

SUPPORTING STATEMENT - PART A for

OMB Control Number 0584-0043:

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

Program Regulations – Reporting and Record-keeping Burden

Marta Kealey

Nutritionist/Policy Branch/Supplemental Food Programs Division

Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

USDA, Food and Nutrition Service

1320 Braddock Place

Alexandria, Virginia 22314

(703) 305 -1747

Marta.Kealey@usda.gov

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A1. 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.

The purpose of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), is to provide supplemental foods, nutrition education, including breastfeeding promotion and support, and health care referrals to low income, nutritionally at-risk pregnant, breastfeeding and postpartum women, infants, and children up to age five. Currently, WIC operates through State health departments in 50 States, 33 Indian Tribal Organizations, American Samoa, District of Columbia, Guam, Commonwealth of the Northern Mariana Islands, Puerto Rico, and the Virgin Islands. The Federal regulations governing the WIC Program (Appendix A WIC Regulations [7 CFR part 246]) require that certain program-related information be collected and that full and complete records concerning WIC operations are maintained. The information reporting and record-keeping burdens are necessary to ensure appropriate and efficient management of the WIC program. The WIC Program is authorized by the Child Nutrition Act (CNA) of 1966 (42 U.S.C. 1786), as amended (see Appendix B Child Nutrition Act).

This submission is a revision of a currently approved collection which covers the information collection of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), OMB #0584-0043; expiration date August 31, 2020.

While working on the renewal of the collection, we identified potential requirements and burden that may need to be added into the collection; determined that some entities counted as local

government agencies and included in the burden for State, Local, and Tribal Governments, may in fact be non-profit organizations that would more accurately be counted as businesses; and identified guidance materials that may need to be included as part of this information collection request.

Unfortunately, due to competing priorities, our capacity levels, and the level of data needed to address these suggestions, FNS is unable to fully research and include these items in this renewal request which must be submitted to the Office of Management and Budget (OMB) before it expires on August 31, 2020. FNS will resolve this by addressing these items in a revision of this collection, which will be submitted before the next renewal, and no later than the next three-year renewal.

In addition, it was noted during the OMB review process that some of the application requirements (e.g., nutrition assessment) had not before been fully accounted for in the burden. An estimate of the nutrition assessment is included in this renewal. The inclusion of the nutrition assessment estimate is not an additional burden but rather an improved accounting of previously existing application requirements included for the first time. The burden for the nutrition assessment is a preliminary estimate only, and the Food and Nutrition Service will seek public comment on the burden when this package comes up for the next renewal.

Per §246.2 of the WIC regulations, “State agencies” are health departments or comparable agencies of the States, U.S. Territories, and Indian Tribal Organizations (ITO). The State agencies administer the WIC Program with funds provided by the USDA Food and Nutrition Service (FNS) pursuant to annual Federal-State agreements.

Per §246.2 of the WIC regulations, “vendors” are businesses operating retail stores authorized by State agencies to transact the WIC “food instruments” (checks, vouchers or EBT cards) used by WIC participants to purchase WIC authorized foods.

Per §246.2 of the WIC regulations, “local agencies” include public or private non-profit health or human service agencies, Indian Health Service units, and health clinics of ITOs and intertribal councils or groups. The local agencies administer the WIC Program pursuant to annual or multi-year written agreements with State agencies. The local agencies provide client services directly to Program participants. Services include: certification, issuance of food instruments, referral to health and social services, and nutrition education.

A2. 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.

- **What information will be collected?**

The information collection includes: participant certification information (e.g., income and nutrition risk); nutrition education documentation; local agency and vendor application and agreement information; vendor sales and shelf price data; data related to vendor monitoring and training (see Appendix C Vendor Management Handbook); Electronic Benefits Transfer (EBT) delivery; and financial and food delivery system records. Although various components of §246 require the collection of Personally Identifiable Information (PII), it is anonymized and aggregated before provision to FNS by State and local agencies.

