

SUPPORTING STATEMENT FOR
OMB CONTROL NUMBER 0584-0610
Final Rule: Child Nutrition Program Integrity

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A. JUSTIFICATION

A1. Circumstances that make the collection of information necessary.

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.

This is a new information collection being submitted in support of the final rule, “Child Nutrition Program Integrity (RIN 0584-AE08) (Attachment N).” In connection with the proposed rule, “Child Nutrition Program Integrity, published in the Federal Register on March 29, 2016 (81 FR 17564),” FNS submitted an Information Collection Request (ICR) discussing the information requirements impacted by the rule to the Office of Management and Budget (OMB) for review. The final rule codifies many of the changes proposed by FNS based on amendments to the Richard B. Russell National School Lunch Act (NSLA) (Attachment G), enacted under the Healthy, Hunger-Free Kids Act of 2010 (HHFKA), Public Law 111-296 (Attachment H). The final rule incorporates provisions from the *Child and Adult Care Food Program: Amendments Related to the Healthy, Hunger-Free Kids Act of 2010 Proposed Rule* and the *Simplifying Meal Service and Monitoring Requirements in the National School Lunch and School Breakfast Programs Proposed Rule*. The information collection associated with this rule is necessary to ensure compliance with legislative and regulatory requirements amended to the NSLA and contained in HHFKA.

The Child Nutrition Programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Summer Food Service Program (SFSP), and the Child and Adult Care Food Program (CACFP), are administered by FNS as mandated by the Richard B. Russell National School Lunch Act (NSLA), as amended (42 U.S.C. 1751, et seq.), and the Child Nutrition Act of 1966, as amended (42 U.S.C. 1771, et seq.) (Attachment I).

This final rule will create new information requirements and revise existing information requirements currently approved under information collections for CACFP, NSLP, and SFSP. FNS also expects there may be some annualized costs as a result of changes in the requirements for CACFP. After the final rule is published and OMB has reviewed and approved this final rule information collection, FNS will merge the burden hours with OMB control number 0584-0055 titled, “7 CFR Part 226 Child and Adult Care Food Program” expiration date 08/31/2025; with OMB control number 0584-0280 titled, “7 CFR Summer Food Service Program” expiration date 9/30/2025; and with OMB control number 0584-0006 titled, “7 CFR Part 210 National School Lunch Program” expiration date 7/31/2023.

For further information, see Supporting Statement A – Appendix. This contains further information on NSLP, SFSP, CACFP, and provisions from the Child Nutrition Program Integrity Final Rule.

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 the actual use the agency has made of the information received from the current collection.

Information is required to administer and operate the Child Nutrition Programs at local and state levels in accordance with legislative and regulatory requirements. The intended effect of the rulemaking is to strengthen the integrity of all Child Nutrition Programs by increasing program operators' accountability and operational efficiency, while improving the ability of FNS and State agencies to address severe or repeated violations of program requirements. The information that is required to be collected by this rule is shared between program operators and the State agency. State agencies and local program operators are required to maintain these records in case of inspection or audit by FNS, in which case FNS may review reporting and recordkeeping in order to ensure compliance with statute and regulations.

The requirements codified in this final rule result in new mandatory information reporting, recordkeeping, and public notification burdens at the State and Local Government Levels (State agencies and sponsoring organizations) and at the Businesses Level (sponsoring organizations) in CACFP; at the State and Local Government Levels (State agencies and SFAs) in NSLP; and at the State and Local Government Levels (State agencies) in SFSP. These requirements are explained in the "Estimate of the Information Collection Burden for OMB# 0584-0610 in the National School Lunch and School Breakfast Programs (Attachment B)," Estimate of the Information Collection Burden for OMB Control Number 0584-0610 in the Summer Food Service Program (Attachment D)," and "Estimate of the Information Collection Burden for OMB Control Number 0584-0610 in the Child and Adult Care Food Program (Attachment F)."

NSLP

Under part 210, this final rulemaking codifies new mandatory information reporting, recordkeeping, and public notification requirements for the purpose of improving the management of NLSP.

At 7 CFR 210.15(b)(8) and 210.21(h), the final rule requires State directors of school nutrition programs, State directors of distributing agencies, and school nutrition program directors, management, and staff who work on NSLP procurement activities to complete annual procurement training. While State agencies and SFAs are currently required to annually complete training as part of the professional standards requirements, FNS accounted for this change as new information collection burden. State agencies and SFAs will need to maintain records of this training and be able to report on training completion during reviews, to ensure compliance.

At section 210.26(b), this final rule also establishes criteria and procedures for financial assessments against State agencies and program operators for violating program requirements. Under this final rule, NSLP State agencies are required to notify the SFA of the fine and specific violation that led to the fine as well as their appeal rights and procedures and submit a copy of the notice to FNS. Subsequently, SFAs are permitted to appeal the State agency's determination of violation and fine (7 CFR 210.26(b)). SFAs must submit to the State agency any pertinent information, explanation, or evidence addressing the program violations identified by the State agency. Any SFA seeking to appeal the State agency determination must follow State agency

appeal procedures. Assessments may occur in the Child Nutrition Programs, but on rare occurrences; this final rule establishes these assessments in the rare event to protect the integrity of the NSLP.

This final rule also includes changes to the administrative review cycle (7 CFR 210.18(c)) that aim to ease administrative burden for State agencies and SFAs, while promoting Program integrity, by allowing State agencies to revert from the current 3-year review cycle to a longer review cycle. This change requires State agencies to conduct a comprehensive administrative review of each SFA participating in NSLP, SBP, and other Federal school nutrition programs at least once during a 5-year cycle and identify high-risk SFAs for additional oversight. State agencies opting to use a review cycle longer than 3 years will be required to submit a plan to FNS describing the criteria that they will use to identify high-risk SFAs for targeted follow-up reviews (7 CFR 210.18(c)(2)), and SAs must complete and maintain documentation used to conduct the targeted follow-up review. Due to the administrative review requirements, SAs must notify SFAs in writing of review findings, corrective actions, deadlines, and potential fiscal action with grounds and right to appeal – and SFAs must submit to the SA a written response to reviews documenting corrective action for Program deficiencies. SAs must also post a summary of the most recent administrative review results of SFAs on the SA website and make a copy available upon request. All of the reporting and recordkeeping that is required by administrative reviews (including maintaining records necessary for all reviews and audits (including Program violations, corrective action, fiscal action, and withholding payments), documentation of compliance and administrative reviews, records of actions taken on disallowed claims, and

documentation of LEA/SFA compliance with nutrition standards for competitive foods) allows FNS and the SA to ensure LEAs/SFAs are operating the Program in compliance with the regulations.

