

**SUPPORTING STATEMENT - PART A for**

**OMB Control Number 0584-0652:**

**Agency Information Collection Activities: Supplemental Nutrition Assistance Program**

**Emergency Allotments (COVID-19)**

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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.**

This is a revision of a currently approved Information Collection (IC) for activities associated with administering Supplemental Nutrition Assistance Program Emergency Allotments (COVID-19). The Families First Coronavirus Response Act of 2020 (P.L. 116-127), enacted March 18, 2020, includes a general provision that allows the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS) to issue emergency allotments (EA) based on a public health emergency declaration by the Secretary of Health and Human Services under Section 319 of the Public Health Service Act of 1944 related to an outbreak of COVID-19 when a State has also issued an emergency or disaster declaration.

**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.**

The purpose for this collection is for FNS to implement administrative actions to better address the current economic crisis resulting from the pandemic. FNS reviewed existing EA policy and distributed updated State guidance<sup>1</sup> (Appendix C) on April 1, 2021, outlining a new approach for States to calculate EA, which provides greater equity for households most in need. The April 2021 guidance supersedes previous guidance issued in March 2020 and April 2020. In addition to outlining a new EA minimum benefit policy, the April 2021 guidance describes an EA phase-out process States may request and use when their State-level emergency declaration expiration date is coming up. The State agency process for requesting EA, as outlined in the April 2021 guidance, remains generally unchanged, though the State must now confirm that the State's emergency or disaster declaration remains active when requesting EA. USDA/FNS anticipates the need to collect the data beyond the expiration date and is seeking approval of this Information Collection Request in order to continue collecting information and reporting requirements detailed in the Families First Coronavirus Response Act of 2020 (referred as the Act in this collection).

As authorized by the Act, State agencies impacted by COVID-19 may submit an EA waiver request to their FNS Regional Office for approval to provide EA to households to bring all households up to the maximum benefit allowable due to pandemic related economic conditions. As outlined in the April 2021 guidance, State agency waivers will generally be approved under one or more the following conditions as it relates to COVID-19:

- Residents of the State are confirmed to have contracted COVID-19,

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<sup>1</sup> <https://fns-prod.azureedge.net/sites/default/files/resource-files/snap-covid-emergency-allotments-phase-3-guidance.pdf>

- Some or all areas of the State are containment or quarantine zones,
- Businesses have closed or significantly reduced their hours,
- The State's residents have experienced economic hardship impacts due to job suspensions or losses,
- The State's residents have been directed to practice social distancing, and

The State agency must also confirm that the State's emergency or disaster declaration remains active.

In addition, to allow for State EA to be phase-out upon expiration of the State's emergency declaration, States may request EA approval for one additional issuance month if:

- The National public health emergency declaration that was extended on January 21, 2021, by the Secretary for Health and Human Services under Section 319 of the Public Health Service Act of 1944 remains in place, and
- The State-issued emergency or disaster declaration has expired or will expire in the current month. This will allow a State that has lost or will lose its declaration in the current month to provide one additional issuance month of EA and to notify SNAP participants that EA benefits will be ending.

Once the State's EA waiver (Appendix C - State Template - FFCRA SNAP Emergency Allotment Request) has been approved by FNS, the State may provide the EA without contacting the household. Following waiver approval, FNS will require State Agencies to attest to FNS on a monthly basis the EA waiver is still needed and that the State declaration remains in place. Both the initial FFCRA SNAP Emergency Allotment waiver and the monthly attestation are

conducted via email. FNS expects 53 State agencies will submit one initial FFCRA SNAP Emergency Allotment waiver to FNS. Currently 43 State agencies are operating under an EA waiver. It is possible that States may have more than one declared public health emergency over the next year as COVID-19 rates fluctuate; therefore, we are including hours for these initial FFCRA SNAP Emergency Allotment requests in this IC as a precautionary measure. There are three reporting requirements for this IC request. (1) The initial FFCRA SNAP Emergency Allotment waiver request submission. (2) The monthly email attesting to the continued need for the EA waiver. (3) The phase out request to discontinue the EA waiver. There is one additional reporting requirement that is done biweekly in Food Programs Reporting System (FPRS) on the FNS-292B and is not included in this OMB control number. FNS expects that any phase-out request, as outlined in the April 2021 guidance, would be included in the email as part of the monthly attestation process; the indication of phase-out would simply signal the end of that State's need for EA and, thus, monthly attestations.

