

Supporting Statement for Paperwork Reduction Act Submission

Food Programs Reporting System (FPRS)

OMB CLEARANCE NUMBER: 0584-0594

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- Attachment 3: Privacy Impact Assessment
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Enclosed:

Legislative authority citations (by program and form)

JUSTIFICATION

1.) Explain the 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 a currently approved information collection. The Department of Agriculture, FNS issued a 60 day notice entitled “Food Programs Reporting System (FPRS). FPRS facilitates data gathering for the reporting of data for the Special Supplemental Nutrition Program (SNAP) and the Special Nutrition Programs. FPRS is the primary collection point for program performance statistics and financial data from State agencies (SA), Indian Tribal Organizations (ITO), and U.S. Territories participating in the nutrition assistance programs. This information collection pertains to 22 information collections currently approved by OMB. The reporting burdens for these collections were merged with FPRS and were approved by OMB in 2014. Any recordkeeping burdens will remain with its approved OMB control number. Each program has multiple information collection packages and they are listed here by program and will remain for historical preservation:

Currently OMB approved information collection packages		
OMB Control Number	Worksheet/Form number	Expiration Date
Child Nutrition Program		
0584-0002	FNS-10	
0584-0075	FNS-13	
0584-0280	FNS-418	
0584-0078	FNS-44	
0584-0067	FNS-777(SAE)	
0584-0006	FNS-640	
0584-0026	FNS-742	
0584-0594	FNS-828	
0584-0577	FNS-834	
0584-0226	FNS-874	
0584-0567	QTR-SFA-CERT	
4040-0014	SF-425	

Special Nutrition Assistance Program		
0584-0025	FNS-101	
0584-0025	FNS-101 (CNMI)	
0584-0069	FNS-209	
0584-0069	FNS-209 (PR)	
0584-0083	FNS-366A & FNS-366B	
0584-0083	FNS-366A (PR)	
0584-0083	FNS-366A (PR 2018-2019)	
0584-0081	FNS-388 & FNS-388A	
0584-0081	FNS-388 (AS)	
0584-0081	FNS-388 (CNMI-NAP)	
0584-0081	FNS-388 (PR)	
0584-0081	FNS-388 (PR-NAP)	
0584-0081	FNS-388A (CNMI-NAP)	
0584-0081	FNS-388A (PR)	
0584-0542	FNS-759	
4040-0014	SF-425 (FNS-778 & FNS-778A)	
4040-0014	SF-425 (FNS-778)(AS)	
4040-0014	SF-425 (FNS-778)(CNMI-NAP)	
4040-0014	SF-425 (FNS-778)(PR)	
4040-0014	SF-425 (FNS-778)(PR 2018/2019)	
0584-0339	FNS-583	
0584-0080	FNS-46	
0584-0080	FNS-46 (PR)	
0584-0037	FNS-292A&B	
Food Distribution Programs		
0584-0293	FNS-667, FNS-152, FNS-153, &	
0584-0025	FNS-191 & FNS-101	
4040-0014	SF-425	
Special Supplemental Food Program for Women, Infants and Children (WIC)		
0584-0447	FNS-683B	
0584-0541	FNS-683A	
0584-0431	FNS-648	
0584-0045	FNS-798 & FNS-798A	
0584-0045	BFDLA	
4040-0014	SF-425	

2.) Indicate how, by whom, how frequently, 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.

Using the FNS forms/worksheets, State and Local agencies, and Indian Tribal Organizations (ITOs), who enter into agreements with the Federal government use FPRS to submit data to FNS electronically. The data is gathered, collected and submitted by SLT at various times, ranging from monthly, quarterly, semi-annual, annual or final submissions. This information is collected, gathered and used by FNS to conduct program evaluation, planning and audits, future funding, research, regulatory compliance and general statistical projections.-

3.) 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, by providing electronic submissions of information in lieu of paper whenever possible. FNS encourages its State agency partners to offer electronic submission to local agencies whenever it is feasible. FNS estimates that 100% of the State agencies will respond electronically to this data collection using Food Programs Reporting System (FPRS) at <https://fprs.fns.usda.gov/Home/Reminder.aspx>. All screenshots of the information collection help guides and tools/instruments/worksheets used to submit data to FNS are included in this request. Each worksheet burden time varies per

instrument; therefore, FNS has included the user home screen which displays the OMB control number, expiration date and public burden statement.