Finally, this rule amends the requirement that State agencies submit a Performance Based Certification Report, via Food Program Reporting System (FPRS), to USDA (detailing SFAs certified to receive the performance-based reimbursement) from the current requirement of quarterly to annually (7 CFR 210.5(d)(3)). This report is utilized by FNS to ensure compliance with the meal patterns.

SFSP

Under part 225, this final rulemaking codifies new mandatory information reporting requirements for the purpose of improving the management of the SFSP.

In section 225.18(k), this final rule establishes criteria and procedures for financial assessments against sponsors, which are SFAs, for violating program requirements. Under this final rule, SFSP State agencies are required to notify the SFA of the fine as well as their appeal rights and procedures and submit a copy of the notice to FNS (7 CFR 225.18(k)(4)). Subsequently, SFAs are permitted to appeal the State agency's determination of violation and fine. SFAs must submit to the State agency any pertinent information, explanation, or evidence addressing the program violations identified by the State agency (7 CFR 210.26(b)(5)). Any SFA seeking to appeal the State agency determination must follow State agency appeal procedures. Assessments may occur in the Child Nutrition Programs, but on rare occurrences; this final rule establishes these

assessments in the rare event to protect the integrity of the SFSP.

CACFP

The changes codified in part 226 result in new and revised mandatory reporting and recordkeeping requirements for State agencies and CACFP operators. This will improve the management of the CACFP.

At 7 CFR 226.6(m)(6), this final rule makes modifications to CACFP State agency review requirements. Current regulations require State agencies to schedule reviews at least once every two years for institutions that sponsor more than 100 facilities, and once every three years for all other institutions. This rule requires State agencies to expand the frequency of reviews to at least once every two years for institutions that engage in activities other than CACFP, have had findings of serious management problems in a recent review, or are at risk of having serious management problems. This change is expected to create reporting and recordkeeping burdens for State agencies. This burden was accounted for in the proposed rule information collection as a recordkeeping burden. FNS adjusted the collection to account for a corresponding reporting burden that takes into account the time it takes to select a sample and conduct a review.

Third, this final rule adds new mandatory requirements for State agencies and sponsoring organizations (both local governments and businesses) to improve the oversight of institutions' financial management. At 7 CFR 226.7(b)(1), this final rule requires that State agencies have a

procedure in place to annually review at least one month of sponsoring organization's bank account activity, and to review the actual expenditures of CACFP funds and the amount of meal reimbursement funds retained from unaffiliated centers. These changes were not accounted for in the proposed rule information collection; however, FNS revised the collection for the final rule to account for these new burdens, which are expected to increase the reporting burdens for State agencies and sponsoring organizations.

Fourth, to support the changes established by this final rule for CACFP, the rule also increases the amount of audit funds available to State agencies. At 7 CFR 226.4(j), this final rule allows FNS to increase the amount of CACFP audit funds if a State agency demonstrates that it can effectively use the funds to improve program management. To receive the additional funding, State agencies are required to submit a plan for the use of the additional funding. The requesting State agency will also need to maintain records of the plan for additional audit funds. There are no changes to this burden from the proposed rule ICR for the final rule ICR. This new requirement increases the reporting and recordkeeping burdens for requesting State agencies in the final rule ICR.

As required by statute, this final rule allows fines to be established against SFAs and State agencies in the operation of any Child Nutrition Program, including the assessment of fines against SFA institutions in CACFP. This is a change from the proposed rule, which would have extended fines to all types of CACFP institutions. Accordingly, this final rule amends 7 CFR 210.18(p), 210.26(b), 215.15(b), 220.18(b), 225.18(k), 226.25(j), and 235.11(c) to provide

authority to FNS and to State agencies to establish fines in cases of severe or repeated program violations. Therefore, State agencies are required to notify SFAs of any fines and submit a copy of the notice to FNS. Also, SFAs may appeal the State agency's determination of fines. SFAs must submit to the State agency any pertinent information, explanation, or evidence addressing the Program violations identified by the State agency. Any SFA seeking to appeal the State agency determination must follow State agency appeal procedures.

The rule also requires a State agency to pay all valid claims for reimbursement, from non-Federal sources, if the 60-day timeframe for a child care institution's fair hearing is not met; however, FNS may approve, on a case-by-case basis, a written request for an exception to the 60-day deadline (226.6(k)(11)(iii)). This adds a reporting burden, as SAs may submit, for FNS review, information supporting a request for a reduction in the State's liability, a reconsideration of the State's liability, or an exception to the 60-day deadline, for exceptional circumstances. This was not included in the proposed rule ICR, and so it is being added here.

Next, CFR 226.6(b) is amended to require an initial application for new institutions and annual updates, as needed, for renewing institutions, rather than requiring a renewal application process for all institutions. Therefore, State agencies must review annual certification of an institution's eligibility to continue participating in CACFP, and each participating institution must submit annual updates to continue its participation (annual certification of information, updated licensing information, and a budget). This is expected to decrease burden. Through Section 226.6(p), the rule also requires State agencies to develop/revise and provide a sponsoring

organization agreement between sponsor and facilities, which must have standard provisions. Current regulations require the sponsoring organization to enter into a written permanent agreement with each sponsored day care home, which specifies the rights and responsibilities of both parties. However, there is no standard form of agreement and no requirement that sponsoring organizations establish agreements with sponsored centers. Accordingly, sections 226.6(p), 226.17(e),(f), 226.17a(f), 226.19(d), and 226.19a(d) require that each sponsoring organization must enter into permanent agreements with their unaffiliated centers.

In a change to the review process, the rule requires sponsoring organizations to vary both the timing of unannounced reviews and the types of meal service that are subject to review – and makes a related change at 226.6(m)(3)(ix) to require that State agencies assess the timing of each sponsoring organization’s reviews of day care homes and sponsored centers. This will add a reporting burden to State agencies, to ensure that this requirement is met.

