



Food and Nutrition Service
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Food and Nutrition Service (FNS)

DATE: September 12, 2023

SUBJECT: Justification for Non-Material/Non-Substantive Change to OMB Control #0584-0512 regarding Food System Transformation (FST) Grants

The Food and Nutrition Service (FNS) is requesting a non-substantive change to the Uniform Grant Application for Non-Entitlement Discretionary Grants, approved under OMB Control No. 0584-0512; expiration date of 7/31/2025.

Through this memorandum, we are requesting approval to capture sub-grantees in this OMB-approved information collection request (ICR) for a cooperative agreement and topic already covered in the ICR. The Food and Nutrition Service already has more than sufficient burden hours included in the ICR to cover the work of the sub-grantees as explained in detail below.

The Healthy Meals Incentives Initiative (HMI) School Food System Transformation (FST) Challenge cooperative agreement is already addressed under 0584-0512 as Child Nutrition Healthy Meals Incentive and the public was already made aware of this grant. As OMB is aware, the FST grants are a priority for the Agency and the Administration. The non-substantive addition is intended to cover the request for proposals from sub-grantees. Out of an abundance of caution and to ensure the public is fully aware upfront of the subgrantee submittals, FNS is also simultaneously issuing a 30-day FR Notice, as explicitly allowed by OMB under OMB Control No. 0584-0512, to notify the public of the sub-grantee planned submissions. The 30-day FR Notice published on September 12, 2023. The supporting statement for OMB control no. 0584-0512 explicitly allows use of a 30-day FR Notice and states:

If FNS decides not to use the uniform grant application package or determines that it needs grant applicants to provide additional information not contained in the uniform package, then FNS will publish at least a 30-day notice soliciting comments on its proposal to collect different or additional information before issuing the grant solicitation.

Out of an abundance of caution, FNS is submitting this non-substantive change request based, in part, on the language excerpted below from 5 CFR 1320.3 regarding the work of sub-grantees:

Conduct or Sponsor. A Federal agency is considered to conduct or sponsor a collection of information if the agency collects the information, causes another agency to collect the information, contracts or enters into a **cooperative agreement** with a person to collect the information, or requires a person to provide information to another person, or in similar ways causes another agency, contractor, **partner in a cooperative agreement**, or person to obtain, solicit, or require the disclosure to third parties or the public of information by or for an agency.

A collection of information undertaken by a recipient of a Federal grant is considered to be “conducted or sponsored” by an agency only if:

- (1) *The recipient of a grant is conducting the collection of information at the specific request of the agency; or*
- (2) *The terms and conditions of the grant require specific approval by the agency of the collection of information or collection procedures.*

The aforementioned language constitutes another reason that FNS is submitting this non-substantive change request to ensure that the sub-grantee applications are encompassed under 0584-0512.

The burden hours associated with the request for applications from sub-grantees and the submittal of proposals, which we’re referring to as HMI 2, are delineated below and already covered under the “miscellaneous” grants portion of the ICR for grants not identified in the existing ICR:

- a. There are burden hours associated with the cooperative agreement recipients’ future drafting and posting of a request for applications from sub-grantees on each cooperator’s website and associated communication efforts. The estimate is 10 hours for each of the four cooperators, for a total of 40 hours. These 40 hours would be taken from the existing competitive pre-award burden hours of approximately 4,823 already set aside for miscellaneous grants not explicitly identified in 0584-0512;
- b. There are burden hours associated with the potential for up to 250 sub-grantee applicants to submit one proposal each. The associated burden would be 250 times 4 hours equals 1,000 hours. These 1,000 hours would be taken from the existing competitive pre-award total of 4,823 burden hours set aside for miscellaneous competitive grants not already explicitly identified in 0584-0512; and
- c. There are burden hours for sub-grantees’ submittal of a progress report; there is a potential for up to 150 sub-grantees to submit a progress report which is equivalent to up to 150 sub-grantees times 3 hours or 450 reporting hours. These 450 hours would be taken from the post-award total of 770 hours set aside for miscellaneous competitive grants not explicitly identified in 0512.

If you have any questions regarding this request, please contact Jamia Franklin, FNS Information Collection Clearance Officer for the Food and Nutrition Service, Planning and Regulatory Affairs Office at (703) 305-2403.