4.) Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.

There is no similar data collection available. 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. FNS solely administers the school meal programs, monitors issuance of SNAP and WIC benefits. Each child nutrition, special or supplemental assistance program has distinct reporting requirements that are submitted by State, Local or Tribal agencies and collected electronically through FPRS.

5.) If the collection of information impacts small business or other small entities, describe any methods used to minimize burden.

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

6.) 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.

FNS will be unable to meet its legislative and regulatory reporting requirements for the affected programs.

7.) Explain any special circumstance that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**

Current OMB Control Number	Program	Worksheet Number and Title	Reason for requiring respondents to report information to the agency more often than quarterly
0584-0002	Child Nutrition Program	FNS-10 Report of School Program Operations	Per the regulation, States shall not receive Program funds to operate for any month for which the final report is not submitted with the time limit (90 days following the last day of the month covered by the report).
0584-0078	Child Nutrition Program	FNS-44 Report of Child and Adult Care Food Program	Per the regulation, States shall not receive Program funds to operate for any month for which the final report is not submitted with the time limit (90 days following the last day of the month covered by the report).
0584-0081	Special Nutrition Assistance Program	FNS-388 State Issuance and Participation Estimates	Part 274.4(b)(4) of the Supplemental Nutrition Assistance Program (SNAP) regulations require State agencies to submit on a monthly basis. Timely State monthly issuance estimates are necessary for FNS to ensure that it remains with the appropriation and will have a direct effect upon the manner in which allotments would be reduced when necessary.
0584-0080	Special Nutrition Assistance Program	FNS-46 Issuance Reconciliation Report	Section 7(d) of the Food and Nutrition Act of 2008, as amended, (the Act) (7 U.S.C. 2016(d)) and Regulations at 7 CFR 274.4(a) and 274.4(b)(2), require State agencies to report on their SNAP benefit issuance operations not less than monthly, through a reconciliation process and to report to FNS using Form FNS-46, Issuance Reconciliation Report. This monthly report is used to account for benefits issued during a report month for each issuance reporting point, and to document the reconciliation process by which States compare the total issuance, returns, and unauthorized issuance amounts resulting in the net Federal obligation.
0584-0293	Food Distribution Program	FNS-152 Monthly Distribution of Donated Foods to Family Units	Form is collected electronically monthly to ensure efficient management of the program. Timely ordering, receipts, inventory control, and accounting of commodities and funds are necessary to ensure the programs continue to operate and the funds are spent during the appropriate time periods.

0584-0293	Food Distribution Program	FNS-153 Monthly Report of the CSFP and Quarterly Administrative Financial Status Report	Form is collected electronically monthly to ensure efficient management of the program. Timely ordering, receipts, inventory control, and accounting of commodities and funds are necessary to ensure the programs continue to operate and the funds are spent during the appropriate time periods.
0584-0045	Special Supplemental Food Program for Women, Infants and Children (WIC)	FNS-798 WIC Financial Management and Participation Report	Monthly reporting is critical for monitoring each State agency's expenditures to ensure it does not overspend its authorized grant, which would create a financial burden for the State. Costs incurred by a State agency in excess of its grant must be paid by the State.

- **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 support 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.

8.) If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, 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.

A 60day Notice was published in the *Federal Register* on July 30, 2019, page 36884, Vol. 84, No. 146 (included with the submission). The public comment period ended on September 30, 2019. Four comments were received. (Attachments 2 through 2.3). The comments were either general political commentary or opinions not related to the subject matter. The FNS responses to the comments are provided in Attachment 2b.

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 form, and on the data elements to be recorded, disclosed, or reported.