In 7 CFR 226.12(a) the rule makes changes to simplify the calculation of the monthly administrative reimbursement that sponsoring organizations of day care homes are eligible to receive. To determine the amount of payment, the State agency must multiply the appropriate administrative reimbursement rate, which is announced annually in the Federal Register, by the number of day care homes submitting claims for reimbursement during the month. This provision has been a standard operating practice for State agencies since 2010.

The final rule also allows a sponsoring organization to carry over and obligate a maximum of 10

percent of administrative funds into the succeeding fiscal year, with State agency approval. Therefore, section 226.7(g)(2) requires the State agency to review the budget and supporting documentation prior to approval, for sponsoring organizations of day care homes seeking to carry over administrative funds. Additionally, section 226.6(f)(1)(iv) requires sponsoring organizations of day care homes seeking to carry over administrative funds to submit an amended budget, to include an estimate of requested administrative fund carryover amounts and a description of proposed purpose for which those funds would be obligated or expended.

Section 226.7(j) requires each State agency to establish procedures to recover administrative funds from sponsoring organizations of day care homes that are not properly payable under FNS Instruction 796-2, administrative funds that are in excess of the 10 percent maximum carryover amount, and carryover amounts that are not expended or obligated by the end of the fiscal year following the fiscal year in which they were received. This will add a reporting requirement to State agencies, in recovering funds.

Finally, the final rule amends the sponsoring organization's responsibility under 7 CFR 226.18(b)(12) to allow tier II day care homes to assist in collecting meal benefit forms from households and transmitting the forms to the sponsoring organization on the household's behalf. The sponsoring organization is also responsible for establishing procedures that prohibit a day care home provider who chooses this option from reviewing or altering the information on the meal benefit form. This will add a reporting burden for day care homes.

Unless noted otherwise, all burdens imposed by the final rule, for NSLP, SFPS, and CACFP will occur annually. The requirements do not specify how the information is to be collected, but State agencies typically request paper or electronic documents from local entities and then store this information electronically in State systems, for reporting and recordkeeping requirements. To ensure compliance with statute and regulations, FNS reviews reports and documentation during Management Evaluations but again does not set a requirement for how the information must be made available by State agencies. The information that is shared outside of FNS is noted in the Burden Charts and Estimates of the Information Collection Burden for the NSLP, SFSP, and CACFP (attached) on the Public Notification tabs.

To summarize, the information in this request is used by State agencies and FNS to ensure compliance and provide program benefits to participating organizations. State agencies and FNS do this through performing Program reviews, which includes reviewing the provisions in this Rule. Further, based on the reporting, FNS is able to provide funding to States and participants. The frequencies for this collection range from monthly to annually. For the majority of this collection, it is mandatory to respond, although there are some information collection requirements that are required to obtain or retain benefits. The information is mainly used to ensure compliance. In the proposed Child Nutrition Integrity Rule, FNS expected 23,113 responses and 16,060.5 burden hours. For this final rule, because of changes due to merging this rule with two other rules, moving some provisions to another rulemaking (those on Serious Deficiency), and other changes due to public feedback, FNS has adjusted the burden for this final rule. FNS now expects that this final rule will increase over that estimated in the proposed rule,

to 225,205 responses and 190,924 burden hours.

A3. Use of the 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 is committed to complying with the E-Government Act, 2002, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes. Therefore, of all 19,075 respondents (including State agencies and local government) for NSLP, 58 respondents (State agencies and local governments) for SFSP, and 31,235 respondents (including State agencies, local governments, and business level institutions and facilities) for CACFP, one hundred percent (100%), are able to submit required information electronically to FNS. Therefore, for the Federal reporting required by this rule, FNS estimates that approximately 100% of respondents will submit data electronically, including 225,205 total responses (158,925 responses for the CACFP, 63 responses for the SFSP, and 66,217 responses for the NSLP). In addition, each State agency maintains its own website and State system to communicate electronically with program operators and households in their state. FNS estimates that all of the State reporting requirements associated with this rule will be collected electronically through these State agency systems, even though, the three collections themselves do

have non-electronic submissions. Out of the total responses for this final rule collection (225,204.81), FNS estimates that 100% of responses will be collected electronically.

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 is no similar data collection available. Each organization administering or operating CACFP, NSLP, and/or SFSP must report information on its program results. No State or local organization collects this same information for other Federal agencies, as applications, agreements, review forms and claims for other programs are not applicable to CACFP, NSLP and SFP. 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 Child Nutrition Programs.

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 required for the intended use. State agencies are not considered small entities as State populations exceed the 50,000

threshold for a small government jurisdiction. However, SFAs generally meet the definition of a “small governmental jurisdiction,” which meets the definition of “small entity” in the Regulatory Flexibility Act, and many institutions in the CACFP are small entities. FNS estimates that up to 3 percent (1,408) of the Local Agency and SFA respondents are small entities (46,941 x .03 = 1,408).

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.

The information is collected for the purpose of administering an ongoing program which contains requirements that are both mandatory and required to obtain and retain benefits. The mandatory collections are required by statute. Collecting information less frequently may result in the delayed allocation of Federal funds. If the information collection is not conducted or is conducted less frequently, FNS would not be able to ensure compliance, nor allocate and reimburse claims in a timely manner.

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.**

There are no 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.

A 60-day Federal Register Notice was embedded in the proposed rule, *Child Nutrition Integrity* (Appendix AA), which was published in the Federal Register on March 29, 2016 (Vol. 81, No. 60, page 17564). The comment period for the proposed changes in the information collection burden ended on May 31, 2016. Additionally, a 60-day Federal Register Notice was embedded in the proposed rule, *Simplifying Meal Service and Monitoring Requirements in the National School Lunch and School Breakfast Programs*” (Appendix BB), which was published in the Federal Register on January 23, 2020 (Vol. 85, No. 15, page 4094). The comment period for the proposed changes in the information collection burden ended on March 23, 2020. Also, a 60-day Federal Register Notice was embedded in the proposed rule, *Child and Adult Care Food Program: Amendments Related to the Healthy, Hunger-Free Kids Act of 2010*” (Appendix Z), which was published in the Federal Register on April 9, 2012 (Vol. 77, No. 68, page 21018). The comment period for the proposed changes in the information collection burden ended on June 8, 2012. A sampling of the comments received in response to the above proposed rules containing the embedded notices regarding the proposed information collections are summarized and responses have been provided in Attachment DD Supporting Statement A – Appendix.

