

Appendix F: Burden Narrative

Estimate of the Information Collection Burden (Narrative) for the 7 CFR Part 226 Child and Adult Care Food Program (OMB Control Number 0584-0055)

This document explains the calculation of the revised information collection burden for the Child and Adult Care Food Program (CACFP) under OMB Control Number 0584-0055 due to the proposed rule: *Serious Deficiency Process in the Child and Adult Care Food Program and Summer Food Service Program* (RIN 0584-AE83). Requirements in **bold font** identify new requirements or increases or decreases in existing burden due to the proposed rule, all of which are program changes.

REPORTING REQUIREMENTS

AFFECTED PUBLIC: STATE, LOCAL, AND TRIBAL GOVERNMENT

State Agencies (SAs)

This section of the burden narrative describes the burden associated with State government agencies.

1. Section 226.3(c) requires SAs that have been approved to administer the Program to enter into written agreement with FNS for the administration of the Program in the State (Federal/State agreement).

Ongoing burden hours: FNS estimates that the burden for entering into written agreement with FNS is 0 hours because the burden for completing the FNS-74 form will be captured in the upcoming renewal of the State Administrative Expense (SAE) Funds Information Collection Request (ICR), OMB Control Number 0584-0067. There is no change in the burden.

2. Section 226.6(b)(1) requires SAs to review applications submitted by new institutions.

Ongoing burden hours: FNS estimates that 56 SAs will each review 5 applications annually, for a total of 280 responses ($56 \times 5 = 280$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 280 hours ($280 \times 1 = 280$). There is no change in burden.

3. Section 226.6(b)(2) requires SAs to review updated documentation submitted by renewing institutions.

Ongoing burden hours: FNS estimates that 56 SAs will each review documentation from 390 renewing institutions annually, for a total of 21,840 responses ($56 \times 390 = 21,840$). The estimated average number of burden hours per response is 30 minutes (0.5 hours), resulting

in a total estimated burden of 10,920 hours ($21,840 \times 0.5 = 10,920$). There is no change in the burden.

- 4. Section 226.6(b)(2)(iii)(D)(2) requires SAs to develop a process to share information on any institutions, facilities, and RPIs not approved to administer or participate in other Child Nutrition Programs, per paragraph (b)(2)(iii)(A)(1) in this section. The SA must work closely with any other Child Nutrition Program SA within the State to ensure information is shared for program purposes and on a timely basis. The process must be approved by FNS.**

Ongoing burden hours: FNS estimates that 56 SAs will each develop a process annually for a total of 56 responses ($56 * 1 = 56$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 56 hours ($56 * 1 = 56$). FNS estimates that this requirement will add 56 responses and burden hours to the collection.

- 5. Section 226.6(b)(2)(iii)(L) requires SAs to ensure that the MSSO's operations, as described in paragraph (b)(1)(xviii), are up to date, and if the MSSO has facilities not previously reported to the SA, the MSSO must update the information (as described in paragraph (b)(1)(xviii)).**

New burden hours: FNS estimates that 56 SAs will review 23 MSSO records annually for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement will add 1,288 responses and 322 hours to the collection.

- 6. Section 226.6(b)(3) requires SAs to notify an institution of approval or disapproval of its application within 30 calendar days of receipt of a complete application. The agreement shall contain an assurance that the State agency will comply with policy, instructions, guidance, and handbooks issued by FNS.**

Ongoing burden hours: FNS estimates that 56 SAs will each send 15 notices annually, for a total of 840 responses ($56 \times 15 = 840$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 210 hours ($840 \times 0.25 = 210$). There is no change in the burden.

- 7. Section 226.6(b)(4) requires SAs to enter into a permanent written agreement with an institution that has been approved for participation in the Program (State/Institution agreement) which governs the rights and responsibilities of each party.**

Ongoing burden hours: FNS estimates that 56 SAs will each enter into a written agreement with 5 new institutions annually, for a total of 280 responses ($56 \times 5 = 280$). The estimated average number of burden hours per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 140 hours ($280 \times 0.5 = 140$). There is no change in the burden.

8. Section 226.6(c)(4) requires SAs to notify an institution's executive director and chairman of the board of directors that the institution has been determined to be seriously deficient. At the same time the notice is issued, the SAs must add the institution to the SA list, with the basis for the serious deficiency determination, and provide a copy of the notice to the appropriate FNS Regional Office (FNSRO). The rule will create separate citations for applying institutions and for participating institutions. The currently approved collection combines the burden for the applying institutions and participating institutions into a single burden item at 226.6(c)(1)(iii)(A), (2)(iii)(A), (3)(iii)(A), and (6)(ii)(A). The burden for the participating requirements will be deleted from this burden item, and it will be added back into the collection with new citations at 7 CFR 226.25. The remaining burden for the applying requirements have moved to the new citation at 226.6(c)(4). Overall, no new burden will be added to the collection as a result of these citation changes.

Ongoing burden hours: FNS estimates that 56 SAs will be required to submit 5 notices each year, for a total of 280 responses ($56 * 5 = 280$) and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, for a total of 70 hours ($280 * 0.25 = 70$). The existing requirement at 7 CFR 226.6(c)(1)(iii)(A), (2)(iii)(A), (3)(iii)(A), and (6)(ii)(A) is currently approved with 560 responses and 140 burden hours. FNS estimates that 70 burden hours and 280 responses of these estimates are associated with the participating institutions, with the rest of the estimates associated with the applying institutions. FNS estimates that 70 annual burden hours and 280 responses will be subtracted from this existing requirement.

9. Section 226.6(c)(5)(i)(A) requires that SAs must submit a copy of successful corrective action (temporary deferment or serious deficiency determination) notices to FNSRO for new, renewing, and participating institutions. The rule will create separate citations for applying institutions and for participating institutions. The currently approved collection combines the burden for the applying institutions and participating institutions into a single burden item at 226.6(c)(1)(iii)(B), (2)(iii)(B), (3)(iii)(B), and (6)(ii)(C). The burden for the participating requirements will be deleted from this burden item, and it will be added back into the collection with new citations at 7 CFR 226.25. The remaining burden for the applying requirements have moved to the new citation at 226.6(c)(5)(i)(A). Overall, no new burden will be added to the collection as a result of these citation changes.

Ongoing burden hours: FNS expects that 56 SAs will be required to submit 3.5 notices each year, for 196 responses ($56 * 3.5 = 196$) and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, for 49 hours ($196 * .25 = 49$). The existing requirement at 7 CFR 226.6(c)(1)(iii)(B), (2)(iii)(B), (3)(iii)(B), and (6)(ii)(C) is currently approved with 392 responses and 98 burden hours. FNS estimates that 49 burden hours and 196 responses of these estimates are associated with participating institutions, with the rest associated with the applying institutions. FNS estimates that 49 burden hours and 196 responses will be subtracted from this existing requirement.

10. Section 226.6(c)(6) requires that SAs must submit a copy of application denial and proposed disqualification notice to the FNSRO. The rule will create separate citations for applying institutions and for participating institutions. The currently approved collection combines the burden for the applying institutions and participating institutions into a single burden item at 226.6(c)(1)(iii)(C), (2)(iii)(C), (3)(iii)(C), and (6)(ii)(D). The burden for the participating requirements will be deleted from this burden item, and it will be added back into the collection with new citations at 7 CFR 226.25. The remaining burden for the applying requirements have moved to the new citation at 226.6(c)(6). Overall, no new burden will be added to the collection as a result of these citation changes.

Ongoing burden hours: FNS expects that 56 SAs will be required to submit 1.5 notices each year, for 84 responses ($56 * 1.5 = 84$) and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, for 21 hours ($84 * .25 = 21$). The existing requirement at 7 CFR 226.6(c)(1)(iii)(C), (2)(iii)(C), (3)(iii)(C), and (6)(ii)(D) is currently approved with 168 responses and 42 burden hours. FNS estimates that 84 responses and 21 burden hours of these estimates are associated with participating institutions, with the remaining estimates associated with the applying institutions. FNS estimates that 84 responses and 21 burden hours will be subtracted from this existing requirement.

11. Section 226.6(c)(8) requires that SAs must submit copies of disqualification notices to the FNSRO for new, renewing, and participating institutions. The rule will create separate citations for applying institutions and for participating institutions. The currently approved collection combines the burden for the applying institutions and participating institutions into a single burden item at 226.6(c)(1)(iii)(E), (2)(iii)(D), (3)(iii)(E), and (5)(i)(C). The burden for the participating requirements will be deleted from this burden item, and it will be added back into the collection with new citations at 7 CFR 226.25. The remaining burden for the applying requirements have moved to the new citation at 226.6(c)(8).

Ongoing burden hours: FNS expects that 56 SAs will be required to submit 1.5 notices each year, for 84 responses ($56 * 1.5 = 84$) and that it takes approximately 15 minutes (0.25 hours) to complete this requirement, for 21 hours ($84 * .25 = 21$). The existing requirement at 7 CFR 226.6(c)(1)(iii)(E), (2)(iii)(D), (3)(iii)(E), and (5)(i)(C) is currently approved with 168 responses and 42 burden hours. FNS estimates that 84 responses and 21 burden hours of these estimates are associated with participating institutions, with the remaining estimates associated with the applying institutions. FNS estimates that 84 responses and 21 burden hours will be subtracted from this existing requirement.

12. Section 226.6(c)(3)(i) states that, if a SA holds an agreement with an institution operating in more than one State that has been disqualified from the Program by another SA and has been placed on the National Disqualified List, the SA must terminate the institution's agreement effective no later than 45 days from the date of the institution's disqualification by the other SA.

Ongoing burden hours: FNS estimates that 56 SAs will each send 3 notices annually, for a total of 168 responses ($56 \times 3 = 168$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 42 hours ($168 \times 0.25 = 42$). There is no change in the burden.

13. Sections 226.6(c)(1)(iii)(E), 226.6(c)(2)(iii)(D), 226.6(c)(3)(i), 226.6(c)(3)(iii)(E), 226.6(c)(5)(i)(C), and 226.6(c)(6)(ii)(E) require SAs to submit copies of disqualification notices and supportive documentation to the FNSRO.

Ongoing burden hours: FNS estimates that 56 SAs will each send 3 notices and supportive documentation annually, for a total of 168 responses ($56 \times 3 = 168$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 42 hours ($168 \times 0.25 = 42$). There is no change in burden.

14. Section 226.6(c)(8)(C)(ii) states that the SA must provide the appropriate FNSRO the name, mailing address, and date of birth of each day care home provider whose agreement is terminated for cause, within 10 days of receiving a notice of termination and disqualification from a sponsoring organization.

Ongoing burden hours: FNS estimates that 56 SAs will each provide the required information for 12 sponsoring organizations annually, for a total of 672 responses ($56 \times 12 = 672$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 168 hours ($672 \times 0.25 = 168$). There is no change in burden.