- **Is the information collected via a report, public disclosure or is it a record that must be maintained?**

The State Plan of Operations is the principal source of information about how each State agency operates its WIC Program. FNS provides a checklist (see Appendix D WIC State Plan Guidance) for State agencies to ensure that the State Plan is complete and in compliance with §246.4; however, the use of the checklist is optional. Information collected from participants and local agencies is collected through State-developed forms or Management Information Systems (MIS). Electronic reporting forms that are associated with the collection of participant and financial information, such as FNS-798/798A WIC Financial Management and Participation Report, are submitted through the Food Programs Reporting System (FPRS). These forms and their associated reporting burden are approved under OMB Control Number 0584-0594 Food Programs Reporting System (FPRS). The reporting burden is not included in the burden for this collection; however, the recordkeeping burden associated with these forms is included in this collection. Vendors generally submit information and forms to the State agencies in paper format, by email or through an online portal.

- **Is the collection voluntary, mandatory or necessary to obtain benefits?**

In order for WIC applicants/participants to obtain or retain benefits, the following information is required: proof of identity, residency and income; iron blood test results; height and weight measurements (see §246.7); and medical documentation (i.e., prescription by a health care provider) for supplemental foods in Food Package III [see §246.10(d)(1)]. The collection burden for nutrition education that is provided to participants; the authorization, training and monitoring of vendors; and the collection of vendor pricing information in order to comply with the Federal

regulations regarding WIC cost containment are mandatory. The entire information collection involves regulatory provisions at 7 CFR 246.

- **From whom will the information be collected? If there are different respondent categories (e.g., beneficiary, retailer, State agency, Local agency, School Food Authority, etc.), each should be identified along with the type of collection activity that applies.**

The respondents for the information collection are State agencies, local agencies, applicants for Program benefits, and retail vendors.

The State agency shall collect and maintain information relating to program operation and administration to include: participant certification information (e.g., income and nutrition risk); nutrition education documentation; local agency and vendor application and agreement information; vendor sales and shelf price data; data related to vendor monitoring and training; EBT delivery; and financial and food delivery system records.

The State agency may delegate to local agencies information collection activities that would include: participant certification information (e.g., income and nutrition risk); and nutrition education documentation. Local agencies are required to enter into a signed written agreement with the State agency outlining the local agencies responsibilities for program operations.

Applicants for program benefits are required to provide proof of income, residency, identity, and medical documentation for foods in Food Package III, and be determined to be at nutrition risk in order for the State and/or local agency to determine an applicant's eligibility for participation in the WIC Program.

Retail vendors are required to submit an application to verify eligibility for participation in the WIC program. When authorized, retail vendors enter into agreements with and provide the State agency information on vendor sales and shelf price data; data related to vendor monitoring and training; EBT delivery; and financial and food delivery systems.

- **How will this information be used? (Provide ALL uses.)**

The information collection for all provisions includes participant certification information (e.g., income and nutrition risk); nutrition education documentation; local agency and vendor application and agreement information; vendor sales and shelf price data; data related to vendor monitoring and training; and financial and food delivery system records. The information is needed for the general operation of the Program, including regulatory compliance, and for ongoing program integrity and cost-saving efforts. The information collected is used by the Food and Nutrition Service (FNS) to manage, plan, evaluate, make decisions, and report on WIC Program operations.

- **How will the information be collected (e.g., forms, descriptive reports or plans, electronically, face-to-face, over the phone, over the Internet)? Does the respondent have multiple options for providing the information? If so, what are they?**

The vast majority of State agencies submit their State plans electronically through email or upload to a shared site. A few submit plans through the regular mail, if that is their preference. State agencies have also developed various methods for local agencies to submit certification and financial data. This may include submission of data either directly through an integrated computer network, via email attachments or by facsimile. Vendors generally submit information

and forms to the State agencies in paper format, by email, or through an online portal. More information about how the information will be collected can be found in Appendix E WIC Burden Narrative.

