

**SUPPORTING STATEMENT - PART A for**

**OMB Control Number 0584-NEW:**

**Pandemic EBT (Schools)**

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**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.**

The Families First Coronavirus Response Act of 2020 (FFCRA, P.L. 116-127), enacted March 18, 2020, included a general provision that allows the Department of Agriculture to approve state plans to provide temporary emergency Supplemental Nutrition Assistance Program (SNAP) assistance to households with children who would otherwise receive free or reduced-price meals if not for their schools being closed due to the COVID-19 emergency (also known as Pandemic EBT, or P-EBT). The authority for P-EBT under FFCRA expired on September 30, 2020. The Continuing Appropriations Act, 2021 and Other Extensions Act (PL 116-159), enacted October 1, 2020 extended the authority for P-EBT through September 30, 2021. This legislation also expanded the program to include child care facilities affected by the closures and schools with reduced attendance hours. The Consolidated Appropriations Act, 2021 (PL 116-260), enacted December 27, 2020, provided additional eligibility requirements and State flexibilities for both school and child care components of this program.

This submission seeks emergency OMB approval of activities associated with administering P-EBT. While FNS sought a previous emergency IC for P-EBT under FFCRA (OMB Control Number 0584-0652, currently under OMB review), we did not prepare a full information collection for these activities because the Agency did not know whether we would receive an extension for P-EBT, and if so, under what authority we would receive that extension, in a reasonable time to submit an ICR to OMB prior to expiration of the emergency collection. Therefore, we are requesting this emergency IC while we prepare the full ICR for OMB review.

The Food and Nutrition Service (FNS) cannot reasonably comply with the normal clearance procedures under the PRA because complying would delay the agency's ability to provide emergency nutrition assistance to families and children impacted by COVID-19. As such, we request expedited approval of this information collection.

**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 is a request for a new OMB control number. The information collection is necessary to ensure that households impacted by COVID-19 receive emergency food assistance.

### *P-EBT*

As authorized by the Continuing Appropriations Act, 2021 and Other Extensions Act (PL 116-159), and amended by Consolidated Appropriations Act, 2021, States impacted by COVID-19 have the ability to issue P-EBT benefits to SNAP (currently participating in SNAP) and non-SNAP (not currently participating in SNAP) households with children who have temporarily lost access to free or reduced-price school meals due to pandemic related school closures, reduced school hours, or reduced school attendance. These households are eligible for P-EBT if they meet the following eligibility standards:

- Households include a child or children who, if not for a COVID-19 related school closure, reduced school hours, or reduced school attendance, would have received a receive free or reduced-price school meals under the Richard B. Russell National School Lunch Act, as amended, and
- The child's school or district will be (or has been) closed, had reduced hours, or reduced attendance due to pandemic for at least 5 consecutive days.

The household allotment amount will be no less than the value of school meals at the free rate over the course of five (5) school days for each eligible child in the household. The value of the school meals is equal to the Federal reimbursement rate for breakfast and lunch at the free rate.

The statute also authorizes the issuance of benefits to SNAP-recipient children who are enrolled in certain child care programs and are unable to attend care due to the closure, reduced attendance, or reduced hours of the child care provider. Children in child care may also be eligible for benefits if the provider is in the area of a school that is closed or operating at reduced attendance or hours. Burden estimates for the operation of the child care provision are not included in this information collection and will be submitted under a separate emergency IC.

USDA expects States to identify the vast majority of school children eligible to receive P-EBT benefits through enrollment data from local educational entities, and matching them to an existing SNAP case, where applicable. In cases where enrollment data is insufficient to identify P-EBT eligible children, USDA expects States to identify children that are potentially eligible for P-EBT benefits through use of an application process.

Per PL 116-159, and in order to operate P-EBT for School Year (SY) 2020-2021, each State must submit a State plan to FNS Regional Office for approval (Attachment B). Once approved, in addition to administering P-EBT, each State SNAP agency will also be required to provide monthly reports via the FNS-292B (*Disaster Relief*) to the FNS Regional Office, regarding the number of eligible children receiving P-EBT benefits, number of households receiving such benefits, and the total value of the benefits. The State is expected to provide data that:

- differentiates between non-SNAP and current SNAP households receiving P-EBT,
- within SNAP households, differentiate between base SNAP benefits and P-EBT benefits.

Each State is also expected to separately identify P-EBT participation and benefit issuance on the FNS-388 (*State Issuance and Participation Estimates*) and FNS-46 (*Issuance Reconciliation*

*Report*) reports. There is no additional burden associated with this requirement, as the States already report participation data to FNS on the FNS-388 and FNS-46 on a monthly basis.