The final rule published in the Federal Register on August 23, 2023 (Vol. 88, pages 57792 through

57859). While working on the final rule package, FNS determined that there were system upgrade and annual maintenance costs related to this final rule that were not included in the proposed rule estimates. In order to provide the public an opportunity to provide comments on these costs, FNS embedded a 60-Day Notice in the final rule. The public comment period ends on October 23, 2023. If any public comments are received, FNS will include them as part of the information collection requests that will merge these final rule provisions into the existing collections for OMB Control Numbers 0584-0055, 0584-0280, and 0584-0006.

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 FNS provided notice and comment through the notice of a proposed rulemaking for the proposed rule, which specifically included the solicitation of comments on the proposed collections of information, FNS did not consult with members of the public and affected agencies outside the

rule's 60-day notice to obtain views on the collections of information proposed, including the availability of data, frequency of collections, or recordkeeping and reporting requirements. Interested members of the public can provide OMB and FNS with comments concerning the necessity, practical utility, accuracy, and merit of the information collection activities discussed in the 60-Day Notice embedded in the final rule.

When FNS finalizes an information collection package, the package will be available through www.regulations.gov for review and comment by stakeholders such as State agencies, community groups, and the public regarding any proposed changes resulting from legislative, regulatory, or administrative changes. FNS consults with FNS Regional offices (FNSRO) regarding any proposed changes as the result of legislative, regulatory, or administrative changes. FNSRO are in daily contact with State agencies, which provide feedback on FNS processes and procedures for this information collection. Feedback from the State agencies is then used by FNS to help shape the burden estimates for information collection requests.

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.

No payment or gift was provided 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.

The Department complies with the Privacy Act of 1974. No confidential information is associated with this information collection. This ICR does not request any personally identifiable information; nor does it contain any forms that require a Privacy Act Statement. The FNS Privacy Office conducted a review of the ICR on March 6, 2023 and stated that there were no concerns.

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.

When this was submitted in conjunction with the proposed rule, FNS requested a new OMB Control Number to contain the existing information collection requirements from OMB Control Numbers 0584-0006, 0584-0055, and 0584-0280, which are impacted by this rulemaking, as well as new information collection requirements that are being introduced through this rule. OMB assigned OMB Control Number 0584-0610 for this new information collection request. This final rule will revise the NSLP, CACFP, and SFSP requirements, including recordkeeping, reporting, and public notification requirements. This rule will ease administrative burden for State agencies and program operators (which includes both local government and business entities), while continuing to ensure Program integrity.

As a result of the proposals outlined in this final rule, FNS estimates that this new information collection will have 46,997 respondents, 225,205 responses, and 190,924 burden hours. In total, FNS estimates that the changes to the Child Nutrition Program requirements as a result of this rule decrease the burden for the NSLP information collection, OMB Control Number 0584-0006, by 14,734 hours; increase the burden for the SFSP information collection, OMB Control Number 0584-0280, by 80.81 hours; and increase the burden for the CACFP information

collection, OMB Control Number 0055, by 22,190.72 hours.

NSLP:

The number of respondents for this collection is 19,075. This includes 56 SAs + 19,019 SFAs/LEAs. The total number of annual responses for this request is 66,217 (this includes 26,809 total annual responses for reporting + 35,600 total annual responses for recordkeeping + 3,808 total annual responses for public notification). The total requested burden hours for this revision is 146,803 (this includes 85,241 for reporting + 60,610 for recordkeeping + 952 for public notification). The following tables and Attachments A and B reflect the estimated burden associated with this information collection for each type of respondent:

**ESTIMATED ANNUAL BURDEN FOR 0584-0006
OMB Control Number 0584-0006, “7 CFR Part 210 National School Lunch Program”**

Reporting										
Program Rule	CFR Citation	Title	Estimated # Respondents	Responses per Respondents	Total Annual Records	Estimated Avg. # of Hours Per Response	Estimated Total Hours	Current OMB Approved Burden Hrs	Due to Program Change	Total Difference
State Agency Level										
	210.18(i)(3)	SA notifies SFAs in writing of review findings, corrective actions, deadlines,	56	68	3,808	8.00	30,464	50624	-20,160	-20,160

		and potential fiscal action with grounds and right to appeal.								
	210.5(d) (3)	SAs submit an annual report to FNS detailing the disbursement of performance-based reimbursement to SFAs (in FPRS).	56	1	56	0.25	14	56	-42	-42
	210.18(c) (2)	SAs with a review cycle longer than 3-years submit a plan to FNS describing the criteria that it will use to identify high-risk SFAs for targeted	56	1	56	8.00	448	0	448	448

		follow-up reviews.									
CN Integrity	210.21(h)	State agencies must complete procurement training requirements annually.	56	1	56	1.00	56	0	56	56	
CN Integrity	210.26(b)(4)	SAs must notify SFAs of fine and specific violations or actions that constituted the fine, and of appeal rights and procedures; submit a copy of the notice to FNS.	56	0.09	5.04	3.00	15.12	0	15.12	15.12	
State Agency Level Total			56.00	71.09	3,981.04	7.79	30,997.12	50,680.00	-19,683	-19,683	
School Food Authority/Local Education Agency Level											
	210.15(a)(3) & 210.18(j)(2)	SFA submits to the SA a written response to	3,804	1	3,804	8.00	30,430	50,720	-20,290	-20,290	

		reviews documenting corrective action for Program deficiencies.								
CN Integrity	210.21(h)	SFAs must complete procurement training requirements annually.	19,019	1	19,019	1.25	23,774	0	23,774	23,774
CN Integrity	210.26(b)(5)	SFAs may appeal SA's determination of violations and fines. SFAs must submit to the State agency any pertinent information, explanation, or evidence addressing the Program violations identified by the SA. Any SFA seeking to appeal	5	1	5	8.00	40	0	40	40

		the SA determination must follow SA appeal procedures.								
		School Food Authority Level Total	19,019	1.200	22,828	2.38	54,244	50,720	3,525	3,525
School Level										
		Total Reporting Burden	19,075	1.41	26,809	3.18	85,241	101,400	16,158	(16,158)

