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Deputy Director
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THROUGH: Levi S. Harrell
Departmental Clearance Officer
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FROM: Erin Morris
Associate Administrator
Agricultural Marketing Service

SUBJECT: Request for Emergency Approval of New Information Collection under a
New Program for Local Food for Schools Cooperative Agreements
(LFS)

The Agricultural Marketing Service (AMS) is requesting emergency clearance and review through 5 CFR 1320.13 for a new information collection for the Local Food for Schools Cooperative Agreement (LFS) Program.

The agency cannot reasonably comply with the normal clearance procedures due to the public harm that is reasonably likely to result due to the food supply chain risks and unstable food prices. The disruptions presented by COVID-19 to-date have been historic and never experienced by most involved. The effects of the pandemic have continued to impact every stage of the food supply chain and have drastically impacted school's ability to obtain food for the National School Lunch Program (NSLP).

Early in the pandemic, instability of food prices emerged due to the lack of transportation of food from the farmer to the food processors and end users. This instability continues today; current disruptions in the supply chain, combined with labor shortages and other lingering impacts of the pandemic have crippled school meal procurement efforts. School food directors continue to face severe challenges obtaining healthy nutritious food choices for their student populations. The Local Food for Schools program will provide immediate relief to states, by providing funding for procurements of local food that will be distributed locally. This will reduce the state's dependency on the national supply chain by allowing states to form new partnerships at the local. This will provide critical and necessary relief from current supply chain disruptions and ensure that schools can provide their students with healthy and nutritious food.

The LFS Program will provide up to \$200 million for cooperative agreements to increase purchases of local food for distribution to schools. The program will build partnerships between local and regional farmers and producers, socially disadvantaged farmers and producers, small businesses, and schools. AMS will enter into cooperative agreements with state governments to procure local foods (within the state or within 400 miles) targeting these purchases from socially disadvantaged farmers/producers and small businesses. This will allow schools to efficiently obtain foods that are unique to their geographic area and which meet the needs of their student populations. The program will help build and expand economic opportunity for local and socially disadvantaged

farmers/producers and small businesses who have also been hit hard by supply chain risks and unstable food prices. The impact on school's ability to obtain food for the National School Lunch Program (NSLP) due to supply chain issues is a current challenge and is expected to continue into early next school year, which begins July 2022. To meet schools' food needs and support local and regional supply chains, approval is needed by mid-March to allow sufficient time for application development, review, and approval, enabling states to complete procurements and distribute food when the school year begins in summer 2022. A delay in the approval will result in the timeline moving beyond summer/fall harvest periods in most states and will provide little relief to schools early in the school year when it is needed

This information collection is a result of section 5(c) of the Commodity Credit Corporation Charter Act (15 USC 714c(c)). USDA believes the food system of the future should be fair, competitive, distributed, and resilient; it must support health and ensure producers receive a fair share of the food dollar while advancing equity and contributing to national climate goals. This investment represents a component of USDA's new Build Back Better initiative to help achieve that vision and start building a better food system today.

There are forms associated with this information collection notice to be approved by the Office of Management and Budget. The collection of information through these forms submitted by state governments will enable AMS to award Cooperative Agreements through a noncompetitive process.

AMS will comply with information collection and recordkeeping requirements by submitting this action to OMB for emergency review and approval while the agency continues the process to receive OMB's approval through the normal review process. AMS believes this emergency clearance request shall be granted since the agency will not be able to reasonably comply with the normal clearance procedures under the PRA because the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information that is necessary to administer the LFS. If the emergency clearance is not granted, it is reasonably likely that implementation of the program will be postponed, subsequently delaying efforts to help schools deal with the challenges of supply chain disruptions brought on by the pandemic.

In compliance with OMB regulations (6 CFR 1320), which implemented the Paperwork Reduction Act of 1995 (Pub. L. 104-13), AMS is in the process of submitting its 60-day notice on this information collection to the Federal Register for publication and public comment.

Attached are the OMB-83-I, the Supporting Statement, AMS-71.

Attachments