FNS will provide funding to each State's SNAP State agency for 100% of P-EBT-related administrative costs. Such funding will be available for the necessary, allowable, and reasonable State agency costs associated with the administration of P-EBT incurred during FY 2021. This includes administrative costs associated with the issuance of retroactive FY 2020 benefits incurred in FY 2021. States interested in the 100% funding will be expected to submit a P-EBT administrative cost plan for the intended period of operations for USDA approval using the FNS-366A (*Program and Budget Summary Statement: Budget Projection*). During the period of performance of the 100% funding, the SNAP State agency will be expected to aggregate obligation and outlay data from all State agencies utilizing the 100% funding and report quarterly to USDA using a P-EBT specific instance of the SF-425 (*Federal Financial Report*).

The current burden for a State agency to submit FNS-292B, *FNS-388*, *FNS-46*, FNS-366A and SF-425 reports is currently captured under the information collection for the Food Programs Reporting System (FPRS), OMB Control Number 0584-0594 (expiration date 7/31/23). The Food Programs Reporting System is the Federal system State agencies use to report FNS Program data to FNS. Therefore, this information collection estimates burden hours associated with P-EBT that are above the currently approved hours in 0584-0594 for forms FNS-292B, FNS-366A, and SF-425 for normal Program operations.

### **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), 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 reporting and recordkeeping requirements contained in this submission. FNS has made every effort to provide for electronic submission as an alternative to paper submission in compliance with the E-Gov. FNS provides funding to support the development of electronic systems through Federal matching of States' administrative costs.

All State agencies have automated their SNAP eligibility systems. States send aggregate level data on participation, benefits issued, and other basic program information to FNS using the Food Programs Reporting System (FPRS) via this website: <https://fprs.fns.usda.gov>. FNS does not receive client-specific data, such as applications or individual case records. It is estimated that most households will be able to apply electronically for P-EBT. The State processing of P-EBT is fully electronic.

### **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.**

States are required to limit any collection of information to only what is necessary to comply with statutory SNAP requirements and to protect program integrity without imposing undue burden on respondents. Because of the numerous Federal or State means-tested programs with variations in eligibility rules and benefit criteria, duplication of information collection and



reporting may result for both States and households.

**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.**

This collection does not have a direct impact on small businesses or other small entities. State agencies administer SNAP at the State level and collect the necessary data to ensure correct eligibility determinations and delivery of benefit. Of the 53 SNAP State agency respondents, none 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.**

In order to certify households for SNAP under pandemic circumstances, the collection of certain information is necessary. FNS has limited the collection of information to the minimum amount required to comply with the intent of standards set forth in the Food and Nutrition Act of 2008, as amended. Additionally, if the necessary information is not collected, participating households in P-EBT could not be properly tracked, resulting in the over- or under-issuance of benefits to ineligible households.

**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;**
- **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.**

The monthly reporting of P-EBT participation is standard for disaster/event protocols and is intended to assist with accurately tracking and reporting activity to Congress and the Executive Office of the President.

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.**

**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.**

Because this is an emergency clearance request and all State partners are operating at maximum capacity on COVID-19 related matters, FNS has not consulted on this information collection or associated burden estimates. Should an ongoing information collection be needed following the

expiration of this emergency IC, FNS commits to consulting on those prior to submitting the full information collection.

**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 payments or gifts are provided to respondents under this collection.

**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 Act and 7 CFR 272.1(c) of SNAP regulations limit the use or disclosure of information obtained from applicant households or contained in case files of participating households to persons directly connected with the administration of SNAP, such as: other Federal or federally-assisted means-tested programs; persons directly connected with the verification of immigration status of aliens; the Office of the Comptroller General of the U.S. for audit and examination authorized by any other provisions of law; local, State, or Federal law enforcement officials for the purpose of investigating an alleged violation of the Act or regulations; agencies of the Federal Government for purposes of collecting the amount of an over issuance from Federal pay; and any Federal, State or local law enforcement officer if a household member is a fleeing felon or a parole violator. The application for benefits contains personal identifying information on individuals doing business with FNS. Therefore, FNS published a Privacy Act Notice System of Records Notice (SORN) March 31, 2000, entitled USDA/FNS-10: Persons Doing Business with the Food and Nutrition Service, in the Federal Register (65 FR 17251) to specify the uses to be made of the information 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.**

Currently there are 29 million children (16.1 million households) participating in free and reduced price meal programs. Of those, about 14 million children are in SNAP-participating households and would likely receive P-EBT automatically without the need for a household application. Most of the remaining 15 million children (approximately 8.3 million households) will also likely be identified through data matching (no need for an application), though some States may include an application component in their P-EBT State plans. If so, each State would have a unique application, which it would have to process. It is estimated that less than 20% of households with children, or 1,660,000 households, would need to submit an application for P-EBT.