Regional, State, and local public and private organizations involved in various areas of FNS programs have an opportunity to raise concerns at annual meetings. The following State staff use the system frequently and understand all aspects of the data requirements and time tables. Mary Royer, Maryland Department of Health at mary.royer1@maryland.gov; Kimberly

Courtney, Oklahoma State Department of Health at KimC@health.ok.gov; Bruce Brown, Iowa Department of Public Health at bbrown@idph.state.ia.us

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

No payment or gift will be offered to respondents.

10.) 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 individual or household data is collected nor maintained in this system. Users are authenticated using USDA e-Authentication, State, Local or Tribal Agencies are assigned codes by FNS as an identifier for States only no personal information from individual staff is required. The data will be collected in aggregate form and respondents will not be identified individually.

Authorized Users: Contractors are required to comply with all provisions of the Privacy Act. Contractors are required to maintain and protect the data and cannot release or share data without consulting with FNS. Access to records maintained within FNS is limited to those staff officials responsible for the subject matter. Otherwise, access is limited to persons authorized and needing to use the records, including project directors, project officers, contract officers, programmers, analysts, statisticians, statistical clerks and key punch operators on the staff of the contractors or in the FNS.

Additionally, a Privacy Impact Assessment was conducted in June 2007 on the FPRS (attachment 3) which determined that FNS does not need to publish a SORNs.

11.) 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 sensitive questions will be asked in this data collection.

12.) Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden the 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.**

The requested burden hours (104,610.50 total annual burden hours and 36,868.00 total annual responses) associated with this collection and the cost to respondents are shown in the attached chart. In addition, there are an estimated 12,708 respondents for this collection. Time estimates include the time needed to gather, compile and record data and submit it to FNS using FPRS.

There is no recordkeeping burden associated with this data collection. All other reporting burden hours associated with these worksheets/data elements on the parallel worksheets has been

discontinued and there is no duplicative burden associated with them. However, there is duplicative burden contained in two information collections, OMB# 0584-0608 SNAP Requirement for National Directory of New Hires Employment Verification and Annual Program Activity and OMB# 0584-0293 Food Distribution Program that is associated with forms in this collection. FNS is working on removing this duplicate burden as from these collections. Nonetheless, there may still be other reporting activities not captured on these worksheets/forms. Therefore, there may be reporting burden remaining in those OMB control numbers and there is a high probability of recordkeeping burden involved with many of the existing FNS forms/worksheets identified in this request. Any other reporting burden activities (not reported on the FPRS worksheets) and recordkeeping burden hours will remain with those existing collections. Lastly, recordkeeping for the SF 425 will be contained in OMB Control # 0584-0512, expiration date: 7/31/2022 the FNS Discretionary Grant generic request.

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

The estimated cost to respondents including fully-loaded wages is \$3,825,546.84 (\$2,876,351.01 total annual cost + \$949,195.83 fringe benefits). FNS used 33 percent of the annual cost to determine the fully-loaded wages to include the fringe benefits. The annual cost for each respondent is reflected in the excel chart.

13.) 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 items 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.

14.) Provide estimates of annualized costs to the Federal government. Also, 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.

The estimated cost to the Federal government including fully-loaded wages is \$12,267,529.46 (\$9,224,227.71 total annual cost + \$3,043,301.75 fringe benefits). FNS used 33 percent of the annual cost to determine the fully-loaded wages to include the fringe benefits. The annual cost for each data collection is reflected in the chart below.

It is estimated that the annualized cost of the FPRS system to the Federal government is \$9,224,227.71. FNS staff developed the information collection instructions for the State agencies. FNS staff will compile the resulting data. Estimated costs are provided in Table A14.1 for the expenses that would not have been incurred without this collection of information.