- **How frequently will the information be collected?**

Vendor sales information, the vendor infant formula list, and the vendor incentive item requests for approval are collected annually via the State plan. Certification information is collected once or twice per year for each participant, depending on category. Aggregate participation data is collected monthly. Nutrition education is delivered and documented quarterly. Authorized Product Lists (APL's) including a product's Universal Product Code (UPC) is collected quarterly. Vendor price data is required to be collected semiannually, but is sometimes collected more frequently (or not at all if a SA has a Shelf Price Collection Exemption). Vendor applications and agreements are completed every 1-3 years.

Each State agency provides a notification of violations, on average, to 6 vendors per year, or documents the reason for not doing so; this is done on an as-needed basis. More information on the frequency of each type of information can be found in Appendix E WIC Burden Narrative.

- **Will the information be shared with any other organizations inside or outside USDA or the government?**

The information may be made available to the Government Accountability Office (GAO) or other Congressional offices.

The information may also be made available to private contractors conducting research for FNS. The research information may subsequently be made public when the reports developed by the contractors are issued. To protect the privacy of participants and vendors, information made available to the public is provided only in aggregate form, without identifying individual participants or vendors.

- **If this is an ongoing collection, how have the collection requirements changed over time?**

The reporting and record-keeping burdens covered by this ICR include requirements that involve the certification of WIC participants; the nutrition education that is provided to participants; the authorization, training and monitoring of vendors; and the collection of vendor pricing information in order to comply with the Federal regulations regarding WIC cost containment. This information collection burden is a revision in the burden hours due to program changes and program adjustments. Program changes are related to the use of technology, streamlining processes, change in frequency and previously existing programmatic requirements that are being included in this ICR for the first time. Program adjustments reflect expected changes in the number of WIC participants, WIC authorized vendors, and WIC State and local agencies.

A3. 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 makes every effort to comply with the E-Government Act of 2002. Any information that must be submitted to FNS may be submitted via email or PartnerWeb, a web-based application that allows users to share and access information. Approximately 50% of State agencies choose

to submit via email or PartnerWeb; those with limited access to or familiarity with technology may mail or fax their information. In addition, FNS encourages its State agency partners to offer electronic submission to local agencies and vendors whenever it is feasible. All eighty-nine WIC State agencies have automated management information systems (MIS) and/or food delivery systems that were created with funding from FNS, and 100% of State agencies submit information via MIS. FNS offers funding for enhancements to these systems at the State and local levels which continues to reduce the time and effort required to collect and transmit data. For example, State agency use of automated MIS minimizes the burden associated with the performance of many other activities including: performing and documenting vendor training, collecting certification data, developing local agency nutrition education plans, and documenting monitoring visits to retail vendors. Improved and extended use of automated approaches to Program management and service delivery is a priority of the WIC Program.

Additionally, FNS continues to use an automated method for matching a vendor's WIC redemptions with the same vendor's SNAP redemptions in order to determine whether that vendor is an above-50-percent or regular vendor. If a vendor's SNAP redemptions exceed its WIC redemptions, then that vendor is considered a regular vendor and no further documentation, such as tax records, are needed to determine its status. This process has shown that SNAP redemptions exceed WIC redemptions for 91 percent of authorized vendors, thus eliminating the need for further documentation for the vast majority of authorized vendors (see #12 of attached budget narrative for additional detail).

Overall, FNS estimates that approximately 75% of responses pertaining to reporting and recordkeeping are collected electronically via either PartnerWeb or their MIS (50% of State

agencies submit information via PartnerWeb + 100% of State agencies submitting information via MIS = 150% / 2 = 75%). Out of 48,798,800 responses for this collection, FNS estimates that 36,599,100 (75%) are collected electronically.

A4. 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 collection. 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 WIC Program.

A5. 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.

