

Supporting Statement for
Paperwork Reduction Act Submission
OMB No. 0584-0083

Operating Guidelines, Forms, Waivers, and Annual State
Report on Verification of SNAP Participation

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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 collection that consists of several components of State agency reporting and/or recordkeeping: State Plan of Operations, Puerto Rico Plan of Operations, Territory Memorandums of Understanding (MOUs), a budget projection statement, a program activity report, waiver requests submitted via the Waiver Information Management System (WIMS), card skimming reporting, and other plans and submissions such as advance planning documents for information systems and for electronic benefit transfer (EBT) systems.

This collection also merges the activities under the Annual State Report on Verification of SNAP participation, OMB Control Number 0584–0605, expiration date 06/30/2025 into this collection which ensures that no person who is deceased, or who has been permanently disqualified from Supplemental Nutrition Assistance Program (SNAP), improperly received SNAP benefits for the fiscal year preceding the report submission. Section 4032 of the Agriculture Act of 2014 is the basis for this collection. The Food and Nutrition Service (FNS) considers an email from each State agency to their corresponding FNS Regional SNAP Program Director verifying their compliance with Section 4032 of the Agriculture Act of 2014 as the mechanism for compliance. FNS intends to discontinue the Annual State Report of Verification of SNAP Participants, OMB Control Number 0584–0605 expiration date 06/30/2025 following OMB approval of this information collection request.

This information collection package consists of the following major components of State agency reporting: State Plan of Operations, card skimming reporting, Territory memoranda of understanding and Puerto Rico Plan of Operations, advance planning documents (APDs),

reporting APDs to the Food and Nutrition Service (FNS) via email, transmittal letters for APDs, other APD Plans or Updates, SNAP waiver requests submitted via WIMS, annual email reminder to confirm use of matches related to the Electronic Disqualified Recipient system (eDRS) and/or Deceased matching system, State agency compilation of information to confirm systems are in place for eDRS and Deceased matching system, and State agencies reporting that information to FNS.

Plan of Operations

In accordance with section 11(d) of the Act, 7 U.S.C. 2020, State agencies are required to submit a Plan of Operation specifying the manner in which SNAP will be conducted within the State in every political subdivision. Section 11(e) of the Act provides that the State Plan of Operation shall provide for State agency verification of household eligibility prior to certification, completion of certification within 30 days of the filing of the application, fair hearings, submission of reports as required by the Secretary, and other provisions as may be required by regulations. Section 16(a) of the Act authorizes 50 percent Federal reimbursement for State agency costs to administer the program. 7 CFR 272.2(a) of SNAP regulations requires that State agencies plan and budget program operations and establish objectives for the next year. The basic components of the State Plan of Operation are the Federal/State Agreement, the Budget Projection Statement, and the Program Activity Statement (7 CFR 272.2(a)(2)). Under 7 CFR 272.2(c), the State agency shall submit to FNS for approval a Budget Projection Statement (which projects total Federal administrative costs for the upcoming fiscal year) and a Program Activity Statement (which provides program activity data for the preceding fiscal year). In addition, certain attachments to the plan as specified below are to be submitted and maintained.

As specified in the following paragraphs, State agencies only have to provide FNS with changes to these attachments as they occur. Consequently, these attachments are considered State plan updates.

Card Skimming Reporting

As a part of the State Plan of Operations and in accordance with the Consolidated Appropriations Act of 2023, section 501(b), State agencies must submit a State plan for the replacement of benefits sold via card skimming, card cloning, and other similar fraudulent methods, which allows States to replace stolen benefits with Federal funds. State agencies must submit quarterly data reports on card skimming to FNS.

Advance Planning Documents for Information Systems

Under Section 11(o) of the Act and SNAP regulations at 7 CFR 277.18, each State agency is required to develop and submit plans for the use of automated data processing (ADP) and information retrieval systems to administer SNAP. FNS estimates that up to 53 State agencies may submit on an average of four (4) APD. Section 16(a) of the Act authorizes partial Federal reimbursement of State costs for State ADP systems that the Secretary determines will assist in meeting the requirements of the Act, meet conditions prescribed by the Secretary, are likely to provide more efficient and effective administration of the Program, and are compatible with certain other Federally-funded systems. Under 7 CFR 277.18(c)(1) of SNAP regulations, State agencies must obtain prior written approval from FNS when they plan to acquire ADP equipment with a total acquisition cost of \$5 million or more in Federal and State funds. State agencies must submit and maintain an Advance Planning Document (APD) prior to acquiring planning services and an Implementation APD prior to acquiring ADP equipment or services. Puerto Rico,

American Samoa, and CNMI must also submit APDs.

SNAP Waiver Requests (WIMS)

State agencies administering SNAP may submit SNAP waiver requests via the Waiver Information Management System (WIMS) to obtain approval to deviate from a specific Program rule or regulation. These requests fall into two broad categories based on statutory or regulatory authority: demonstration waivers, and administrative waivers. Per Section 17(b) of the Act, 7 U.S.C. 2026(b), the Secretary may waive certain requirements of the Act to test program changes that might increase the efficiency of SNAP and improve the delivery of SNAP benefits to eligible households. Waivers of provisions of the Act are referred to as demonstration waivers. The FNS Administrator may authorize waivers to deviate from specific regulatory program requirements, per 7 CFR 272.3(c) and 273.21(a). Waivers of the regulations are referred to as administrative waivers and are the most common waiver requested by States and approved by FNS.