Table A14.1

Currently OMB approved information collection packages			Cost to Federal Government (Reports submitted by SA and Analyzed by HQ or Regional Staff) No ICR drafting Cost in this table	
OMB Control Number (*note with	Worksheet/Form number	Expiration Date	Headquarter or Regional Staff Grade	Total Federal Cost (no ICR drafting cost for Prg)

Policy Development BH for IC)				
Child Nutrition Program				
0584-0002	FNS-10	10/31/2015	GS-12 Step 6	\$ 3,215.20
0584-0075	FNS-13	2/28/2014	GS-12 Step 6	\$ 3,348.00
0584-0280*	FNS-418	3/31/2016	GS-12 Step 5	\$ 312,000.00
0584-0055*	FNS-44	8/31/2013	GS-12 Step 5	\$ 2,270,613.00
0584-0067	FNS-777	5/31/2016	GS-12 Step 5	\$ 7,281.90
4040-0014	SF-425	2/28/2022	GS-12 Step 5	\$ -
Special Nutrition Assistance Program				
0584-0025	FNS-101	8/31/2015	GS-12 Step 5	\$ 114,035.00
0584-0069	FNS-209**	9/30/2015	GS-12 Step 5	\$ 193,533.00
0584-0083	FNS-366A & FNS-366B	12/31/2013	GS-12 Step 5	\$ 750,836.00
0584-0081	FNS-388 & FNS-388A	5/31/2013	GS-12 Step 5	\$ 127,722.00
0584-0594	FNS-778 & FNS-778A	9/30/2019	GS-12 Step 5	\$ 3,348.00
0584-0339	FNS-583	6/30/2014	GS-12 Step 5	\$ 902.46
0584-0037	FNS-292A&B	7/31/2014	GS-12 Step 5	\$ 1,733,185.00
0584-0080	FNS-46	3/31/2014	GS-12 Step 5	\$ 23,185.44
0584-0542	FNS-759	8/31/2013	GS-12 Step 5	\$ 25,000.00
Food Distribution Programs				
0584-0293	FNS-667, FNS-152, FNS-153, & FNS-667	12/31/2014	GS-12 Step 5	\$ 595,427.00
0584-0025	FNS-191 & FNS-101	8/31/2015	GS-12 Step 5	\$2,101.20
4040-0014	SF-425	2/28/2022	GS-12 Step 5	\$ -
Special Supplemental Food Program for Women, Infants and Children (WIC)				
0584-0447	FNS-683 & FNS-203	9/30/2014	GS-12 Step 5	\$ 138,892.80
0584-0541	FNS-683A	3/31/2013	GS-12 Step 5	\$ 561,000.00
0584-0431	FNS-648	4/30/2014	GS-12 Step 5	\$ 1,491.21
0584-0045	FNS-798 & FNS-798A	11/30/2014	GS-12 Step 5	\$16,082.50
4040-0014	SF-425	2/28/2022	GS-12 Step 5	\$ -
Grants Management				
4040-0014	SF-425	2/28/2022	GS-12 Step 5	\$ -
Sub Total Estimated Total Annual Cost to Federal Government				\$ 6,881,098.51
Estimated Total Contract Cost to Federal Government to maintain FPRS				\$ 2,334,991.00

Estimated Total Draft ICR for FPRS	\$ 6,037.00
Grand Total Estimates for this ICR Cost to Federal Government	\$ 12,267,529.46

*Criteria Used: Estimates includes Cost for Regional and Headquarter Federal Staff to analyze data reported by States. Includes cost for staff to develop policy guidance for forms, includes contract cost to develop and maintain website, create, print, warehouse or distribute any paper forms if applicable

**The FNS 209 is used in OMB Control Numbers: 0584-0069; 0584-0446 and 0584-0492.

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

This is a revision of a currently approved information collection request. The current OMB burden inventory is 104,556 total annual reporting burden hours and 46,216 total annual responses. FNS is requesting 104,610.50 total annual reporting burden hours and 36,868 total annual responses. This request reflects an increase of 54.50 total annual reporting burden hours and a decrease of -9,348 total annual responses due to program changes. Several FNS programs have awarded funds under new project areas and rulemaking decisions implemented which requires States to report additional information on currently existing forms in FPRS which increased the burden. This did not, however, change the frequency of reporting.

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

There are no plans to publish a compilation of the data from this information collection.

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

FNS is not seeking approval to not display the OMB approval number and the expiration date on this information collection.

18.) Explain each exception to the certification statement identified in Item 19

“Certification for Paperwork Reduction Act.”

There are no exceptions to the certification statement.