

December 19, 2023

**MEMORANDUM**

**TO:** Laurel Havas  
Desk Officer for FNS  
Office of Information and Regulatory Affairs, OMB

**THRU:** Maureen Lydon, Chief  
Planning and Regulatory Affairs Office (PRAO) Food and  
Nutrition Service

Ruth Brown  
Departmental Clearance Officer  
Office of the Chief Information Officer  
United States Department of Agriculture

**FROM:** Cindy Long  
Administrator  
Food and Nutrition Service

**SUBJECT: Emergency Approval of Information Collection under New FNS Rule**

The Food and Nutrition Service (FNS) of the United States Department of Agriculture (USDA) is requesting emergency approval under the Paperwork Reduction Act (PRA) to conduct information collections necessitated by a new FNS regulation entitled, "Implementing Provisions from the Consolidated Appropriations Act, 2023: Establishing the Summer EBT Program and Rural Non-congregate Option in the Summer Meal Programs (0584-AE96)." Emergency approval is needed so that FNS can collect this information immediately upon publication and effectiveness of this Interim Final Rule (IFR). The use of normal clearance procedures was not possible in this circumstance. Comments received through the IFR will be used to inform the final collection of information.

This interim final rule will codify provisions of the Consolidated Appropriations Act of 2023 that provides State agencies operating the Summer Food Service Program (SFSP) the option to provide non-congregate meal service in rural areas with no congregate meal service and establishes a permanent summer electronic benefits transfer for children program (Summer EBT). As a result, the changes to SFSP meal delivery would provide flexibilities to program operators, including home delivery and parent pick-up meal service options, that would increase opportunities to rural children and families to benefit from SFSP. Likewise, the Summer EBT Program will ensure continued access to food when school is not in session for the summer.

In accordance with the Paperwork Reduction Act of 1995, this interim final rule revises existing information collection requirements and contains new information collection requirements, which are subject to review and approval by OMB. The interim final rule will add additional new information collection requirements that extend the non-congregate meal service option to

SFAs utilizing the Seamless Summer Option (SSO) of the National School Lunch Program (NSLP). The rule is introducing new information collection requirements associated with the Summer EBT Program. This rulemaking revises existing and proposes new reporting and public disclosure requirements for State agencies, local sponsoring organizations, and non-profit private institutions and camps that administer the Summer Food Service Program (SFSP), as well as households that participate in the Program. This interim final rule also proposes new reporting, recordkeeping, and public disclosure requirements for Summer EBT agencies, Summer EBT Authorized Retailers, and households that will administer and participate in the Summer EBT Program.

FNS will be requesting an OMB control number for a new information collection to contain the new reporting, recordkeeping, and public disclosure information collection requirements for the 7 CFR Part 292, Summer EBT Program that will result from this rulemaking and is also seeking public comment on this collection via the publication of the Interim Final Rule.

Below is a detailed summary of the changes to burden in the rule and the accompanying reporting requirements for state agencies, school food authorities, and households that are being impacted by this rule.

### **Detailed Summary of Changes Resulting from Rule with Information Collection Burden Impact**

The interim final rule will codify provisions of the Consolidated Appropriations Act of 2023 that establish rural non-congregate service options in the Seamless Summer Option (SSO) of the National School Lunch Program (NSLP). In current regulations, there is not an option for rural schools to provide non-congregate meal service. The interim final rule allows schools, in an area designated as rural, to have the option to enroll as non-congregate schools for the summer operating period.

This interim final rule will amend regulations 7 CFR 210.18(e) and 7 CFR 210.34(a) to extend the non-congregate service option to SSO and require that State agencies conduct at least two site reviews of a school food authority (SFA) that chooses to operate non-congregate meal service through SSO.

The changes in this interim rule will add new reporting requirements for State agencies and School Food Authorities (SFAs).

USDA estimates that 56 State agencies will be required to fulfill the requirement at 7 CFR 210.18(e)(3)(ii) that the State agency must review the Seamless Summer Option (SSO), if the school food authority (SFA) operates congregate and non-congregate meal service, at a minimum of two sites, one congregate and one non-congregate. USDA estimates that the 56 State agencies will review 338 schools that operate non-congregate meal service through SSO and that it takes approximately 2 hours to complete this reporting requirement for each record, which is estimated to add a total of 37,895 annual burden hours and 18,947 responses to the inventory.

USDA estimates that 1,997 school food authorities will be required to fulfill the requirement at 7 CFR 210.34(a) that an SFA operating the SSO in a rural area may be approved to offer a non-

congregate meal service consistent with that established in part 225 of this chapter. USDA estimates that the 1,997 school food authorities each will approve 3,111 meals consistent with non-congregate meal service during the summer operational period and that it takes approximately 5 minutes (0.0835 hours) to complete this requirement, which is estimated to add a total of 518,698 annual burden hours and 6,211,948 responses into OMB's information collection inventory. Of the 6,211,948 meals being served, USDA estimates that 5% of non-congregate meals will be served utilizing the home delivery meal service option. Estimates from the ongoing Meals to You (MTY) demonstration estimate that the mailing costs associated with home delivery is equal to the SFSP lunch meal reimbursement rate. As such, USDA estimates that this requirement will also have \$1,537,457.13 (6,211,948 meals \* .05 \* \$4.95) in mailing costs.

USDA expects that 1,997 school food authorities will be required to fulfill the requirement at 7 CFR 210.34(a) that an SFA must comply with the non-congregate meals service provisions set forth at §225.16(b)(5)(i) to obtain prior parental consent, if meals are to be delivered to a child's home. USDA expects that the 1,997 school food authorities will obtain 3 adult consent forms annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add a total of 5,647 annual burden hours and 5,647 responses into OMB's information collection inventory.

USDA estimates that 1,997 school food authorities will be required to fulfill the requirement at 7 CFR 210.34(a) that an SFA must comply with the non-congregate meals service provisions set forth at §225.16(b)(5)(iv) to claim reimbursement for all eligible meals served to children at sites in areas in which poor economic conditions exist, as defined in §225.2. At all other sites, only the non-congregate meals served to children who meet the eligibility standards for this Program may be reimbursed. USDA estimates that the 1,997 school food authorities will report reimbursement claims for 55 days during the summer operating period annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add a total of 109,835 annual burden hours and 109,835 responses into OMB's information collection inventory.

USDA expects that 1,997 school food authorities will be required to fulfill the requirement at 7 CFR 210.34(a) that an SFA may use the non-congregate meal service options contained in §225.16(i) of this chapter. SFAs electing to operate non-congregate meal service must have a system in place to ensure that the proper number of meals are distributed to each eligible child. USDA expects that the 1,997 school food authorities will have a system in place to ensure that the proper number of meals are distributed to each eligible child annually and that it takes approximately 5 hours to complete this requirement, which adds a total of 9,985 annual burden hours and 1,997 responses into OMB's information collection inventory.

USDA estimates that 1,997 school food authorities will be required to fulfill the requirement at 7 CFR 210.34(a) that an SFA may use the non-congregate meal service options contained in §225.16(i) of this chapter. USDA estimates that the 1,997 school food authorities will have procedures in place to ensure that bulk meal components meet the requirements annually and that it takes approximately 2 hours to complete this requirement, which adds a total of 3,994 annual burden hours and 1,997 responses into OMB's information collection inventory.

## **Households**

The changes to be implemented in this rule will add households, and reporting requirements for those households, to the types of respondents and information collection requirements that are currently approved. Currently, households are not part of the respondents currently covered under this collection.

USDA estimates that 5,647 households will be required to fulfill the requirement at 7 CFR 210.34(a) that households provide written consent to participate in the Program at a rural site that utilizes the home delivery option. USDA estimates that 5,647 households will submit a parental consent form annually and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, which is estimated to add a total of 1,412 annual burden hours, 5,647 responses, and 5,647 respondents into OMB's information collection inventory.

USDA expects that 5,647 households will be required to fulfill the requirement at 7 CFR 210.34(a) that households travel to the parent or guardian pick-up site to take meals home to their children. USDA expects that the 5,647 households will travel to the pick-up site once a week for a total of 11 weeks during the summer operational period annually, and that it takes approximately 2 hours to complete this requirement, which is estimated to add a total of 124,239 annual burden hours, 62,119 responses, and 5,647 respondents into OMB's information collection inventory.

As a result of this interim final rule, USDA estimates that the burden for this existing information collection will increase to a total of 127,229 respondents, 54,050,134 responses, and 10,620,405 burden hours, which is an increase of 13,347 respondents, 6,418,138 responses, 811,704 burden hours. The average burden per response and the annual burden hours are explained below and summarized in the charts which follow. Once the ICR for the final rule is approved, USDA estimates that the existing burden will increase by 6,418,138 responses, 811,704 burden hours, 11,294 respondents, and \$1,537,457.13 in total costs.

For NSLP, USDA estimates a cost of \$769.88 per school food authority in mailing costs to provide home delivered meals to households in areas designated as rural due to this interim final rule. Therefore, as a result of the proposals outlined in this interim final rule, USDA estimates that this collection is expected to have \$1,537,457.13 in costs related to the provision of home delivered meals that will be added to the currently approved burden for NSLP.

Below is a summary of the changes in the rule and the accompanying reporting and public disclosure requirements for the state/local/tribal agencies, non-profit institutions, camps, and participating households that are being impacted by this rule.

The interim final rule will codify provisions of the Consolidated Appropriations Act of 2023 that establish rural non-congregate meal service options in SFSP. In current regulations, there is not an option for rural sites to provide non-congregate meal service. The interim final rule allows sites, in an area designated as rural, to have the option to enroll as non-congregate sites for the summer operating period.

Currently, the regulations define "rural" as any areas in a county which is not a part of a Metropolitan Statistical Area or any "pocket" within a Metropolitan Statistical Area which is determined to be geographically isolated from urban areas. The interim final rule will expand the

“rural” definition to also include any census tract classified as a non-metropolitan area based on Rural-Urban Commuting Area codes, areas of a Metropolitan Statistical Area which is not part of a Census Bureau-defined urban area, and areas of a State which are not part of an urban areas as determined by the Secretary. These revisions will expand access to SFSP by increasing the defined total rural service area. This will provide more program operators with an additional option for offering no-cost meals to children in rural areas.

This interim final rule will amend 7 CFR 225.16(b)(5) and 7 CFR 225.16(i) to define non-congregate meal service and the options available under the new meal service provisions. The revisions will establish the sponsors eligible for the new meal service options and the requirements for rural non-congregate participation.