FNS has determined that the requirements for this information collection do not adversely impact small businesses or other small entities. Although smaller local agencies, retail vendors, and contractors submit fewer business transactions involving the WIC Program, they deliver the same Program benefits and perform the same function as any other business or entity. Thus, they must collect and maintain the same types of information on file.

This information collection has been held to the minimum required for intended use. FNS estimates that approximately 75 percent of the 41,164 retail vendors are small businesses. Therefore, approximately 30,873 vendors are small businesses that are impacted by this information collection. However, this information collection does not impose a significant economic impact on them and is a necessary component of electing to participate in this Program as a vendor.

FNS encourages States to use automated approaches in the collection of vendor data and other vendor related activities. State agency use of automated MIS and other processors minimize the burden associated with the collection of vendor data and other vendor related activities.

Therefore, out of the 6,913,189 total respondents for this collection, FNS estimates that 30,873 (.0045%) will be small entities.

A6. 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 ongoing information collection which includes requirements that are both mandatory and required to obtain or retain benefits as required by statute. The information is collected for the purpose of administering an ongoing program. Collecting data less frequently would not allow FNS to properly monitor program funding, statutory and regulatory compliance, and program trends. If information were collected less than the frequencies discussed in A2, the efficiency and effectiveness of the Program would be jeopardized. The risk for improper use of Federal funds would increase, and FNS' ability to detect violations would diminish greatly.

A7. 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;** Program regulations [§246.25(b)] require State agencies to submit financial and participation performance data on a monthly basis. This financial and participation information is reported monthly via the Food Programs Reporting System (FPRS), (which is approved under OMB

Control Number 0584-0594). The primary purpose of FPRS is to provide financial and program performance data on a monthly basis to support program management and funding decisions. The purpose of FPRS is not for calculating collection burden estimates; however, the monthly participant information is used for this collection burden for estimating the number of participants by category (i.e., women, infants and children). This information is necessary to estimate the reporting burden for certification data, medical documentation and applicants. The participation information is also used to estimate the recordkeeping burden for medical documentation and nutrition education documentation.

- **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;**

Under §246.25(a)(2) of the WIC regulations, all records shall be retained for a minimum of three years following the date of submission of the final expenditure report for the period to which the report pertains. If any litigation, claim, negotiation, audit, or other action involving these records has been started before the end of the three-year period, the records shall be kept until all issues are resolved, or until the end of the regular three-year period, whichever is later. This provision is based on 36 CFR 1207.42(b)(2) of the National Archives and Records Administration regulations.

- **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;**

Under § 246.26(b) of the WIC regulations, FNS reserves the right to use information obtained under the Program in a summary, statistical, or other form which does not identify particular individuals.

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

Under § 246.26(b) of the WIC regulations, FNS reserves the right to use information obtained under the Program in a summary, statistical, or other form which does not identify particular individuals.

- **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**

If the State agency exercises the authority to use and disclose confidential applicant and participant information for non-WIC purposes, a list of all organizations with which the State agency or its local agencies has executed or intends to execute a written agreement pursuant to § 246.26(h) authorizing the use and disclosure of confidential applicant and participant information for non-WIC purposes must be documented in the State Plan.

- **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.**

Under § 246.26(d)(ii) of the WIC regulations, the State agency must restrict the use and disclosure of confidential applicant and participant information to persons directly connected with the administration or enforcement of the WIC Program and whom the State agency determines have a need to know the information for WIC Program purposes. These persons may include, but are not limited to: personnel from the State's local agencies and other WIC State or local agencies; persons under contract with the State agency to perform research regarding the

WIC Program; and persons investigating or prosecuting WIC Program violations under Federal, State, or local 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(d)(2).