FNS expect 53 State agencies will choose to operate the P-EBT program and 53 State agencies will opt for 100% Federal reimbursement. The table below demonstrates the estimated

frequency and burden associated with activities associated with operating the P-EBT program and reporting data to FNS.

The total requested burden hours for this collection is 693,098. See table below for calculations.

Respondent Category	Instruments	Form	Number of respondents	Frequency of response	Total Annual responses	Hours per response	Annual burden (hours)
Individuals / Households	P-EBT Application Submission	N/A	1,660,000	1	1,660,000	0.166666667	276,666.7
State Agencies	State Plan Submission- P-EBT	Attachment B	53	1	53	1	53
	P-EBT Household Eligibility Determination	N/a	53	31,321	1,660,000	0.25	415,000
	Monthly P-EBT Reporting to FNS	FNS-292B	53	12	636	1	636
	P-EBT Administrative Cost Plan (100% funding)	FNS-366A	53	1	53	10	530
	P-EBT Quarterly Administrative Cost Report (100% funding)	SF-425	53	4	212	1	212
SA Subtotal			53	31338.755	1660954	0.251	416431
<b>Grand Total</b>			<b>1,660,053</b>	<b>2.001</b>	<b>3,320,954</b>	<b>0.209</b>	<b>693,098</b>

**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 primarily on State agency eligibility workers and State agency SNAP managers. Standard wage rate categories used in determining annualized burden costs were based on the most recent Bureau of Labor Statistics (BLS) Occupational Employment and Wages Statistics data from May 2019, using the

corresponding occupation code 11-9151, Social and Community Services Managers<sup>1</sup>. According to the most recent BLS data, workers in this occupation earn a mean wage rate of \$35.92 per hour. When this wage is fully loaded (wage + wage\*.33) States would incur an annualized administrative cost of \$47.77 per hour burden in the information collection. \$47.77 \* 416,461 burden hours equals \$19,894,408.02 cost to respondent. **However, it is expected that all participating State agencies will elect to receive 100% funding by the Federal government, which will result in \$0 cost to the State agency.** The Federal minimum wage rate of \$7.25 per hour is used to calculate annualized costs for households applying for SNAP benefits.<sup>2</sup> \$7.25 \* 276,666.7 burden hours equals \$2,005,833.24 in cost to respondent.

A summary of annualized costs for the collection is shown in the table below. **A detailed calculation is included in the Burden Table (Appendix A).**

<b>Respondent</b>	<b>Cost*</b>
State Agencies and Local Offices	\$0
Households	\$2,005,833.34
<b>Total</b>	<b>\$2,005,833.34</b>

\*State agency estimates are inflated by 33% to represent fully loaded wages

**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.**

FNS does not expect any additional annual cost burden to respondents or recordkeepers.

**A14. Provide estimates of annualized cost to the Federal government.**

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

<sup>2</sup> <http://www.dol.gov/whd/minimumwage.htm>

**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 expected that 53 State agencies will elect to receive 100% Federal reimbursement of the administrative costs incurred by State. Thus, full administrative cost of operating the P-EBT program will be incurred by the Federal government. Costs associated with the burden imposed on SNAP applicants are not reimbursed. A detailed calculation is included in the Burden Table (Appendix A).

The Federal cost assumes it will take Regional or National Office staff (GS-12 Step 2) approximately 1 hour to review and approve each waiver request. This includes Federal worker time at FNS for the following:

	<b>Hours</b>	<b>Hourly Wage Rate*</b>	<b>Total</b>
<b>GS-12/2 Program Analyst</b>	106	\$42.75	\$4,531.50
<b>+ 33% for Staff Fringe Benefits</b>			\$1,495.40
<b>100% Federal Share of State Cost</b>			\$19,894,408.02
<b>Total Federal Cost</b>			<b>\$19,895.903.42</b>

\*Wage rates determined in accordance with the Office of Personnel Management salaries and wages information ([https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/20Tables/html/DCB\\_h.aspx](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/20Tables/html/DCB_h.aspx))

**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 submission is a new information collection request as a result of program changes and will add 693,098 hours of burden to OMB’s 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.**

This collection does not employ statistical methods and there are no plans to publish the results of this collection for 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.**

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."**

FNS does not have any exceptions to the certification statement.