Annual State Report on Verification of SNAP Participation

Section 4032 of the Agriculture Act of 2014 mandates that States will “submit to the Secretary a report containing sufficient information for the Secretary to determine whether the State agency has, for the most recently concluded fiscal year preceding that annual date, verified that the State agency in that fiscal year- (1) did not issue benefits to a deceased individual; and (2) did not issue benefits to an individual who had been permanently disqualified from receiving benefits.” SNAP regulations (Appendix A) at 7 CFR 273.16 require that State agencies disqualify an individual who has committed an intentional program violation (IPV). 7 CFR 273.16(e)(8)

requires that these individuals “be disqualified in accordance with the disqualification periods and procedures in paragraph (b) of this section” (273.16(b)). 7 CFR 273.16(i) requires State agencies to report information concerning each individual disqualified for an IPV to the disqualified recipient database, the electronic Disqualified Recipient System (eDRS), and to use eDRS data to determine the eligibility of individual applicants prior to certification. SNAP regulations at 7 CFR 272.14 require that each State agency establish a system to verify and ensure that benefits are not issued to individuals who are deceased, and that data source is the Social Security Administration’s (SSA) Death Master File.

Issuance and Participation Reports

Section 18(b) of the Act as amended August 14, 1979, by Pub. L. 96-58 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.” If in any fiscal year the Secretary finds that the program costs in participating States will exceed the appropriation, the Secretary shall direct State agencies to reduce the value of allotments to participating households to the extent necessary to stay within appropriated funding limits. Timely State monthly issuance estimates are necessary for FNS to ensure that it remains within the appropriation and will have a direct effect upon the manner in which allotments would be reduced when necessary. The estimates will also have a direct effect upon the manner in which allotments would be reduced if necessary. Under 18(d) of the Act the Secretary is required to report to Congress the basis of the Secretary’s determination to reduce allotments, the manner in which the allotments will be reduced, and the action taken by the Secretary to reduce the allotments. In 1998, Section 101 of the Federal Reports Elimination Act of 1998 (Pub. L. 105-362) amended Section 18(a) of the Act

to drop the prior requirement in the law that the Secretary report monthly to Congress the issuance data for the second preceding month along with a statement whether there is reason to believe that reductions in the value of allotments issued to households certified to participate in the Supplemental Nutrition Assistance Program (SNAP), will be necessary. Although the monthly report to Congress has been abolished, the need to monitor issuance estimates monthly against the appropriation remains in order to comply with Section 18(b).

7 CFR 274.4(c)(2) of the SNAP regulations requires State agencies to submit on a monthly basis the FNS-388 (Appendix G), State Issuance and Participation Estimates. State agencies are required to report estimated or actual issuance and participation data for the current month and previous month, and actual participation data for the second preceding month. The same regulations require State agencies to submit twice a year (March and September) an attachment (FNS-388A, Appendix H) that includes project area breakdowns of benefit issuance person participation data for the second preceding months of January and July. The reporting for these forms is included under OMB Control number: 0584-0594, currently under OMB review the recordkeeping remains with this information collection.

A2. Purpose and Use of the Information.

Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate how the agency has actually used the information received from the current collection.

Budget Projection (FNS-366A, See Appendix A): Under the Food Programs Reporting System (FPRS) OMB control number: 0584-0594, currently under OMB review, State agencies are required to submit to FNS for approval a Budget Projection Statement, Form FNS-366A, which includes projections of the total Federal costs for major areas of program operations. The budget projection allows FNS to estimate funding needs so the Agency can fund the State administrative

costs for the fiscal year. However, recordkeeping requirements for these forms remain in this collection, OMB control number OMB control number 0584-0083.

Program Activity Statement (FNS-366B, Appendix E); Under FPRS OMB control number: 0584-0594, currently under OMB review, State agencies are required to submit to FNS a Program Activity Statement, Form FNS-366B (Appendix E, providing a summary of program activity for the State agency's operations during its preceding fiscal year. The activity report is required annually to substantiate the costs the State agency expects to incur during the next fiscal year. Recordkeeping requirements for these forms remain in this collection OMB control number 0584-0083. It provides data on the number of applications processed, number of fair hearings, and fraud control activity. FNS uses the data to monitor State agency activity levels and performance.

Issuance and Participation Reports (FNS-388 and FNS-388A), Appendix G and H: The FNS-388 (Appendix G) report provides monthly State-wide estimated or actual issuance and participation data for the current and previous month, and the actual participation data for the second preceding month. For the report months of January and July, the participation data must be categorized as non-assistance (NA) and public assistance (PA) and provided for each project area; this data is provided on the FNS-388A (Appendix H). This NA and PA participation data is captured on the FNS-388A. The reporting burden for the FNS-388(Appendix G) and FNS-388A (Appendix H) forms is captured under the FPRS OMB control number 0584-0594, currently under OMB review.

