

SUPPORTING STATEMENT – Part A for

OMB Control Number 0584-0447

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

Farmers' Market Nutrition Program (FMNP)

Program Regulations – Reporting and Recordkeeping Burden

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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 Farmers' Market Nutrition Program (FMNP) is associated with the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). The WIC Program provides supplemental foods, health care referrals and nutrition education, including breastfeeding promotion and support at no cost to low-income pregnant, breastfeeding and non-breastfeeding post-partum women, and to infants and children up to 5 years of age, who are found to be at nutritional risk.

The WIC FMNP was established by Congress in 1992 by the WIC Farmer's Market Nutrition Act of 1992, Public Law 102-314 (see Appendix A), to provide fresh, unprepared, locally grown fruits and vegetables to WIC participants, and to expand the awareness, use of, and sales at farmers' markets. Women, infants (over 4 months old), and children that have been certified to receive WIC Program benefits or who are on a waiting list for WIC certification are eligible to participate in the WIC FMNP.

The Federal regulations governing the FMNP (see Appendix B FMNP Regulations [7 CFR part 248]) require that certain program-related information be collected and that full and complete records concerning FMNP operations are maintained. The information reporting and recordkeeping burdens are necessary to ensure appropriate and efficient management of the FMNP. The FMNP is authorized by Section 17(m) of the Child Nutrition Act (CNA) of 1966 (42 U.S.C. 1786(m)), as amended (see Appendix C 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), Farmers' Market Nutrition Program (FMNP) OMB #0584-0447; expiration date May 31, 2021. The program and adjustment changes are outlined in the attached Estimate of the Collection of Information Burden Table (see Appendix D) and Burden Narrative (see Appendix E).

**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 for the federal regulatory provisions under 7 CFR Part 248, and as highlighted in the Estimate of the Collection of Information Burden Table and Burden Narrative, is used by FNS to determine eligibility for participation in the FMNP. This collection includes participant certification information; nutrition education requirements; local agency and authorized outlet application and agreement information; data related to authorized outlet monitoring and training; State agency program operations that meet regulatory requirements, and financial and coupon issuance system records.

**• 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 FMNP and serves as the State agency's application for federal grant money needed to operate the Program. FNS provides a checklist (see Appendix F Consolidated State Plan Guidance and Appendix G WIC FMNP State Plan Guidance) for State agencies to ensure that the State Plan is complete and in compliance with §248.4; 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). Federal FMNP regulations require the annual submission of other program-related reporting and recordkeeping, such as: farmer agreements and authorizations, monitoring reports, and participant nutrition education. These items are all State agency developed materials and FNS does not provide examples or templates for them.

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

The reporting and recordkeeping burdens covered by this information collection request (ICR) are either required to obtain or retain a benefit or mandatory, depending on the respondent and the information in question. For the FMNP participants, the information that they provide to determine their eligibility to participate in the FMNP is required to obtain or retain a benefit. For the other respondents, the information is mandatory and includes nutrition education requirements; local agency and authorized outlet application and agreement information; data related to authorized outlet monitoring and training; State agency program operations that meet regulatory requirements, and financial and coupon issuance system records.

- **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 FMNP State agencies and local agencies, which can be both state, local, or tribal entities or profit/non-profit business organizations (including Indian Tribal Organizations, District of Columbia, and Territories), participants, and FMNP authorized outlets.

The State agency shall collect and maintain information relating to program operation and administration, to include: participant certification information; nutrition education documentation; local agency and authorized outlet application and agreement information; data related to authorized outlet monitoring and training; and financial and coupon issuance system records.

The State agency may delegate to local agencies information collection activities that would include participant certification information 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 FMNP benefits are individuals who are currently receiving benefits under WIC or who are on the waiting list to receive benefits from WIC. For the State and/or local agency to determine an applicant's eligibility for participation in the WIC Program, applicants are required to provide proof of income, residency, identity, and be determined nutritionally at risk. The recordkeeping and reporting burden associated with the provision and collection of this applicant information is approved under WIC ICR OMB Control Number: 0584-0043 Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Program Regulations – Reporting and Recordkeeping Burden; Expiration 12/31/2023. FMNP participants are required to elect participation in FMNP, receive instructions on the proper use and redemption of FMNP benefits, and confirm receipt of FMNP benefits consistent with State agency policies.

