

SUPPORTING STATEMENT for

OMB Control Number 0584-[NEW]:

Supplemental Nutrition Assistance Program (SNAP): Disaster Supplemental Nutrition Assistance Program (D-SNAP) Plans, Procedures, and Reports

Proposed Rule: Supplemental Nutrition Assistance Program (SNAP): Disaster Supplemental Nutrition Assistance Program (D-SNAP) (RIN 0584-AE00)

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7 CFR Parts 272, 274 and 280

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- Attachment A: Section 5(h) of the Food and Nutrition Act of 2008
- Attachment B: (Sec. 412 -Disaster Relief and Emergency Assistance Act as Amended by the Stafford Act)
- Attachment C: Executive Order 11795
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- Attachment E: Burden Table

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 new information collection request that seeks approval for the burden requirements associated with the proposed rule titled: Proposed Rule: Supplemental Nutrition Assistance Program (SNAP): Disaster Supplemental Nutrition Assistance Program (D-SNAP) (RIN 0584-AE00). The rule implements The Disaster Relief and Emergency Assistance Act (1974), as amended by the Robert T. Stafford Disaster Relief and Assistance Act (1988) (enclosed) and accompanying Executive Order 12673, and Section (5)(h) of the Food and Nutrition Act of 2008 (the Act), which authorizes the Secretary of the Department of Agriculture and the Food and Nutrition Service (FNS) to determine the need for operating a Disaster Supplemental Nutrition Assistance Program (D-SNAP) during a presidentially-declared disaster and establish temporary emergency standards of eligibility for households affected by a disaster after commercial channels of food distribution have been restored. The rule also implements Section 11(e)(14) of the Act, which requires, as part of a State agency's overall Plan of Operation, that the State agency specify a plan for operating a D-SNAP and providing D-SNAP benefits for households that are victims of a disaster that includes, but is not limited to, procedures for informing the public about the D-SNAP program, how households may apply for benefits and strategies to coordinate efforts with other Federal and private relief agencies, as well as local government officials.

These changes are contingent upon OMB approval under the Paperwork Reduction Act of 1995. When the information collection requirements have been approved, FNS will publish a separate action in the Federal Register announcing OMB's approval.

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 how the agency has actually used the information received from the current collection.

This information collection accounts for activities that State agencies must conduct prior to and

during the operation of a D-SNAP approved by FNS, such as the review of D-SNAP plans annually, the submission of revised D-SNAP plans to FNS, and the submission of D-SNAP requests, daily requests, and post-disasters reports to FNS. Due to the dynamic nature of emergency situations and the need to quickly respond to the State agency partners, FNS does not require a standardized form or specific format for these activities at this time, and encourages its State agency partners to submit information to FNS via email or fax. As this collection and accompanying proposed rulemaking codify practices State agencies already perform, it will have minimal impact on the State agency workloads.

A3. Use of 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.

In compliance with E-Government Act of 2002 (E-Gov), all 53 State agencies have the authority to use the technology that best suits the needs of their individual or unique systems of operation to comply with the information collection and reporting requirements contained in this submission.

Due to the dynamic nature of emergency situations and the need to quickly respond to the State agency partners, FNS does not require a standardized form or specific format for D-SNAP plans, D-SNAP requests or Disaster daily reports at this time, and encourages its State agency partners to submit information to FNS via email or fax for the majority of this information collection request.

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 information available. FNS solely monitors operations and issuance of D-SNAP benefits to ensure program integrity. The information required for benefits is not currently reported to any other entity outside of FNS. Every effort has been made to avoid duplication.

FNS has reviewed USDA reporting requirements, state administrative agency reporting requirements and special studies by other government and private agencies.

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.

There will be no small entities involved with this data collection.

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.

This is an on-going data collection request. D-SNAP is the primary FNS nutrition assistance response to a disaster recovery phase. If this collection is not conducted, States would not be able to operate a D-SNAP to help meet the nutritional needs of households affected by disasters. This information is important to preserve program integrity and to ensure that disaster procedures are promptly and effectively implemented. Moreover, much of this information is collected only when areas within a State are affected by a disaster, receive a Presidential major disaster declaration for individual assistance (IA) and commercial channels of food distribution are available.

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:

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
As detailed in the accompanying Notice of Proposed Rulemaking, State agencies must submit daily D-SNAP reports that contain issuance data to their FNS Regional Office, which in turn shares these reports with the FNS National Office. These reports are used to monitor program progress, troubleshoot problem areas, inform FNS policy officials, ensure that adequate funds are available in States' letters of credit and respond to inquiries from the media and other government agencies.
- **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 remaining 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.