A8. 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 notice was published in the Federal Register on February 19, 2020, Volume 85, pages, 9453-9454. The public comment period ended on April 20, 2020. FNS received two comments in response to the notice (see Appendix F Public Submission Comment 1 and Appendix G Public Submission Comment 2). Commenter 1 noted that the collection burden might be reduced through the use of technology to collect applicant information. Commenter 2 recommended that processes be streamlined instead of reducing the hours spent on reporting and recordkeeping. Neither commenter provided contact information for FNS to send responses. FNS' response: FNS encourages the use of automated approaches to service delivery by the local agency. In addition, FNS is continuously looking for ways to streamline processes and reduce the time and effort required to collect and transmit data, which is both essential and necessary to functionality and efficiency in the WIC program.

FNS also received a comment in response to the 30-Day Federal Register Notice that was

published on August 27, 2020, Volume 85, page 52942 (Appendix J). FNS did not respond to the comment as it was not germane either to the necessity or practical utility of the collection or to the burden estimates.

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.

The individuals/organizations listed below (see Appendix H Invitation to Comment) have been consulted about burden estimates and/or other characteristics associated with this data collection.

No comments were received by these individuals/organizations.

1. Dawn Briner, Chairman

Native Indian and Native American WIC Coalition

Otoe-Missouria WIC Director

Dbriner@omtribe.org

Tel. 580-723-4466 ext. 163

2. Reverend Douglas A. Greenaway

President & CEO, National WIC Association

douglasg@nwica.org

Tel. 202-232-5492

3. Robert Greenstein, President

Center on Budget and Policy Priorities

greenstein@cbpp.org

Tel. 202-408-1080

In addition, FNS Regional Offices consult with State agencies regarding any proposed changes as the result of legislative, regulatory, or administrative changes. Such constant contact with State agencies provides feedback on FNS processes and procedures that may impact States.

A9. 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. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

Confidential applicant information (i.e., PII) to include: proof of identity, residency, and income; iron blood test results; height and weight measurements [see §246.7]; and medical documentation (i.e., prescription by a health care provider) for supplemental foods in Food Package III [see 246.10(d)(1)] is collected by State and local agencies as required to determine Program eligibility and to provide foods in Food Package III. However this information is anonymized and aggregated when reported to FNS.

The Department complies with the Privacy Act of 1974. State agencies are required to comply with confidentiality requirements set forth in §246.26(d)(e)(f)(g) and (h) of the WIC regulations. Section 246.26(d)(1)(ii) states that "...the State agency must restrict the use and disclosure of

confidential applicant and participant information to persons directly connected with the administration or enforcement of the WIC Program whom the State agency determines have a need to know the information for WIC Program purposes.” With constantly changing technology, as well as constantly changing threats, FNS has taken the position that it is impossible for the agency to set and enforce security standards for State systems. It would be inappropriate for FNS to assume the liability of approving or certifying systems with regard to security. To the extent that FNS reviews security as part of the assessment of a State system, it is to inquire about the State’s standards and protocols, and to seek the State’s own attestation that they are adhering to their standards.

Section 246.26(e) states that “the State agency must restrict the use or disclosure of confidential vendor information to [...] persons directly connected with the administration or enforcement of the WIC Program or SNAP who the State agency determines have a need to know the information for purposes of these programs,” and to “Persons directly connected with the administration or enforcement of any Federal or State law or local law or ordinance.”

Information obtained from Program applicants, participants and vendors is kept confidential in adherence to §246.26(d)(e)(f)(g) and (h) and will not be disclosed to anyone but the individuals involved with this data collection or investigation, except as otherwise permitted or required by law or the above-noted provisions of the WIC regulations. Under provisions identified above, State and local agencies may disclose confidential participant information to individuals or entities outside the Program (e.g., health care providers) only if the affected participant signs a release form.