Authorized outlets are required to submit an application to verify eligibility for participation in the FMNP, participate in either face-to-face or annual training, and perform coupon reimbursement responsibilities.

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

The information collected is used by the Department of Agriculture/Food and Nutrition Service to manage, plan, evaluate, make decisions, and report on FMNP operations. FNS uses the information collection to assess how each FMNP State agency operates; to assess levels of participation; to ensure the accountability of State agencies, local agencies, and authorized outlets; to make program management decisions; and to report to Congress as needed.

- **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?**

Each State agency is responsible for developing and maintaining full and complete records concerning FMNP operations. Such records shall include, but are not limited to, information pertaining to financial operations, FMNP coupon issuance and redemption, equipment purchases and inventory, nutrition education, civil rights procedures, and FMNP participation. Information collected from participants, authorized outlets, and local agencies is collected through State-developed forms or Management Information Systems (MIS). FNS does not provide any additional examples or templates to the state and local agencies for these items.

State agencies may submit their State Plans, which is the principal source of information about how each State agency operates its Program, electronically through email or PartnerWeb (a web-based application that allows users to share and access information) (see Appendix H Upload Procedures for SFPD State Plans), by fax, by upload to a shared site, or through carrier mail to their respective FNS Regional Offices. FNS provides guidance documents which the State agencies can use to develop their State Plans. State agencies that operate the FMNP and the

Senior Farmers' Market Nutrition Program simultaneously can submit a consolidated State Plan as outlined in Appendix F, while States who only operate the FMNP can submit a FMNP-specific State Plan as outlined in Appendix G.

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. Most authorized outlets submit information or forms to the State agencies in a paper format or via e-mail, and a few States have developed websites or other portals where various information may be submitted.

Additionally, each State agency is responsible for developing a financial management system, including, but not limited to documentation of how the State will meet the FMNP matching requirement and procedures for obligating funds. The method of collecting and maintaining this information varies across State agencies, but the most common methods are through electronic and computer databases and paper files. All records must be retained for a minimum of 3 years. State agencies provide a detailed written description of these systems in their State Plan.

Finally, federal FMNP regulations require State agencies operating the FMNP to report on program participation and financial expenditures. State agencies are required to submit annual financial and program data via the FNS-683B, Annual Financial and Program Data Report in the [Food Programs Reporting System](#) (FPRS) (see Appendix I/Ia and L). This information assists FNS in monitoring program activity and productivity, and making program management decisions. These forms and their associated reporting burden are approved under OMB Control

Number: 0584-0594 [Food Programs Reporting System](#) (FPRS); Expiration 7/31/2023. The reporting burden for the FNS-683B is not included in the burden for this collection; however, the recordkeeping burden associated with this form is included in this collection. State agencies also submit the FNS-339 Federal-State Supplemental Nutrition Programs Agreements whose reporting and recordkeeping burden is associated and approved under OMB Control Number: 0584-0332 WIC Federal and State Agreement; Expiration Date: 04/30/2022 (see Appendix J). We are not requesting any burden hours for this data collection since it already exists in the burden associated with FNS-339 as approved under OMB Control Number 0584-0332.

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

There are several types of information collected for this request: 1) information solicited by FNS on FMNP operation and administration collected annually via the State Plan, 2) certification information collected once or twice per year for each participant, depending on the participant's categorical eligibility, 3) nutrition education delivered and documented quarterly, and 4) outlet applications and agreements completed every 1-3 years.

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

Information related to this burden may be made available to the Government Accountability Office (GAO) or Congressional offices upon request.