## **Reporting**

### **State/Local/Tribal Governments**

The changes in this rule will introduce new reporting requirements for State/Local/Tribal governments.

USDA estimates that 53 State agencies will be required to fulfill the requirement at 7 CFR 225.3(e)(1) that State agencies must establish, and update annually as needed, a coordinated services plan to coordinate the statewide availability of services offered through the Summer Food Service Program described in this part and the Summer EBT program established in 7 CFR part 292. USDA estimates that the 53 State agencies will be required to submit a coordinated services plan annually and that it takes approximately 1 hour to complete this reporting requirement for the plans. This new requirement will add 53 hours and responses to the collection.

USDA estimates that 53 State agencies will be required to fulfil the new requirement at 7 CFR 225.4(d)(7) that State agencies must develop a plan for ensuring compliance with the food service management company procurement requirements set forth at Section 225.6(l). USDA estimates that the 53 State agencies will be required to develop a compliance plan annually and that it takes approximately 5 hours to complete this requirement, which is estimated to add a total of 265 annual burden hours and 53 responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.4(d)(8) that State agencies must provide an estimate of the State’s need for monies available to pay for the cost of conducting health inspections and meal quality tests. USDA estimates that the 53 State agencies will be required to conduct a budget estimate for conducting health and meal quality inspections annually and that it takes approximately 5 hours to complete this requirement, which is estimated to add a total of 265 annual burden hours and 53 responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.4(d)(9) that State agencies must include in the Program Management Administration Plan (MAP) a plan to provide a reasonable opportunity for children to access meals across all areas of the State. USDA estimates that the 53 State agencies will be required to include a plan to provide a reasonable opportunity for children to access meals across all areas of the State as a part of

their MAP annually and that it takes approximately 5 hours to complete this requirement, which is estimated to add a total of 265 annual burden hours and 53 responses to the collection.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.4(d)(10) that State agencies must include in the Program Management Administration Plan (MAP) a plan for Program delivery in areas that could benefit the most from the provision of non-congregate meals, including the State's plan to identify areas with no congregate meal service, and target priority areas for non-congregate meal service. USDA expects that the 53 State agencies will be required to submit the Program delivery plan annually as a part of their MAP and that it takes approximately 5 hours to complete this requirement, which is estimated to add a total of 265 annual burden hours and 53 responses to the collection.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.6(a)(2) that State agencies must identify rural areas with no congregate meal service and encourage participating sponsors to provide non-congregate meals in those areas. USDA expects that 53 State agencies will be required to identify rural areas within their State annually and that it will take approximately 5 hours to complete this rural identification, which is estimated to add 265 hours and 53 responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.6(b)(6) that State agencies may approve exceptions for any sponsor to operate more than 200 sites or to serve more than an average of 50,000 children per day, if the applicant demonstrates it has the capability of managing a program larger than these limits, and the SA has the capacity to conduct reviews of at least 10 percent of the sponsor's sites, as described in 225.7(e)(4)(v). USDA estimates that the 53 State agencies will each approve exceptions for at least 1 sponsor annually for a total of 76 responses and that it takes approximately 1 hour to complete the requirement, which is estimated to add 76 annual burden hours and responses to the collection.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.6(c)(2) that State agencies must review applications submitted by new sponsors, new sites, and, as determined by the State agency, sponsors and sites which have experienced significant operational problems, for the provided information on the procedures that document meals are only distributed, to a reasonable extent, to eligible children and that duplicate meals are not distributed to any child, if the applicant sponsor is electing to use the non-congregate meal service options described in paragraphs (1) and (2) of §225.16(i). USDA expects that the 53 State agencies will each review 20 applications annually for a total of 1,066 responses and that it takes approximately 1 hour to complete the requirement, which is estimated to add 1,066 annual burden hours and responses to the collection.

USDA estimates that 640 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.6(c)(2)(ix) that new sponsors, new sites, and, as determined by the State agency, sponsors and sites which have experienced significant operational problems must provide information on the procedures that document meals are only distributed, to a reasonable extent, to eligible children and that duplicate meals are not distributed to any child if the applicant sponsor is electing to use the non-congregate meal service options described in paragraphs (1) and (2) of §225.16(i). USDA estimates that 640 local government sponsors will each provide information on their procedures to document meals annually and that it takes

approximately 1 hour to complete the requirement, which is estimated to add 640 annual burden hours and responses to the collection.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.6(c)(3)(viii) that State agencies must review applications submitted by experienced sponsors and experienced sites and review provided information on the procedures that document meals are only distributed, to a reasonable extent, to eligible children and that duplicate meals are not distributed to any child, if the applicant sponsor is electing to use the non-congregate meal service options described in paragraphs (1) and (2) of §225.16(i). USDA expects that the 53 State agencies will review provided information from 84 sponsors for a total of 4,458 responses and that it takes approximately 1 hour to complete the requirement, which is estimated to add 4,458 annual burden hours and responses to the collection.

USDA estimates that 2,675 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.6(c)(3)(viii) that experienced sponsors and experienced sites must provide information on the procedures that document that meals are only distributed, to a reasonable extent, to eligible children and that duplicate meals are not distributed to any child, if the applicant sponsor is elected to use the non-congregate meal service options described in paragraphs (1) and (2) of §225.16(i). USDA estimates that 2,675 local government sponsors will be required to provide information annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 2,675 annual burden hours and responses to the collection.

USDA expects that 567 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.6(f)(1)(iii) that sponsors must submit the policy statement of all camps and conditional non-congregate sites that charge separately for meals that includes specific eligibility information and a copy of its hearing procedures with its application. USDA expects that the 567 local government sponsors will need to submit the policy statement annually with its application and that it takes approximately 1 hour to complete the requirement, which is estimated to add 567 total annual burden hours and responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.6(g)(1) that State agencies must review the site information sheet submitted by sponsors, for new sites where non-congregate meal service is proposed for the first time. USDA estimates that the 53 State agencies will review at least 1 site information sheet annually for a total of 53 responses and that it will take approximately 1 hour to complete the requirement, which is estimated to add 53 annual burden hours and responses to the collection.

USDA expects that 38 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.6(g)(1) that sponsors must submit documentation, for new sites where non-congregate meals service is proposed for the first time, once every five years, or earlier if the State agency determines that an area's rural status has changed significantly since the last designation, on the site information sheet. USDA expects that the 38 local government sponsors will submit documentation once every five years for a total 8 responses annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 8 annual burden hours and responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 226.6(g)(2) that State agencies must review the site information sheet submitted by sponsors, for experienced sites where non-congregate meal service is proposed for the first time. USDA estimates that the 53 State agencies will review 3 site information sheets annually for a total of 177 annual responses and that it takes approximately 1 hour to complete the requirement, which is estimated to add 177 annual burden hours and responses to the collection.

USDA expects that 529 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.6(g)(2) that sponsors must submit documentation, for experienced sites where non-congregate meal service operation is proposed for the first time, once every 5 years, or earlier, if the State agency determines that an area's rural status has changed significantly since the last designation, on the site information sheet. USDA expects that the 529 local government sponsors will submit documentation once every five years for a total of 106 responses annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 106 annual burden hours and responses to the collection.

USDA expects that 53 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.6(h)(3) and 7 CFR 225.6(h)(4) that State agencies must ensure that sites applying for non-congregate meal service, or sites applying for both congregate and non-congregate meal service, meet the requirements for non-congregate meal service. USDA estimates that 53 State agencies will submit 18 responses annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 946 hours and responses to the collection.

USDA estimates that 53 local government sponsors will be required to fulfill the requirement at 7 CFR 225.7(d) that State agencies must review sponsors and sites to ensure compliance with Program regulations, including all applicant sponsors that did not participate in the prior year, all applicant sponsors that had operational problems noted in the prior year, and all sites that the State agency has determined need a pre-approval visit, including sites that did not participate in the prior year or sites that are new to non-congregate meal service. USDA estimates that 53 local government agencies will submit 485 responses annually and that it takes approximately 2 hours to complete this requirement for each record. The interim final rule is increasing the number of estimated sites that must respond to this requirement, which in turn increases the responses for this collection by 946 responses, from 24,764 to 25,710 responses. This results in an increase in the burden hours for this requirement by 49,364 hours, from 2,055 to 51,419 hours per year.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.7(d)(2) that State agencies may conduct pre-approval visits of a CACFP institution if it was reviewed by the State agency under their respective programs during the preceding 12 months, and had no significant deficiencies noted in that review. USDA expects that the 53 State agencies will review 64 CACFP institutions annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 6,750 annual burden hours and 3,375 responses into OMB's information collection inventory.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.7(d)(4) that State agencies must establish a process to determine which sites need a pre-approval visit, including sites that did not participate in the Program in the prior year, existing sites that are new to non-congregate meal service and existing sites that exhibited operational



problems in the prior year. USDA expects that 53 State agencies will establish a process annually and that it takes approximately 5 hours to complete this requirement, which is estimated to add 265 hours and 53 responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.7(e)(4)(i) that State agencies must conduct a review of every new sponsor at least once during the first year of operation. USDA estimates that the 53 State agencies will conduct a review of 7 new sponsors annually for a total of 370 responses and that it takes approximately 2 hours to complete the requirement, which is estimated to add 740 annual burden hours and 370 responses to the collection.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.7(e)(4)(ii) that State agencies must annually review every sponsor that experienced significant operational problems in the prior year. USDA expects that the 53 State agencies will conduct a review of 3 sponsors with significant operation problems annually for a total of 159 responses and that it takes approximately 2 hours to complete the requirement, which is estimated to add 318 annual burden hours and 159 responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.7(e)(4)(iii) that State agencies must review each sponsor at least once every three years. USDA estimates that the 53 State agencies will review at least 35 sponsors annually for a total of 1,841 responses and that it will take approximately 2 hours to complete the requirement, which is estimated to add 3,683 annual burden hours and 1,841 responses to the collection.

USDA expects that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.7(e)(4)(iv) that State agencies may review sponsors that require additional technical assistance more frequently at their own discretion. USDA expects that the 53 State agencies will review 3 sponsors annually for a total of 159 responses and that it takes approximately 2 hours to complete the requirement, which is estimated to add 318 annual burden hours and 159 responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirements at 7 CFR 225.7(j) that State agencies must develop and provide monitor review forms to all approved sponsors. USDA estimates that the 53 State agencies will each develop a monitor review form annually and that it takes approximately 5 hours to complete the requirement, which is estimated to add 265 annual burden hours and 53 responses to the collection.