15. Sections 226.6(d)(1) and 226.6(e) require SAs to establish licensing/compliance review procedures for child care centers, at-risk afterschool care centers, day care homes, outside-school hours care centers, and adult day centers. Because SAs currently administer the Program in accordance with licensing/compliance review procedures, now the burden associated with this requirement is to revise/update the established procedures, as necessary.

Ongoing burden hours: FNS estimates that 10 SAs will each revise/update 1 established procedure annually for a total of 10 responses ($10 \times 1 = 10$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 10 hours ($10 \times 1 = 10$). There is no change in burden.

16. Section 226.6(d)(3) requires SAs to establish alternate procedures for review of institutions for which licensing or approval is not available.

Ongoing burden hours: FNS estimates that 10 SAs will each establish 1 alternate procedure annually, for a total of 10 responses ($10 \times 1 = 10$). The estimated average burden per

response is 3 hours, resulting in a total estimated burden of 30 hours ($10 \times 3 = 30$). There is no change in burden.

17. Section 226.6(e)(1)(ix)(A) requires SAs to coordinate with the NSLP State agency to ensure the receipt of a list of schools in the State in which at least one-half of the children enrolled are certified eligible to receive free or reduced-price meals.

Ongoing burden hours: FNS estimates that 56 SAs will each coordinate with the NSLP State agency once annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average number of burden hours per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 28 hours ($56 \times 0.5 = 28$). There is no change in the burden.

18. Section 226.6(f)(1)(i) requires SAs to annually inform institutions that are pricing programs of their responsibility to ensure that free and reduced-price meals are served to participants unable to pay the full price.

Ongoing burden hours: FNS estimates that 56 SAs will each inform institutions once annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 14 hours ($56 \times 0.25 = 14$). There is no change in the burden.

19. Section 226.6(f)(1)(ii) requires SAs to annually provide all institutions a copy of the income standards to be used by institutions for determining the eligibility of participants for free and reduced-price meals under the Program. These standards are provided in Appendix E5. Child Nutrition Programs Income Eligibility Guidelines.

Ongoing burden hours: FNS estimates that 56 SAs will each provide 1 copy of the income standards annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 28 hours ($56 \times 0.50 = 28$). There is no change in burden.

20. Section 226.6(f)(1)(viii)(A) requires SAs provide day care home sponsoring organizations a list of elementary schools in which at least one-half of the children enrolled receive free/reduced-price meals on an annual basis.

Ongoing burden hours: FNS estimates that 56 SAs will each provide 11 lists annually, for a total of 616 responses ($56 \times 11 = 616$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 154 hours ($616 \times 0.25 = 154$). There is no change in burden.

21. Section 226.6(f)(1)(viii)(D) requires SAs to provide day care home sponsors a listing of State-funded programs, participation in which a parent or child will qualify for a meal served to a child in a tier II home for the tier I rate of reimbursement on an annual basis.

Ongoing burden hours: FNS estimates that 56 SAs will each provide 11 lists annually, for a total of 616 responses ($56 \times 11 = 616$). The estimated average burden per response is 15

minutes (0.25 hours), resulting in a total estimated burden of 154 hours ($616 \times 0.25 = 154$). There is no change in burden.

22. Section 226.6(f)(1)(viii)(E) requires SAs to submit to the SNAP SA a list of family day care home providers receiving Tier I benefits on an annual basis.

Ongoing burden hours: FNS estimates that 56 SAs will each submit 1 list annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 14 hours ($56 \times 0.25 = 14$). There is no change in burden.

23. Section 226.6(f)(1)(ix)(A) requires SAs to provide at-risk-afterschool care centers and sponsoring organizations the list of schools in which one-half of children enrolled are eligible for free/reduced-price meals on an annual basis.

Ongoing burden hours: FNS estimates that 56 SAs will each provide 1 list annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 2 hours, resulting in a total estimated burden of 112 hours ($56 \times 2 = 112$). There is no change in the burden.

24. Section 226.6(f)(3)(iii) requires SAs to provide census data to day care home sponsoring organizations.

Ongoing burden hours: FNS estimates that 56 SAs will each provide 11 census data lists, for a total of 616 responses ($56 \times 11 = 616$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 154 hours ($616 \times 0.25 = 154$). There is no change in burden.

25. Section 226.6(h) requires SAs to submit, to the State commodity distribution agency, a list of institutions receiving commodities, by June 1 of each year.

Ongoing burden hours: FNS estimates that 15 SAs will each submit 1 list annually, for a total of 15 responses ($15 \times 1 = 15$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 3.75 hours ($15 \times 0.25 = 3.75$). There is no change in burden.

26. Section 226.6(i) requires SAs to develop a standard contract in accordance with section 226.21 for use between institutions and food service management companies. The contract must stipulate the requirements under 226.6(i), as well as adherence to procurement provisions.

Ongoing burden hours: FNS estimates that 56 SAs will each develop 1 standard contract annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 56 hours ($56 \times 1 = 56$). There is no change in the burden.

27. Section 226.6(l) mandates that the SA establish/revise administrative review (appeal) procedures for day care home providers AND notify the appropriate FNSRO of any change to the procedures or the selected option for offering an administrative review (appeal) to day care home providers.

Ongoing burden hours: FNS estimates that 18 SAs will each establish/revise procedures and send 1 notice annually for a total of 18 responses ($18 \times 1 = 18$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4 hours and 30 minutes (4.5 hours) ($18 \times 0.25 = 4.50$). There is no change in burden.

28. Section 226.6(m)(5) states that SAs must submit to FNSROs, no later than April 1, 2005, the policies and procedures they have developed governing household contacts. Because SAs have already submitted these policies and procedures, now the burden associated with this requirement is to revise/update the established procedures, as necessary.

Ongoing burden hours: FNS estimates that 15 SAs will each submit to FNSRO revisions/edits to household contact policies once a year, for a total of 15 responses ($15 \times 1 = 15$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 3 hours and 45 minutes (3.75 hours) ($15 \times 0.25 = 3.75$). There is no change in burden.

29. Section 226.6(m)(6) requires SAs to annually review at least 33.3 percent of all institutions. As part of its conduct of reviews, the SA must assess each institution's compliance with the requirements of 7 CFR 226 pertaining to: recordkeeping; meal counts; administrative costs; FNS instructions and handbooks; facility licensing and approval (if sponsoring organization); participant enrollment and eligibility; Civil Rights requirements; meal service; training and monitoring of facilities (if sponsoring organization); serious deficiency and termination procedures (if sponsoring organization); classification of Tier I and Tier II day care homes (if sponsoring organization); agreements; procurement standards, policies and actions; and all other Program requirements.

Ongoing burden hours: FNS estimates that 56 SAs will each review 129 institutions annually, for a total of 7,224 responses ($56 \times 129 = 7,224$). The estimated average number of burden hours per response is 20 hours, resulting in a total estimated burden of 144,480 hours ($7,224 \times 20 = 144,480$). There is no change in burden.

- 30. Section 226.6(n)(1) requires that SAs must develop/revise and provide for the use of a standard form of written permanent agreement, which specifies the rights and responsibilities of both parties, between each sponsoring organization and day care home or unaffiliated centers, outside-school-hours-care centers, at-risk afterschool care centers, emergency shelters, or adult day care centers for which it has the responsibility for Program operations.**

Ongoing burden hours: FNS expects that 15 SAs will be required to develop and provide a standard form a year and that it takes approximately 6 hours per response to complete this requirement. The existing requirement at 7 CFR 226.6(p) has a total of

15 responses and 90 burden hours. FNS estimates that the change in the regulatory citation for this requirement will not change the burden for this requirement.

31. Section 226.6(q) requires that SAs must determine if a sponsoring organization is an MSSO, as described in paragraphs (b)(1)(xv) and (b)(2)(iii)(L). SAs must assume the role of a Cognizant State agency (CSA) if the MSSOs center of operations is located within the State. Each SA that approves an MSSO must follow the requirements described in paragraph (i).

New burden hours: FNS estimates that 56 SAs will each review 23 MSSO determinations each year, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement will add 1,288 responses and 322 hours to the collection.

32. Section 226.6(q)(1)(i) requires that SAs must enter into a permanent written agreement with the MSSO, as described in paragraph (b)(4).

New burden hours: FNS estimates that 56 SAs will each review 23 permanent agreements each year, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement will add 1,288 responses and 322 hours to the collection.

33. Section 226.6(q)(1)(ii) requires that SAs must approve the MSSOs administrative budget.

New burden hours: FNS estimates that 56 SAs will be required to approve 23 administrative budgets each year, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement will add 1,288 responses and 322 hours to the collection.

34. Section 226.6(q)(1)(iii) requires that SAs must conduct monitoring of MSSO Program operations within the State, as described in paragraph (k)(4). The SA should coordinate monitoring with the CSA to streamline reviews and minimize the duplication of the review content. The SA may base the review cycle on the number of facilities operating within the State.

New burden hours: FNS estimates that 56 SAs will be required to monitor 23 MSSOs each year, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement will add 1,288 responses and 322 hours to the collection.

- 35. Section 226.6(q)(1)(iii)(c) requires that SAs must provide summaries of the MSSO reviews that are conducted to the CSA. If the SA chooses to conduct a full review, the SA should request the necessary records from the CSA.**

New burden hours: FNS estimates that 56 SAs will be required to provide 23 MSSO review summaries each year, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement will add 1,288 responses and 322 hours to the collection.

- 36. Section 226.6(q)(1)(iv) requires that SAs must conduct audit resolution activities of MSSOs. The SA must review audit reports, address audit findings, and implement corrective actions, as required by 2 CFR part 200, subpart D, and USDA implementing regulations 2 CFR 400 and 415.**

New burden hours: FNS estimates that 56 SAs will be required to conduct 5 audit resolution activities each year, for a total of 280 responses ($56 * 5 = 280$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 70 hours ($280 * 0.25 = 70$). FNS estimates that this requirement adds 280 responses and 70 hours to the collection.

- 37. Section 226.6(q)(1)(v) requires that SAs must notify all other SAs that have agreements with the MSSO that their agreement has been terminated and disqualification actions taken against that MSSO, as described in paragraph (c)(2)(i).**

New burden hours: FNS estimates that 56 SAs will be required to make 23 notifications a year, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement adds 1,288 responses and 322 hours to the collection.

- 38. Section 226.6(q)(2) requires that SAs must determine if a MSSO's center of operations are located within the State and if it is, assume the role of the CSA.**

New burden hours: FNS estimates that 56 SAs will be required to make 23 MSSO determinations each year, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement adds 1,288 responses and 322 hours to the collection.