The FNS-388 (Appendix G) and FNS-388A (Appendix H) reports provide the necessary data for an early warning system to enable the Department to fulfill the requirements of Section 18(b) of the Act. In addition, the FNS-388 and FNS-388A data is used: (1) to validate the Annual SNAP Household Characteristic Survey OMB control number 0584-0299, expiration date 07/31/2023; (2) to compile a Statistical Summary Report which is used for special studies and in response to Congressional and other inquiries; and (3) to compare against the reconciliation points' titled Issuance Reconciliation Report FNS-46, OMB control number 0584-0594, currently under OMB review, issuance data (for electronic benefit transfer (EBT), cash-out, and alternative issuance) for indications of accountability problems. FNS has used the project area data to determine where to demonstrate pilot projects also uses the PA and NA data for determining reimbursement of the administrative costs for certification of joint Temporary Assistance for Needy Families/SNAP cases.

State Plan of Operation Updates & Waiver Requests:

State agencies and territories submit the operations planning documents to the appropriate FNS regional office for approval. This information explains how States are operating the program for monitoring purposes and allows FNS to know which States have implemented which activities and options for data and cost analysis purposes. State agencies administering SNAP may also submit formal written requests, SNAP waiver requests, via WIMS to obtain approval from FNS to deviate from a specific program rule or regulation SNAP waiver requests fall into two broad categories based on statutory or regulatory authority.

1. *Demonstration Waivers:* Section 17(b) of the Act, 7 U.S.C. 2026(b), the Secretary may

waive certain requirements of the Act to test program changes that might increase the efficiency of SNAP and improve the delivery of SNAP benefits to eligible households.

Waivers of provisions of the Act are referred to as demonstration waivers.

2. *Administrative Waivers:* The FNS Administrator may authorize waivers to deviate from specific regulatory program requirements per 7 CFR 272.3(c) and 273.21(a). Waivers of the regulations are referred to as, administrative waivers and are the most common waiver requested by States and approved by FNS.

Card Skimming Records: Under the Consolidated Appropriations Act of 2023, section 501(b), State agencies are required to report to FNS the frequency and scope of benefits stolen via card skimming, card cloning, and other similar fraudulent funds. This information allows FNS to account for the impact of electronic benefit theft on SNAP households.

Territory Memorandum of Understanding (MOU) and Puerto Rico Plan of Operations:

Consistent with section 11(d) of the Act, 7 U.S.C. 2020, whereby State agencies are required to submit a Plan of Operation specifying the manner in which SNAP will be conducted within the State in every political subdivision, Puerto Rico submits a Plan of Operations. American Samoa and the Commonwealth of Northern (CNMI) submit a Memorandum of Understanding (MOU), which functions as a Plan of Operations. Burden associated with Territory MOUs and Puerto Rico Plan of Operations is in use without a valid OMB control number in violation of the Paperwork Reduction Act of 1996 (PRA) and is being included in this collection.

Advance Planning Documents: Under 7 CFR 277.18(c)(1) the Advance Planning Documents (APD) for State automated data processing and information systems are useful to FNS because they explain how the system will work and help explain the estimated cost of the system. The testing plan itself does not require approval. However, under 7 CFR 277.18(c)(1) it must be submitted via e-mail so that FNS can make a sound determination as to the validity of the test results and the State's decision to proceed to pilot, which does require FNS concurrence. The information allows FNS to determine whether the system meets the statutory criteria for approval for Federal reimbursement. Advanced planning documents are submitted by State agencies and territories.

Report APD to FNS via email

FNS estimates that 53 State agencies and 3 territories will submit their APDs to FNS once a year via email. Burden associated with this submission is in use without a valid OMB control number in violation of the PRA and is being included in this collection.

Transmittal Letter for APD

State agencies and territories are also required to submit a transmittal letter along with the APD to verify the accuracy of the information provided to FNS. Burden associated with this submission is in use without a valid OMB control number in violation of the PRA and is being included in this collection.

Other APD Plan or Update

State agencies and territories may provide updates to their APDs when changes are necessary. FNS estimates approximately 12 State agencies and/or territories provide updates annually.

Financial Reporting: FNS requires State agencies and territories to report expenditures for

administrative costs and cash-out benefit costs using SF-425 (Appendix F) in conjunction with the FNS 366-A which requests Federal funding. A copy of all forms discussed in this request are maintained for 3 years. The burden estimates cleared under SF-425 Federal Financial Report, OMB control number 4040-0014, expiration date: 02/28/2025; however, the estimates are no longer included as part of this FNS collection, FNS submitted a Request for Common Forms (RFC) associated with OMB control number 0584-0512, expiration date 07/31/2025, and OMB control number 0584-0594, currently under OMB review.

Maintain Confirmation of Match Records: The information required for the Annual State Report on Verification of SNAP Participation is obtained by validating that the State agency had the appropriate systems in place and followed procedures currently mandated at 7 CFR 272.14 and 7 CFR 273.16 for the preceding fiscal year. State agencies must annually confirm, by stating in one email to their FNS Regional SNAP Program Director, that the appropriate systems were in place in the State to meet the requirements of regulations at 7 CFR 272.14 and 273.16(i)(4), and that they conducted the matches required by these regulations. States are required to submit their Section 4032 reports to the FNS Regional SNAP Director by March 31 each year for the preceding Federal fiscal year. 7 CFR 272.1(f) mandates that State agencies are required to retain all records associated with the administration of SNAP for no less than 3 years.

Annual email reminder from FNS Regional offices

FNS sends State agencies and Puerto Rico an annual reminder to confirm use of matches related to eDRS and/or Deceased matching system. Burden associated to Puerto Rico receiving this annual email reminder from FNS is currently in use without an OMB control number in violation of the PRA and is being included in this collection.