USDA expects that 3,314 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.7(j) that sponsors must complete provided monitor review forms and include the required information. USDA expects that the 3,314 local government sponsors will complete a monitor review form annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 3,314 annual burden hours and responses to the collection.

USDA expects that 53 State agencies will be required to fulfill the requirement at 7 CFR 225.8(e) that State agencies, by May 1 of each fiscal year, submit to FNS a list of open site locations and their operational details via the Summer Meal Site Locator form (FNS-905) and

update weekly as needed, with a minimum of 3 updates during the summer operational period. USDA expects that 53 State agencies will submit 3 Summer Meal Site Locator forms annually for a total of 159 responses and that it takes approximately 7.5 minutes (0.125 hours) to complete this requirement.

USDA estimates that an additional 20 annual burden hours and 159 responses beyond what is currently approved for reporting under form FNS-905 will be needed due to this interim final rule. To account for this burden, USDA is adding this requirement into this collection and estimates that it will add 20 burden hours and 159 responses into the collection.

USDA estimates that 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.8(e) that State agencies will update Information Systems (IS) to facilitate the submission of FNS-905 forms to FNS. USDA estimates that the 53 State agencies will each need to update their Information Systems to support the submission of FNS-905 forms to FNS and that it will take approximately 10 hours to complete the requirement. Furthermore, USDA estimates that each of the 53 State agencies incur a total of \$14,542.96 in start-up costs to complete the requirement. USDA estimates that this requirement will add 530 annual burden hours, 53 responses, and \$14,542.96 in costs to the collection.

USDA estimates that 28 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.14(d)(6) that sponsors that operate non-congregate meal service and deliver meals directly to children's homes obtain written parental participation consent. USDA estimates that 28 local government agencies will submit 226 responses annually and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, which is estimated to add 1,603 hours and 6,410 responses to the collection.

USDA expects that 567 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.14(d)(7) that sponsors that operate conditional non-congregate sites must certify that it will collect information to determine children's Program eligibility to support its claims for reimbursement. USDA expects that 567 local government agencies will submit a certification annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 567 hours and responses will be added to the collection.

USDA estimates that 53 State agencies will be required to fulfill the requirement at 7 CFR 225.15(d)(1) that SAs must develop training for administrative and site personnel, which must include: the purpose of the Program, site eligibility, recordkeeping, congregate and non-congregate meal services, meal pattern requirements, and the duties of the monitor. USDA estimates that 53 State agencies will need to develop training for SFSP annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 530 annual burden hours and 53 responses to the collection.

USDA estimates that 3,314 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.15(d)(1) that sponsors must hold Program training sessions for its administrative and site personnel, which must include: the purpose of the Program, site eligibility, recordkeeping, congregate and non-congregate meal services, meal pattern requirements, and the duties of the monitor. USDA estimates that the 3,314 local government sponsors will each conduct a training session for its administrative and site personnel annually

and that it takes approximately 5 hours to complete this requirement, which is estimated to add 16,570 annual burden hours and 3,314 responses to the collection.

USDA estimates that 3,314 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.15(d)(1) that sponsors must provide documentation that its administrative personnel have attended the State agency training provided to the sponsors. USDA estimates that the 3,314 local government sponsors will each submit documentation annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 3,314 annual burden hours and responses to the collection.

USDA estimates that 3,314 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.15(d)(2) that sponsors must conduct pre-operational visits for new sites, including existing sites that are new to non-congregate meal service, sites that experienced operational problems the previous year, and sites that have experienced significant staff turnover from the prior year before a site operates the Program to determine that the sites have the facilities and capability to provide and conduct the proposed meal service for the anticipated number of children. USDA estimates that 3,314 local government agencies will conduct 9 pre-operational visits annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 60,787 hours and 30,393 responses to the collection.

USDA estimates that 3,314 local government sponsors will be required to fulfill the requirement at 7 CFR 225.15(d)(3) that sponsors must visit each of their sites at least once during the first week of operation under the Program. USDA estimates that the 3,314 local government sponsors will conduct 9 site visits annually for a total of 30,393 responses and that it takes approximately 30 minutes (0.5 hours) to complete the requirement for a total of 15,197 hours. The interim final rule moves the requirement to 7 CFR 225.15(d)(3). USDA also estimates that the number of responses will increase by 567, from 29,826 to 30,393 responses, and that the number of annual burden hours will increase by 284, from 14,913 to 15,197 burden hours.

USDA expects that 3,314 local government sponsors will be required to fulfill the requirement at 7 CFR 225.15(d)(4) that sponsors must review food service operations for all sites at least once during the first four weeks of Program operations, and thereafter maintain a reasonable level of monitoring. USDA expects that the 3,314 local government sponsors will review 9 food service operations annually for a total 30,393 responses and that it takes approximately 2 hours to complete the requirement for a total of 60,787 hours. The interim final rule moves this requirement to 7 CFR 225.15(d)(4). USDA also estimates that the number of responses will increase by 567, from 29,826 to 30,393 responses, and that the number of annual burden hours will increase by 1,135, from 59,652 to 60,787 burden hours.

USDA estimates that 567 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(i) that a sponsor that is approved to provide non-congregate meals in rural areas with no congregate meal service must obtain prior parental consent, if meals are to be delivered to a child's home. USDA estimates that the 567 local government sponsors will obtain 11 parental consent forms annually for a total of 6,410 responses and that it takes approximately 1 hour to complete the requirement, which is estimated to add 6,410 annual burden hours and responses to the collection.

USDA expects that 567 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(ii) that a sponsor that is approved to provide parent or guardian pick-up non-congregate meals in rural areas with no congregate meal service must serve meals as described in paragraph (b)(3) of this section. USDA expects that the 567 local government sponsors will serve 11,805 meals annually for a total of 6,698,902 responses and that it takes approximately 5 minutes (0.0835 hours) to complete the requirement, which is estimated to add 559,358 annual burden hours and 6,698,902 responses to the collection. Of the 6,698,902 meals being served, USDA estimates that 5% of non-congregate meals will be served utilizing the home delivery meal service option. Estimates from the ongoing Meals to You (MTY) demonstration estimate that the mailing costs associated with home delivery is equal to the SFSP lunch meal reimbursement rate. As such, USDA estimates that \$1,657,978.25 (6,698,902 meals \* .05 \* \$4.95) in mailing costs will be associated with this requirement.

USDA estimates that 567 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(ii) that a sponsor that is approved to provide multi-day meal issuance or bulk meal component non-congregate meals in rural areas with no congregate meals service must serve meals as described in paragraph (b)(3) of this section. USDA expects that the 567 local government sponsors will serve 621 meals annually for a total of 352,574 responses and that it takes approximately 2 hours to complete the requirement, which is estimated to add 705,148 annual burden hours and 352,574 responses to the collection.

USDA expects that 567 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(iv) that a sponsor that is approved to provide non-congregate meals in rural areas with no congregate meal service must claim reimbursement for all eligible meals served to children at sites in areas in which poor economic conditions exist, as defined in §225.2. At all other sites, only the non-congregate meals served to children who meet the eligibility standards for this Program may be reimbursed. USDA expects that the 567 local government sponsors will submit reimbursement claims for 55 days during the summer operating period annually, for a total of 31,211 responses and that it takes approximately 1 hour to complete the requirement, which is estimated to add 31,211 annual burden hours and responses to the collection.

USDA estimates that 567 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.16(i) that sponsors electing to operate multi-day meal issuance, parent or guardian pick-up, or bulk meal component non-congregate meal service must have a system in place to ensure that the proper number of meals are distributed to each eligible child. USDA estimates that 567 local government agencies will need to ensure that a system is in place annually, for 567 responses, and that it takes approximately 5 hours to complete this requirement, which is estimated to add 2,837 hours and 567 responses to the collection.

USDA expects that 188 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.16(i)(3) that sponsors electing to serve bulk meal components must ensure that required food components for each reimbursable meal are served, as described in paragraph (d) of this section. USDA expects that the 188 local government sponsors will have procedures in place to ensure that bulk meal components meal service meets the requirements annually and that it takes approximately 2 hours to complete the requirement; which is estimated to add 3,376 annual burden hours and 188 responses to the collection.

USDA estimates that 53 State agencies will be required to fulfill the requirement at 7 CFR 225.3(b) to notify USDA if it intends to administer SFSP, by January 1 of each fiscal year, and submit an agreement that contains assurance that the State agency will comply with policy, instructions, guidance, and handbooks issued by FNS. USDA estimates that the 53 State agencies will be required to notify USDA annually and that it takes approximately 36 hours to complete this requirement. The interim final rule revises the submission date for the currently approved Program agreement from November 1 to January 1. As such, the 1,908 total annual burden hours and 56 responses will remain unchanged from the currently approved collection.

USDA expects that 53 State agencies will be required to fulfill the requirement at 7 CFR 225.8(d)(2) that State agencies within 5 days of approval of sponsors, must notify the appropriate FNSRO of sponsors, approved sites, locations, days of operation, estimated daily attendance, type of site approval, and other important details about each site. USDA expects that 53 State agencies will notify the appropriate FNSRO 104 times annually, once for each operating sponsor, and that it takes approximately 1 hour to complete this requirement. The interim final rule adds type of site approval to the information collected about the site. This revision, however, is not expected to change the currently approved burden of 5,512 annual burden hours and responses.

### **Businesses (Non-profit Institutions and Camps)**

The changes proposed in this rule will introduce new reporting requirements and impact existing ones.

USDA estimates that 426 non-profit institutions and camps be required to fulfill the new requirement at 7 CFR 225.6(c)(2)(ix) that new sponsors, new sites, and, as determined by the State agency, sponsors and sites which have experienced significant operational problems must provide information on the procedures that document meals are only distributed, to a reasonable extent, to eligible children and that duplicate meals are not distributed to any child, if the applicant sponsor is electing to use the non-congregate meal service options described in paragraphs (1) and (2) of Section 225.16(i). USDA estimates that the 426 non-profit institutions and camps will provide information on their procedures annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 426 annual burden hours and responses to the collection.

USDA expects that 1,783 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.6(c)(3)(viii) that experienced sponsors and experienced sites must provide information on the procedures that document meals are only distributed, to a reasonable extent, to eligible children and that duplicate meals are not distributed to any child. USDA expects that the 1,783 non-profit institutions and camps will provide information on their procedures annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 1,783 annual burden hours and responses to the collection.