Recordkeeping										
			A	B	C = (A*B)	D	E= (C*D)	F		G =E-F
Program Rule	CFR Citation	Title	Estimated # Record-keepers	Records Per Recordkeeper	Total Annual Records	Estimated Avg. # of Hours Per Record	Estimated Total Hours	Current OMB Approved Burden Hrs	Due to Program Change - Rule	Total Difference
State Agency Level										
	210.18(h)(2)(iv)	SA maintains documentation of LEA/SFA compliance	56	68	3,808	0.25	952	1,582	-630	-630

		with nutrition standards for competitive foods.								
	210.20(b)(6) & 210.18(o)(f) (k,l,m) & 210.23(c)	SA maintains records of all reviews and audits (including Program violations, corrective action, fiscal action and withholding of payments).	56	68	3,808	8.00	30,472	50,638	-20,166	-20,166
	210.20(b)(7) & 210.19(c) & 210.18(o)	SA maintains documentation of fiscal action taken to disallow improper claims submitted by SFAs, as determined through claims processing, reviews, and USDA audits.	56	68	3,808	0.50	1,904	3,164	-1,260	-1,260
	210.18 (c-h)	SA completes and maintains documentatio	56	68	3,808	0.50	1,904	3,173	-1,269	-1,269

		n used to conduct Administrative Review.								
	210.18 (c)	SA completes and maintains documentation used to conduct targeted Follow Up Administrative Review.	56	23	1,288	16.00	20,608	0	20,608	20,608
CN Integrity	210.15(b)(8)	State agencies must maintain records to document compliance with the procurement training requirements.	56	1	56	0.25	14	0	14	14
CN Integrity	210.26(b)	State agencies must maintain records to related fines and specific violations	56	0.09	5.04	0.25	1.26	0	1.26	1.26
		State Agency Level Total	56	296	16,581	3.37	55,855	58,557	-2,702	-2,702
School Food Authority/Local Education Agency Level										
CN Integrity	210.21(h)	School food authorities	19,019	1	19,019	0.25	4,755	0	4,755	4,755

		must maintain document compliance with the procurement training requirements.									
		School Food Authority Level Total	19,019	1	19,019	0.25	4,755	0	4,756	4,756	
School Level											
			0	0	0	0	0	0	-	-	
		School Level Total	0	-	-	-	-	-	0	0	
		Total Recordkeeping Burden	19,075	1.87	35,600	1.70	60,610	58,557	2,054	2,054	

Public Notification

				A	B	C = (A*B)	D	E = (C*D)	F				G = E-F
Program Rule	CFR Citation	Title	Form Number	Estimated # Respondents	Responses per Respondents	Total Annual Records	Estimated Avg. # of Hours Per Response	Estimated Total Hours	Current OMB Approved Burden Hrs	Due to Authorizing Statute	Due to Program Change - Final Rule	Due to an Adjustment	Total Difference
	210.18(m)(1)	SA must post a		56	68	3,808	0.25	952.0	1,582.0		-630		-630

		summary of the most recent administrative review results of SFAs on the SA website and make a copy available upon request.											
		State Agency Level Total		56	68.00	3808	0.25	952	1582	0	-630	0	-630
				0	0	0	0	0	0	0	0	0	0
		Local Educational Agency / School Food Authority Level Total		0	#DIV/0!	0	#DIV/0!	0	0	0	0	0	0
		School Level Total		-	-	-	-	-	-	-	0	-	0
		Total Public Notification Burden		56	68.00	3,808	0.25	952	1,582	0	-630	0	-630
Grand Total for NSLP		19,075	3.47	66,217	2.22	146,803	0	0	146,803	0	146,803		

Due to Final Rule (as shown in OMB# 0584-0610)												
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SFSP:

The number of respondents for this collection is 58. This includes 53 SAs and 5 local governments (SFAs). The total number of annual responses for this request is 63 (this includes 63 total annual responses for reporting + 0 total annual responses for recordkeeping + 0 total annual responses for public notification). The total requested burden hours for this revision is 80.81 (this includes 80.81 for reporting + 0 for recordkeeping + 0 for public notification). The following tables and Attachments C and D reflect the estimated burden associated with this information collection for each type of respondent:

**ESTIMATED ANNUAL BURDEN FOR 0584-0280
OMB Control Number 0584-0280, “7 CFR Summer Food Service Program”**

Reporting										
			A	B	C = (A*B)	D	E= (C*D)	F		G =E-F
Program Rule	CFR Citation	Title	Estimated # Respondents	Responses per Respondents	Total Annual Records	Estimated Avg. # of Hours Per Response	Estimated Total Hours	Current OMB Approved Burden Hrs	Due to Program Adjustment	Total Difference
State/Local/Tribal Governments										
Integrity	225.6 (i)	State agency must consult with FNS prior to taking any action to terminate for convenience.	53.00	1.00	53.00	0.50	26.50	0.00	26.50	26.50
Integrity	225.18 (k)	State agencies must notify SFAs of fines and submit a	53.00	0.09	4.77	3.00	14.31	0.00	14.31	14.31

		copy of the notice to FNS.								
Integrity	225.18 (k)	SFAs may appeal State agency's determination of fines. SFAs must submit to the State agency any pertinent information, explanation, or evidence addressing the Program violations identified by the State agency. Any SFA seeking to appeal	5.00	1.00	5.00	8.00	40.00	-	40.00	40.00

		the State agency determination must follow State agency appeal procedures.								
State/Local/Tribal Governments Total			58	1	63	1.29	81	0	81	80.81
Businesses (Non-profit Institutions and Camps)										
								0	0.00	0.00
								0.00	0	0
								0.00	0	0.00
		Total Reporting Burden	58	1.08	62.77	1.29	80.81	0.00	81	81

CACFP:

The number of respondents for this collection is 31,235. This includes 56 State agencies, 3,257 Local governments, 18,601 sponsoring organizations, and 9,321 facilities. The total number of annual responses for this request is 158,925.04 (this includes 157,797.04 total

annual responses for reporting + 1,128 total annual responses for recordkeeping + 0 total annual responses for public notification). The total requested burden hours for this revision is 44,039.72 (this includes 41,795.72 for reporting + 2,244 for recordkeeping + 0 for public notification). The following tables and Attachments E and F reflect the estimated burden associated with this information collection for each type of respondent:

**ESTIMATED ANNUAL BURDEN FOR 0584-0055
OMB Control Number 0584-0055, “7 CFR Part 226 Child and Adult Care Food Program”**

Reporting									
CFR Citation	Title	Estimated # Respondents	Responses per Respondents	Total Annual Records	Estimated Avg. # of Hours Per Response	Estimated Total Hours	Current OMB Approved Burden Hrs	Due to Program Change - Rulemaking	Total Difference
State and Local Government Level									
State Agency									
226.4(j)	SAs may submit plan to FNS for additional audit funding.	8	1	8	4	32	0	32.00	32
226.6(k)(11)(iii)	SA to submit, for FNS review, information supporting a	5	1	5	4	20	0	20.00	20

	request for a reduction in the State's liability, a reconsideration of the State's liability, or an exception to the 60-day deadline, for exceptional circumstances.								
226.6 (b)(4)(ii)	State agency must consult with FNS prior to any taking action to terminate for convenience.	56	1	56	0.50	28	0	28.00	28
226.6(m)(6)	SAs to conduct reviews every two years for sponsoring organizations with less than 100 facilities and conduct activities other than the CACFP or are at risk of having serious management problems.	56	20	1120	4.00	4480	0	4480.00	4480
226.7(b)(1)	Have procedures in place for annually reviewing at least one month of the sponsoring	56	1	56	1.00	56	0	56.00	56

	organization's bank account activity against other associated records to verify that the transactions meet program requirements.								
226.7(b)(1)(ii)	State agency must have procedures for annually reviewing a sponsoring organization's actual expenditures of CACFP funds and the amount of meal reimbursement funds retained from unaffiliated centers.	56	1	56	1.00	56	0	56.00	56
226.25(j)	State agencies must notify SFAs of fines and submit a copy of the notice to FNS.	56	0.09	5.04	3.00	15.12	0	15.12	15.12
226.6(b)(2)	SAs must review annual certification of an institution's eligibility to continue	56	390	21,840	0.334	7,295	10,920	-3625.44	-3625

	participating in CACFP (replaces the renewal application process).								
226.6(m)(3)(ix)	The State agency is required to assess the timing of each sponsoring organization's reviews of day care homes and sponsored centers.	56	390	21,840	0.167	3,640	0	3640.00	3640
226.6(p)	The SA must develop/revise and provide a sponsoring organization agreement between sponsor and facilities, which must have standard provisions.	56	1	56	6.00	336	0	336.00	336
226.12(a)	SAs must multiply the appropriate administrative reimbursement rate by the number of day care homes submitting claims for reimbursement during the month, to determine the	56	11	623	0.167	104	0	103.83	104

	amount of payment that sponsoring organizations will receive.								
226.7(g)(2)	State agency must review the budget and supporting documentation prior to approval, for sponsoring organizations of day care homes seeking to carry over administrative funds.	56	11	623	1.00	623	0	623.00	623
226.7(j)	State agency must establish procedures to recover administrative funds from sponsoring organizations of day care homes that are not properly payable under FNS Instruction 796-2, administrative funds that are in excess of the 10 percent maximum carryover amount,	56	1	56	2.00	112	0	112.00	112

	and carryover amounts that are not expended or obligated by the end of the fiscal year following the fiscal year in which they were received.								
State agency Subtotal		56	827.57	46,344	0.36	16,797	10,920	5,877	5,877
Local Governments (Sponsoring Organizations)									
226.7(b)(1)	Sponsoring organizations have to annually provide State agencies with bank account activity against other associated records to verify that the transactions meet program requirements.	3,257	1	3,257	0.25	814	0	814	814
226.7(b)(1)(i)	Sponsoring organizations must provide State agency with actual expenditures of CACFP funds and the amount of meal	32	1	32	1	32	0	32	32.00

	reimbursement funds retained from unaffiliated centers to support the sponsoring organization's administrative costs.								
226.6(b)	Each participating institution must submit annual updates to continue its participation (annual certification of information, updated licensing information, and a budget).	3257	1	3,257	0.33	1,088	1629	-541	-540.66
226.6(p), 226.17(e),(f), 226.17a(f), 226.19(d), and 226.19a(d)	Sponsoring organizations must enter into permanent agreements with their unaffiliated centers.	32	10	320	0.50	160	0	160	160.00
226.6(f)(1)(iv)	Sponsoring organizations of day care homes seeking to carry over administrative funds must submit an amended	83	1	83	1.00	83	0	83	83.00

	budget, to include an estimate of requested administrative fund carryover amounts and a description of proposed purpose for which those funds would be obligated or expended.								
226.25	SFAs may appeal the State agency's determination of fines. SFAs must submit to the State agency any pertinent information, explanation, or evidence addressing the Program violations identified by the State agency.	5	1	5	8.00	40	0	40	40.00
226.23(e)(1)(vii)	If a tier II day care home elects to assist in collecting and transmitting the applications to the sponsoring organization, sponsoring organizations must	83	1	83	1.00	83	0	83	83

	establish procedures to ensure the provider does not review or alter the application								
Local Govt Subtotal		3,257	2.16	7,037	0.33	2,300.09	1,629	671.59	671.59
	Reporting burden for State and Local Government Level	3,313	16.11	53,381	0.36	19,096.60	12,549	6,548.10	6,548.10
Businesses Level (Institutions)									
226.7(b)(1)(i)	Sponsoring organizations have to annually provide State agencies with bank account activity against other associated records to verify that the transactions meet program requirements.	18,601	1.00	18,601	0.25	4,650	0	4,650	4,650
226.7(b)	Sponsoring organizations must provide State agency with actual expenditures of CACFP funds and the amount of	1,030	1	1,030	1	1,030	0	1,030	1,030.00