Compile information to confirm proper systems are in place for matches

State agencies and Puerto Rico will compile information to confirm their systems are in place for eDRS and Deceased matching systems. Burden associated with the time to compile information to confirm proper systems are in place for matches for Puerto Rico is currently in use without an OMB control number in violation of the PRA and is being included in this collection.

Report information to FNS via email

State agencies and Puerto Rico will report compiled information related to use of eDRS and Deceased matching system to FNS once per year. Burden associated with reporting this information to FNS by Puerto Rico is currently in use without an OMB control number in violation of the PRA and is being included in this collection.

Budget Projection Statement, Program Activity Report, and State Plan of Operation Updates

Under Section 16 of the Food & Nutrition Act of 2008 (the Act), 7 U.S.C. 2025, the Secretary is authorized to pay each State agency an amount equal to 50 percent of all administrative costs involved in each State agency's operation of the Supplemental Nutrition Assistance Program (SNAP). Under corresponding SNAP regulations at 7 CFR 272.2(c), State agencies are required to submit to FNS for approval a Budget Projection Statement and maintain Form FNS-366A (Appendix D), which includes projections of the total Federal costs for major areas of program operations. The budget projection allows FNS to estimate funding needs so we can fund the State administrative costs for the fiscal year, and a Program Activity Statement (Form FNS-366B (Appendix E), which provides a summary of SNAP operations during the preceding fiscal year. The activity report and maintenance of this form is required annually to substantiate the costs the State agency expects to incur during the next fiscal year. It provides data on the number of applications processed and number of fair hearings conducted by the State agency and fraud

control activity. FNS uses the data to monitor State agency activity levels and performance. The reporting for these forms is included under OMB Control number: 0584-0594, currently under OMB review, however the recordkeeping remains with 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, State agencies and territories submit electronic FNS-366A (Appendix D), FNS-366B (Appendix E), FNS-388 (Appendix G), FNS-388A (Appendix H) , and SF-425 (Appendix F) reports via the Food Programs Reporting System (FPRS) (OMB number 0584-0594, currently under OMB review) at <https://fprs.fns.usda.gov/Home/Reminder.aspx>. Because budgets come in before and for the upcoming fiscal year while program activity reports come in after the completed fiscal year, the time frames for the two reports in this submission are different by necessity. In fiscal year (FY) 2018, 100% of these responses on the forms mentioned above were submitted electronically.

State agencies submit waiver request through WIMS and submissions are entirely electronic.

State agencies and Territories submit the request for administrative review of APDs via email. This request is an official memorandum, signed and provided by the requestor in portable document format (PDF). In fiscal year (FY) 2019, 100% of these plans were submitted via email.

Therefore, zero percent of this data collection is submitted through electronically through a web-based system.

The State Plan of Operations, card skimming reporting, territory MOUs and Puerto Rico Plan of Operations, transmittal letters, annual reminders from FNS, and reporting information to FNS regarding eDRS and Deceased matching information are all submitted via email.

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 efficiently and economically operated.

The FNS-366A (Appendix D), which includes projections of the total Federal costs for major areas of Program operations, is submitted prior to the start of the fiscal year and is necessary as part of the budget approval process. State agencies and territories report actual cost data to FNS after the fact; actual cost data is not duplicative of the data collected on the FNS-366A (Appendix D).

The FNS-46 also collects issuance data currently approved under FPRS OMB control number 0584-0594, currently under OMB review. However, the issuance data reported on the FNS-46 involves reconciled (actual) issuance, is collected from reconciliation points, and is due 90 days after the report month. The FNS-388 (Appendix G) issuance and participation data are derived

from State agencies' master files of each household's issuance activity and is reported on the 19th day of the report month. By collecting from these sources, we can verify the accuracy of the State agencies reporting and reconciliation systems. While the FNS-46 data is somewhat similar, the need for timely data requires the FNS-388 (Appendix G) report so the Department can fulfill its mandated responsibility of determining in advance the latest cost of the program and whether benefit reductions will be necessary.

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. 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 05/31/2024. The reporting burden estimates are currently approved under FPRS OMB control number 0584-0594, currently under OMB review. Submission of the FNS-292 cannot be required any more frequently than 45 days post-termination of an event. Monthly SNAP data is collected on FNS-388 (Appendix G) 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.

In order to eliminate duplication on APDs, FNS works closely with the Department of Health and Human Services on integrated systems affecting both Departments. The State agency submits the same documentation to each Department concurrently. Coordination of decisions and responses to State requests for approval are executed between the two Departments routinely.

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. 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 mandatory information collection. Form FNS-366A(Appendix D) is submitted annually by August 15 for the upcoming fiscal year and Form FNS-366B (Appendix E) is submitted no later than 45 days after the end of each State agency or territory's fiscal year. Less frequent reporting would disrupt budget planning and delay appropriation distributions. State Plans of Operation are a one-time effort with updates provided as necessary.

In order to monitor benefit expenditures against the appropriation and determine whether a benefit reduction will be necessary during the fiscal year, as required by Section 18(b) of the Food and Nutrition Act, it is necessary that the FNS-388(Appendix G) collect and maintain records for issuance data monthly and that the FNS-388A(Appendix H) collect project data semi-annually (January and July) to ensure program integrity. Less frequent reporting would render

the data inadequate for making timely projections and taking action to notify State agencies to initiate benefits reductions to fulfill the requirements of Section 18(b) of the Act.