Section 18(b) of the Food and Nutrition Act of 2008, as amended, requires that, "In any fiscal year, the Secretary shall limit the value of those allotments issued to an amount not in excess of the appropriation for such fiscal year." Because the EA waiver increases the monthly benefit of participants above the amount originally anticipated for this fiscal year, the amount of benefits issued and redeemed must be carefully tracked to ensure FNS does not exceed its appropriation. As such, it is necessary for FNS to CI from State agencies operating EA on a more frequent basis than would be reported normally. Generally, States report disaster-related SNAP participation and issuance data to FNS on the FNS-292B, Report of Disaster Supplemental

Nutrition Assistance Benefit Issuance, within 45 days of terminating disaster assistance.

While a State is operating under an EA waiver, FNS requires the State to submit *biweekly* FNS-292B reports. The burden for a State agency to submit FNS-292B reports during normal operations is currently captured under the IC for the Food Programs Reporting System (FPRS), OMB Control Number 0584-0594 (expiration date 7/31/2023). However, FNS is accounting for the additional burden used for EA in this request and including the burden for submitting this form more frequently under this information collection.

### **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 E-Government Act, 2002 (E-Gov) and to provide for alternative submission of information collections. Currently, States submit waiver requests to FNS via email. Additionally, the FNS 292B is submitted through FPRS and we anticipate 100 percent of responses for this form will be submitted via email electronically. Currently there is no electronic system available to users. However, 100 percent of States submit their EA requests via email to their FNS Regional Office.

### **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.

Every effort has been made to avoid duplication. FNS has reviewed USDA reporting requirements, state administrative agency reporting requirements, and special studies by other government and private agencies. FNS monitors State performance to ensure that the program is being efficiently and economically operated.

FNS currently requires State agencies to report Disaster SNAP issuance and participation data using form FNS-292B, Report of Disaster Supplemental Nutrition Assistance Program Benefit Issuance (Appendix D). Form FNS-292B must be submitted to the Agency within 45 days of the termination of a Disaster SNAP operation and captures final issuance and participation data. The information collection burden for the recordkeeping of FNS-292B is included in OMB 0584-0037, expiration date 5/31/2024. The reporting burden estimates are currently approved under Food Programs Reporting System (FPRS) – OMB Control No. 0584-0594 expiration date 07/31/2023. Monthly SNAP data is collected on FNS-388, State Issuance and Participation Estimates, but does not duplicate any data collection currently in place, as the FNS-292B serves as a final summary and closeout of the disaster response period and is not meant to provide periodic updates.

**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.**

Information being requested or required has been held to the minimum requirement for the



intended use. Although two smaller State, Local, or Tribal Government Agencies are involved in this data collection effort, they delivered the same program benefits and perform the same function as any other State Agencies. Thus, they maintain the same kinds of information on file. There are no other entities involved with this data collection.

**A6. Consequences of collecting the information less frequently.**

**Describe the consequence to Federal program or policy activities if the collection is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

This is an ongoing information collection request. Because the EA waiver increases the monthly SNAP benefit of participants above the amount originally anticipated for this fiscal year, the amount of benefits issued and redeemed must be carefully tracked to ensure FNS does not exceed its appropriation. As such, it is necessary for FNS to collect information from State agencies operating EA on a more frequent basis than would be reported normally. Generally, States report disaster-related SNAP participation and issuance data to FNS on the FNS-292B, Report of Disaster Supplemental Nutrition Assistance Benefit Issuance, within 45 days of terminating disaster assistance. If FNS didn't collect this information bi-weekly, FNS would not be able to closely monitor benefit expenditures for program integrity and we would be unable to prevent exceeding appropriations.

**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;**

The requirement for States to submit EA issuance on the FNS-292B on a biweekly basis provides the necessary data for an early warning system to enable the Department to fulfill the requirements of Section 18(b) of the Act. FNS monitors issuance estimates on a biweekly basis against the appropriation remains in order to comply with the Act and all FNS to set aside (obligate) funds each month to pay for each type of issuance.

Additionally, there are monthly emails sent to FNS attesting to the continued need for the EA waiver; and/or to phase out request to discontinue the EA waiver. There are three reporting requirements for this IC request: (1) The initial FFCRA SNAP Emergency Allotment waiver submission. (2) The monthly email attesting to the continued need for the EA waiver. (3) The phase out request to discontinue the EA waiver.