USDA estimates that 378 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.6(f)(1)(iii) that sponsors submit the policy statement of all camps and conditional non-congregate sites that charge separately for meals that includes specific eligibility information and a copy of its hearing procedures with its application. USDA estimates that the

378 non-profit institutions and camps will submit a policy statement annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 378 annual burden hours and responses to the collection.

USDA expects that 25 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.6(g)(1) that sponsors must submit documentation, for new sites where non-congregate meal service operation is proposed for the first time, once every 5 years, or earlier, if the State agency determines that an area's rural status has changed significantly since the last designation, on the site information sheet. USDA expects that the 25 non-profit institutions and camps will submit documentation once every 5 years for a total of 5 responses annual and that it takes approximately 1 hour to complete the requirement, which is estimated to add 5 annual burden hours and responses to the collection.

USDA estimates that 353 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.6(g)(2) that sponsors must submit documentation, for experienced sites where non-congregate meal service operation is proposed for the first time, once every 5 years, or earlier, if the State agency determines that an area's rural status has changed significantly since the last designation, on the site information sheet. USDA estimates that the 353 non-profit institutions and camps will submit documentation once every five years for a total of 71 responses annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 71 annual burden hours and responses to the collection.

USDA expects that 2,210 non-profit businesses and camps will be required to fulfill the new requirements at 7 CFR 225.7(j) that sponsors must complete provided monitor review forms and include the required information. USDA expects that the 2,210 non-profit institutions and camps will be required to complete the monitor review form annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 2,210 annual burden hours and responses to the collection.

USDA expects that 19 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.14(d)(6) that sponsors that operate non-congregate meal service and deliver meals directly to children's homes must obtain participation consent from an adult household member. USDA expects that 19 non-profit institutions and camps will collect 226 consent forms annually and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, which is estimated to add 1,069 hours and 4,275 responses to the collection.

USDA estimates that 378 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.14(d)(7) that sponsors that operate a conditional non-congregate site must certify that it will collect information to determine children's Program eligibility to support its claims for reimbursement. USDA estimates that 378 non-profit institutions and camps will certify that it will collect information annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 378 hours and responses to the collection.

USDA expects that 2,210 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.14(d)(8) that sponsors that are not a school food authority (SFA) must enter into a written agreement or Memoranda of Understanding (MOU) with the State agency or SFA if it chooses to receive school data to determine children's Program eligibility, as required

under 225.15(k). USDA expects that 2,210 non-profit institutions and camps will enter an MOU annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 2,210 hours and responses to the collection.

USDA estimates that 2,210 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.15(d)(1) that sponsors must hold Program training sessions for its administrative and site personnel. USDA estimates that the 2,210 non-profit institutions and camps will hold a training session annually for administrative and site personnel and that it takes approximately 5 hours to complete the requirement; which is estimated to add 11,050 annual burden hours and 2,210 responses to the collection.

USDA estimates that 2,210 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.15(d)(1) that sponsors must provide documentation that its administrative personnel have attended the State agency training provided to the sponsors. USDA estimates that the 2,210 non-profit institutions and camps will provide documentation annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 2,210 annual burden hours and responses to the collection.

USDA estimates that 2,210 non-profit institutions and camps will be required to fulfill the requirement at 7 CFR 225.15(d)(2) that sponsors must conduct pre-operational visits for new sites, including existing sites that are new to non-congregate meal service, and sites that experienced operational problems the previous year before a site operates the Program to determine that the sites have the facilities and capability to provide and conduct the proposed meal service for the anticipated number of children. USDA estimates that 2,210 non-profit institutions and camps will conduct 9 pre-operational visits annually and that it takes approximately 30 minutes (0.5 hours) to complete this requirement, which is estimated to add 10,134 hours and 20,268 responses to the collection.

USDA estimates that 2,210 local government sponsors will be required to fulfill the requirement at 7 CFR 225.15(d)(3) that sponsors must visit each of their sites at least once during the first week of operation under the Program. USDA estimates that the 2,210 local government sponsors will conduct 9 site visits annually for a total of 20,268 responses and that it takes approximately 30 minutes (0.5 hours) to complete the requirement for a total of 10,134 hours. This requirement is currently approved, but the interim final rule moves the requirement to 7 CFR 225.15(d)(3). USDA also estimates that the number of responses will increase by 378, from 19,890 to 20,268 responses, and that the number of annual burden hours will increase by 189, from 9,945 to 10,134 hours.

USDA expects that 2,210 local government sponsors will be required to fulfill the requirement at 7 CFR 225.15(d)(4) that sponsors must review food service operations for all sites at least once during the first four weeks of Program operations, and thereafter maintain a reasonable level of monitoring. USDA expects that the 2,210 local government sponsors will review 9 food service operations annually for a total 20,268 responses and that it takes approximately 2 hours to complete this requirement for a total of 40,537 hours. This requirement is currently approved but the interim final rule moves it to 7 CFR 225.15(d)(4). USDA also estimates that the number of responses will increase by 378, from 19,890 to 20,268 responses, and that the number of annual burden hours will increase by 757, from 39,780 to 40,537 hours.

USDA estimates that 2,210 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.15(f) that sponsors may also use the household application procedures to identify eligible children in non-area eligible areas instead of entering into a written agreement or MOU with the local SFA. USDA estimates that the 2,210 non-profit institutions and camps will use household application procedures to identify 26 eligible children each for a total of 58,365 responses annually and that it takes approximately 30 minutes (0.5 hours) to complete the requirement, which is estimated to add 29,183 annual burden hours and 58,365 responses into the collection.

USDA expects that 378 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(i) that a sponsor that is approved to provide non-congregate meals in rural areas with no congregate meal service must obtain prior parental consent, if meals are to be delivered to a child's home. USDA expects that the 378 non-profit institutions and camps will obtain 11 parental consent forms for a total of 4,275 responses annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 4,275 annual burden hours and responses to the collection.

USDA estimates that 378 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(ii) that a sponsor that is approved to provide parent or guardian pick-up of non-congregate meals in rural areas with no congregate meal service must serve meals as described in paragraph (b)(3) of this section. USDA estimates that the 378 non-profit institutions and camps will each serve 11,805 meals for a total of 4,467,283 responses annually and that it takes approximately 5 minutes (0.0835 hours) to complete the requirement, which is estimated to add 373,018 annual burden hours and 4,467,283 responses to the collection. Of the 4,467,283 meals being served, USDA estimates that 5% of non-congregate meals will be served utilizing the home delivery meal service option. Estimates from the ongoing Meals to You (MTY) demonstration estimate that the mailing costs associated with home delivery is equal to the SFSP lunch meal reimbursement rate. As such, USDA estimates that \$1,105,652.54 ( $4,467,283 \times 0.05 \times \$4.95$ ) in mailing costs will also be added to this requirement.

USDA expects that 378 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(ii) that a sponsor that is approved to provide multi-day meal issuance or bulk meal component non-congregate meal service in rural areas with no congregate meal service must serve meals as described in paragraph (b)(3) of this section. USDA expects that the 378 non-profit institutions and camps will each serve 621 meals for a total of 235,120 responses annually and that it takes approximately 2 hours to complete the requirement, which is estimated to add 470,240 annual burden hours and 235,120 to the collection.

USDA estimates that 378 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.16(b)(5)(iv) that a sponsor that is approved to provide non-congregate meals in rural areas with no congregate meal service must claim reimbursement for all eligible meals served to children at sites in areas in which poor economic conditions exist, as defined in §225.2. At all other sites, only the non-congregate meals served to children who meet the eligibility standards for this Program may be reimbursed. USDA estimates that the 378 non-profit institutions and camps will each submit reimbursement claims for 55 days during the



summer operational period annually and that it takes approximately 1 hour to complete the requirement, which is estimated to add 20,814 annual burden hours and responses to the collection.

USDA expects that 378 non-profit institutions and camps will be required to fulfill the new requirement at 7 CFR 225.16(i) that sponsors electing to operate multi-day meal issuance, parent or guardian pick-up, or bulk meal component non-congregate meal service must have a system in place to ensure that the proper number of meals are distributed to each eligible child. USDA expects that 378 non-profit institutions and camps will ensure that a system is in place annually and that it takes approximately 5 hours to complete this requirement, which is estimated to add 1,892 hours and 378 responses to the collection.

USDA estimates that 125 local government sponsors will be required to fulfill the new requirement at 7 CFR 225.16(i)(3) that sponsors electing to serve bulk meal components must ensure that required food components for each reimbursable meal are served, as described in paragraph (d) of this section USDA estimates that the 125 local government sponsors will have procedures in place to ensure that bulk meal components meal service meets the requirements annually and that it takes approximately 2 hours to complete the requirement, which is estimated to add 251 annual burden hours and 125 responses to the collection.

### **Households**

The changes proposed in this rule will add new reporting requirements for Households.

USDA estimates that 10,685 households will be required to fulfill the new requirement at 7 CFR 225.14(d)(6) that households provide written consent to participate in the Program at a rural site that utilizes the home delivery option. USDA estimates that 10,685 households will have to provide their written consent to participate annually and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, which is estimated to add 2,671 hours and 10,685 responses to the collection.

USDA expects that 10,685 households will be required to fulfill the new requirement at 7 CFR 225.16(i)(2) that households travel to the parent or guardian pick-up site to take meals home to their children. USDA expects that the 10,685 households will travel to the pick-up site 11 times annually for a total of 117,539 responses and that it takes approximately 2 hours to complete the requirement, which is estimated to add 235,078 annual burden hours and 117,539 responses to this collection.

### **Public Disclosure**

#### **State/Local/Tribal Governments**

The changes proposed in this rule will add a new public disclosure requirement for State/Local/Tribal Governments.

USDA estimates 53 State agencies will be required to fulfill the new requirement at 7 CFR 225.3(e)(4) that State agencies must make their service coordination plans available to the public through a website, or through similar means. USDA estimates that the 53 State agencies will have to make their state coordination plans publicly available annually and that it takes

approximately 15 minutes (0.25 hours) to complete the requirement, which is estimated to add 13 hours and 53 responses to the collection.

### **Businesses (Non-profit institutions and camps)**

The changes proposed in this rule will add a new public disclosure requirement for Businesses (Non-profit institutions and camps).