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

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

This is an ongoing data collection request. The reporting and recordkeeping burden covered by this ICR includes: requirements that involve the certification of FMNP participants; the nutrition education that is provided to participants; the authorization, training and monitoring of outlets, and financial and coupon issuance system records. This information collection is a revision in the burden hours due to program changes and adjustments that primarily reflect the inclusion of existing programmatic requirements that are being included in this ICR for the first time, and expected changes in the number of FMNP participants, FMNP farmers, farmers' markets, and roadside stands (authorized outlets), and FMNP local agencies. With this revision, FNS is requesting an increase in burden hours.

### **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.**

FNS makes every effort to comply with the E-Government Act of 2002. Any information that must be submitted to FNS from the State agencies may be submitted via email or PartnerWeb (approximately 75 percent of State agencies opt to submit information via PartnerWeb, a web-based application that allows users to share and access information). The majority of State agencies choose to submit information to FNS via email or PartnerWeb; rarely do State agencies choose to submit via mail or fax.

FNS encourages its State agency partners to offer electronic submission, or forms with fillable formats, to local agencies and outlets whenever it is feasible. Because many WIC State agencies also administer the FMNP directly, or perform some of the administrative requirements of the FMNP, FNS expects that FMNP information collected by the WIC State agency may take place with WIC information technology and reporting. Ongoing improvements in these systems at the State and local levels continue to reduce the time and effort required to collect and transmit data. For example, WIC State agencies that also operate the FMNP may use the automated Management Information Systems (MIS) to minimize the burden associated with the performance of many program activities, including: collecting certification data, developing local agency nutrition education plans, and documenting monitoring visits to authorized outlets.

Improved and extended use of automated approaches for program management and service delivery is a priority of the FMNP. FMNP benefits are generally provided via coupons or checks but some State agencies may be accepting/using EBT in connection with the benefits.

Authorized outlets, households, and individuals may choose to provide information via State agency developed forms or via email. Out of the 4,909,194 responses for this collection, FNS estimates that 2,354,460 (3,139,280 State, local, & Indian Tribal organization responses x 75%) or 48% ( $2,354,460/4,909,194$  total responses x 100=48%) will be collected electronically.

The annual financial and program data report worksheet (FNS-683B) is submitted electronically by all FMNP State agencies through the [Food Programs Reporting System \(FPRS\)](#), and the reporting burden for this data collection instrument is maintained in OMB, Control Number

0584-0594 Expiration date: 7/31/2023. However, the recordkeeping burden associated with this form is included as part of the burden for OMB control number 0584-0447.

**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 are no similar information collection efforts. 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 FMNP.

**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.**

FNS has determined that the requirements for this information collection do not adversely impact small businesses or other small entities. FNS estimates that approximately 100% of the 19,884 FMNP authorized outlets are small businesses. Therefore, approximately 1.3% out of the 1,581,402 total respondents 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 an authorized outlet.

**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 ongoing information collection, which is required by statute, and which contains both required to obtain or retain benefits and mandatory requirements. The information is collected for the purpose of administering an ongoing program. If the information were collected less frequently than discussed in A2, the efficiency, effectiveness, and integrity of the Program could be jeopardized. FNS' ability to provide sufficient program oversight and detect violations in the use of federal funds could diminish greatly if this information were collected less frequently.

**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;**
- **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 §248.23(a)(2) of the FMNP 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 the 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;**

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

Under §248.24(b) of the FMNP 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**
- **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 §248.24(c) of the FMNP regulations, the State agency must “...restrict the use or disclosure of information obtained from FMNP applicants and participants to persons directly connected with the administration or enforcement of the WIC Program or the FMNP, including persons investigating or prosecuting violations in the WIC Program or FMNP under Federal, State or local authority.” These persons may include, but are not limited to: personnel from its 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).

**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 burden hour.**

The invitation for comments was set forth in a 60-Day Notice on page 9,046 of the Federal Register (Vol. 86, No. 27) on February 11, 2021. The public comment period ended on April 12, 2021.