- 39. Section 226.6(q)(2)(iii) requires that the CSA must conduct a full review at the MSSO headquarters and financial records center. The CSA must coordinate the timing of the reviews and make copies of monitoring reports and findings available to all other State agencies that have agreements with the MSSO.**

New burden hours: FNS estimates that 56 SAs will be required to conduct 23 full reviews of MSSOs, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average number of burden hours per response is 20 hours, resulting in a total estimated burden of 25,760 hours ($1,288 * 20 = 25,760$). FNS estimates that this requirement adds 1,288 responses and 25,760 hours to the collection.

40. Section 226.6(q)(2)(iv) requires that, if an MSSO has for-profit status, the cognizant agency must establish audit thresholds and requirements.

New burden hours: FNS estimates that 56 SAs will be required to establish audit thresholds and requirements for 6 for-profit MSSOs, for a total of 336 responses ($56 * 6 = 336$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 336 hours ($336 * 1 = 336$). FNS estimates that this requirement adds 336 responses and hours to the collection.

41. Section 226.6(p) requires that SAs must provide information on the importance and benefits of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and WIC income eligibility guidelines to participating institutions. The proposed rule is moving this requirement from the original citation at 7 CFR 226.6(r).

Ongoing burden hours: FNS estimates that 56 SAs will be required to fulfill the requirements each year and that it takes approximately 15 minutes (0.25 hours) to complete this requirement. The existing requirement at 7 CFR 226.6(r) has a total of 56 responses and 14 burden hours. The proposed rule is just changing the regulatory citation for this requirement so there will be no change in burden.

42. Section 226.7(c) requires that each SA submit to the FNSRO, within 60 calendar days of receipt of each management evaluation report, a written plan for correcting serious deficiencies noted in Management Evaluations/Audits, including specific timeframes for accomplishing corrective actions and initiating follow-up efforts.

Ongoing burden hours: FNS estimates that 28 SAs will each submit 1 written plan annually, for a total of 28 responses ($28 * 1 = 28$). The estimated average burden per response is 5 hours, resulting in a total estimated burden of 140 hours ($28 * 5 = 140$). There is no change in burden.

43. Sections 226.7(d) requires SAs to submit CACFP Report to FNS 30 and 90 days following the month being reported.

Ongoing burden hours: The burden for submitting the CACFP Reports to FNS is 0 hours because the burden is already captured in the Food Programs Reporting System (FPRS) ICR, OMB Control Number 0584-0594, Form FNS-44. There is no change in burden.

44. Section 226.7(e) requires SAs submit an annual plan for the use of State administrative expense funds.

Ongoing burden hours: FNS estimates that 56 SAs will each submit 1 plan annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 2 hours, resulting in a total estimated burden of 112 hours ($56 \times 2 = 112$). There is no change in burden.

45. Sections 226.7(g) requires SAs to review institutions' budgets on an annual basis.

Ongoing burden hours: FNS estimates that 56 SAs will each review 390 budgets annually, for a total of 21,840 responses ($56 \times 390 = 21,840$). The estimated average number of burden hours per response is 2 hours, resulting in a total estimated burden of 43,680 hours ($21,840 \times 2 = 43,680$). There is no change in burden.

46. Sections 226.7(h), 226.7(i), and 226.7(j) require SAs to establish procedures for start-ups, advances, and recovery of over-payments. Annually, SAs revise/edit these policies, as necessary.

Ongoing burden hours: FNS estimates that 10 SAs will each revise/edit their policies once a year, for a total of 10 responses ($10 \times 1 = 10$). The estimated average burden per response is 2 hours, resulting in a total estimated burden of 20 hours ($10 \times 2 = 20$). There is no change in burden.

47. Section 226.7(k) requires each SA to process claims for reimbursement to institutions on a monthly basis.

Ongoing burden hours: FNS estimates that 56 SAs will each process claims for reimbursement 12 times each year, for a total of 672 responses ($56 \times 12 = 672$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 672 hours ($672 \times 1 = 672$). There is no change in burden.

48. Section 226.9(a) requires each SA to annually assign rates of reimbursement to institutions on the basis of family-size and income information, and national average payment rates.

Ongoing burden hours: FNS estimates that 56 SAs will each adjust assigned rates of reimbursement once a year, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 14 hours ($56 \times 0.25 = 14$). There is no change in burden.

49. Section 226.10(e) requires SAs make adjustments to a final Claim for Reimbursement postmarked and/or submitted to the SA no later than 60 days following the last day of the full month covered by the claim.

Ongoing burden hours: FNS estimates that 56 SAs will each make adjustments to final Claims for Reimbursement 12 times a year, for a total of 672 responses ($56 \times 12 = 672$). The estimated average burden per response is 2 hours, resulting in a total estimated burden of 1,344 hours ($672 \times 2 = 1,344$). There is no change in burden.

50. Section 226.23(l) states that SAs must obtain written consent from children's parents or guardians prior to the use or disclosure of information, if the SA plans to use or disclose information about children eligible for free/reduced-price meals in ways not specified in the regulations.

Ongoing burden hours: FNS estimates that none of the 56 SAs plan to use or disclose information about children eligible for free/reduced-price meals in ways not specified in the regulations. Therefore, the total burden hours associated with this requirement is 0. There is no change in burden.

51. Sections 226.23(m)(1) and 226.23(m)(2) state that SAs should enter into a written agreement with the party requesting children's free/reduced-price eligibility information.

Ongoing burden hours: FNS estimates that all 56 SAs already have entered into written agreements with the parties requesting children's free/reduced-price eligibility information. Therefore, the total burden hours associated with this requirement is 0. There is no change in burden.

52. Section 226.24 states that administering agencies must follow the policies and procedures governing title, use, and disposition of equipment obtained by purchase, whose cost was acquired in whole or part with food service equipment assistance funds.

Ongoing burden hours: FNS believes that all administering agencies have already established the policies and procedures governing the use, title, and disposition of equipment. Therefore, the total burden hours associated with this requirement is 0. There is no change in burden.

- 53. Sections 226.25(a)(2)(i) and 226.25(a)(3) requires that SAs must identify serious management problems and define a set of standards to help measure the severity of the problem to determine what rises to the level of a serious management problem and how it affects the institution or facility's ability to meet Program requirements.**

New burden hours: FNS estimates that 56 SAs will be required to define a set of standards to identify serious management problems annually, for a total of 56 responses ($56 * 1 = 56$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 56 hours ($56 * 1 = 56$). FNS estimates that this requirement adds 56 responses and hours to the collection.

54. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(6)(i) require that SAs must notify a participating institution's executive director and chairman of the board of directors, responsible principals, and responsible individuals that serious management problems have been identified, must be addressed, and corrected. The notice must identify all aspects of the serious management problem; reference specific regulatory citations, instruction, or policies; name all of the responsible principals and individuals, describe the action needed to correct the serious management problem; and set a deadline for completing the corrective action. At the same time, the SA must add the institution and the responsible principals and individuals to the SA list and provide a copy of the notice to the appropriate FNSRO.

Ongoing burden hours: FNS estimates that 56 SAs will notify 5 institutions annually, for a total of 280 responses ($56 * 5 = 280$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 70 hours ($280 * 0.25 = 70$). The proposed requirement at the regulatory citations noted above adds back a total of 70 burden hours and 280 responses for the participating institutions which was subtracted from the old citation of 7 CFR 226.6(c)(1)(iii)(A) (originally approved with 560 responses and 140 burden hours for both the applying and participating institutions; it is now estimated that the applying institutions now have 280 responses and 70 burden hours). Therefore, FNS estimates that 280 responses and 70 hours will be added back to the collection.

55. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(6)(ii)(A) requires that SAs must notify a participating institution's executive director and chairman of the board of directors, responsible principals, and responsible individuals that the serious management problems have been vacated when corrective action has been taken to fully correct each serious management problem. At the same time, the SA must update the SA list and send a copy of the notice to the appropriate FNSRO.

Ongoing burden hours: FNS estimates that 56 SAs will notify 3.5 institutions annually, for a total of 196 responses ($56 * 3.5 = 196$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 49 hours ($196 * 0.25 = 49$). The proposed requirement at the regulatory citations noted above adds back a total of 196 responses and 49 burden hours for the participating institutions, which was subtracted from the old citation of 7 CFR 226.6(c)(1)(iii)(B) (originally approved with 392 responses and 98 burden hours for both the applying and participating institutions; it is now estimated that the applying institutions will have 196 responses and 49 burden hours). Therefore, FNS estimates that 196 responses and 49 hours will be added back to the collection.

56. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(6)(ii)(B) requires that SAs must notify a participating institution's executive director and chairman of the board of directors, responsible principals, and responsible individuals that the SA proposes to terminate the institution's agreement and disqualify the institution, the responsible principals, and responsible individuals in circumstances where the corrective action has not fully corrected each of the serious management problems. The SA must notify

the institution of the procedures for seeking a fair hearing in accordance with paragraph f of the proposed termination and proposed disqualification. At the same time, the SA must update the SA list and send a copy of the notice to the appropriate FNSRO.

Ongoing burden hours: FNS estimates that 56 SAs will notify 1.5 institutions annually, for a total of 84 responses ($56 * 1.5 = 84$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 21 hours ($84 * 0.25 = 21$). The proposed requirement at the regulatory citations noted above adds back a total of 84 responses and 21 burden hours for the participating institutions, which was subtracted from the old citation of 7 CFR 226.6(c)(1)(iii)(C) (originally approved with 168 responses and 42 burden hours for both the applying and participating institutions; it is now estimated that the applying institutions will have 84 responses and 21 burden hours). Therefore, FNS estimates that 84 responses and 21 hours will be added back to the collection.

- 57. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(6)(iii)(A)-(B) requires that SAs must notify a participating institutions executive director and chairman of the board of directors, responsible principals, and responsible individuals that the serious management problem is vacated and advise the institution and facility that procedures and policies must be implemented to fully correct the serious management problems in cases where the appeal is upheld. If the fair hearing is denied, SAs must notify the institution's executive director, chairman of the board of directors, and responsible principals and individuals that the agreement is terminated and declare the institution or facility seriously deficient. SAs must issue a serious deficiency notice that informs the institution, facility, and responsible principals and individuals of their disqualification from Program participation. At the same time, the SA must update the SA list and provide a copy of the notice to the appropriate FNSRO.**

Ongoing burden hours: FNS estimates that 56 SAs will notify 1.5 institutions annually, for a total of 84 responses ($56 * 1.5 = 84$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 21 hours ($84 * 0.25 = 21$). The proposed requirement at the regulatory citations noted above adds back a total of 84 responses and 21 burden hours for the participating institutions, which was subtracted from the old citation of 7 CFR 226.6(c)(1)(iii)(E) (originally approved with 168 responses and 42 burden hours for both the applying and participating institutions; it is now estimated that the applying institutions will have 84 responses and 21 burden hours). Therefore, FNS estimates that 84 responses and 21 hours will be added back to the collection.