USDA estimates that 2,210 non-profit institutions and camps will be required to fulfill the requirement at 7 CFR 225.15(e) that each sponsor of sites that use free meal applications to determine individual eligibility must include certain information as a part of its notification to enrolled children. USDA estimates that the 2,210 non-profit institutions and camps will be required to provide the information as a part of its notification to 26 enrolled children annually for a total of 58,365 responses and that it takes approximately 15 minutes (0.25 hours) to complete the requirement, which is estimated to add 14,591 annual burden hours and 58,365 responses the collection.

As a result of the proposals outlined in this rulemaking, USDA estimates that this information collection will have 63,942 respondents, 12,505,697 responses, and 3,120,966 burden hours. The average burden per response and the annual burden hours are explained below and summarized in the charts which follow. Once the ICR for the final rule is approved USDA estimates that the burden will increase by 12,113,902 responses and 2,658,267 burden hours.

For SFSP, there is a wide variation in development and administration costs to implement information systems to accommodate the FNS-905 requirements. USDA estimates a cost of \$14,542.96 per State agency to perform the necessary system upgrades for respondents of this interim rule ICR. Likewise, program operators will face increased costs to offer home delivered meals as a part of this interim final rule ICR. USDA estimates a cost of \$2,924.12 for each local government sponsor and a cost of \$2,925.01 for each non-profit institution and camp to cover mailing costs associated with providing home delivery. Therefore, as a result of the interim final rule, USDA estimates that this collection is expected to have \$770,777 in system upgrade costs, \$1,657,978.25 in local government sponsor mailing costs, and \$1,105,652.54 in non-profit institution and camp mailing costs, which will add a total of \$3,534,407.79 in combined system upgrades and annual mailing costs to the currently approved burden for SFSP.

### **New OMB Control Number for Additional Information Collection/Burden for Summer EBT Program**

FNS is requesting a new OMB Control Number for the information collection requirements and associated burden for the Summer EBT program which is being implemented as a result of the interim final rule, “Implementing Provisions from the Consolidated Appropriations Act, 2023: Establishing the Summer EBT Program and Rural Non-congregate Option in the Summer Food Service Program. Below is a summary of the changes in the rule and the accompanying reporting, recordkeeping, and public disclosure requirements that will impact the burden on Summer EBT Agencies (State agencies and Indian Tribal Organizations (ITOs)), the Commonwealth of Puerto Rico, local government agencies, Summer EBT authorized retailers (firms and retail food stores), and participating households.

The interim final rule will codify provisions of the Consolidated Appropriations Act of 2023 that establish a permanent, nationwide Summer EBT Program, beginning in 2024. The Summer EBT program will provide benefits on EBT cards for families to purchase food for their children, during the summer months, when school is not in session.

The interim final rule will create a new chapter in 7 CFR part 292 to establish the Summer EBT Program and the required procedures to fully implement the Program. This rulemaking will introduce new reporting, recordkeeping, and public disclosure requirements to ensure State agencies and Indian Tribal Organization (ITO) operations are compliant with the NSLA and the regulations. New requirements include State agency responsibilities, new eligibility and benefit issuance requirements, and the development of standards and monitoring requirements to ensure that eligible children receive the proper benefit and protect program integrity. The interim final rule will create new reporting and recordkeeping responsibilities that Summer EBT authorized retailers must comply with in order to redeem Summer EBT benefits spent at their locations. As a part of this rulemaking, some households will be required to submit an income eligibility, notify the appropriate Summer EBT agency for opting-out of Program participation or seeking an appeal of a Summer EBT decision, and respond to a Summer EBT agency's request for verification their Program eligibility to participate in the Program.

## **Reporting**

### **Summer EBT Agencies (State Agencies, Indian Tribal Organizations, and the Commonwealth of Puerto Rico)**

The changes proposed in this rule will establish new reporting requirements, as required by statute, for State/Local/Tribal governments.

USDA estimates that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.3(b)(1) that State agencies that have been approved to administer the Program must enter into a written agreement with FNS for the administration of the Program in the State (this is known as the Federal/State agreement). USDA estimates that the 55 State agencies will be required to enter into a Program agreement annually, and that it takes approximately 1 hour to complete this requirement, which is estimated to add 55 annual burden hours and responses into the inventory.

USDA expects that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.3(e) that if the State has designated partnering agencies to provide support services to the Program, State agencies designated as the Summer EBT Coordinating Agency in their State must enter into a written agreement with partnering Summer EBT agencies that defines the roles and responsibilities of each (known as an inter-agency agreement). USDA expects that 55 State agencies will be required to enter into an inter-agency agreement annually, and that it takes approximately 1 hour to complete this requirement, which is estimated to add 55 annual burden hours and responses into the inventory.

USDA estimates that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.3(f)(2) that the State agency may submit a request for a waiver under paragraph (f)(1) of this section. USDA estimates that the 55 State agencies will submit a request for a waiver annually

and that it takes approximately 1 hour to complete this requirement, which is estimated to add 55 annual burden hours and responses to the inventory.

USDA expects that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.3(f)(3) that State agencies may submit a request to waive specific statutory or regulatory requirements on behalf of eligible service providers that operate in the State. USDA expects that the 55 State agencies will submit a waiver request on behalf of 757 eligible service providers annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 41,635 annual burden hours and responses to the inventory.

USDA estimates that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.3(f)(4) that State agencies must review any waiver request submitted by an eligible service provider and promptly forward approved requests to the appropriate FNSRO. USDA estimates that the 55 State agencies will review 757 waiver requests annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 41,635 annual burden hours and responses to the inventory.

USDA expects that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.3(f)(4)(v) that the State agency must notify the requesting eligible service provider that the request is denied and state the reason for denying the request in writing within 30 calendar days of the receipt of the request. USDA expects that the 55 State agencies will notify 757 eligible service providers annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 41,635 annual burden hours and responses to the inventory.

USDA estimates that 102 Indian Tribal Organizations will be required to fulfill the requirement at 7 CFR 292.3(h)(3) that Indian Tribal Organizations must provide compelling justification for the waiver request in terms of how the waiver will improve the efficiency and effectiveness of the administration of the Program. USDA estimates that the 102 Indian Tribal Organizations will provide justification for a waiver request annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 102 annual burden hours and responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(a) that State and Indian Tribal Organization Summer EBT agencies must, by August 15<sup>th</sup> of each fiscal year, submit to the appropriate FNS Regional Office (FNSRO) of its intent to administer the Summer EBT Program. USDA expects that the 157 Summer EBT agencies will be required to submit its intent to administer the Program annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 13 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(a) that, for 2024, State and Indian Tribal Organization Summer EBT agencies must submit to the FNSRO its intent to administer the Summer EBT Program by January 1<sup>st</sup>, 2024. USDA estimates that the 157 Summer EBT agencies will be required to submit its intent to operate the Program annually and that it takes approximately 5 minutes (0,08 hours) to complete this requirement, which is estimated to add 13 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(a) that, for 2024, State and Indian Tribal Organization Summer EBT agencies must submit an interim Plan for Operations and Management that must include the programmatic information required in §292.8(e) and (f). USDA expects that the 157 Summer EBT agencies will submit an interim Plan for Operations and Management annually and that it takes approximately 4 hours to complete this requirement, which is estimated to add 628 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(b)(1) that, no later than February 15<sup>th</sup> of each year, the State and Indian Tribal Organization Summer EBT agencies must submit to the FNSRO a final Plan for Operations and Management that addresses all the requirements of §292.8(e) and (f), for the Summer EBT Program for that fiscal year if the State has elected to participate in the Program. USDA estimates that the 157 Summer EBT agencies must submit a final Plan for Operations and Management annually and that it takes approximately 4 hours to complete this requirement; which is estimated to add 628 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(d) that State and Indian Tribal Organization Summer EBT agencies may amend an interim or final Plan for Operations and Management to reflect changes and must submit the amendments to USDA for approval. USDA expects that the 157 Summer EBT agencies will submit an amendment annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 314 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(e) that State and Indian Tribal Organization Summer EBT agencies must include their final Plan for Operation and Management, which includes all of the required agreements, plans, procedures, and other documentation. USDA estimates that the 157 Summer EBT agencies will include the required documents as a part of their final Plan for Operations and Management annually and that it takes approximately 4 hours to complete this requirement, which is estimated to add 628 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(e)(3) that State and Indian Tribal Organization Summer EBT agencies must submit an administrative budget on behalf of the entire Program as part of the Plan for Operations and Management, using the FNS-366A Form. USDA expects that the 157 Summer EBT agencies will submit an FNS-366a form annually, and that it takes approximately 12 hours and 49 minutes (12.82 hours) to complete this requirement, which is estimated to add 2,012 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.8(e)(3) that State and Indian Tribal Organization Summer EBT agencies must submit an amended expenditure plan should administrative fund needs change. USDA estimates that the 157 Summer EBT agencies will submit amendments annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 314 annual burden hours and 157 responses to the inventory.

USDA estimates that 102 Indian Tribal Organizations will be required to fulfill the requirement at 7 CFR 292.8(f) that Indian Tribal Organization Summer EBT agencies must also include the required plans, descriptions, lists, and other documentation as part of their final Plan for Operations and Management. USDA estimates that the 102 Indian Tribal Organizations will submit the required information annually and that it takes approximately 4 hours to complete this requirement, which is estimated to add 408 annual burden hours and 102 responses to the inventory.

USDA expects that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.9(b) that State agencies and Indian Tribal Organizations serving the same geographic areas must enter into a written agreement to ensure the coordination of Summer EBT program services. USDA expects that the 55 State agencies will enter into approximately 1.85 agreements with an ITO annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 102 burden hours and responses to the inventory.

USDA estimates that 102 Indian Tribal Organizations will be required to fulfill the requirement at 7 CFR 292.9(b) that State agencies and Indian Tribal Organizations serving the same geographic areas must enter into a written agreement to ensure the coordination of Summer EBT program services. USDA estimates that the 102 Indian Tribal Organizations will enter into approximately 0.54 agreements with the State agency annually and that it takes approximately 1 hour to complete this requirement, which is estimated to 55 burden hours and responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.10(a) that State and Indian Tribal Organization Summer EBT agencies must establish, and update annually as needed, a plan to coordinate the statewide availability of services offered through the Summer Food Service Program (SFSP) and Summer EBT Program. USDA expects that the 157 Summer EBT agencies will establish and update a coordinated services plan annually and that it takes approximately 5 hours to complete this requirement, which is estimated to add 785 burden hours and 157 responses to the inventory.