This ICR does not include any forms that require a Privacy Act Statement. States and local agencies are required to collect PII for Program eligibility determination and to provide foods in Food Package III, as described above. The FNS Privacy Officer determined (and confirmed on August 11, 2020) that a Privacy Act System of Records Notice (SORN) is not applicable to this collection. Although various components of §246 require the collection of PII, it is anonymized and aggregated before provision to FNS by State and local agencies. The State and local agencies use and maintain the MIS to manage PII. FNS ensures that WIC State and local agencies keep information confidential, in compliance with program regulations, through management evaluations (ME). If an ME reveals that confidential information has been shared or could have been at risk of being shared, FNS will require a corrective action plan to correct the noncompliance.

A11. 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.

The WIC certification process requires the applicant to respond to questions of a sensitive nature. This information is necessary to determine income and nutrition risk, which are Program eligibility criteria. In addition, medical documentation (i.e., prescription by a health care provider) is required for a participant to receive supplemental foods in Food Package III. The applicant is required to show proof of income to determine income eligibility. A nutrition assessment is conducted on each applicant during the certification process, to determine nutrition risk, during which, anthropometric measurements, anemia screen results, medical history, dietary intake and environmental (e.g., homelessness, migrancy) information is collected. This

information is necessary not only to determine nutrition risk, but also to meet the requirement per §246.7(e) to provide WIC nutrition services (nutrition education, food package tailoring, breastfeeding support and referral to health and social services) that address the nutrition risk(s) identified. Applicants are informed at certification as required by §246.7(i)(11) that the sensitive information will be kept confidential. If it is disclosed, it will only be disclosed pursuant to §246.26(d)(2) (see response to A10 above for more information about WIC confidentiality requirements).

A12. 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.

12A). 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.

The reporting and record-keeping burdens covered by this information collection request include requirements that involve the certification of WIC participants; the nutrition education that is provided to participants; the authorization, training and monitoring of vendors; and the collection of vendor pricing information in order to comply with the Federal regulations regarding WIC cost containment. State Plans are the principal source of information about how each State agency operates its WIC Program. This information collection burden was calculated using this information. Revisions in the burden hours are due to program changes and program adjustments. Program changes are related to the use of technology, streamlining processes, change in frequency and previously existing programmatic requirements that are being included in this ICR for the first time. Program adjustments reflect expected changes in the number of WIC participants, WIC authorized vendors, and WIC State and local agencies.

With this revision, FNS estimates that this collection will have 6,913,189 respondents, 48,798,800 responses, and 4,547,099 burden hours, as detailed in the chart below and Appendix I WIC Burden Table. The overall information collection burden is estimated to have increased by 774,501 burden hours annually due to program changes and adjustments. The total estimated burden hours will increase from 3,772,598 to 4,547,099. The revisions increased the approved reporting burden by 852,088 hours and decreased the approved record-keeping burden by 77,588 hours.

The estimated burden for this information collection including the number of respondents, frequency of response, average time to respond, and annual hour burden is shown in the attached Appendix I WIC Burden Table. A summary of the burden appears below:

Reporting

Type of Respondent	Est. No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Est. Total Hours per Response	Est. Total Burden
STATE, LOCAL, & INDIAN TRIBAL GOVERNMENTS (89 WIC State agencies; 1,808 WIC local agencies)	1,897	5,609	10,640,409	0.20	2,122,588
BUSINESS OR OTHER FOR-PROFIT (41,164 WIC authorized vendors)	41,164	2.20	90,742	1.85	167,511
INDIVIDUALS/HOUSEHOLDS (6,870,128 WIC participants)	6,870,128	1.53	10,523,605	0.16	1,727,033
Total Reporting Burden	6,913,189		21,254,756		4,017,132

Recordkeeping

Type of Respondent	Est. No. of Respondents	No. of Responses per Respondent	Total Annual Responses	Est. Total Hours per Request	Est. Total Burden
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				(Hours)	
STATE, LOCAL, & INDIAN TRIBAL GOVERNMENTS (89 WIC State agencies; 1,808 WIC local agencies, 10,000 WIC Clinics)	11,897	2,315	27,544,044	0.02	529,967
Total Reporting & Recordkeeping Burden	6,913,189		48,798,800		4,547,099t

***NOTE: Total responses and burden hours shown above are calculated based upon Appendix H WIC Burden Table and utilize rounded numbers**

12B). Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.