The frequency of the APD requirement is at the discretion of respondents and their need to apply for Federal Financial Participation for the cost of their ADP equipment and services acquisition. These documents allow FNS to determine whether the system meets the statutory criteria for approval for Federal reimbursement. Without these documents FNS would not be able to verify and ensure State or territory integrity or compliance with statutory criteria and we would not be able to monitor State agency or territory activity levels and performance.

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 that require the information to be collected in a manner that is

inconsistent with 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 March 24, 2023, FNS published in the Federal Register a 60-day notice (88 FR 17784) regarding this information collection. Comments were solicited on this information collection as part of the comment period of the notice. One comment (Appendix B) was received. However, the comment was not directly related to this proposed information collection request.

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 provides feedback on FNS processes and procedures that may impact them.

For this Information Collection request, FNS consulted one State agency official that works closely Program Summary and Budget forms in each of the following States:

Nebraska Department of Health and Human Services
(Melissa W., Division of Children and Family Services),

Missouri Department of Social Services
(Dana C., Chief of Investigations),

South Dakota Department of Social Services
(Virginia H.).

These State agency contacts were sent the Federal Register Notice and asked to share any feedback on the information collected related to Forms FNS-366A (Appendix D) and FNS-366B (Appendix E), Program and Budget Summary Statement to include their views on the recordkeeping. We did not receive any feedback on the information collection.

FNS has merged approximately 117 reporting burden hours, and 4.51 recordkeeping hours from OMB control number 0584-0605, expiration date 06/30/2025, into this collection. FNS intends to discontinue the Annual State Report of Verification of SNAP Participants following the OMB approval of this information collection request. We are merging this information collection for operational efficiency.

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.

Although there is no actual personal identifiable information collected under this OMB control number per Appendix C: System of Records Notice (**Federal Register** /Vol. 65, No. 63 / Friday, March 31, 2000), FNS complies with the Privacy Act of 1974 (5 USC 552a), which requires the safeguarding of individuals against invasion of privacy. This ICR was reviewed and cleared by Wilson J. Moorer, Acting FNS Privacy Officer on August 4, 2023.

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.

The estimated reporting burden for this collection, including the number of respondents, frequency of response, average time to respond for the affected respondents (53 State agencies

and 3 US Territories) are approximately 1138.10 reporting hours and 93.45 recordkeeping hours. This includes approximately 199.28 reporting hours in use without a valid OMB number and 8.80 recordkeeping hours in use without a valid OMB number now included in this collection. There is no third-party disclosure associated with this information collection. For the purposes of this collection “US Territories” refers to Puerto Rico, American Samoa, and CNMI unless otherwise denoted.

Reporting burden associated with FNS forms 366A (Appendix), 366B (Appendix E) , 388 (Appendix G), 388A (Appendix H) , and SF-425/FNS-778 (Appendix F) are included under FPRS reporting, OMB control number 0584-0594, currently under OMB review, and not included in this collection. Only recordkeeping burden associated with these forms are included in this information collection request.

State Agency Reporting Burden:

Plan of Operations: 53 State agencies submit 1 State Plan of Operations annually for a total of 53 annual responses. FNS estimates it takes approximately 7.5845 hours for a State agency to submit a Plan of Operations for an estimated total of 401.9785 burden hours. The previous reporting burden for this activity was 348.74 burden hours. This submission reflects an increase of 53.2385 burden hours due to adjustments.

Card Skimming Reporting: 53 State agencies will submit a card skimming report to FNS quarterly for a total of 212 annual responses. FNS estimates it will take 1 hour for a State agency to submit reporting related to card skimming for a total of 212 burden hours. This submission reflects an increase of 212 burden hours due to Program changes.

Territory Memorandum of Understanding (MOU) and Puerto Rico Plan of Operations: American Samoa and CNMI each submit an MOU which functions as a State Plan of Operations and Puerto Rico will submit a State Plan of Operations once annually for an estimated total of 3 responses. FNS estimates it will take 6.5845 hours to complete an MOU/Plan of Operations for an estimated total of 19.7535 burden hours. These burden hours are in use without a valid OMB number and are included in this collection.

Advance Planning Document: 53 State agencies and 3 US territories submit 1 APD annually for a total of 56 annual responses. FNS estimates that it takes approximately 2.5 hours to submit an APD for an estimated total of 140 burden hours. These burden hours are in use without a valid OMB number and are included in this collection.

Report APD to FNS via email: 53 State agencies and 3 US territories report their APD to FNS via email 1 time annually for a total of 56 annual responses. FNS estimates it takes approximately 0.5 hours (30 minutes) to report an APD to FNS via email for a total of 28 burden hours. These burden hours are in use without a valid OMB number and are included in this collection.

Transmittal Letter for APD: 53 State agencies and 3 US territories submit 1 transmittal letter in conjunction with the APD 1 time annually for a total of 56 responses. FNS estimates it takes approximately 0.167 hours (10 minutes) to include a transmittal letter with their APD for a total of 9.352 burden hours. These burden hours are in use without a valid OMB number and are included in this collection.