The Food and Nutrition Service (FNS) received no comments in response to the published Federal Register notice.

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**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 K Invitation to Comment on Revised Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Farmers' Market Nutrition Program (FMNP) Burden Estimates) have been consulted about burden estimates and/or other characteristics associated with this data collection. No comments were received by these individuals/organizations.

1. Phil Blalock, Executive Director

National Association for Farmers Market Nutrition Programs

[phil@triangleassociatesinc.com](mailto:phil@triangleassociatesinc.com)

2. Reverend Douglas A. Greenaway, President & CEO

National WIC Association

[douglasg@nwica.org](mailto:douglasg@nwica.org)

3. Ben Feldman, Executive Director

Farmers Market Coalition

[Ben@farmersmarketcoalition.org](mailto:Ben@farmersmarketcoalition.org)

FNS consults with its Regional Offices regarding any proposed changes as a result of legislative, regulatory, or administrative changes. Regional Offices are in constant contact with State agencies which provide feedback on FNS processes and procedures that may impact them.

**A9. Explain any decision 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.**

There are no payments or gifts 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.**

Confidential applicant information (i.e., PII) to include name and contact information is collected by State and local agencies in order to determine Program eligibility and provide benefits; 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 §248.24(c) of the FMNP regulations. Section 248.24(c) states that “The State agency shall restrict the use or disclosure of information obtained from FMNP applicants and participants to persons directly connected with the administration or enforcement of the WIC Program or the FMNP including persons investigating or prosecuting violations in the WIC Program or FMNP under federal, State or local authority.” State agencies must answer questions and provide information concerning participant and applicant confidentiality in their State Plan submissions to FNS.

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.

Information obtained from Program applicants, participants and authorized outlets, is kept confidential in adherence to §248.24(c) 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 FMNP regulations.

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 as described above. The FNS Privacy Officer determined (and confirmed on May 19, 2021) that a Privacy Act

System of Records Notice (SORN) is not applicable to this collection. For the WIC ICR OMB Control Number: 0584-0043 Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Program Regulations – Reporting and Recordkeeping Burden; Expiration 12/31/2023, the Privacy Officer determined that a SORN was not applicable. Because that determination was made about the WIC Program and applicants for FMNP benefits are individuals who are currently receiving benefits under WIC for which they provide proof of income, residency, identity, and nutrition risk information as a part of the certification process, we carried that determination over to WIC FMNP. The Privacy officer agreed with our current approach when reviewed for the 60 Day Notice and subsequent Supporting Statement for the FMNP ICR package.

Although various components of §248 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 FMNP 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.

FNS is committed to working with State agencies to add any necessary Privacy Act Statements, Notices, or Advisories on their State-designed forms, on electronic portals, and in interviews.

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

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

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

**A12. Estimates of the hour burden of the collection of information**

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

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

This information collection includes the reporting and recordkeeping requirements and associated burden for the WIC FMNP.

Revisions in the burden hours are due to program changes and adjustments that primarily reflect the inclusion of existing programmatic requirements that are being included in this ICR for the first time, and expected changes in the number of FMNP participants; FMNP authorized outlets; and FMNP local agencies.

With this revision, FNS estimates that this collection will have 1,581,402 respondents, 4,909,194.43 responses, and 1,640,906.65 rounded up to 1,640,907 burden hours, as detailed in the chart below and Appendix D. The overall information collection burden is estimated to have increased by 711,695.98 burden hours annually due to adjustments and program changes. The

total estimated burden hours will increase from 929,210.71 to 1,640,906.65 hours. The revisions increased the approved reporting burden by 731,868.28 hours (1,247,127.84 Total Annual Burden Hours – 515,260.46 Total Annual Burden Hours under the prior revision) and decreased the approved recordkeeping burden by 20,172.30 hours (393,778.82 Total Annual Burden Hours – 413,950.25 Total Annual Burden Hours under the prior revision).

A table describing the type of respondents, frequency of response, and annual hour burden is below (see Appendix D FMNP Burden Table for further details).