- **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.**

There are no other special circumstances. The rest of this 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.**

On July 6, 2021, FNS published a notice in the Federal Register (86 FR 126) soliciting comments on the information collection prior to submission to OMB. One comment was received; however, the comment was not pertinent to this information collection (Appendix F).

FNS consults with Regional Offices regarding any proposed changes as a result of regulatory changes. Regional offices are in constant contact with State agencies which provide feedback on FNS processes and procedures that may impact them. For this information collection request, FNS contacted one State agency official that works closely on Emergency Allotments in each of the following States: Alabama Department of Human Resources, Franai White, [Franai.White@dhr.alabama.gov](mailto:Franai.White@dhr.alabama.gov); Colorado Department of Human Services, Teri Chasten, [teri.chasten@state.co.us](mailto:teri.chasten@state.co.us); New York Office of Temporary and Disability Assistance, Tom Hedderman, [Tom.hedderman@otda.ny.gov](mailto:Tom.hedderman@otda.ny.gov); [Larry.braasch@dhs.state.nj.us](mailto:Larry.braasch@dhs.state.nj.us). These State

agency contacts were sent the Federal Register Notice and asked to share any feedback on the information collected related to the Emergency Allotments waiver or increased FNS-292B reporting. We received comments from Franai White (Alabama). These comments expressed general agreement with the Agency's burden estimates but noted the potential redundancy of biweekly FNS-292B reporting for State agencies who only issue EA benefits once a month and offered a general comment on the need for improvement of FNS-292B data automation. The Department has considered these comments in preparation for this information collection request. With regard to the biweekly reporting of the FNS-292B, the Department has identified the need to collect EA data on a consistent basis to monitor and obligate funding; while we appreciate the unique operational considerations of each State, it would be difficult for the Department to effectively monitor reporting based on individual State operations due to the changing landscape of States operating EA each month. Therefore, biweekly reporting of the FNS-292B data will continue for EA. We appreciate the State's comment on improving data automation for the FNS-292B; because data automation is related to the Food Programs Reporting System (FPRS) as a whole, we are unable to address this concern at this time. However, we will share the comment with our Agency lead for FPRS for consideration in future system updates.

**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.**

FNS has no plans to provide 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.**

FNS complies with the Privacy Act of 1974 (5 USC 552a), which requires the safeguarding of individuals against invasion of privacy. No confidential information is associated with this collection of information. This ICR has been reviewed and cleared by Michael Bjorkman, FNS Privacy Officer.

**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 sensitive questions included in this submission.

**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.**

Although there are 55 States who may use the FNS 292B, for this emergency allotments only 53

States can submit the FNS292B for this purpose. Using the FFCRA SNAP Emergency Allotment Request, FNS expects 53 State agencies will submit one initial FFCRA SNAP Emergency Allotment waiver to FNS. Currently 43 State agencies are operating under an EA waiver. It is possible that States may have more than one declared public health emergency over the next year as COVID-19 rates increase or decrease; therefore, we are including estimates for the 53 initial FFCRA SNAP Emergency Allotment requests in this IC as a precautionary measure. Each initial FFCRA SNAP Emergency Allotment waiver submission should take approximately one hour to complete. Following waiver approval, FNS will require State Agencies to attest to FNS on a monthly basis the EA waiver is still needed. Each monthly email attesting to the continued need for the EA waiver and the time it takes to read the updated guidance is expected to take 15 minutes (0.25 burden hours) to complete. A State's phase-out notification will be included as part of the State's monthly attestation email and burden is included into the estimated 15 minutes (0.25 burden hours).

1. EA Initial Request = 53 State agencies x 1 initial request x 1 hour =53 hours
2. EA Monthly Attestation Email Update (including reporting requirement to phase out waiver request) = 53 State agencies x 12 monthly updates x .25 hours = 159 hours

While a State is operating under an EA waiver, FNS requires the State to submit *biweekly* FNS-292B reports. The burden for a State agency to submit FNS-292B reports during normal operations is currently captured under the information collection for the Food Programs Reporting System (FPRS), OMB Control Number 0584-0594 (expiration date 7/31/2023). However, FNS is including the burden for submitting this form more frequently during COVID-19

under this information collection.