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.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years even if the collection of information activity is the same as in prior years. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Upon publication of the accompanying Notice of Proposed Rulemaking in the Federal Register, FNS will accept comments for the information collection from the public for a 60-Day period for the proposed rulemaking.

Further, FNS national and regional offices have worked closely with State agencies in

coordinating disaster response efforts and FNS has not received information from affected State agencies that necessitate a change to the data collection instrument or the frequency information collected.

A9. Explain any decisions to provide any payment or gift to respondents.

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

No payment or gift will be 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.

Section 11(e)(8) of the Food and Nutrition Act and section 272.1(c) of the SNAP regulations limit the use or disclosure of information obtained from applicant households or contained in the case files of participating households to persons directly connected with the administration or enforcement of the provisions of the Act or regulations, other Federal or federally assisted means-tested programs; persons directly connected with the administration or enforcement of programs required to participate in the State income and eligibility verification system; persons directly connected with the verification of immigration status of aliens; persons directly connected with the administration of the Child Support Program; employees of the Office of the Comptroller General of the U.S. for audit and examination authorized by other provisions of law; Local, State, or Federal law enforcement officials investigating an alleged violation of the Act or regulations and law enforcement officers if the household member is a fleeing felon or a parole violator. FNS published the Privacy Act: System of Records Notice (SORN) on March 31, 2000, in the Federal Register (65 FR 17251) entitled “USDA/FNS-10 Entitled Persons Doing Business with the Food and Nutrition Service” to specify the uses of the information that is collected.

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.

No private or sensitive questions will be asked.

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.

Affected public are SNAP Agencies. Changes are contingent upon OMB approval under the Paperwork Reduction Act of 1995. When the information collection requirements have been approved, FNS will publish a separate action in the Federal Register announcing OMB’s approval. The burden activities are described in the Attachment D: Burden Narrative submitted with this collection request.

The estimated annual burden per respondent is summarized in the following chart, with an estimated total annual burden of 388 hours.

Requirement/Section of Regulations	# Respondents	Frequency of Response per Respondent	Total Annual responses	Hours per response	Total Burden hours
Annual review of D-SNAP Plan (7 CFR 280.1)	53	1	53	6.58	348.74
Revision of D-SNAP plan (7 CFR 280.1)	5	1	5	2.5	12.5
D-SNAP Daily reports (7 CFR 280.8)	9	5	45	0.5	22.5
D-SNAP Post Disaster Report (7 CFR 280.8)	9	1	9	0.5	4.5

Totals	53	8	112	3.466	388
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B. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

SNAP information collection requirements described herein are imposed on State agency officials. The wage rates used in determining these public burden costs were based on the Bureau of Labor and Statistics (BLS) Occupational Employment Statistics estimates. Respondents involved in this collection will be managers of State Departments of Social Services, which corresponds to Bureau of Labor Statistics Category 11-9151, Social and Community Service Managers. Based on the most recent Occupational Employment and Wage Estimates from May 2014, this category of workers earns an hourly mean wage of \$32.56¹. However, 50 percent of the administrative costs incurred by State agencies are reimbursed by FNS. According to the burden hours shown above, FNS estimates that this information collection will result in a total cost across State agencies of \$12,641; however, final costs are estimated at \$6,321 after 50 percent of the administrative costs incurred by State agencies are reimbursed by FNS.

A13. Estimates of other total annual cost burden.

Provide estimates of the total annual cost burden to respondents or recordkeepers 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 are no capital/start-up or ongoing operation/maintenance costs associated with this information collection.

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.

This information collection assumes that the review of an average of 5 updated Disaster plans, 45

¹ <http://www.bls.gov/oes/current/oes119151.htm>

daily reports, and 9 D-SNAP Post Disaster Reports submitted by State agencies annually requires a total of 20 hours of Federal employee time: 17 hours for a Program analyst (GS-12), 2 hours for a Branch Chief (GS-14) and 1 hour for a Division Director (GS-15). The Federal cost also includes the cost associated with the preparation of this information collection package. The calculations for this cost are described in the table below:

Burden – Review of State agency D-SNAP Plans and Requests	# of Respondents	Hours	Est. Total Annual Burden Hours	Estimated Hourly Wage Rate* ²	Cost (US\$) (approx.)*
Program Analyst (GS-12/1)	9	17	153	\$36.60	\$5,600
Branch Chief (GS-14/1)	9	2	18	\$51.43	\$926
Division Director (GS-15/1)	9	1	9	\$60.49	\$544
Total					\$7,070

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-I.

This is a new information collection request that will add 388 burden hours for FNS burden inventory.

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 publish statistical analyses.

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.

² Federal General Schedule Salary Table 2015-DCB: http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2015/DCB_h.pdf

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 of the OMB 83-I" Certification for Paperwork Reduction Act."

There are no exceptions to the certification statement.