Type of Respondent	Total Estimated Number of Respondents	Annual Responses Per Respondent	Total Estimated Annual Responses	Number of Burden Hours Per Request (Hours)	Estimated Burden Hours
STATE, LOCAL, & INDIAN TRIBAL ORGANIZATIONS (49 FMNP State agencies; 696 FMNP local agencies)	744.8	2,115.91	1,575,927.98	0.26	411,961.77
AUTHORIZED OUTLETS (19,884 FMNP authorized outlets and 298 nonprofit businesses)	20,182.2	10.38	209,439.05	3.61	756,986.26
INDIVIDUALS/HOUSEHOLDS (1,560,475 FMNP participants)	1,560,475	1	1,560,475	0.05	78,179.80
<b>Total Reporting Burden</b>	<b>1,581,402</b>		<b>3,345,842.03</b>		<b>1,247,127.84</b>
Type of Respondent	Total Estimated Number of Respondents	Annual Responses Per Respondent	Total Estimated Annual Responses	Number of Burden Hours Per Request (Hours)	Estimated Burden Hours
STATE, LOCAL, & INDIAN TRIBAL ORGANIZATIONS (49 FMNP State agencies)	49	31,905.15	1,563,352.4	0.25	393,778.82
<b>Total Reporting &amp; Recordkeeping Burden</b>	<b>1,581,402</b>		<b>4,909,194.43</b>		<b>1,640,906.65</b>

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

Description of the Collection Activity	Estimated Total Annual Burden on Respondents (Hours)	Estimated Average Income per Hour	Estimated Total Annual Respondent Cost (base annual cost + 33%)
#0584-0447 State and local staff	805,740.59	\$ 28.74	\$30,798,789.46
#0584-0447 Authorized Outlets	756,986.26	\$13.66	\$13,752,774.97
#0584-0447 Nonprofit Businesses	298.2	\$17.25	\$6,841.45
#0584-0447 Applicants	78,179.80	\$7.25	\$753,848.72
<b>Totals</b>	1,640,906.65		\$45,312,254.60

### State and Local Staff

The average hourly rate for State and local staff is \$28.74 (((\$29.61+ \$ \$27.86/2), which is the mean of ‘all occupations’ for both State and local government data. (U.S. Department of Labor, Bureau of Labor Statistics, [https://www.bls.gov/oes/current/naics4\\_999200.htm](https://www.bls.gov/oes/current/naics4_999200.htm) and [https://www.bls.gov/oes/current/naics4\\_999300.htm](https://www.bls.gov/oes/current/naics4_999300.htm) respectively).

### Authorized Outlets

The average hourly rate for authorized outlet staff is \$13.66 which is the mean of ‘Farming, Fishing, and Forestry occupations’ in the Direct Selling Establishments category of Nonstore Retailers. (U.S. Department of Labor, Bureau of Labor Statistics, [https://www.bls.gov/oes/current/naics4\\_454300.htm#00-0000](https://www.bls.gov/oes/current/naics4_454300.htm#00-0000)). The previous submission used ‘all occupations’ in the Direct Selling Establishments category of Nonstore Retailers; but in this submission and in future submissions, we will use ‘Farming, Fishing, and Forestry occupations’ in the Direct Selling Establishments category of Nonstore Retailers as it better reflects our authorized outlet population.

## **Nonprofit Businesses**

The average hourly rate for nonprofit business staff is \$17.25 which is the mean of ‘all occupations’ Social Assistance category of Health Care and Social Assistance. (U.S.

Department of Labor, Bureau of Labor Statistics,

[https://www.bls.gov/oes/current/naics3\\_624000.htm](https://www.bls.gov/oes/current/naics3_624000.htm)).

The mean hourly rates for the State, Local, and Tribal Government; Authorized Outlets; and Non-Profit Business respondents were obtained from the U.S. Department of Labor, Bureau of Labor Statistics, May 2020 National Industry-Specific Occupational Employment and Wage Estimates (<https://www.bls.gov/oes/current/oesrci.htm>).