- 58. Section 226.25(b) requires that the State agency must maintain a State agency list, made available to FNS upon request, and must include the required information: : Names and mailing addresses of each institution, day care home or unaffiliated center that is determined to have a serious management problem; Names, mailing addresses, and dates of birth of each responsible principal and responsible individual; the status of the institution, day care home or unaffiliated center, as it progresses through the stages of**

corrective action, termination, suspension, and disqualification, full correction, as applicable. Within 10 days of receiving a notice of termination and disqualification from a sponsoring organization, the State agency must provide FNS with the information as described in paragraph (b)(i)(A) and (B) of this section.

New burden hours: FNS estimates that 56 SAs will create reports for 10,570 program operators annually, for a total of 591,895 responses ($56 * 10,570 = 591,895$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 147,973 hours and 45 minutes ($591,895 * 0.25 = 147,973.75$). FNS estimates that 591,895 responses and 147,973.75 hours will be added to the collection.

59. Section 226.25(c)(2)(iv)(C) requires that SAs must receive and approve the corrective action plans within 90 days from the date the institution received the notice and monitor the full implementation of the corrective action plan.

Ongoing burden hours: FNS estimates that 56 SAs will each review 3 corrective action plans annually, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 42 hours ($168 * 0.25 = 42$). FNS estimates that this requirement adds 168 responses and 42 hours to the collection.

60. Section 226.25(c)(3)(i) and 226.6(k)(2) requires that SAs must conduct and prioritize follow-up reviews and more frequent full reviews of institutions with serious management problems, as described in 7 CFR 226.6(k)(6)(ii). An institution must have at least two full reviews occurring once every two years and at least 24 months apart that reveal no new or repeat serious management problems before full correction is achieved.

New burden hours: FNS estimates that 56 SAs will conduct reviews of 39 participating institutions annually, for a total of 2,184 responses ($56 * 39 = 2,184$). The estimated average number of burden hours per response is 20 hours, resulting in a total estimated burden of 43,680 hours ($2,184 * 20 = 43,680$). FNS estimates that this requirement adds 2,184 responses and 43,680 hours to the collection.

61. Section 226.25(d)(1) requires that SAs must terminate for cause the Program agreement with a participating institution upon declaration of the institution or facility to be seriously deficient.

Ongoing burden hours: FNS estimates that 56 SAs will terminate 3 participating institutions annually, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 42 hours ($168 * 0.25 = 42$). The proposed rule is changing the regulatory citation for this requirement, but otherwise has no further impact on the requirement or its burden so there is no change in burden.

- 62. Section 226.25(d)(2) requires that SAs must develop a contingency plan for the transfer of facilities if a sponsoring organization is terminated or disqualified to ensure that eligible participants continue to have access to meal services.**

New burden hours: FNS estimates that 56 SAs will develop 3 contingency plans annually, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 2 hours, resulting in a total estimated burden of 336 hours ($168 * 2 = 336$). FNS estimates that this requirement adds 168 responses and 336 hours to the collection.

- 63. Section 226.25(e)(2)(iii) permits SAs, if all serious management problems have been corrected and all debts have been repaid, to elect to remove an institution, responsible principals, and responsible individuals from the National Disqualified List. SAs must submit all requests for early removals to the appropriate FNSRO.**

New burden hours: FNS estimates that 56 SAs will remove up to 3 institutions from the National Disqualified List annually, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 42 hours ($168 * 0.25 = 42$). FNS estimates that this requirement adds 168 responses and 42 hours to the collection.

- 64. Section 226.25(e)(3)(ii) requires that SAs must enter into written agreements with FNS, consistent with 5 U.S.C. 552a(o) of the CMA, in order to participate in a matching program involving a FNS Federal system of records.**

New burden hours: FNS estimates that 56 SAs will enter into 1 written agreement with FNS annually, for a total of 56 responses ($56 * 1 = 56$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 56 hours ($56 * 1 = 56$). FNS estimates that this requirement adds 56 responses and hours to the collection.

- 65. Section 226.25(e)(3)(iii)(B) requires that SAs may request FNS to waive the two-step independent verification and notice requirement of the CMA.**

New burden hours: FNS estimates that 56 SAs may request 1 waiver from FNS annually, for a total of 56 responses ($56 * 1 = 56$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 56 hours ($56 * 1 = 56$). FNS estimates that this requirement adds 56 responses and hours to the collection.

- 66. Sections 226.25(f)(1)(i)(A) & 226.25(f)(2)(i)(A) requires SAs to immediately notify the appropriate State or local licensing and health authorities and take action that is consistent with recommendations and requirements of those authorities upon determination of an imminent threat to the health and safety of participants, or that there is a threat to public health or safety. The SA must initiate action for termination and disqualification. The SA must notify the institution's executive director and chairman of the board of directors that the institution's participation has been suspended and that the SA proposes to terminate the institution's agreement and to**

disqualify the institution and responsible principals and individuals. The notice must identify the responsible principals and individuals and must be sent to those persons as well. If the SA determines an institution knowingly submitted false or fraudulent claims, the SA must initiate action to suspend the institution's participation and must initiate action to terminate the institution's agreement and initiate action to disqualify the institution and the responsible principals and individuals. At the same time this notice is sent, the SA must add the institution and the responsible principals and individuals to the State agency list, along with the basis for the suspension and provide a copy of the notice to the appropriate FNSRO.

Ongoing burden hours: FNS estimates that 56 State agencies will suspend 1 institution per year, for a total of 56 responses ($56 * 1 = 56$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 14 hours ($56 * 0.25 = 14$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.6(c)(5)(i)(A)-(B), 7 CFR 226.6(c)(5)(ii)(A)-(B), 7 CFR 226.6(c)(5)(ii)(D) and 7 CFR 226.6(c)(6)(ii)(B) so the total 56 responses and 14 hours for this requirement remains unchanged.

67. Section 226.25(g) requires that SAs must annually submit administrative review (appeal) procedures to all institutions.

Ongoing burden hours: FNS estimates that 56 State agencies will submit annual administrative procedures to 21,840 institutions a year, for a total of 21,840 responses ($56 * 390 = 21,840$). The estimated average number of burden hours per response is 1 minute (0.0167 hours), resulting in a total estimated burden of 365 hours ($21,840 * 0.0617 = 364.73$). The 21,840 responses and 365 burden hours for this requirement remains unchanged from its older citation at 7 CFR 226.6(k)(4)(i) so there is no change in burden.

68. Section 226.25(g)(1)(i) requires that SAs must submit administrative review (appeals) procedures when applicable action is taken.

Ongoing burden hours: FNS estimates that 56 State agencies will submit procedures to 5 institutions per year, for a total of 280 responses ($56 * 5 = 280$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 70 hours ($280 * 0.25 = 70$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.6(k)(4)(ii) so FNS estimates that the change in the requirement will not change the burden.

69. Section 226.25(g)(1)(iii) requires that SAs must notify the institution's executive director and, chairman of the board of directors, responsible principals, and responsible individuals that action is being taken or proposed, the basis for the action, and the procedures under which the institution and the responsible principals or individuals may request an administrative review (appeal) of the action.

Ongoing burden hours: FNS estimates that 56 State agencies will notify 3 participating institutions per year, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 42 hours ($168 * 0.25 = 42$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.6(k)(5)(i) so FNS estimates that the change in the citation will not change the burden.

70. Section 226.25(g)(1)(iv)(E) requires that SAs must submit written documentation to the hearing official prior to the beginning of the hearing, within 30 days after receiving the notice of action.

Ongoing burden hours: FNS estimates that 56 State agencies will submit written documentation to a hearing official 3 times per year, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 2 hours, resulting in a total estimated burden of 336 hours ($168 * 2 = 336$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.6(k)(5)(v) so FNS estimates that this change in citation will not change the burden.

71. Section 226.25(g)(2) requires that State agencies must provide participating institutions and responsible principals and individuals advanced notification at least 5 days in advance of the time and place of the hearing when a hearing is requested.

Ongoing burden hours: FNS estimates that 56 State agencies will notify 3 participating institutions per year, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 5 minutes (0.0835 hours), resulting in a total estimated burden of 14.03 hours ($168 * 0.08 = 14.03$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.6(k)(5)(ii) so FNS estimates that the change in the citation will not change the burden.

72. Section 226.25(g)(2) requires that State agencies must participate in the hearing held by the hearing official to determine if the State agency followed Program requirements in taking action under appeal.

Ongoing burden hours: FNS estimates that 56 State agencies will participate in 3 hearings per year, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 4 hours, resulting in a total estimated burden of 672 hours ($168 * 4 = 672$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.6(k)(5)(vi) so FNS estimates that the change in the citation will not change the burden.

73. Sections 226.25(g)(5)(i)-(ii) requires State agencies to inform participating institutions, responsible principals, and responsible individuals of the decision made by the hearing official within 60 days of the date the SA received the appeal request.

Ongoing burden hours: FNS estimates that 56 State agencies will notify 3 participating institutions per year, for a total of 168 responses ($56 * 3 = 168$). The estimated average number of burden hours per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 84 hours ($168 * 0.5 = 84$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.6(k)(5)(ix) and 7 CFR 226.6(k)(9) so FNS estimates that the change in the citation will not change the burden.

74. Section 226.25(h)(3)(i) requires that SAs must send a necessary demand letter for the collection of unearned payments, including any assessment of interest, as described in 226.14(a), and refer the claim to the appropriate State authority for pursuit of the debt payment. SAs must assess interest on the institution's debts established on or after July 29, 2002, based on the Current Value of Funds rate, which is published annually by the Treasury in the Federal Reserve and is available from the FNSRO, and notify the institution that interest will be charged on debts not paid in full within 30 days of the initial demand for remittance up to the date of payment.

Ongoing burden hours: FNS estimates that 56 State agencies will send 39 necessary demand letters a year, for a total of 2,184 responses ($56 * 39 = 2,184$). The estimated average number of burden hours per response is 1 minute (0.0167 hours), resulting in a total estimated burden of 36.47 ($2,184 * 0.02 = 36.47$). The number of annual burden hours and responses for this requirement remains unchanged from its older citation at 7 CFR 226.14(a) so FNS estimates that the change in the citation does not change the burden.

Local Government Agencies

For this revision, FNS separated burden to institutions into: (1) burden to institutions that are local government agencies and (2) burden to institutions that are businesses. FNS estimates that, in total, there are 25,411 institutions. Of these, 3,791 are local government agencies (14.9%) and 21,650 are businesses (85.1%). This section of the burden narrative describes the burden associated with institutions that are local government agencies.

1. Section 226.6(b)(1)(xix) requires that sponsoring organizations approved to participate in the Program that operate in more than one State must provide the required information concerning the affiliated and unaffiliated centers and day care homes: the number of affiliated/unaffiliated centers it sponsors, by State; the number of day care homes it sponsors, by State; the names, addresses, and phone numbers of the organization's headquarters and the officials who have administrative responsibility; the names, addresses, and phone numbers of the financial records center and the officials who has financial responsibility; and the organization's decision on whether to use program funds for administrative expenses.