Other APD Plan or update: Approximately 12 State agencies and/or territories submit other APD plan or update 1 time a year for a total of 12 responses annually. FNS estimates that it takes approximately 2.5 hours to update an APD plan for a total of 30 burden hours. The previously reported burden for this activity was 530 hours. This submission reflects a decrease of 500 burden

hours due to adjustments.

SNAP Waiver Request. Approximately 45 State agencies will submit 4 SNAP Waiver Requests annually via WIMS for a total of 180 responses. FNS estimates that it takes a State agency approximately 1 hour to submit a waiver request via WIMS for a total of 180 burden hours. The previously reported burden for this activity was 177.3 hours. This submission reflects an increase of 2.7 burden hours due to adjustments.

The following burden is from the Annual State Report on Verification of SNAP Participation, OMB control number 0584-0605, expiration date 06/30/2025. FNS plans to merge this burden into this information collection request, OMB control number 0584-0083, in an effort to streamline reporting and recordkeeping burden. Upon approval of this information collection request, FNS will discontinue OMB control number 0584-0605.

Annual email reminder from FNS Regional offices: 53 State agencies and Puerto Rico will receive 1 email reminder from FNS to confirm use of matches related to eDRS and/or Deceased matching system for a total of 54 annual responses. FNS estimates it will take approximately .167 hours (10 minutes) to delegate this task for a total of 9.018 hours.

Approximately .167 burden hours are in use without a valid OMB number to account for Puerto Rico and are included in the update to this collection.

Compile information to Confirm Proper Systems are in Place for Matches: 53 State agencies and Puerto Rico will compile information to confirm proper systems are in place for matches related to eDRS and Deceased matching 1 time annually for a total of 54 responses. FNS estimates it will take approximately 1 hour to compile this information for a total of 54 hours. Approximately 1 burden hour is in use without a valid OMB number to account for Puerto Rico and is being

included in the update to this collection.

Report information to FNS via email: 53 State agencies and Puerto Rico will submit the compiled information related to eDRS and Deceased matching system to FNS via email 1 time annually for a total of 54 annual responses. FNS estimates it will take approximately 1 hours to report this information to FNS for a total of 54 hours. Approximately 1 burden hour is in use without a valid OMB number to account for Puerto Rico and is being included in the update to this collection.

Recordkeeping Burden:

FNS-366A (Appendix D): 53 State agencies and Puerto Rico maintain a record of 1 submission of this form for a total of 54 records annually. FNS estimates that it takes approximately .0501 hours (3 minutes) to maintain this record for a total of 2.7054 recordkeeping hours. Approximately .0501 recordkeeping hours (3 minutes) are in use without a valid OMB number to account for Puerto Rico and is included in the update to this collection.

FNS-366B (Appendix E): 53 State agencies, Puerto Rico, and CNMI maintain a record of 4 submissions of this form annually for a total of 220 records. FNS estimates that it takes approximately .0501 hours (3 minutes) to maintain this record for a total of 11.022 recordkeeping hours. Approximately .4008 recordkeeping hours (24 minutes) are in use without a valid OMB number to account for Puerto Rico and CNMI and are included in the update to this collection.

FNS-388: 53 State agencies and 3 US territories maintain a record of 12 submissions of this form annually for a total of 672 records. FNS estimates that it takes approximately .0501 recordkeeping hours (3 minutes) to maintain this record for a total of 33.6672 recordkeeping hours. Approximately 1.8036 recordkeeping hours are in use without a valid OMB number to account for US territories

and are included in the update to this collection.

Plan of Operations Updates: 53 State agencies will maintain a record of their submission of their Plan of Operations updates for a total of 53 records annually. FNS estimates that it will take approximately .0668 recordkeeping hours (4 minutes) to maintain this record for a total of 3.5404 recordkeeping hours. The previously reported recordkeeping burden was 3.15 hours. This submission reflects an increase of .3904 recordkeeping hours due to adjustments.

Card Skimming Records: 53 State agencies will maintain a record of their quarterly submission of card skimming records for a total of 212 annual records. FNS estimates that it will take approximately .0668 recordkeeping hours (4 minutes) to maintain these records for a total of 14.1616 recordkeeping hours. This reflects an increase in 14.1616 recordkeeping hours due to Program changes.

Territory MOU and Puerto Rico Plan of Operations Updates: FNS estimates that American Samoa, CNMI and Puerto Rico will maintain records of 1 submission of their MOU and Plan of Operations updates respectively for a total of 3 records annually. FNS estimates that it will take approximately .0668 recordkeeping hours (4 minutes) to maintain these records for a total of .2004 recordkeeping hours. Approximately .2004 recordkeeping hours are in use without a valid OMB number to account for US territories and are included in the update to this collection.

SF-425/FNS-778 (Appendix F): 53 State agencies and 3 US territories will maintain a record of their quarterly submission of this form for a total of 224 annual records. FNS estimates that it will take approximately .0501 recordkeeping hours (3 minutes) to maintain these records for a total of 11.2224 recordkeeping hours. Approximately .6012 recordkeeping hours are in use without a valid OMB number to account for US territories and are included in the update to this collection.

Advance Planning Document: 53 State agencies and 3 US territories will maintain the annual

submission of their APD for a total of 56 annual records. FNS estimates that it will take approximately .0501 recordkeeping hours (3 minutes) to maintain these records for a total of 2.8056 recordkeeping hours. Approximately 2.8056 recordkeeping hours are in use without a valid OMB number and are included in the update to this collection.