USDA estimates that 55 State Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(b) that State Summer EBT agencies must acquire Information Systems (IS) equipment or services to be utilized in an EBT system and adhere to the ADP process. USDA estimates that the 55 State Summer EBT agencies will be required to acquire IS equipment or services annually and that it takes approximately 10 hours to complete this requirement. Furthermore, USDA estimates that the 55 State Summer EBT agencies will face a total of \$73,317,942 in start-up costs and \$25,760,358 in ongoing operation and maintenance costs related to this requirement. USDA estimates that this will add 550 annual burden hours, 55 responses, and \$99,078,300 in total costs to the inventory.

USDA expects that 55 State Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(b)(4)(i) that State Summer EBT agencies must submit a new Planning APD, Implementation APD, and Testing documents to FNS for approval of IS projects. USDA expects that the 55 State Summer EBT agencies will be required to submit a new Planning APD, Implementation APD, and Testing documents to FNS annually and that it takes approximately 10

hours to complete this requirement, which is estimated to add 550 annual burden hours and 55 responses to the inventory.

USDA estimates that 55 State Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(b)(4)(ii) that State Summer EBT agencies must submit an Annual APD to FNS 60 days prior to the expiration of the Federal Financial Participation (FFP) approval for the initial implementation of Summer EBT and subsequent significant project changes. USDA estimates that the 55 State Summer EBT agencies will be required to submit annual Planning APD to FNS annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 110 annual burden hours and 55 responses to the inventory.

USDA expects that 55 State Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(g) that State Summer EBT agencies must execute service agreements when IS services are to be provided by a State central IT facility or another State or local agency. USDA expects that the 55 State Summer EBT agencies will be required to execute a service agreement annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 55 annual burden hours and responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(q)(2) that State and Indian Tribal Organization Summer EBT agencies must implement and maintain a comprehensive Security Program for IS and installations involved in the administration of Summer EBT. USDA estimates that the 157 Summer EBT agencies will be required to implement and maintain a comprehensive Security Program annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(q)(3) that State and Indian Tribal Organization Summer State agencies must establish and maintain a program for conducting periodic risk analysis to ensure that appropriate, cost-effective safeguards are incorporated into the new and existing system. USDA expects that the 157 Summer EBT agencies will be required to establish and maintain a program for conducting periodic risk analysis annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirements at 7 CFR 292.11(q)(4) that State and Indian Tribal Organization Summer EBT agencies must review the security of IS involved in the administration of Summer EBT on a biennial basis. USDA estimates that the 157 Summer EBT agencies will be required to review the security of IS systems twice annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 628 annual burden hours and 314 responses to the inventory.

USDA expects that 102 Indian Tribal Organization Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(r) that Indian Tribal Organization Summer EBT agencies must acquire IS equipment or services to be utilized in an EBT system and adhere to the ADP process. USDA expects that the 102 Indian Tribal Organization Summer EBT agencies will acquire IS equipment or services annually and that it takes approximately 10 hours to complete

this requirement. Furthermore, USDA estimates that the 102 Indian Tribal Organization Summer EBT agencies will face a total of \$136,018,290 in start-up costs and \$47,790,210 in ongoing operation and maintenance costs to complete the requirement. USDA estimates that this requirement adds 1,020 annual burden hours, 102 responses, and \$183,808,500 in total costs to the inventory.

USDA expects that 102 Indian Tribal Organization Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.11(s)(1) that ITO Summer EBT agencies must follow the Department APD requirements and submit Planning and Implementation APDs and appropriate updates. USDA expects that the 102 ITO EBT Coordinating agencies will submit Planning and Implementation APDs annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,020 burden hours and 102 responses to the inventory.

USDA estimates that 102 Indian Tribal Organization Summer EBT agencies will be required to follow the requirements at 7 CFR 292.11(s)(3) that Indian Tribal Organization Summer EBT agencies must submit EBT project status reports annually as a part of the State plan. USDA estimates that the 102 State Summer EBT agencies will submit a EBT project status report annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 204 burden hours and 102 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(b)(1) that Summer EBT agencies must establish procedures to ensure correct eligibility determinations. USDA expects that the 157 State and Indian Tribal Organization Summer EBT agencies will each develop a process to determine eligibility annually and that it takes approximately 10 hours to complete this reporting requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(b)(2) that State and Indian Tribal Organization Summer EBT agencies must establish procedures that allow households to provide updated contact information for the purpose of receiving Summer EBT benefits. USDA estimates that the 157 Summer EBT agencies will each develop a process to update contact information annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(b)(3) that State and Indian Tribal Organization Summer EBT agencies must establish procedures that allow eligible households to opt out of participation in the Program. USDA estimates that the 157 State and Summer EBT agencies must establish procedures annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(c) that State and Indian Tribal Organization Summer EBT agencies must establish and maintain a State/ITO wide database of all children in NSLP/SBP participating schools within the State or ITO service area for the purposes of enrolling children for Summer EBT benefits and preventing duplicate benefit issuance. USDA expects that the 157 Summer EBT agencies will



establish and maintain a State/ITO wide database annually and that it takes approximately 10 hours to complete this requirement. Furthermore, USDA estimates that the 157 State and Indian Tribal Organization Summer EBT agencies will face a total of \$207,325,800 in start-up costs and \$72,755,100 in ongoing operation and maintenance costs for this requirement. USDA estimates that a total of 1,570 annual burden hours, 157 responses, and \$280,080,900 in costs will be added to the inventory.

USDA estimates that 102 Indian Tribal Organization Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(c) that Indian Tribal Organization Summer EBT agencies may submit for USDA approval alternate plans to enroll children for Summer EBT benefits and detect and prevent duplicate benefit issuance, if an ITO determines that establishing and maintaining a database is not feasible or is unnecessary. USDA estimates that the 102 Indian Tribal Organization Summer EBT agencies will submit for approval an alternate plan annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,020 annual burden hours and 102 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(d) that Summer EBT agencies must use streamlined certification to automatically enroll, without further application, each eligible child without regard to whether the child has been matched against an NSLP/SBP enrollment list. USDA expects that the 157 Summer EBT agencies will each automatically enroll 66,304 eligible children annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement; which is estimated to add 869,212 annual burden hours and 10,409,726 responses to the inventory.

USDA estimates that 102 Indian Tribal Organization Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(d)(4) that Indian Tribal Organization Summer EBT agencies may submit for USDA approval alternate plans to efficiently enroll children with minimal burden for households if it determines that any element of automatic enrollment with Streamlined Certification is not feasible or is unnecessary. USDA estimates that the 102 Indian Tribal Organization Summer EBT agencies will submit an alternate plan annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,020 annual burden hours and 102 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(e) that State and Indian Tribal Organization Summer EBT agencies must make an application available to children who attend NSLP/SBP participating schools not already identified through streamlined certification and enroll them after matching against the statewide eligibility database. USDA estimates that the 157 Summer EBT agencies will each enroll 91,185 eligible children annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 1,195,387 annual burden hours and 14,316,012 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(e)(2) that State and Indian Tribal Organization Summer EBT agencies must match children on applications submitted directly to a Summer EBT agency against the statewide eligibility database, as required in Section 292.12(c) prior to benefit issuance. USDA expects that the 157 Summer EBT agencies will each match 91,185 eligible children annually and that it

takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 1,195,387 annual burden hours and 14,316,012 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(f)(1) that State and Indian Tribal Organization Summer EBT agencies must notify the household that filed an income application of their children's eligibility within 15 operating days of receiving the application from the household. USDA estimates that the 157 Summer EBT agencies will send 91,185 notifications annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 239,077 annual burden hours and 14,316,012 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(f)(2) that State and Indian Tribal Organization Summer EBT agencies must notify households that their children are eligible for Summer EBT and that no application is required. USDA estimates that the 157 Summer EBT agencies will each notify 66,304 eligible households annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 173,842 annual burden hours and 10,409,726 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(g) that State and Indian Tribal Organization Summer EBT agencies must notify households that submitted an incomplete application or does not meet the eligibility requirements for Summer EBT benefits that their application has been denied, the reason for the denial, the notification of the right to appeal, instructions on how to appeal, and a statement reminding households that they may reapply for benefits at any time. USDA estimates that the 157 Summer EBT agencies will each notify 4,559 households annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement; which is estimated to add 11,954 annual burden hours and 715,801 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(h) that State and Indian Tribal Organization Summer EBT agencies must receive a request for an appeal by households that submitted a denied application and promptly schedule a fair hearing upon request. USDA expects that the 157 Summer EBT agencies will each receive 4,559 requests annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 59,769 annual burden hours and 715,801 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(h) that State and Indian Tribal Organization Summer EBT agencies must provide a conference to a household upon request to provide the opportunity for the household to discuss the situation, present information, and obtain an explanation of the data submitted in the application or the decision rendered. USDA estimates that the 157 Summer EBT agencies will provide 4,559 conferences annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 715,801 annual burden hours and responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.13(a) that, by 2025, State and Indian Tribal Organization Summer EBT agencies must develop a Summer EBT application to make available to households whose children attend NSLP/SBP participating schools, and who do not already have an individual eligibility determination. USDA expects that the 157 Summer EBT agencies will each develop an application annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.13(h) that State and Indian Tribal Organization Summer EBT agencies may establish a system for executing household applications electronically and using electronic signatures. USDA estimates that the 157 Summer EBT agencies will establish a system for executing household applications electronically annually and that it takes approximately 10 hours to complete this requirement. Furthermore, USDA estimates that the 157 State and Indian Tribal Organization Summer EBT agencies will face a total of \$207,325,800 in start-up costs and \$72,755,100 in ongoing operation and maintenance costs to complete the requirement. USDA estimates that this requirement adds a total of 1,570 annual burden hours, 157 responses, and \$280,080,900 in total costs to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement 7 CFR 292.14(a)(1) that State and Indian Tribal Organization Summer EBT agencies must verify questionable applications, on a case-by-case basis. USDA expects that the 157 Summer EBT agencies will verify 531 applications and that it takes approximately 1 hour to complete this requirement, which is estimated to add 83,311 burden hours and responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.14(a)(2) that State and Indian Tribal Organization Summer EBT agencies may verify an application for cause at any time during the instructional year or summer operational period, but verification must be completed within 30 days of receipt of the application. USDA estimates that the 157 Summer EBT agencies will verify 531 applications for cause and that it takes approximately 1 hour to complete this requirement; which is estimated to add 83,311 burden hours and responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.14(a)(3) that State and Indian Tribal Organization Summer EBT agencies must verify eligibility of children in a sample of household Summer EBT applications approved for benefits for the summer. USDA estimates that the 157 Summer EBT agencies will sample 3,011 applications and that it takes approximately 1 hour to complete this requirement, which is estimated to add 472,766 burden hours and responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.14(f)(2) that State and Indian Tribal Organization Summer EBT agencies must provide written notification to households that their application has been selected for verification. USDA estimates that the 157 Summer EBT agencies will each notify 531 households annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 1,391 annual burden hours and 83,311 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.14(f)(6) that State and Indian Tribal Organization Summer EBT agencies must make at least two attempts, at least one week apart, to contact any household that does not respond to a verification request. USDA expects that the 157 Summer EBT agencies will make 1,134 attempts to follow-up on verification requests annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 356,076 annual burden hours and 178,038 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.14(f)(7) that State and Indian Tribal Organizations Summer EBT agencies must provide written notification to households of any reduction or termination of benefits as a result of verification. USDA expects that the 157 Summer EBT agencies will each notify 531 households annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 1,391 annual burden hours and 83,311 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(c)(1)(i) that State and ITO Summer EBT agencies are responsible for the timely and accurate issuance of benefits to certified eligible children. USDA expects that the 157 Summer EBT agencies will issue benefits to 157,489 eligible children annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 412,920 annual burden hours and 24,725,737 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(f)(2)(ii) that State and Indian Tribal Organization Summer EBT agencies must establish an availability date for household access to their benefits and inform households of this date. USDA estimates that the 157 Summer EBT agencies will establish an availability date annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 157 annual burden hours and responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(g)(1) that State and Indian Tribal Organization Summer EBT agencies provide written training materials to each household prior to or at Summer EBT issuance. USDA expects that the 157 Summer EBT agencies will issue training materials to 157,489 households annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 2,064,599 annual burden hours and 24,725,737 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(g)(4) that State and Indian Tribal Organization Summer EBT agencies must provide replacement EBT cards available for pickup or place the card in the mail within two business days following notification by the household to the State agency that the card has been lost, stolen, or damaged and report issuance. USDA estimates that the 157 Summer EBT agencies will issue replacement benefits to 40 households annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 104 annual burden hours and 6,227 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(g)(5) that State and Indian Tribal Organization Summer EBT agencies must provide replacement EBT benefits to households whose benefits were stolen or who lost Summer EBT benefits as a result of a natural disaster. USDA expects that the 157 Summer EBT agencies will issue replacement benefits to 40 households annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 104 annual burden hours and 6,227 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(h)(1)(ii) that Summer EBT agencies must provide notice, no less than 30 calendar days before benefit expungement is expected to begin, to households that their Summer EBT benefits are approaching expungement due to nonuse/inactivity. USDA estimates that the 157 Summer EBT agencies will notify 11,812 households annually and that it takes approximately 1 minute (0.02 hours) to complete this requirement, which is estimated to add 30,969 annual burden hours and 1,854,430 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(h)(2) that State and Indian Tribal Organization Summer EBT agencies must establish procedures to permit the appropriate managers to adjust Summer EBT benefits that have already been posted to an EBT account prior to the household accessing the account, or to remove benefits from inactive accounts for expungement. USDA expects that the 157 Summer EBT agencies establish procedures annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(h)(2)(ii) that State and Indian Tribal Organization Summer EBT agencies must produce issuance reports that reflect the adjustment made to the Summer EBT agency issuance totals to comply with the reporting requirements in §292.23. USDA estimates that the 157 Summer EBT agencies will produce 11,812 issuance reports annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 154,845 annual burden hours and 1,854,430 responses to the inventory.

USDA estimates that 55 State agencies will be required to fulfill the requirement at 7 CFR 292.16(a) that State agencies must establish issuance and accountability systems as defined in §274.1. USDA estimates that the 55 State agencies will establish issuance and accountability systems annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 550 annual burden hours and 55 responses to the inventory.

USDA expects that the Commonwealth of Puerto Rico will be required to fulfill the requirement at 7 CFR 292.18 that the Commonwealth of Puerto Rico is authorized to establish issuance and accountability systems which ensure that only certified eligible households receive Summer EBT benefits. USDA expects that the Commonwealth of Puerto Rico will establish issuance and accountability systems annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 10 annual burden hours and 1 response to the collection.

USDA estimates that 102 ITOs will be required to fulfill the requirement at 7 CFR 292.19(c) that ITOs must create a system that ensures effective vendor integrity in accordance to specification. USDA estimates that the 102 ITOs will establish a system annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,020 annual burden hours and 102 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.21(b)(4) that State and Indian Tribal Organization Summer EBT Agencies must provide for effective control and accountability by the Summer EBT agency for all Program funds, property, and other assets acquired with Program funds. USDA expects that the 157 Summer EBT agencies will provide for effective control and accountability for all Program funds, property, and other assets annually and that it takes approximately 4 hours to complete this requirement, which is estimated to add 628 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.21(b)(5) that State and Indian Tribal Organization Summer EBT agencies must complete an Automated Standard Application for Payment (ASAP) setup form so that FNS may set up a Letter of Credit by which Summer EBT funds will be made available. USDA estimates that the 157 Summer EBT agencies will each submit an ASAP form annually and that it takes approximately 4 hours to complete this requirement, which is estimated to add 628 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.21(b)(6) that State and Indian Tribal Organization Summer EBT agencies must provide for controls which minimize the time between the receipt of Federal Funds from the United States Treasury and their disbursement for Program costs. USDA expects that the 157 Summer EBT agencies will provide controls annually and that it takes 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.21(b)(7) that State and Indian Tribal Organization Summer EBT agencies must provide for procedures to determine the reasonableness, allowability, and allocability of costs in accordance with the applicable provisions prescribed in 2 CFR part 200, subpart D, and USDA implementing regulations 2 CFR part 400 and part 415. USDA estimates that the 157 Summer EBT agencies will provide for procedures annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.21(b)(9) that the State and Indian Tribal Organization Summer EBT agencies must provide for an audit trail including identification of time periods, initial and summary accounts, cost determination and allocation procedures, cost centers or other accounting procedures to support any costs claimed for Program administration. USDA expects that the 157 Summer EBT agencies will provide for an audit trail annually and that it takes approximately 10 hours to

complete this requirement, which is estimated to add of 1,570 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.22 that State and Indian Tribal Organization Summer EBT agencies must monitor and document compliance with Performance Standards I - IV. USDA estimates that the 157 Summer EBT agencies will document 3 compliance reviews and that it takes approximately 10 hours to complete this requirement, which is estimated to add 4,160 annual burden hours and 416 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.23(d) that, for Summer EBT Administrative Grants, State and Indian Tribal Organizations Summer EBT agencies will be required to submit an expenditure plan by August 15<sup>th</sup>, prior to the beginning of each fiscal year. USDA expects that the 157 Summer EBT agencies will submit an expenditure plan annually and that it takes 1 hour to complete this requirement, which is estimated to add 157 annual burden hours and responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.23(e) that State Administrative Grant expenditures will be reported to FNS quarterly on a Summer EBT financial status report, using the FNS-778 Federal Financial Form. USDA estimates that the 157 Summer EBT agencies will report 4 Summer EBT financial status reports and that it takes 1 hour to complete this requirement, which is estimated to add 628 annual burden hours and responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.23(f) that State and Indian Tribal Organization Summer EBT agencies must report participation and issuance on a monthly basis using the FNS-388 Form. USDA expects that the 157 Summer EBT agencies will submit 12 FNS-388 forms annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 1,884 annual burden hours and responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.24(a) that State and Indian Tribal Organization Summer EBT agencies shall arrange for audits of their own operations to be conducted in accordance with 2 CFR part 200, subpart F and USDA implementing regulations 2 CFR part 400 and part 415. USDA expects that the 157 Summer EBT agencies will conduct an audit of their own operations and that it takes approximately 4 hours to complete this requirement, which is estimated to add 628 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.24(b) that State and Indian Tribal Organization Summer EBT agencies shall provide FNS with the full opportunity to conduct management evaluations and financial management reviews of all operations of the SA or ITO. USDA estimates that the 157 Summer EBT agencies will conduct an audit of their own operations annually and that it takes approximately 4 hours to complete this requirement, which is estimated to add 628 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.25 that State and Indian Tribal Organization Summer EBT agencies shall promptly investigate complaints received or irregularities noted in connection with the operation of the Program, and shall take appropriate action to correct any irregularities. USDA expects that the 157 Summer EBT agencies will review 121 complaints received or irregularities noted in connection with the operation of the Program annually and that it takes 4 hours to complete this requirement, which is estimated to add 75,700 annual burden hours and 18,925 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.26(a) that State and Indian Tribal Organization Summer EBT agencies must establish a fair hearing procedure that is applicable to the State or ITO program as a whole. USDA expects that the 157 Summer EBT agencies will establish a process annually and that it takes approximately 10 hours to complete this requirement, which is estimated to add 1,570 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.26(b) that State and Indian Tribal Organization Summer EBT agencies must produce oral or documentary evidence for a requested hearing. USDA expects that the 157 Summer EBT agencies will produce oral or documentary evidence for 4,559 hearings and that it takes approximately 4 hours to complete this requirement, which is estimated to add 2,863,202 annual burden hours and 715,801 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.26(b)(9) that a hearing official must transmit written notification to the Summer EBT agency and the household of the hearing official's decision. USDA expects that the 157 Summer EBT agencies will notify 4,559 households and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 59,769 annual burden hours and 715,801 responses to the inventory.

### **Local Government Agencies**

The changes proposed in this rule will establish a new reporting requirement, as required by statute, for the local government agencies.

USDA estimates that 757 local government agencies will be required to fulfill the requirement at 7 CFR 292.3(f)(4) that eligible service providers may submit a request for a waiver under paragraph (f)(1) of this section in accordance with section 12(l) and the provisions of this part. USDA estimates that the 757 local government agencies will submit a waiver request annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 757 annual burden hours and responses to the inventory.

### **Businesses (Summer EBT Authorized Retailers)**

The changes proposed in this rule will establish new reporting requirements, as required by statute, for the Summer EBT Authorized Retailers.