New burden hours: FNS estimates that 3 local government agencies will need to report on their operations once a year, for a total of 3 responses per year ($3 * 1 = 3$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 45 minutes ($3 * 0.25$). FNS estimates that the requirement will add 3 responses and 45 minutes to the collection.

2. Section 226.6(b)(4) requires an institution that has been approved for participation in the Program to enter into a permanent written agreement with the SA (State/Institution agreement) which governs the rights and responsibilities of each party.

Ongoing burden hours: FNS estimates that 42 institutions that are local government agencies will each enter into 1 written agreement with SAs annually, for a total of 42 responses ($42 * 1 = 42$). The estimated average number of burden hours per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 21 hours ($42 * 0.5 = 21$). There is no change in burden.

3. Sections 226.6(d), 226.6(e), and 226.6(f)(1)(vi) require that sponsors and institutions submit documentation to SAs to demonstrate that facilities are in compliance with licensing/approval criteria.

Ongoing burden hours: FNS estimates 3,257 institutions that are local government agencies will each submit 1 set of documentation annually, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 271 hours and 58 minutes ($3,257 * 0.0835 = 271.96$). There is no change in burden.

4. Section 226.6(f)(1)(iii) requires centers to submit current eligibility information on enrolled participants, in order to calculate a blended rate or claiming percentage in accordance with section 226.9(b).

Ongoing burden hours: FNS estimates 3,257 institutions that are local government agencies will each submit eligibility information 12 times each year, for a total of 39,084 responses ($3,257 * 12 = 39,084$). The estimated average burden per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 19,542 hours ($39,084 * 0.5 = 19,542$). There is no change in burden.

5. Section 226.6(f)(1)(viii)(E) requires sponsoring organizations of day care homes to submit annually to the SA a list of family day care home providers receiving Tier I benefits based on SNAP participation.

Ongoing burden hours: FNS estimates that 83 institutions that are local government agencies will each submit 1 list annually, for a total of 83 responses ($83 \times 1 = 83$). The estimated average burden per response is approximately 1 minute (0.0167 hours), resulting in a total estimated burden of approximately 1 hour and 10 minutes ($70 \times 0.0167 = 1.386$). There is no change in burden.

6. Section 226.6(f)(2)(i) mandates each participating institution must re-apply to continue its participation at intervals that cannot exceed 36 months.

Ongoing burden hours: FNS estimates that 3,257 institutions that are local government agencies will each re-apply once each year, for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average burden per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 1,628 hours and 30 minutes ($3,257 \times 0.50 = 1628.5$). There is no change in burden.

7. Section 226.6(n) mandates sponsoring organizations participate and provide necessary documentation requested as part of investigations.

Ongoing burden hours: FNS estimates that 9 institutions that are local government agencies will each provide 1 set of documentation annually, for a total of 9 responses ($9 \times 1 = 9$). The estimated average burden per response is 1.50 hours, resulting in a total estimated burden of 13 hours and 30 minutes (13.50 hours) ($9 \times 1.50 = 13.50$). There is no change in burden.

8. Section 226.7(g) requires sponsoring organizations to submit an administrative budget to the SA annually, and independent centers must submit budgets as frequently as required by the SA.

Ongoing burden hours: FNS estimates that 3,257 institutions that are local government agencies will each provide 1 administrative budget annually, for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average burden per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 1,628 hours and 30 minutes ($3,257 \times 0.50 = 1,628.5$). There is no change in burden.

9. Sections 226.10, 226.13(b), and 226.15(i) require sponsors/institutions to report the number of meals claimed for reimbursement to the SA.

Ongoing burden hours: FNS estimates that 3,257 institutions that are local government agencies will each submit 12 reports annually, for a total of 39,084 responses ($3,257 \times 12 = 39,084$). The estimated average number of burden hours per response is approximately 1 hour and 40 minutes (1.67 hours), resulting in a total estimated burden of 65,270 hours and 17 minutes ($39,084 \times 1.67 = 65,270.28$). There is no change in burden.

10. Section 226.10(c) requires sponsoring organizations to submit documentation to verify for profit center eligibility.

Ongoing burden hours: FNS estimates that 1,456 institutions that are local government agencies will each submit 12 sets of documentation annually, for a total of 17,472 responses ($1,456 \times 12 = 17,472$). The estimated average burden per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 8,736 hours ($17,472 \times 0.5 = 8,736$). There is no change in burden.

11. Sections 226.13(d)(3)(i)-(iii) requires that sponsoring organizations of family day care home must establish and provide reimbursement rates for Tier 2 providers with income eligible children.

Ongoing burden hours: FNS estimates that 83 institutions that are local government agencies will each establish reimbursement rates 5 times a year, for a total of 415 responses ($83 \times 5 = 415$). The estimated average burden per response is approximately 18 minutes (0.3006 hours), resulting in a total estimated burden of approximately 124 hours and 45 minutes ($415 \times 0.30 = 124.75$). There is no change in burden.

12. Section 226.15(b) requires new and renewing institutions to submit to the SA, with its application, all information required for its approval, as set forth in 226.6(b)(1) and 226.6(f). The application must demonstrate that a new institution has the administrative and financial capability to operate the Program as described in the performance standards in accordance with the Program regulations.

Ongoing burden hours: FNS estimates that, each year, 42 institutions that are local government agencies will submit 1 application, for a total of 42 responses ($42 \times 1 = 42$). The estimated average burden per response is 8 hours, resulting in a total estimated burden of 336 hours ($42 \times 8 = 336$). There is no change in burden.

13. Section 226.15(b) requires new institutions to annually certify that they are capable of operating the Program, as set forth in 226.6(b)(2).

Ongoing burden hours: FNS estimates that, each year, 3,257 institutions that are local government agencies will submit 1 application, for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814 hours and 15 minutes ($3,257 \times 0.25 = 814.25$). There is no change in burden.

14. Section 226.15(g) requires sponsoring organizations of at-risk afterschool care centers to provide information that permits SA to determine eligibility of at-risk afterschool care centers.

Ongoing burden hours: FNS estimates that 3,257 institutions that are local government agencies will each provide 1 report for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 \times 0.25 = 814.25$). There is no change in burden.

15. Section 226.15(n) requires each institution to comply with all regulations issued by FNS and the Department, all instructions and handbooks issued by FNS and the Department to clarify or explain existing regulations, and all regulations, instructions and handbooks issued by the SA that are consistent with the provisions established in Program regulations. NOTE: Handbooks are provided as a reference in Appendix E and include: Appendix E1. 2017 Edition of the Eligibility Manual for School Meals; Appendix E2. At-Risk Handbook; Appendix E3. CACFP Adult Day Care Handbook; Appendix E4. CACFP Duration of Income Eligibility Determinations; Appendix E6. Independent Child Care Centers Handbook; Appendix E8. Crediting Handbook for the CACFP; Appendix E9. Guidance for Management Plans and Budgets – A CACFP Handbook; Appendix E10. Monitoring Handbook for State Agencies – A CACFP Handbook; Appendix E11. Serious Deficiency, Suspension, & Appeals for State Agencies & Sponsoring Organizations – A CACFP Handbook; Appendix E12. Family Day Care Homes Monitor Handbook; and Appendix E13. Collection of Race and Ethnicity Data by Visual Observation and Identification in the CACFP and Summer Food Service Program – Policy Rescission.

Ongoing burden hours: FNS estimates that, each year, 3,257 institutions that are local government agencies will submit 1 application, for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average burden per response is 36 hours, resulting in a total estimated burden of 117,252 hours ($3,257 \times 36 = 117,252$). There is no change in burden.

16. Section 226.15(o) requires institutions to ensure that parents of enrolled children are provided with current information on the benefits and importance of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the eligibility requirements for WIC participation. (Each institution other than outside-school-hours care centers, at-risk afterschool care centers, emergency shelters, and adult day care centers.)

Ongoing burden hours: FNS estimates that, each year, 3,257 institutions that are local government agencies will submit 1 application, for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 \times 0.25 = 814.25$). There is no change in burden.

17. Section 226.16(b) requires each sponsoring organization to submit to the SA, with its application, all information required for its approval, and the approval of the facilities under its jurisdiction. The application must demonstrate that the institution has the administrative and financial capability to operate the Program in accordance with the Program regulations.

Ongoing burden hours: FNS estimates that, each year, 3,257 institutions that are local government agencies will submit information with 1 application, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average burden per response is 0 hours, resulting in a total estimated burden of 0 hours ($3,257 * 0 = 0$). There is no change in burden.

18. Section 226.16(d)(4)(vi) requires sponsoring organizations to provide each center with written notification of the right of the sponsoring organizations, the SA, the Department, and other State and Federal officials to make announced or unannounced reviews of its operations during the center's normal hours of operation, and must also notify sponsored centers that anyone making such reviews must show photo identification that demonstrates that they are employees of one of these entities.

Ongoing burden hours: FNS estimates that, each year, 3,257 institutions that are local government agencies will submit 1 application, for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 \times 0.25 = 814.25$). There is no change in burden.

19. Section 226.16(l)(4) requires sponsoring organizations to conduct the following activities if State or local health or licensing officials have cited a day care home for serious health or safety violations: (1) immediately suspend the home's CACFP participation prior to any formal action to revoke the home's licensure or approval; (2) notify the day care home that its participation has been suspended, that the day care home has been determined seriously deficient, and that the sponsoring organization proposes to terminate the day care home's agreement for cause; (3) provide a copy of the notice to the State agency.

Ongoing burden hours: FNS estimates that 21 institutions that are local government agencies will each provide 1 notice annually for a total of 21 responses ($21 \times 1 = 21$). The estimated

average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 5 hours and 15 minutes ($21 \times 0.25 = 5.25$). There is no change in burden.

20. Section 226.17a(e) requires sponsoring organizations to make written application to the SA for any afterschool care program that it wants to operate as an at-risk afterschool care center.

Ongoing burden hours: FNS estimates that 564 institutions that are local government agencies will each make 1 written application to the SA annually for a total of 564 responses ($564 \times 1 = 564$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 564 hours ($564 \times 1 = 564$). There is no change in burden.

21. Section 226.17a(h) requires independent at-risk afterschool care centers or sponsors of at-risk afterschool care centers to advise the SA of any substantive changes to the afterschool care program. Sponsoring organizations that want to add new at-risk afterschool care centers must provide the SA with the information sufficient to demonstrate that the new centers meet the requirements of this section.

Ongoing burden hours: FNS estimates that 564 institutions that are local government agencies will each make 1 written application to the SA annually for a total of 564 responses ($564 \times 1 = 564$). The estimated average burden per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 282 hours ($564 \times 0.50 = 282$). There is no change in burden.

22. Section 226.23 describes the free/reduced-price meal requirements applicable to independent centers and sponsoring organizations.