Transmittal Letter for APD: 53 State agencies and 3 US territories will maintain a record of the annual transmittal letter for their APD for a total of 56 annual records. FNS estimates that it will take approximately .0501 recordkeeping hours (3 minutes) to maintain these records for a total of 2.8056 recordkeeping hours. Approximately 2.8056 recordkeeping hours are in use without a valid OMB number and are included in the update to this collection.

Other APD Plan or Update: 12 State agencies and/or territories will maintain a record of their annual updates for a total of 12 annual records. FNS estimates that it will take approximately .1169 recordkeeping hours (7 minutes) to maintain these records for a total of 1.4028 recordkeeping hours. The previously reported recordkeeping burden was 23.32 hours. This submission reflects a decrease of 21.9172 recordkeeping hours due to adjustments.

Maintain Confirmation of Match: 53 State agencies and Puerto Rico will maintain a record of their annual confirmation of match records for eDRS and Deceased matching system for a total of 54 annual records. FNS estimates that it will take approximately .0835 recordkeeping hours (5 minutes) to maintain these records for a total of 4.51 recordkeeping hours. Approximately .0835 recordkeeping hours are in use without a valid OMB number and are included in the update to this collection.

Regulation	Respondent Type	Burden Activity	Estimated Number of Respondents	Estimated Responses per Respondent	Estimated Total Annual Responses	Estimated Hours per Response	Estimated Total Annual Hours	Hourly Cost to Respondent	Estimated Cost to Respondent	Fringe Benefits (X 0.33)	With Fully Loaded Wages	Burden Hours in Use without a Valid OMB Control Number	Previously Approved Burden Hours merge from 0605	Previously Approved Burden Hours for 0083	Difference Due to Adjustments	Differences Due to Program Changes
REPORTING																
State Agency Burden																
272.2, 285.3	State Government Management Analyst	Plan of Operations	53	1	53	7.5845	401.9785	\$ 17.66	\$ 7,096.93	\$ 2,341.99	\$ 9,438.92			348.74	53.2385	
Consolidated Appropriations Act, Section 501(b)	State Government Management Analyst	Card Skimming Reporting	53	4	212	1	212	\$ 17.66	\$ 3,742.86	\$ 1,235.14	\$ 4,978.00					212
272.2	State Government Management Analyst	Territory Memorandum of Understanding (MOU) and Puerto Rico Plan of Operations	3	1	3	6.5845	19.7535	\$ 17.66	\$ 348.75	\$ 115.09	\$ 463.83	19.7535			19.7535	
277.18	State Government Management Analyst	Advance Planning Document (APD)	56	1	56	2.5	140	\$ 17.66	\$ 2,471.70	\$ 815.66	\$ 3,287.36	140			140	
277.18	State Government Management Analyst	Report APD to FNS via email	56	1	56	0.5	28	\$ 17.66	\$ 494.34	\$ 163.13	\$ 657.47	28			28	
277.18	State Government Management Analyst	Transmittal Letter for APD	56	1	56	0.167	9.352	\$ 17.66	\$ 165.11	\$ 54.49	\$ 219.60	9.352			9.352	
277.18	State Government Management Analyst	Other APD Plan or Update*	12	1	12	2.5	30	\$ 17.66	\$ 529.65	\$ 174.78	\$ 704.43			530	-500	
272.3(c)	State Government Management Analyst	SNAP Waiver Requests (WIMS)	45	4	180	1	180	\$ 17.66	\$ 3,177.90	\$ 1,048.71	\$ 4,226.61			177.3	2.7	
272.14, 273.16	Administrative Manager	Annual Email Reminder from FNS Regional Offices (0605)*	54	1	54	0.167	9.018	\$ 24.97	\$ 225.18	\$ 74.31	\$ 299.49	0.167	8.85		0.167	

272.14, 273.16	Eligibility Interviewer	Compile Information to Confirm Proper Systems are in Place for Matches (0605)	54	1	54	1	54	\$ 13.03	\$ 703.62	\$ 232.19	\$ 935.81	1	53		1	
272.14, 273.16	Administrati ve Manager	Report Information to FNS via email (0605)*	54	1	54	1	54	\$ 24.97	\$ 1,348.38	\$ 444.97	\$ 1,793.35	1	53		1	
State Agency Reporting Total Burden Estimates			164	4.8170731 71	790	1.4406354 43	1138.10	\$ 17.84	\$ 20,304.42	\$ 6,700.46	\$ 27,004.88	199.27 25			-244.789	212
RECORDKEEPING																
State agency Recordkeeping																
Regulation s	Respondent Type	Form Number or Activities	Number of Recordkee pers	Number of Records per Recordkee eper	Estima ted Total Annual Record s	Estimated Hours per Recordkee eper	Estima ted Total Annual Hours	Hourly Cost to Recordkee eper	Estimated Cost Recordkee per	Fringe Benefits (X 0.33)	With Fully Loaded Wages					
	State Government Management Analyst	FNS - 366A	54	1	54	0.0501	2.7054	\$ 17.66	\$ 47.76	\$ 15.76	\$ 63.53	0.0501		2.65	0.0501	
	State Government Management Analyst	FNS - 366B	55	4	220	0.0501	11.022	\$ 17.66	\$ 194.59	\$ 64.22	\$ 258.81	0.4008		10.6	0.4008	
	State Government Management Analyst	FNS - 388	56	12	672	0.0501	33.6672	\$ 17.66	\$ 594.39	\$ 196.15	\$ 790.54	1.8036		15.26	20.2108	
	State Government Management Analyst	FNS - 388A	54	2	108	0.0501	5.4108	\$ 17.66	\$ 95.53	\$ 31.52	\$ 127.05	0.1002		2.54	2.971	
	State Government Management Analyst	Plan of Operations Updates	53	1	53	0.0668	3.5404	\$ 17.66	\$ 62.51	\$ 20.63	\$ 83.13			3.15	0.3904	
	State Government Management Analyst	Card Skimming Records	53	4	212	0.0668	14.1616	\$ 17.66	\$ 250.02	\$ 82.51	\$ 332.53					14.1616
	State Government Management Analyst	Territory MOU and Puerto Rico Plan of Operations Updates	3	1	3	0.0668	0.2004	\$ 17.66	\$ 3.54	\$ 1.17	\$ 4.71	0.2004			0.2004	

