentation of compliance with nutrition standards for all competitive food for sale to students.	210.11(b)(2)	19,822	1	19,822	20	396,440
SFA maintains documentation of participation data by school to support monthly Claim for Reimbursement and data used in the claims review process.	210.15(b)(1) & 210.8(a)(5)	19,822	10	198,220	5	991,100

SFAs maintain documentation to support performance based reimbursement and the attestation of compliance.	210.15(b)(2) & 210.7(d)(2)	19,822	1	19,822	0.25	4,956
SFA maintains files of school meal applications.	210.15(b)(4) & 210.9(b)(18&20)	19,822	1	19,822	2.66	52,727
SFA maintains calculations of average paid lunch prices and adjustments.	210.15(b)(6) & 210.14(e)	19,822	1	19,822	5	99,110
SFA documents revenue from sale of non-program foods accrues to the nonprofit school food service account and is compliant with requirements.	210.15(b)(7) & 210.14(f)	19,822	1	19,822	10	198,220
SFA maintains documentation of compliance with professional standards for school nutrition directors, managers and personnel.	210.15(b)(8); 210.30(g)	19,822	1	19,822	0.25	4,955
<b>Total SFA Recordkeeping</b>		<b>19,822</b>		<b>396,440</b>		<b>1,799,045</b>
School maintains written statements signed by a license physician of the need for substitutions and recommending alternate foods.	210.10(m)	30,400	1	30,400	0.08	2,432
Organizations responsible for food service in schools maintain records.	210.11(b)(2)	101,332	1	101,332	0.5	50,666
School maintains documentation of participation data by school to support the Claim for Reimbursement.	210.15(b)(1)	101,332	180	18,239,760	0.15	2,735,964
Schools maintain production and menu records.	210.15(b)(2)(3) & 210.10(a)(3)	101,332	180	18,239,760	0.25	4,559,940
School maintains food safety records and records from most recent food safety inspection.	210.15(b)(5) & 210.13(b&c)	101,332	120	12,159,840	0.02	243,197
<b>Total School Recordkeeping</b>		<b>101,332</b>		<b>48,771,092</b>		<b>7,592,199</b>
<b>Total Recordkeeping</b>		<b>121,210</b>		<b>49,246,996</b>		<b>9,517,695</b>



<b>BURDEN SUMMARY (OMB #0584-0006)</b>					
	<b>Estimated # of Respondents</b>	<b>Frequency of Response</b>	<b>Total Annual Responses</b>	<b>Average Burden Hours per Response</b>	<b>Estimated Total Burden Hours</b>
<b>Reporting Total</b>	<b>121,210</b>		<b>502,504</b>		<b>353,700</b>
<b>Recordkeeping Total</b>	<b>121,210</b>		<b>49,246,996</b>		<b>9,517,695</b>
<b>Total Burden</b>	<b>121,210</b>	<b>410.44</b>	<b>49,749,500</b>	<b>0.20</b>	<b>9,871,395</b>

**B. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

The estimate of respondent cost is based on the burden estimates and utilizes the U.S. Department of Labor, Bureau of Labor Statistics, May 2014 National Occupational and Wage Statistics, Occupational Group (25-0000) (<http://www.bls.gov/oes/current/oes250000.htm>). The hourly mean wage (for education-related occupations) for functions performed by State agency and local education agency staff are estimated at \$25.10 per staff hour.

$$\text{TOTAL COST TO PUBLIC} = 9,871,395 \text{ hours} \times \$25.10 \text{ per hour} = \$247,772,015$$

**A13. Estimate of Other Total Annual Cost Burden.**

**Provide estimates of the total annual cost burden to respondents or record keepers resulting from the collection of information (do not include the cost of any hour burden shown in questions 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

There is no start-up or annual maintenance costs for this collection of information.

**A14. Provide Estimates of Annualized Cost to the Federal Government.**

**Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.**

It is estimated that federal employees receiving an average General Schedule (GS) grade 12 step 6 wage based on the 2016 Washington DC-Northern Virginia locality area hourly wage rates take approximately 960 hours to analyze data received from State agencies:

$\$43.32 \times 960 \text{ hours} = \$ 41,587.20$  (estimated annualized cost to the Federal government).

**A15. Explanation of Program Changes or Adjustments.**

**Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.**

This is a revision of a currently approved collection. The information collection is currently approved with 11,337,787 burden hours and 64,489,922 responses. The total reporting, recordkeeping, and third-party disclosure burden hours associated with this revision is being decreased to 9,871,395 hours, removing 1,466,392 burden hours in the OMB information collection inventory. Reporting burden was decreased by a total of 790,865 hours and recordkeeping burden was decreased by a total of 675,527 hours. The total annual responses associated with this revision are being decreased to 49,749,500 responses, removing 14,740,422 responses in the

OMB information collection inventory. The reduction in burden hours and number of responses is due to administrative adjustments primarily due to updates to the number of SFAs and schools, adjustments due to use of electronic systems, and the removal of information requirements that are either no longer required, duplicate existing burden, or have been transferred into the Food Programs Reporting System (FPRS), OMB Control #0584-0594. Please refer to Attachment I for the specific burden changes.

**A16. Plans for tabulation, and publication and project time schedule.**

**For collections of information whose results are planned to be published, outline plans for tabulation and publication.**

There are no plans to tabulate or publish any information in connection with this information collection.

**A17. Displaying the OMB Approval Expiration Date.**

**If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

**A18. Exceptions to the Certification Statement Identified in Item 19.**

**Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act."**

There are no exceptions to the certification statement.