Ongoing burden hours: FNS estimates that 3,791 institutions that are local government agencies will comply with the free/reduced-price meal requirements each year, for a total of 3,791 responses ($3,791 \times 1 = 3,791$). The estimated average burden per response is approximately 1 minute (0.0167 hours), resulting in a total estimated burden of approximately 63.31 hours ($3,791 \times 0.0167 = 63.31$). There is no change in burden.

23. Section 226.23(l) states that child care institutions that plan to use or disclose information about children eligible for free/reduced-price meals in ways not specified in the regulations must obtain written consent from children's parents or guardians prior to the use or disclosure.

Ongoing burden hours: FNS estimates that 29 institutions that are local government agencies will each obtain 1 written consent, for a total of 29 responses ($29 \times 1 = 29$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 2 hours and 25 minutes (2.4215 hours) ($29 \times 0.0835 = 2.4215$). There is no change in burden.

24. Section 226.23(m) states that a child care institution should have a written agreement or Memorandum of Understanding (MOU) with programs or individuals receiving eligibility information, prior to disclosing children's free and reduced-price meal eligibility information.

Ongoing burden hours: FNS estimates that 29 institutions that are local government agencies will each have 1 agreement or MOU, for a total of 29 responses ($29 \times 1 = 29$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 2.42 hours ($29 \times 0.0835 = 2.4215$). There is no change in burden.

25. Sections 226.25(a)(2)(i) and 226.25(a)(3) requires that sponsoring organization must identify serious management problems and define a set of standards to help measure the severity of the problem to determine what rises to the level of a serious management problem and how it affects the institution or facility's ability to meet Program requirements.

New burden hours: FNS estimates that 3,257 local government agencies will develop a set of standards annually, for a total of 3,257 responses ($3,257 \times 1 = 3,257$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 3,257 hours ($3,257 \times 1 = 3,257$). FNS estimates that this requirement adds 3,257 responses and burden hours to the collection.

26. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(i) requires that sponsoring organizations must notify day care homes or unaffiliated centers that serious management problems have been identified, must be addressed, and corrected. The notice must include the required information: identify all aspects of the serious management problem; reference specific regulatory citations, instructions, or policies; name all of the responsible principals and individuals; describe the action needed to correct the serious management problem; and set a deadline for completing the corrective action. This requirement separates the burden of notifying participating institutions from new institutions.

Ongoing burden hours: FNS estimates that 83 local government agencies will send a notice, for a total of 83 responses ($83 \times 1 = 83$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 20 hours and 45 minutes ($83 \times 0.25 = 20.75$). The proposed requirement remains unchanged from its currently approved citation at 7 CFR 226.16(1)(3)(i) so FNS estimates that the change in citation will not change the burden.

27. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(ii)(A) requires that sponsoring organizations must notify an institution's executive director, chairman of the board of directors, responsible principals, and responsible individuals that the serious management problems have been vacated upon full correction of each serious management problem. The requirement separates the burden of notifying participating institutions from new institutions.

New burden hours: FNS estimates that 3,257 local government agencies will send a notification annually, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 * 0.25 = 814.25$). FNS estimates that this requirement will add 3,257 responses and 814.25 burden hours to the collection.

- 28. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(ii)(B) requires that sponsoring organizations must notify an institution's executive director, chairman of the board of directors, responsible principals, and responsible individuals that corrective action has not fully corrected each serious management problem and that the sponsoring organization proposes to terminate the institution's agreement and disqualify the institution, responsible principals and individuals.**

Ongoing burden hours: FNS estimates that 3,257 local government agencies will send a notification annually, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 * 0.25 = 814.24$). FNS estimates that this requirement will add 3,257 responses and 814.25 annual burden hours to the collection.

- 29. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(iii)(A)-(B) requires that sponsoring organizations must notify the institution and facility that confirms the serious management problem is vacated and advise the institution and facility that procedures and policies must be implemented to fully correct the serious management problem when the appeal is upheld. If the fair hearing is denied, sponsoring organizations must notify the institution's executive director, chairman of the board of directors, responsible principals, and responsible individuals that the agreement is terminated and declare the institution or facility seriously deficient. Sponsoring organizations must issue a serious deficiency notice that informs the institution, facility, and responsible principals and individuals of their disqualification from Program participation.**

New burden hours: FNS estimates that 3,257 local government agencies will send a notification annually, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 * 0.25 = 814.25$). FNS estimates that this requirement will add 3,257 responses and 814.25 burden hours to the collection.

- 30. Section 226.25(c)(1) requires that institutions, unaffiliated centers, or day care homes must submit, in writing, the corrective actions it has taken to correct each serious management problem in response to the notice of serious management problems. The corrective action plan must address the root cause of each serious management problem, describe and document the actions taken to correct serious management problems, and describe the actions outcome.**

New burden hours: FNS estimates that 3,257 local government agencies will each submit a written record of corrective actions taken annually, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 * 0.25 = 814.25$). FNS estimates that this requirement will add 3,257 responses and 814.25 burden hours to the collection.

- 31. Section 226.25(c)(3)(ii) requires that sponsoring organizations must conduct reviews, as described in 226.16(d)(4) to confirm that the serious management problems are corrected. A follow-up review must be conducted to confirm that serious management problems are corrected. Full reviews must occur 3 times a year, as described in 226.16(d)(4). Full correction is achieved when three consecutive reviews indicate no new serious management problems or no new repeat serious management problems.**

New burden hours: FNS estimates that 3,257 local government agencies will conduct a follow-up review annually, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average number of burden hours per response is 20 hours, resulting in a total estimated burden of 65,140 hours ($3,257 * 20 = 65,140$). FNS estimates that this requirement will add 3,257 responses and 65,140 burden hours to the collection.

- 32. Section 226.25(d)(1) requires that sponsoring organizations must terminate for cause the Program agreement upon declaration that the institution or facility is seriously deficient.**

New burden hours: FNS estimates that 3,257 sponsoring organizations terminate an agreement annually, for a total of 3,257 responses ($3,257 * 1 = 3,257$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 814.25 hours ($3,257 * 0.25 = 814.25$). FNS estimates that this requirement will add 3,257 responses and 814.25 burden hours to the collection.

- 33. Sections 226.25(f)(1)(ii)(A) and 226.25(f)(2)(ii)(A) requires that sponsoring organizations upon determination of an imminent threat to the health and safety of participants or that there is a threat to public health or safety, must immediately notify the appropriate State or local licensing and health authorities and take action that is consistent with the recommendations and requirements of those authorities. The sponsoring organization must initiate action for termination and disqualification and must submit a combined notice of suspension, proposed termination, and proposed disqualification to the day care home provider or unaffiliated center and the responsible principals and individuals. The notice must identify the responsible principals and individuals and must be sent to those persons as well. If the sponsoring organization determines that a day care home or unaffiliated center has knowingly submitted a false or fraudulent claim, the sponsoring organization must initiate action to suspend the day care home or unaffiliated center's participation and must initiate action to terminate the day care home or unaffiliated center's agreement and initiate action to disqualify the institution and responsible principals and individuals. At the same time this notice is sent, the SA must add the day care home or unaffiliated center**

and the responsible principals and individuals to the State agency list, along with the basis for the suspension and provide a copy of the notice to the appropriate FNSRO.

Ongoing burden hours: FNS estimates that 814 local government agencies will take action for termination and disqualification against these participating institutions annually, for a total of 814 responses ($814 * 1 = 814$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 204 hours ($814 * 0.25 = 203.5$). The number of responses and annual burden hours for this requirement remains unchanged from its older citation at 7 CFR 226.16(d)(4)(viii) so FNS estimates that the change in the citation will not change the burden.

AFFECTED PUBLIC: BUSINESSES

Institutions

For this revision, FNS separated burden to institutions into: (1) burden to institutions that are local government agencies and (2) burden to institutions that are businesses. FNS estimates that, in total, there are 25,441 institutions. Of these, 3,791 are local government agencies (14.9%) and 21,650 are businesses (85.1%). This section of the burden narrative describes the burden associated with institutions that are businesses.

- 1. Section 226.6(b)(1)(xix) requires that institutions approved to participate in the Program that operate in more than one State must provide the State the required information concerning the affiliated and unaffiliated centers and day care homes: the number of affiliated and unaffiliated centers it sponsors, by State; number of day care homes it sponsors, by State; the names, addresses, and phone numbers of the organization's headquarters and the officials who have administrative responsibility; the names, addresses, and phone numbers of the financial records center and the officials who has financial responsibility; and the organization's decision on whether to use program funds for administrative expenses.**

New burden hours: FNS estimates that 85.1% of sponsoring organizations are businesses and 6% of sponsoring organizations operate in more than one state. FNS estimates that 1,116 MSSOs ($21,858 * 0.06 * 0.851 = 1,116$) will submit documentation annually to a State agency ($1,116 * 1 = 1,116$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 279 hours ($1,116 * 0.25 = 279$). FNS estimates that this requirement will add 1,116 responses and 279 burden hours to the collection.

2. Section 226.6(b)(4) states that SAs must require each institution that has been approved for participation in the Program to enter into a permanent written agreement governing the rights and responsibilities of each party.

Ongoing burden hours: FNS estimates that 238 institutions that are businesses will each enter into 1 written agreement with SAs annually, for a total of 238 responses ($238 \times 1 = 238$). The estimated average number of burden hours per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 119 hours ($238 \times 0.5 = 119$). There is no change in burden.

3. Sections 226.6(d), 226.6(e), and 226.6(f)(1)(vi) require that sponsoring organizations and institutions submit documentation to SAs in order to demonstrate that facilities are in compliance with licensing/approval criteria.

Ongoing burden hours: FNS estimates that 18,601 institutions that are businesses will each submit 1 set of documentation annually, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 1,553 hours and 11 minutes ($18,601 \times 0.0835 = 1,553.18$). There is no change in burden.

4. Section 226.6(f)(1)(iii) requires centers to submit current eligibility information on enrolled participants, in order to calculate a blended rate or claiming percentage in accordance with section 226.9(b).

Ongoing burden hours: FNS estimates that 18,601 institutions that are businesses will each submit eligibility information 12 times each year, for a total of 223,212 responses ($18,601 \times 12 = 223,212$). The estimated average burden per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 111,606 hours ($223,212 \times 0.5 = 111,606$). There is no change in burden.

5. Section 226.6(f)(1)(viii)(E) requires sponsoring organizations of day care homes to submit annually a list of family day care home providers receiving tier I benefits based on SNAP participation.

Ongoing burden hours: FNS estimates that 540 sponsoring organizations of day care homes will each submit 1 list annually, for a total of 540 responses ($540 \times 1 = 540$). The estimated average burden per response is approximately 1 minute (0.0167 hours), resulting in a total estimated burden of approximately 9.02 hours ($540 \times 0.0167 = 9.02$). There is no change in burden.