	State Government Management Analyst	SF-425/FNS-778	56	4	224	0.0501	11.2224	\$ 17.66	\$ 198.13	\$ 65.38	\$ 263.51	0.6012		10.6	0.6012	
	State Government Management Analyst	Advance Planning Document (APD)	56	1	56	0.0501	2.8056	\$ 17.66	\$ 49.53	\$ 16.35	\$ 65.88	2.8056			2.8056	
	State Government Management Analyst	Transmittal Letter for APD	56	1	56	0.0501	2.8056	\$ 17.66	\$ 49.53	\$ 16.35	\$ 65.88	2.8056			2.8056	
	State Government Management Analyst	Other APD Plan or Update	12	1	12	0.1169	1.4028	\$ 17.66	\$ 24.77	\$ 8.17	\$ 32.94			23.32	-21.9172	
7 CFR 272.1(f)	Eligibility Interviewer	Maintain Confirmation of Match Records (0605)	54	1	54	0.0835	4.51	\$ 13.03	\$ 58.75	\$ 19.39	\$ 78.14	0.0835	4.4		0.0835	
Recordkeeping Total Estimates			68	25.35294118	1724	0.054207193	93.45	\$ 17.43	\$ 1,629.06	\$ 537.59	\$ 2,166.65	8.8009			8.5521	14.1616
Grand Total			232	10.8362069	2514	0.489878759	1231.56	\$ 17.81	\$ 21,933.48	\$ 7,238.05	\$ 29,171.53					

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

Annual respondent cost with fully loaded wages is estimated at **\$29,127.25**. This includes the 50 percent of all administrative costs involved in each State agency's operation of the Program as well as the addition of 33 percent of wage costs to account for fringe benefits. The estimate of respondent cost is based on the burden estimates developed in 12(a) above. Wage estimates are based on the Bureau of Labor Statistics May 2022 Occupational Employment and Wages Report hourly mean wage for State government management analyst at \$35.31

(<https://www.bls.gov/oes/current/oes131111.htm#ind>), administrative manager at \$52.56

(<https://www.bls.gov/oes/current/oes113012.htm>), and eligibility interviewers at \$22.10

(<https://www.bls.gov/oes/current/oes434061.htm>).

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 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 combined estimated total annualized cost to the Federal Government is **\$32,567.25** including

33 percent of the annual base cost to respondents to capture fully loaded wages. This cost includes \$29,127.25 reimbursable rate paid to State agencies + \$3,440 the total cost of Federal workers (\$902.80 for FNS Management analyst and \$2,537.20 for FNS Branch Chief). The breakdown of the costs is identified below.

The Federal cost also includes the cost associated with the preparation of this information collection package. This includes Federal worker time at FNS for the following:

	Hours	Hourly Wage*	Total
GS-12 Management Analyst	20	\$45.14	\$902.80
GS-14 Branch Chief	40	\$63.43	\$2,537.20

Cost of Federal workers:

\$3,440

*Wage rates determined in accordance with the Office of Personnel Management’s salary table for 2023 (https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2023/DCB_h.pdf)

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The total cost to the Federal government is \$32,567.25. This includes \$26,972.47 which is the 50% reimbursable costs for State agencies to accomplish reporting burden associated with this information collection request, plus \$2,154.78 for State government recordkeeping costs, plus \$3,440 for Federal government staff.

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 a currently approved collection. The current burden inventory for this information collection request is 1,124 total annual burden hours and 1,918 total annual responses.

FNS is requesting 1,232 burden hours and 2514 total annual responses. The revised burden estimates have increased from 1,124 to 1,231.56 burden hours, for an overall increase of 107.56 burden hours. This increase is attributed to merging OMB control number 0584-0605, expiration date 06/30/2025, into this information collection request and accounting for US territory burden not previously reported in this OMB control number.

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 data is included in the annual SNAP State Activity Report that is produced for and used by FNS for analysis and evaluation purposes. The report also published on the USDA FNS website at <http://www.fns.usda.gov/pd/snapmain.htm>. The report is usually published in the first quarter of the calendar year. Utilizing data collected from the FNS-388A, FNS also prepares periodically a “SNAP Statistical Summary of Project Area Operations Report” which provides the Public Assistance and Non-assistance participation by project area.

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.