Respondent Type	Estimated Total Burden Hours	Estimated Hourly Mean Wage*	Total Annual Respondent Cost (base annual cost + 33%)
#0584-0043 State and local staff	2,652,555	\$27.73	\$97,828,616
#0584-0043 Vendor staff	167,511	\$14.67	\$3,268,324
#0584-0043 Applicants	1,727,033	\$7.25	\$16,652,916
Totals	4,547,098		\$117,749,856

* These mean hourly rates were obtained from the U.S. Department of Labor, Bureau of Labor Statistics, May 2019 National Industry-Specific Occupational Employment and Wage Estimates (<https://www.bls.gov/oes/current/oesrci.htm>).

- The average hourly rate for State and local staff is \$27.73 ($(\$28.51 + \$26.94) / 2$), which is the mean of ‘all occupations’ for both State and local government data. (https://www.bls.gov/oes/current/naics4_999200.htm#00-0000 and https://www.bls.gov/oes/current/naics4_999300.htm#00-0000 respectively)
- The average hourly rate for vendor staff is \$14.67, which is the mean of ‘all occupations’ in the Grocery Stores category of Food and Beverage Stores. (https://www.bls.gov/oes/current/naics3_445000.htm#00-0000)
- The \$7.25 hourly rate for applicants for Program benefits is the Federal minimum wage as of

A13. 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 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 a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

Federal cost of program maintenance (reporting and recordkeeping, monitoring, technical assistance, review and analysis):

(1) FNS National Office Staff: (recordkeeping, analysis)	16 FTEs
FNS Regional Staff: (reporting and recordkeeping, monitoring, technical assistance, review, analysis)	<u>40 FTEs</u>
	[((\$37.28/hour x 40 hours x 52 weeks)* + \$25,588.99(fringe benefits)** = \$103,131.39 per FTE] x 56 FTEs =

Subtotal: \$5,775,357.84

(2) Mailing and telephone:	<u>\$2,000</u>
Subtotal:	\$2,000

Federal Program Maintenance Cost Total: \$5,777,357.84

* Based on an average of GS-11, 12, 13 salaries, Step 6, $(\$30.86 + \$36.99 + \$43.98) / 3 = \37.28 from the U.S. Office of Personnel Management General Schedule (Base) Salary Table - effective January 2020
https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2020/GS_h.pdf

** The associated 33% fringe benefit cost $(\$37.28/\text{hour} \times 40 \text{ hours} \times 52 \text{ weeks}) \times .33 = \$25,588.99$

A15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

This information collection is currently approved with 3,772,598 burden hours and 54,692,823 responses. With this revision, FNS is requesting 4,547,099 burden hours and 48,798,800 responses, for an overall increase of 774,501 burden hours and a decrease of 5,894,023 responses due to program changes and adjustments. Program changes resulted in an increase of 1,199,039 burden hours because of previously existing programmatic requirements that are being included in this ICR for the first time. There are also program changes as result of increased use of technology, streamlining procedures, and changes in frequency that slightly decrease the burden hours; overall there is a net increase. There is a decrease of 424,538 in burden hours and a decrease in responses due to program adjustments as a result of a decrease in the number of WIC State and local agencies, participants, and vendors. There has been no rulemaking since the last information collection burden report.

A16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.

For the most part, the information covered by this collection is not for publication. FNS does, however, publish a report, the Breastfeeding Data Local Agency Report, which contains program participation data that is submitted by WIC State and local agencies. The Child Nutrition Act of 1996 requires FNS to annually compile and publish breastfeeding performance measurements. This report is published annually via www.fns.usda.gov. In addition, some information may be shared with contractors that are completing studies about the WIC Program and may be used, in aggregate form, in resulting publications.

A17. 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. 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.