USDA estimates that 247,636 Summer EBT Authorized Retailers will be required to fulfill the requirement at 7 CFR 292.17(a) that firms shall submit claims in accordance to the standards for determination and disposition of claims described at §278.7. USDA estimates that the 247,636 Summer EBT Authorized Retailers will submit a claim monthly (12 claims annually) and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 248,131 annual burden hours and 2,971,632 responses to the inventory.

USDA expects that 9,552 Summer EBT Authorized Retailers will be required to fulfill the requirement at 7 CFR 292.17(e) that firms aggrieved by administrative action may request an administrative review of the administrative action with FNS. USDA expects that the 9,552 Summer EBT Authorized Retailers will submit a request annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 798 annual burden hours and 9,552 responses to the inventory.

## **Households**

The changes proposed in this rule will establish new reporting requirements, as required by statute, for households.

USDA estimates that 14,316,012 households will be required to fulfill the requirement at 7 CFR 292.12(f)(1) that households not directly certified must submit an income application to determine eligibility for Summer EBT benefits. USDA estimates that the 14,316,012 households will submit an application annually and that it takes approximately 1 hour to complete this requirement, which is estimated to add 14,316,012 annual burden hours and responses to the inventory.

USDA expects that 2,132,112 households will be required to fulfill the requirement at 7 CFR 292.12(f)(3) that households must notify the appropriate Summer EBT agency that they decline their Summer EBT benefits. USDA expects that the 2,132,112 households will notify the Summer EBT agency annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement; which is estimated to add 178,031 annual burden hours and 2,132,112 responses to the inventory.

USDA estimates that 715,801 households will be required to fulfill the requirement at 7 CFR 292.12(h) that households that received a notice of denial may seek an appeal in accordance to the procedures established by the Summer EBT agency or LEA. USDA estimates that the 715,801 households will submit a request for appeal annually and that it takes approximately 1 hour to complete this requirement; which is estimated to add 715,801 annual burden hours and responses to the inventory.

USDA expects that 715,801 households will be required to fulfill the requirement at 7 CFR 292.12(h) that households can request and participate for a conference to provide the opportunity for the household to discuss the situation, present information, and obtain an explanation of the data submitted in the application or the decision rendered. USDA expects that the 715,801 households will request and participate in a conference annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 1,431,601 annual burden hours and 715,801 responses to the inventory.

USDA estimates that 83,311 households will be required to fulfill the requirement at 7 CFR 292.14(f) that households selected and notified of their selection for verification must provide documentation of income or evidence of SNAP, FDPIR, or TANF participation. USDA estimates that the 83,311 households will notify the Summer EBT agency annually and that it takes approximately 2 hours to complete this requirement; which is estimated to add 166,623 annual burden hours and 83,311 responses to the inventory.

USDA expects that 83,311 households will be required to fulfill the requirement at 7 CFR 292.14(f)(6) that households must respond to a follow-up attempt at verification by the Summer EBT agency. USDA expects that the 83,311 households will participate in a follow-up meeting annually and that it takes approximately 2 hours to complete this requirement, which is estimated to add 166,623 annual burden hours and 83,311 responses to the inventory.

USDA estimates that 57,874 households will be required to fulfill the requirement at 7 CFR 292.26(a) that households can request for an appeal from a decision made with respect to the application the family has made for Summer EBT benefits. USDA estimates that the 57,874 households will request for an appeal annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 4,833 annual burden hours and 57,874 responses to the inventory.

USDA expects that 57,874 households will be required to fulfill the requirement at 7 CFR 292.26(b)(5) that households may present oral or documentary evidence and arguments that support their position. USDA expects that the 57,874 households will present oral or documentary evidence and arguments before a hearing official annually and that it takes approximately 4 hours to complete this requirement, which is estimated to add 231,497 annual burden hours and 57,874 responses to the inventory.

## **Recordkeeping**

### **State/Local/Tribal Governments**

The changes proposed in this rule will establish new recordkeeping requirements, as required by statute, State agencies and the Summer EBT agencies.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(c) that State and Indian Tribal Organization Summer EBT agencies must establish and maintain a statewide database of eligible children that attend NLSP/SBP participating schools for the purposes of conducting streamlined certification. USDA estimates that the 157 Summer EBT agencies will maintain records of 157,489 eligible children and that it takes approximately 5 minutes (0.08 hours) to complete the requirement, which is estimated to add 2,064,599 annual burden hours and 24,725,737 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(f)(3) that State and Indian Tribal Organization Summer EBT agencies must document and maintain a record or any notification from a household declining Summer EBT benefits. USDA expects that the 157 Summer EBT agencies will each maintain 32,257 records annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement;

which is estimated to add a total of 422,870 annual burden hours and 5,064,308 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(g) that State and Indian Tribal Organization Summer EBT agencies must document and maintain a record of the reasons for an ineligibility determination for a written application. USDA expects that the 157 Summer EBT agencies will each maintain 4,559 records annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 59,769 annual burden hours and 715,801 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.15(h)(2)(i) that State and Indian Tribal Organization Summer EBT agencies must document the date and amount of benefits in the household case file whenever benefits are expunged. USDA expects that the 157 Summer EBT agencies will each document the date and amount of 145,677 records annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 1,909,754 annual burden hours and 22,871,307 responses to the inventory.

USDA expects that 55 Summer agencies will be required to fulfill the requirement at 7 CFR 292.16(h) that State and Indian Tribal Organization Summer EBT agencies must maintain issuance, inventory, reconciliation, and other accountability records as described in §274.5. USDA expects that the 55 State agencies will each maintain 12 records annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 55 annual burden hours and 660 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.20(h) that State and Indian Tribal Organization Summer EBT agencies must maintain Program records as necessary to support the administrative costs claimed and the reports submitted to FNS under this paragraph and ensure that such records are retained for a period of 3 years. USDA estimates that the 157 Summer EBT agencies will each maintain a record of administrative costs claimed and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 13 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.22 that State and Indian Tribal Organization Summer EBT agencies must monitor and document the performance standards listed in this paragraph. USDA expects that the 157 Summer EBT agencies will each maintain 1 record annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 13 annual burden hours and 157 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.23(b) that State and Indian Tribal Organization Summer EBT agencies must retain records substantiating eligibility determinations on file for at least 3 years after the date of the submission of the final financial reports or until the audit findings have been resolved. USDA estimates that the 157 Summer EBT agencies will each maintain 157,489 records annually and

that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 2,064,599 annual burden hours and 24,725,737 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.25 that State and Indian Tribal Organizations Summer EBT agencies shall maintain on file all evidence relating to such investigations and corrective action procedures. USDA expects that the 157 Summer EBT agencies will each maintain 121 records annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 1,580 annual burden hours and 18,925 responses to the inventory.

USDA estimates that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.26(b)(11) that State and Indian Tribal Organization Summer EBT agencies shall preserve a written record of each hearing for a period of 3 years. USDA estimates that the 157 Summer EBT agencies will each maintain 4,559 records annually and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 59,769 annual burden hours and 715,801 responses to the inventory.

### **Businesses (Summer EBT Authorized Retailers)**

The changes proposed in this rule will establish a new recordkeeping requirement, as required by statute, for the Summer EBT Authorized Retailers.

USDA expects that 2,428 Summer EBT Authorized Retailers will be required to fulfill the requirement at 7 CFR 292.19(c)(3) that retail food stores and wholesale food concerns shall submit claims in accordance to the standards for determination and disposition of claims described in §246.12. USDA expects that 2,428 firms will retain 12 records of submitted claims and that it takes approximately 5 minutes (0.08 hours) to complete this requirement, which is estimated to add 2,433 annual burden hours and 29,134 responses to the inventory.

### **Public Disclosure**

The changes in this rule will establish new public disclosure requirements, as required by statute, for the Summer EBT agencies.

### **State/Local/Tribal Governments**

USDA estimates 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.10(d) that State and Indian Tribal Organization Summer EBT agencies must make their coordinated service plans available to the public through a website, or through similar means. USDA estimates that the 157 Summer EBT agencies will each make their coordinated service plans available to the public annually and that it takes 15 minutes (0.25 hours) to complete the requirement, which is estimated to add 39 annual burden hours and 157 responses to the inventory.

USDA expects that 157 Summer EBT agencies will be required to fulfill the requirement at 7 CFR 292.12(a)(1) that State and Indian Tribal Organization Summer EBT agencies shall inform participant and applicant households of their Program rights and responsibilities and that the materials meet the requirements. USDA expects that the 157 Summer EBT agencies will each

publicly disclose to 157,489 households annually and that it takes approximately 1 minute (0.02 hours) to complete the requirement, which is estimated to add 412,920 annual burden hours and 24,725,737 responses to the inventory.

As a result of the proposals outlined in this rulemaking, FNS estimates that this new information collection will have 16,696,674 respondents, 246,393,631 responses, and 35,748,275 burden hours. The average burden per response and the annual burden hours are explained below and summarized in the charts which follow. Once the ICR for the final rule is approved, FNS estimates that the burden for Summer Electronic Benefits Transfer (Summer EBT) Program will increase OMB's information collection inventory by 246,393,631 responses and 35,748,275 burden hours.

For S-EBT, given the wide variation in information system development and maintenance costs across State and ITO Summer EBT agencies, USDA estimates a total program cost of \$282,886,800 to acquire IS technology and perform system upgrades annually for the Advanced Planning Document (ADP) process described in this interim final rule ICR. Likewise, USDA estimates a total program cost of \$280,080,900 to acquire and develop statewide NSLP/SBP databases per State and ITO Summer EBT agency and an additional cost of \$280,080,900 to develop and maintain a system that is capable of processing electronic applications for S-EBT. Therefore, as a result of the proposals outlined in this final rule, USDA estimates that this collection is expected to have \$628,260,000 in start-up costs related to system upgrades, and an additional \$220,740,000 in ongoing operation and maintenance costs. USDA estimates that a total of \$849,000,000 in combined start-up costs and ongoing operation and maintenance costs will be added to the inventory.

### **Next Steps**

Prior to the expiration of this requested Emergency clearance, FNS will submit revisions to two existing OMB-approved information collections and will submit a new Information Collection Request (ICR) addressing the information collections for topics not addressed in any existing OMB approved ICRs. Prior to these submissions, FNS will take into account: 1) any public comment received on the PRA section of the applicable rule to be published; and 2) any feedback from the field on implementation of the new rule during the first 60 days of implementation. On an ongoing basis, FNS will continue to incorporate feedback on these collections to inform future revisions.

We appreciate OMB's consideration of this Emergency Request.