	meal reimbursement funds retained from unaffiliated centers to support the sponsoring organization's administrative costs.								
226.6(b)	Each participating institution must submit annual updates to continue its participation (annual certification of information, updated licensing information, and a budget).	18,601	1	18,601	0.33	6,213	9301	(3,088)	(3,088)
226.6(p), 226.17(e),(f), 226.17a(f), 226.19(d), and 226.19a(d)	Sponsoring organizations must enter into permanent agreements with their unaffiliated centers.	1,030	10	10,300	0.50	5,150	0	5,150	5,150
226.23(e)(1)(vii)	If a tier II day care home elects to assist in collecting and transmitting the applications to the sponsoring organization,	540	1	540	1.00	540	0	540	540

	sponsoring organizations must establish procedures to ensure the provider does not review or alter the application								
226.6(f)(1)(iv)	Sponsoring organizations of day care homes seeking to carry over administrative funds must submit an amended budget, to include an estimate of requested administrative fund carryover amounts and a description of proposed purpose for which those funds would be obligated or expended.	540	1	540	1.00	540	0	540	540
Total Burden for Businesses (Sponsoring Organizations)		18,601	2.67	49,612.00	0.37	18,122.98	9,301	8,822.48	8,822.48
Business Level (Facilities)									
226.18(b)(12)	Tier II day care homes may assist	9,321	5.88	54,804	0.08	4,576	0	4,576	4,576

	in collecting meal benefit forms from households and transmitting the forms to the sponsoring organization on the household's behalf.									
Total Burden for Businesses (Facilities)		9,321	5.88	54,804.00	0.08	4,576.13	0.00	4,576.13	4,576.13	
Total for Businesses		27,922	3.74	104,416	.217	22,699.11	9,301	13,398.61	13,398.61	
Total Reporting Burden		31,235	5.05	157,797.04	0.26	41,795.72	21,849	19,946.72	19,946.72	

Page Break

Recordkeeping									
CFR Citation	Title	Estimated # Record-keepers	Records Per Recordkeeper	Total Annual Records	Estimated Avg. # of Hours Per Record	Estimated Total Hours	Current OMB Approved Burden Hrs	Due to Program Change - Rulemaking	Total Difference
State and Local Government Level									
State Agency									
226.4(j)	SAs to maintain a plan for additional audit funds.	8	1	8	0.50	4	0	4	4
226.6(m)(6)	Maintain records	56	20	1120	2	2240	0	2240	2240

	for reviewing Sponsoring organizations with less than 100 facilities and conduct activities other than the CACFP, or are at risk of having serious management problems every two years								
	State agency subtotal	56	20.14	1128	1.99	2244	0	2244	2244
Local Governments (Sponsoring Organizations)									
	Total Recordkeeping Burden	56	20.14	1,128	1.99	2,244.00	0.00	2,244.00	2,244.00
	Grand Total for CACFP Due to Final Rule (as shown in	31,235	5	158,925.04	.28	44,039.72	0	44,039.72	44,039.72

OMB# 0584-0610)									
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Summary Charts – Refer to Attachment DD Supporting Statement A – Appendix for the summary charts.

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

NSLP:

The estimate of respondent cost is based on the burden estimates and utilizes the U.S. Department of Labor, Bureau of Labor Statistics, May 2022 National Occupational Employment and Wage Statistics, Occupational Group (25-0000) (http://www.bls.gov/oes/current/oes_nat.htm). The hourly mean wage (for education-related occupations) for functions performed by State agency and school food authority staff is estimated at \$30.41 per staff hour. To determine the total cost to the public, the burden hours for the collection is multiplied by the hourly mean wage discussed above ($\$30.41 \times 146,869$ hours), which results in an initial cost of \$4,466,286.29. An additional \$1,473,874.48 (33% of \$4,466,286.29) is then added to account for fully-loaded wages, which results in a total cost to the public of \$5,940,160.77.

SFSP

The estimate of respondent cost is based on the burden estimates and utilizes the U.S. Department of Labor, Bureau of Labor Statistics, May 2022 National Occupational and Wage Statistics, Occupational Group 25-0000 (http://www.bls.gov/oes/current/oes_nat.htm). The hourly mean wage for education-related occupations for functions performed by State agency and local education agency staff is estimated at \$30.41 per staff hour. To determine the total cost to the public, the burden hours for the collection is multiplied by the hourly mean wage discussed above ($\$30.41 \times 80.81$ hours), which results in an initial cost of \$2,457.4. An

additional \$810.95 (33% of \$2,457.43) is then added to account for fully-loaded wages, which results in a total cost to the public of \$3,268.38.

CACFP:

The estimate of respondent cost is based on the burden estimates and utilizes the U.S. Department of Labor, Bureau of Labor Statistics, May 2022 National Occupational and Wage Statistics, Occupational Group 25-0000 (http://www.bls.gov/oes/current/oes_nat.htm). The hourly mean wage for education-related occupations for functions performed by State agency and local agency staff is estimated at \$30.41 per staff hour. To determine the total cost to the public, the burden hours for the collection is multiplied by the hourly mean wage discussed above ($\$30.41 \times 21,240.21$ hours), which results in an initial cost of \$645,914.79. An additional \$213,151.88 (33% of \$645,914.79) is then added to account for fully-loaded wages, which results in a total cost to the public of \$859,066.67.

For sponsoring organizations at the business level, the mean hourly wage (\$22.00) for supervisors of food preparation and serving workers was used (Occupational Group 35-1010, https://www.bls.gov/oes/current/naics4_999200.htm#00-0000). To determine the total cost to the public, the burden hours for the collection is multiplied by the hourly mean wage discussed above ($\$22.00 \times 22,432.90$ hours), which results in an initial cost of \$493,523.80. An additional \$162,862.85 (33% of \$493,523.80) is then added to account for fully-loaded wages, which results in a total cost to the public of \$656,386.65.

In total, the costs for CACFP are \$1,500,481.09 (\$844,094.44 + 656,386.65).

The costs for NSLP, SFSP, and CACFP with regard to this rule are \$5,836,632.81 + \$3,211.42 + \$1,500,481.09 = \$7,340,325.32.

A13. Estimate 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.

FNS anticipates that the new requirements to improve the oversight of institutions' financial management systems will be procedural changes to financial management systems; however, these changes may require system upgrades and maintenance to the State agencies' current MIS as these provisions may require State agencies to integrate new functions into their MIS. FNS expects that State agencies will be able to implement the requirements of this rule with a single upgrade to an existing module.