6. Section 226.6(f)(2)(i) mandates each participating institution must re-apply to continue its participation at intervals that cannot exceed 36 months.

Ongoing burden hours: FNS estimates that 18,601 participating institutions that are businesses will each submit 1 application annually, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 9,301 hours ($18,601 \times 0.50 = 9,300.5$). There is no change in burden.

7. Section 226.6(n) mandates sponsoring organizations participate and provide necessary documentation requested as part of investigations.

Ongoing burden hours: FNS estimates that 51 institutions that are businesses will each provide 1 set of documentation annually, for a total of 51 responses ($51 \times 1 = 51$). The estimated average burden per response is 1.50 hours, resulting in a total estimated burden of 77 hours (76.50 hours) ($51 \times 1.50 = 76.50$). There is no change in burden.

8. Section 226.7(g) requires sponsoring organizations to submit an administrative budget to the SA annually, and independent centers must submit budgets as frequently as required by the SA.

Ongoing burden hours: FNS estimates that 18,601 participating institutions that are businesses will each submit 1 application annually, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 9,301 hours ($18,601 \times 0.50 = 9,300.5$). There is no change in burden.

9. Sections 226.10, 226.13(b), and 226.15(i) require sponsoring organizations and institutions to report to the SA the number of meals claimed for reimbursement.

Ongoing burden hours: FNS estimates that 18,601 institutions that are businesses will each submit 12 reports annually, for a total of 223,212 responses ($18,601 \times 12 = 223,212$). The estimated average number of burden hours per response is approximately 1 hour and 40 minutes (1.67 hours), resulting in a total estimated burden of approximately 372,764 hours and 2 minutes ($223,212 \times 1.67 = 372,764.04$). There is no change in burden.

10. Section 226.10(c) requires sponsoring organizations to submit documentation to verify for profit center eligibility.

Ongoing burden hours: FNS estimates that 8,314 institutions that are businesses will each submit 12 sets of documentation annually, for a total of 99,768 responses ($8,314 \times 12 = 99,768$). The estimated average burden per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 49,884 hours ($99,768 \times 0.5 = 49,884$). There is no change in burden.

11. Section 226.13(d)(3)(i)-(iii) requires sponsoring organizations of family day care homes to establish reimbursement rates for Tier 2 providers with income-eligible children.

Ongoing burden hours: FNS estimates that 540 sponsoring organizations of family day care homes will each establish reimbursement rates 5 times a year, for a total of 2,700 responses ($540 \times 5 = 2,700$). The estimated average burden per response is 18 minutes (0.30 hours), resulting in a total estimated burden of 811.62 hours ($2,700 \times 0.3006 = 811.62$). There is no change in burden.

12. Section 226.15(b) requires new and participating institutions to submit to the SA, with its application, all information required for its approval. The application must demonstrate that the institution has the administrative and financial capability to operate the Program in accordance with the Program regulations.

Ongoing burden hours: FNS estimates that, each year, 238 new institutions will submit 1 application, for a total of 238 responses ($238 \times 1 = 238$). The estimated average burden per response is 8 hours, resulting in a total estimated burden of 1,904 hours ($238 \times 8 = 1,904$). There is no change in burden.

13. Section 226.15(b) requires participating institutions to submit documentation required for renewal to the SA.

Ongoing burden hours: FNS estimates that 18,601 participating institutions that are businesses will each submit 1 set of documentation annually, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650 hours and 15 minutes ($18,601 \times 0.25 = 4,650.25$). There is no change in burden.

14. Section 226.15(g) requires sponsoring organizations of at-risk afterschool care centers to provide information that permits SA to determine eligibility of at-risk afterschool care centers.

Ongoing burden hours: FNS estimates that 18,601 participating institutions that are businesses will each submit 1 set of documentation annually, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650 hours and 15 minutes ($18,601 \times 0.25 = 4,650.25$). There is no change in burden.

15. Section 226.15(n) requires each institution to comply with all regulations issued by FNS and the Department, all instructions and handbooks issued by FNS and the Department to clarify or explain existing regulations, and all regulations, instructions and handbooks issued by the SA that are consistent with the provisions established in Program regulations. NOTE: Handbooks are provided as a reference in Appendix E and include: Appendix E1. 2017 Edition of the Eligibility Manual for School Meals; Appendix E2. At-Risk Handbook; Appendix E3. CACFP Adult Day Care Handbook; Appendix E4. CACFP Duration of Income Eligibility Determinations; Appendix E6. Independent Child Care Centers Handbook; Appendix E8. Crediting Handbook for the CACFP; Appendix E9. Guidance for Management Plans and Budgets – A CACFP Handbook; Appendix E10. Monitoring Handbook for State Agencies – A CACFP Handbook; Appendix E11. Serious Deficiency, Suspension, & Appeals for State Agencies & Sponsoring Organizations – A CACFP Handbook; Appendix E12. Family Day Care Homes Monitor Handbook; and Appendix E13. Collection of Race and Ethnicity Data by Visual Observation and Identification in the CACFP and Summer Food Service Program – Policy Rescission.

Ongoing burden hours: FNS estimates that, each year, 18,601 institutions that are businesses will each review FNS materials in order to comply with all regulations and guidance issued by FNS, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is 36 hours, resulting in a total estimated burden of 669,636 hours ($18,601 \times 36 = 669,636$). There is no change in burden.

16. Section 226.15(o) requires institutions to ensure that parents of enrolled children are provided with current information on the benefits and importance of the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and the eligibility requirements for WIC participation. (Each institution other than outside-school-hours care centers, at-risk afterschool care centers, emergency shelters, and adult day care centers.)

Ongoing burden hours: FNS estimates that 18,601 institutions that are businesses will each provide information once annually for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650 hours and 15 minutes (4,650.25 hours) ($18,601 \times 0.25 = 4,650.25$). There is no change in burden.

17. Section 226.16(b) requires each sponsoring organization to submit to the SA, with its application, all information required for its approval, and the approval of the facilities under its jurisdiction. The application must demonstrate that the institution has the administrative and financial capability to operate the Program in accordance with the Program regulations.

Ongoing burden hours: FNS estimates that all institutions already submitted all required application information. Therefore, the total burden hours associated with this requirement is 0. There is no change in burden.

18. Section 226.16(d)(4)(vi) requires sponsoring organizations of centers to provide each center with written notification of the right of the sponsoring organization, the State agency, the Department, and other State and Federal officials to make announced or unannounced reviews of its operations during the center's normal hours of operation, and must also notify sponsored centers that anyone making such reviews must show photo identification that demonstrates that they are employees of one of these entities.

Ongoing burden hours: FNS estimates that 18,601 participating institutions that are businesses will each submit 1 set of documentation annually, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650 hours and 15 minutes ($18,601 \times 0.25 = 4,650.25$). There is no change in burden.

19. Section 226.16(l)(4) requires sponsoring organizations to conduct the following activities if State or local health or licensing officials have cited a day care home for serious health or safety violations: (1) immediately suspend the home's CACFP participation prior to any formal action to revoke the home's licensure or approval; (2) notify the day care home that its participation has been suspended, that the day care home has been determined seriously deficient, and that the sponsoring organization proposes to terminate the day care home's agreement for cause; (3) provide a copy of the notice to the State agency.

Ongoing burden hours: FNS estimates that 135 sponsoring organizations will each provide one notice annually for a total of 135 responses ($135 \times 1 = 135$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 33.75 hours ($135 \times 0.25 = 33.75$). There is no change in burden.

- 20. Section 226.17(e) requires that sponsoring organizations must enter into a permanent written agreement, which specifies the rights and responsibilities of both parties, with an unaffiliated sponsored child care center participating in the Program. At a minimum, the agreement must include the provisions set forth in paragraph (b) of this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 21,692 institutions will have to enter into an agreement annually, for 21,692 responses ($21,692 * 1 = 21,692$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 5,423.124 ($21,692 * 0.25 = 5,423.124$). FNS estimates that this requirement adds 21,692 responses and 5,423.124 hours to the collection.

- 21. Section 226.17(f) requires that independent child care centers enter into a permanent written permanent agreement, which specifies the rights and responsibilities of both parties, with the State agency. At a minimum, the agreement must include the provisions set forth in paragraph (b) of this section. The SA may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 6,843 institutions will have to enter into an agreement annually, for 6,843 responses ($6,843 * 1 = 6,843$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 1,711 ($6,843 * 0.25 = 1,710.87$). FNS estimates that this requirement adds 6,843 responses and 1,711 hours to the collection.

22. Section 226.17a(e) requires sponsoring organizations to make a written application to the SA for any afterschool care program that it wants to operate as an at-risk afterschool care center.

Ongoing burden hours: FNS estimates that 3,220 sponsoring organizations will each make 1 written application to the SA annually for a total of 3,220 responses ($3,220 * 1 = 3,220$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 3,220 hours ($3,220 * 1 = 3,220$). There is no change in burden.

23. Section 226.17a(f)(2)(i) requires that sponsoring organizations must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with an unaffiliated sponsored afterschool child care centers participating in the Program. At a minimum, the agreement must include the applicable provisions set forth in this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).

New burden hours: FNS estimates that 21,692 institutions will have to enter into an agreement annually, for 21,692 responses ($21,692 * 1 = 21,692$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 5,423.12 hours ($21,692 * 0.25 = 5,423.124$). FNS estimates that this requirement adds 21,692 responses and 5,423.124 hours to the collection.

24. Section 226.17a(f)(2)(ii) requires that independent afterschool child care centers must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with the State agency. At a minimum, the agreement must include the applicable provisions set forth in this section. The SA may terminate this agreement for cause as described in 226.25(a).

New burden hours: FNS estimates that 6,843 institutions will have to enter into an agreement annually, for 6,843 responses ($6,843 * 1 = 6,843$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 1,711 hours ($6,843 * 0.25 = 1,710.87$). FNS estimates that this requirement will add 6,843 responses and 1,711 hours to the collection.

25. Section 226.17a(h) requires independent at-risk afterschool care centers or sponsoring organizations of at-risk afterschool care centers to advise the SA of any substantive changes to the afterschool care program. Sponsoring organizations that want to add new at-risk afterschool care centers must provide the SA with the information sufficient to demonstrate that the new centers meet the requirements of this section.

Ongoing burden hours: FNS estimates that 3,220 sponsoring organizations will each advise the SA of 1 substantive change annually for a total of 3,220 responses ($3,220 \times 1 = 3,220$). The estimated average burden per response is 30 minutes (0.5 hours), resulting in a total estimated burden of 1,610 hours ($3,220 \times 0.5 = 1,610$). There is no change in burden.

- 26. Section 226.19(d) requires that sponsoring organizations must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with an unaffiliated sponsored outside-school-hours child care centers participating in the Program. At a minimum, the agreement must include the provisions set forth in paragraph(b) of this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 21,692 institutions will have to enter into an agreement annually, for 21,692 responses ($21,692 * 1 = 21,692$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 5,423.12 hours ($21,692 * 0.25 = 5,423.124$). FNS estimates this requirement will add 21,692 responses and 5,423.124 hours to the collection.