## **Applicants**

The \$7.25 hourly rate for applicants for Program benefits is the Federal minimum wage which was last set in July 2009 (U.S. Department of Labor,

<https://www.dol.gov/whd/minimumwage.htm>)

## **A13. Estimates of other total annual cost burden.**

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

There 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.**

(a) Federal cost of rulemaking (promulgation, preparation of guidance, training and implementation):

(1) FNS National Office Staff: (promulgation, preparation of guidance, training)	3 Full Time Equivalents (FTEs)
FNS Regional Staff: (training, implementation)	7 FTEs
	\$78,312 [(\$37.65/hour x 40 hours x 52 weeks) + \$25,842.96 in fringe benefits (\$78,312 x .33) = \$104,154.96 per FTE] x 10 FTEs = --

**Subtotal: \$1,041,549.60**

(2) Mailing and telephone:	\$2,000
Publication costs:	<u>\$4,000</u>

**Subtotal: \$6,000**

**Federal Rulemaking Cost Total: \$1,047,549.60**

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

(1) FNS National Office Staff: (recordkeeping, analysis)	3 FTEs
FNS Regional Staff: (reporting and recordkeeping, monitoring, technical assistance, review, analysis)	7 FTEs
	10 FTEs x \$104,154.96

**Subtotal: \$1,041,549.60**

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

**Federal Program Maintenance Cost Total: \$1,043,549.60**

**TOTAL FEDERAL COSTS: \$2,091,091.20**

In the costs shown above, the associated 33% fringe benefit cost [(( $\$37.65/\text{hour} \times 40 \text{ hours} \times 52 \text{ weeks}$ )  $\times .33$ )].

The hourly wages of FNS National and Regional office staff is based on an average of GS-11, 12, 13 salaries, Step 6, ( $\$31.17 + \$37.36 + \$44.42$ ) / 3=  $\$37.65$ ) from the U.S. Office of Personnel Management General Schedule (Base) Salary Table (Hourly Basic Rate) - effective January 2021 which can be found at

[https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/GS\\_h.pdf](https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2021/GS_h.pdf).

**A15. Explanation of program changes or adjustments.**

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

This is a revision of a currently approved information collection. This information collection is currently approved with 929,211 burden hours and 4,968,339 responses. With this revision, FNS is requesting 1,640,907 burden hours for an overall increase of 711,695.98 burden hours due to program changes. We are also requesting 4,909,194 total annual responses, which is a decrease of 59,144.57.

FNS estimates that the burden hours for this collection will increase by 711,695.98 hours due to program changes and adjustments. As part of this revision, FNS is adding existing programmatic

requirements into the collection for the first time as part of the program changes. In addition, FNS estimates that the number of FMNP local agencies participating in the program will increase. Taking these program changes and adjustments into account, FNS estimates that 761,613.33 burden hours will be added into the collection. However, FNS estimates that this increase will be offset by a decrease of 49,917.36 hours due to an adjustment resulting from a decrease in the number of FMNP participants and authorized outlets participating in the program. Taking all of these changes into account, FNS estimates an overall increase of 711,695.98 burden hours for this collection.

FNS estimates that there will be an overall decrease of 59,144.57 responses due to both program changes and adjustments. Although FNS estimates that an additional 203,784 responses were added to the collection due to the additional programmatic requirements, this is offset by an estimated reduction of 262,929 responses due to a decrease in the number of FMNP participants and authorized outlets participating in the program. Therefore, FNS estimates an overall decrease of 59,144.57 responses. There has been no rulemaking since the last information collection burden report.

**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.**

FNS publishes certain program and financial data about the FMNP annually on its website [www.fns.usda.gov](http://www.fns.usda.gov). The following data is published: the total number of participants served, the total number of outlets, the individual State grant amount, and total federal funding amount.

Additional 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. 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."**

The agency is able to certify compliance with all provisions under Item 19 of OMB Form 83-I.