3. FNS-292B - .4 hours per response x 53 State Agencies x 26 weeks = 551 hours

In total, this information collection includes 2,067 responses for a total of 763 reporting burden hours. There are no recordkeeping or third-party reporting burden hours associated with this collection.

Respondent Category	Instruments	Form	Number of respondents	Frequency of response	Total Annual responses	Responses per Respondent	Hours per response	Annual burden (hours)
State Agencies	Biweekly EA Reporting to FNS	FNS-292B	53	26	1,378	26	0.4	551.20
	Initial FFCRA SNAP Emergency Allotment Request - Emergency Allotment	N/A	53	1	53	1	1	53
	Monthly EA Attestation/phase out request to discontinue the EA waiver email to FNS Regional Offices	N/A	53	12	636	12	0.25	159
<b>Total</b>			<b>53</b>	<b>39</b>	<b>2,067</b>	<b>39</b>	<b>0.369230769</b>	<b>763</b>

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

Respondent Category	Instruments	Form	Annual burden (hours)	Hourly Wage	Cost to Respondents	Fully Loaded (x .33)
State Agencies	Bi-weekly EA Reporting to FNS	FNS-292B*	551.20	\$27.22	\$15,003.66	\$19,954.87
	Initial FFCRA SNAP Emergency Allotment Request - Emergency Allotment	N/A	53	\$27.22	\$1,442.66	\$1,918.74

	Monthly EA Attestation Attestation/phase out request to discontinue the EA waiver email to FNS Regional Offices	N/A	159	\$27.22	\$4,327.98	\$5,756.21
<b>Total</b>	.		<b>763</b>	\$27.22	<b>\$20,774.30</b>	<b>\$27,629.82</b>

The estimate of respondent cost is based on the 2020 Bureau of Labor statistics hourly mean wage for State government community and social service specialists, found at <http://www.bls.gov/oes/current/oes211099.htm>. Functions performed by State and local agency staff for reporting are valued at \$27.22 per staff hour. The estimated annualized, fully loaded (x .33), cost to respondent after 50 percent reimbursement from Federal government is \$13,814.91 ( $\$27,629.82 \times .5 = \$13,814.91$ ).

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

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

There are no capital, start-up and/or ongoing operation and maintenance costs associated with this burden.

**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.**

The estimate of the total annual cost to the Federal government for this data collection is \$16,687.72. It is estimated that preparation for this information collection takes approximately 10 hours to complete by a Federal employee receiving an average GS 14 Step 5, GS 12 Step 1,



GS 15 Step 1, and 25 hours for a GS 12 Step 1, respectively. ([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)). The fully loaded (x .33) cost for this is \$1,808.14 (10 staff hours x \$51.00 x .33 = \$678.30, 10 staff hours x \$32.02 x .33 = \$425.87, 10 staff hours x \$52.93 x .33 = \$703.97, and 25 staff hours x \$32.02 x .33 = \$1,064.67). The Federal share of State costs is \$13,814.91.

**Table A.14-1 Summary of Cost to the Federal Government**

Source of Cost	Federal Staffers	Number of Hours	Hourly Rate	Total Cost (Fully Loaded x .33)
Federal Employees (GS-14, step 5)	1	10	\$51.00	\$678.30
Federal Employee SNAP Regional Offices (GS-12, step 1)	1	10	\$32.02	\$425.87
Federal Employee SNAP Branch Chief (GS-15, step 1)	1	10	\$52.93	\$703.97
Federal Employee SNAP Program Analyst (GS-12, step 1)	1	25	\$32.02	\$1,064.67
Federal Share of State Costs				\$13,814.91
Total				\$16,687.72

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

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

This is a revision of an existing information collection. The current burden inventory is 2,067 total annual responses and 763 burden hours, there are no program changes or adjustments, although there are material changes to the collection instruments and guidance, the burden for

this information collection request remains the same.

**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 does not intend to conduct statistical analysis or publish any reports for the information included in this collection.

**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.**

FNS is not seeking approval to omit the expiration date of OMB.

**A18. Exceptions to the certification statement identified in Item 19.**

**Explain each exception to the certification statement identified in Item 19 of the OMB 83-1" Certification for Paperwork Reduction Act."**

There are no exceptions to the certification statement.