For CACFP, given the wide variation in MIS development and maintenance costs across State agencies, FNS estimates a cost of \$50,000 per State agency to perform system upgrades and an additional cost of \$1,000 per State agency for annual maintenance for respondents of this final rule

ICR. Therefore, as a result of the proposals outlined in this final rule, FNS estimates that this collection is expected to have \$2,800,000 in costs related to system upgrades and \$56,000 in annual maintenance. FNS estimates that a total of \$2,856,000 in combined system upgrades and annual maintenance costs will be added to the currently approved burden for the CACFP under OMB Control Number 0584-0055.

These estimates were not accounted for in the proposed rule ICR because, at the time, FNS did not have the final cost estimates when the proposed rule was published; however, the final rule ICR is revised to account for the potential annualized costs on State agencies in the CACFP for system upgrades to existing modules and maintenance due to these upgrades.

Other than this, 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.

The Federal cost of collecting and processing data under Part 210, 225, and 226, issuing program regulations, guidance, and monitoring compliance with the regulations is presented below. FNS used the following procedure to estimate this cost: FNS identified functions performed by

FNSRO and National Office (NO) staff that benefit the NSLP, SFSP, and CACFP and obtained estimates of the total number of staff hours spent performing these functions.

The 2023 Federal Wage Salary Tables, available at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2023/general-schedule/>, were used to estimate the total federal cost.

It is estimated that Federal employees receiving an average General Schedule (GS) grade 12 step 6 wage (\$52.66 hourly) based on the 2023 Washington DC-Northern Virginia locality area take approximately 16,224 hours to develop guidance and analyze data received from State agencies, for an initial cost of \$854,355.84 ($\$52.66 \times 16,224$ hours). To account for fully loaded wages, an additional \$281,937.43 (33% of \$854,355.84) is then added to the initial costs, resulting in an estimated annualized cost to the Federal government of \$1,136,293.27. Additionally, it is estimated that a Branch Chief receiving an average GS grade 14 step 6 wage (\$74.00 hourly) based on the 2023 Washington DC-Northern Virginia locality area takes approximately 8,112 hours to provide oversight for Federal employees working to develop guidance and analyze data received from State agencies, for an initial cost of \$600,288 ($\$74.00 \times 8,112$ hours). To account for fully loaded wages, an additional \$198,095.04 (33% of \$600,288) is then added to the initial cost, resulting in an estimated annualized cost to the Federal government of \$798,383.04. The total estimated annualized cost to the Federal government is \$1,934,676.31.

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 collection under OMB Control Number 0584-0610 (assigned at the proposed rule stage) is being submitted in support of the final rule, Child Nutrition Program Integrity. FNS estimates that this information collection will have 46,997 respondents, 225,205 responses, 190,924 burden hours, and \$2,856,000 in system upgrade and annual maintenance costs.

Once OMB has approved the information collection package for this final rule and the information collection submissions for the impacted existing collections have been completed, FNS plans to merge the information requirements and associated burden from OMB Control Number 0584-0610 into the following existing information collections: OMB Control Number 0584-0006, 7 CFR Part 210 National School Lunch Program, OMB Control Number 0584-0280, 7 CFR Part 225 Summer Food Service Program, and OMB Control Number 0584-0055, 7 CFR Part 226 Child and Adult Care Food Program. OMB Control Number 0584-0006, 7 CFR Part 210 National School Lunch Program, is currently approved with 9,808,454 burden hours and 47,631,996 responses. FNS estimates that this final rule will decrease the burden hours for OMB Control Number 0584-0006 by approximately 14,734 hours, to 9,793,720 hours. However, it is expected that the final rule will increase the responses by 21,666 responses, to 47,653,662 responses. OMB Control Number 0584-0280, 7 CFR Part 225 Summer Food Service Program, is currently approved with 462,698.97 burden hours and 391,795 responses. FNS estimates that this final rule will increase both the burden hours

and the responses for OMB Control Number 0584-0280. FNS estimates that the burden hours will increase by approximately 80.81 hours, to 462,779.78 hours and that the responses will increase by 63 responses, to 391,858 responses. Finally, this final rulemaking will impact OMB Control Number 0584-0055, 7 CFR Part 266 Child and Adult Care Food Program, which is currently approved with 4,213,210.89 burden hours and 16,213,093 responses. FNS estimates that this final rule will increase the burden hours and responses for OMB Control Number 0584-0055 as well. FNS estimates that the burden hours will increase by approximately 22,190.72 hours, to 4,235,401.61 hours and the responses will increase by 115,171 responses, to 16,328,263.76 responses.

Currently, none of the information collections for the NSLP, SFSP, and CACFP report annualized costs, such as capital, start-up, operational, or maintenance costs as part of their burden inventory. However, FNS expects that such costs will be added to the CACFP information collection inventory as a result of this final rule. FNS expects that the State agencies in the CACFP will incur system upgrade and annual maintenance costs related to the final rule proposals, given the wide variation in MIS development and maintenance costs across State agencies. FNS estimates that there will be \$2,800,000 in costs related to system upgrades and \$56,000 in annual maintenance, for an estimated total of \$2,856,000 in combined system upgrades and annual maintenance costs. Therefore, FNS estimates that \$2,856,000 will be added to the currently approved burden for the CACFP under OMB Control Number 0584-0055 as a result of this final rule.

As a result of program changes associated with this final rulemaking, the information collection will

add 127,118 reporting burden hours and 184,669 responses, 62,854 recordkeeping burden hours and 36,728 responses, and 952 public notification hours and 3,808 responses, for a total of 190,924 burden hours and 225,205 responses. Overall, FNS estimates that this final rule will add an additional 7,538 burden hours, 136,900 responses, and \$2,856,000 in annualized costs to the currently approved information collection inventory. All the burden hours, responses, and annualized costs estimated for this collection are the result of program changes due to publication of the final rule. The information requirements included in this rule are necessary to ensure State agency compliance with legislative and regulatory requirements amended to the NSLA and contained in HHFKA.

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; nor are there any plans for tabulation.

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."**

There are no exceptions to the certification statement.