- 27. Section 226.19a(d) requires that sponsoring organizations must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with an unaffiliated sponsored adult day care centers participating in the Program. At a minimum, the agreement must address the provisions set forth in paragraph (b) of this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 6,843 institutions will have to enter into an agreement annually, for 6,843 responses ($6,843 * 1 = 6,843$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 1,711 hours ($6,843 * 0.25 = 1,710.87$). FNS estimates that this requirement will add 6,843 responses and 1,711 hours to the collection.

28. Section 226.23 describes the free/reduced-price meal requirements applicable to independent centers and sponsoring organizations.

Ongoing burden hours: FNS estimates that 21,650 sponsors/institutions will comply with the free/reduced-price meal requirements each year, for a total of 21,650 responses ($21,650 \times 1 = 21,650$). The estimated average burden per response is approximately 1 minute (0.0167 hours), resulting in a total estimated burden of 361 hours and 34 hours ($21,650 \times 0.0167 = 361.56$). There is no change in burden.

29. Section 226.23(l) states that SAs and child care institutions that plan to use or disclose information about children eligible for free/reduced-price meals in ways not specified in the regulations must obtain written consent from children's parents or guardians prior to the use or disclosure.

Ongoing burden hours: FNS estimates that 167 institutions will each obtain 1 written consent, for a total of 167 responses ($167 \times 1 = 167$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 13 hours and 57 minutes (13.9445 hours) ($167 \times 0.0835 = 13.9445$). There is no change in the burden.

30. Section 226.23(m) states that a child care institution should have a written agreement or Memorandum of Understanding (MOU) with programs or individuals receiving eligibility information, prior to disclosing children's free and reduced-price meal eligibility information.

Ongoing burden hours: FNS estimates that 167 institutions will each have 1 agreement or MOU, for a total of 167 responses ($167 \times 1 = 167$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 14 hours ($167 \times 0.0835 = 13.9445$). There is no change in the burden.

- 31. Sections 226.25(a)(2)(i) and 226.25(a)(3) requires that sponsoring organizations must identify serious management problems and define a set of standards to help measure the severity of the problem to determine what rises to the level of a serious management problem and how it affects the institution or facility's ability to meet Program requirements.**

New burden hours: FNS estimates that 18,601 institutions will develop a set of standards annually, for a total of 18,601 responses ($18,601 \times 1 = 18,601$). The estimated average number of burden hours per response is 1 hour, resulting in a total estimated burden of 18,601 hours ($18,601 \times 1 = 18,601$). FNS estimates that this requirement will add 18,601 responses and burden hours to the collection.

- 32. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(i) require that sponsoring organizations must notify a day care home or unaffiliated centers that serious management problems have been identified, must be addressed, and corrected. The notice must include the required information: all aspects of the serious management problem; reference specific regulatory citations, instructions, or policies; name all of the responsible principals and individuals; describe the action needed to correct the serious management problem; and set a deadline for completing the corrective action.**

Ongoing burden hours: FNS estimates that 540 institutions will send notices annually, for a total of 540 responses ($540 \times 1 = 540$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 135 hours ($540 \times 0.25 = 135$). The proposed requirement remains unchanged from its

currently approved citation at 7 CFR 226.16(1)(3)(i) so FNS estimates that the change in the citation will not change the burden.

33. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(ii)(A) requires that sponsoring organizations must notify the day care home or unaffiliated center that the serious management problem has been vacated upon full correction of each serious management problem.

New burden hours: FNS estimates that 18,601 institutions will send notices annually, for a total of 18,601 responses ($18,601 * 1 = 18,601$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650.25 hours ($18,601 * 0.25 = 4,650.25$). FNS estimates that this requirement adds 18,601 responses and 4,650.25 burden hours to the collection.

34. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(ii)(B) requires that sponsoring organizations must notify the day care home or unaffiliated center that the sponsoring organization proposes to terminate the institution's agreement and disqualify the institution and the responsible principals and individuals if corrective action has not fully corrected each serious management problem. The sponsoring organization must notify the institution of the procedures for seeking a fair hearing in accordance with paragraph g of the proposed termination and proposed disqualifications.

New burden hours: FNS estimates that 18,601 institutions will send notices annually, for a total of 18,601 responses ($18,601 * 1 = 18,601$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650.25 hours ($18,601 * 0.25 = 4,650.25$). FNS estimates that this requirement will add 18,601 responses and 4,650.25 burden hours to the collection.

35. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(iii)(A) requires that the sponsoring organization must notify the day care home or unaffiliated center to confirm that the serious management problem is vacated and advise the institution and facility that procedures and policies must be implemented to fully correct the serious management problem when the appeal is upheld.

New burden hours: FNS estimates that 18,601 institutions will send notices annually, for a total of 18,601 responses ($18,601 * 1 = 18,601$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650.25 hours ($18,601 * 0.25 = 18,601$). FNS estimates that this requirement will add 18,601 responses and 4,650.23 burden hours to the collection.

36. Sections 226.25(a)(2)(ii), 226.25(a)(5), and 226.25(a)(7)(iii)(B) requires that the sponsoring organizations must notify the day care home or unaffiliated center that the agreement is terminated and declare that the institution or facility seriously deficient if the fair hearing is denied. Sponsoring organizations must issue a serious deficiency notice that informs the institution, facility, and RPIs of their disqualification from Program participation.

New burden hours: FNS estimates that 18,601 institutions will send notices annually, for a total of 18,601 responses ($18,601 * 1 = 18,601$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650.25 hours ($18,601 * 0.25 = 4,650.25$). FNS estimates that this requirement will add 18,601 responses and 4,650.25 burden hours to the collection.

- 37. Section 226.25(c)(1) requires that the institutions, unaffiliated centers, or day care homes must submit, in writing, what corrective actions have been taken to correct each serious management problem in response to the notice of serious management problems. The corrective action plan must address the root cause of each serious management problem, describe and documents the actions taken to correct serious management problems, and describe the actions outcome.**

New burden hours: FNS estimates that 18,601 institutions will submit a written record of corrective actions taken, for a total of 18,601 responses ($18,601 * 1 = 18,601$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650.25 hours ($18,601 * 0.25 = 4,650.25$). FNS estimates that this requirement will add 18,601 responses and 4,650.25 burden hours to the collection.

- 38. Section 226.25(c)(3)(ii) requires that sponsoring organizations must conduct reviews to assess whether the facility has corrected the serious management problems, as described in 226.16(d)(4). Follow-up reviews must be conducted to confirm that the serious management problem is corrected. A day care home or unaffiliated center must be reviewed at the same frequency as described in 226.16(d)(4). Full correction is achieved when three consecutive reviews indicate no new serious management problems or no repeat of a serious management problem.**

New burden hours: FNS estimates that 18,601 institutions will conduct a follow-up review, for a total of 18,601 responses ($18,601 * 1 = 18,601$). The estimated average number of burden hours per response is 20 hours, resulting in a total estimated burden of 372,020 hours ($18,601 * 20 = 372,020$). FNS estimates that this requirement will add 18,601 responses and 372,020 burden hours to the collection.

- 39. Section 226.25(d)(1) requires that sponsoring organizations must terminate for cause the Program agreement upon declaration of the institution or facility to be seriously deficient.**

New burden hours: FNS estimates that 18,601 institutions will terminate an agreement annually, for a total of 18,601 responses ($18,601 * 1 = 18,601$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 4,650.25 hours ($18,601 * 0.25 = 4,650.25$). FNS estimates that this requirement will add 18,601 responses and 4,650.25 burden hours to the collection.

40. Sections 226.25(f)(1)(ii)(A) and 226.25(f)(2)(ii)(A) requires that sponsoring organizations upon determination of an imminent threat to the health and safety of participants or that there is a threat to public health or safety, must immediately notify the appropriate State or local licensing and health authorities and take action that is consistent with the recommendations and requirements of those authorities. The sponsoring organization must initiate action for termination and disqualification. The sponsoring organization must notify the day care home provider or unaffiliated center's principals that the day care home or unaffiliated center's participation has been suspended and that the SA proposes to terminate the day care home or unaffiliated center's agreement and to disqualify the day care home or unaffiliated center and the responsible principals and individuals. The notice must identify the responsible principals and individuals and must be sent to those persons as well. If the sponsoring organization determines that a day care home or unaffiliated center has knowingly submitted a false or fraudulent claim, the sponsoring organization must initiate action to suspend the day care home or unaffiliated center's participation and must initiate action to terminate the day care home or unaffiliated center's agreement and initiate action to disqualify the institution and the responsible principals and individuals. At the same time this notice is sent, the SA must add the day care home or unaffiliated center and the responsible principals and individuals to the State agency list, along with the basis for the suspension and provide a copy of the notice to the appropriate FNSRO.

Ongoing burden hours: FNS estimates that 4,650 sponsoring organizations will take action for termination and disqualification against these participating institutions annually, for a total of 4,650 responses ($4,650 * 1 = 4,650$). The estimated average number of burden hours per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 1,163 ($4,650 * 0.25 = 1,162.50$). The number of responses and annual burden hours for this requirement remains unchanged from its original citation at 7 CFR 226.16(d)(4)(viii) so FNS estimates that the change in the citation will not change the burden.

Facilities

1. Sections 226.11(b)(2) and 226.17a(p) require centers to report each month to the SA the total number of Program meals.

Ongoing burden hours: FNS estimates that 69,647 facilities will each provide 12 reports annually, for a total of 835,764 responses ($69,647 * 12 = 835,764$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 208,941 hours ($835,764 * 0.25 = 208,941$). There is no change in burden.

2. Sections 226.13(d)(1), 226.13(d)(2), 226.13(d)(3), and 226.18(e) require day care home providers to submit daily meal counts to sponsors monthly.

Ongoing burden hours: FNS estimates 89,843 facilities will each provide 12 reports annually, for a total of 1,078,116 responses ($89,843 * 12 = 1,078,116$). The estimated average burden

per response is 30 minutes (0.50 hours), resulting in a total estimated burden of 539,058 hours ($1,078,116 \times 0.50 = 539,058$). There is no change in burden.

3. Section 226.17(d) requires a sponsored center to distribute to parents a copy of the sponsoring organization's notice to parents, if so instructed by its sponsoring organization.

Ongoing burden hours: FNS estimates that 69,647 sponsoring organizations will distribute a notice annually for a total of 69,647 responses ($69,647 \times 1 = 69,647$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 17,412 hours ($69,647 \times 0.25 = 17,411.75$). There is no change in burden.

4. **Section 226.17(e) requires that sponsoring organizations must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with an unaffiliated sponsored child care center participating in the Program. At a minimum, the agreement must include the provisions set forth in paragraph (b) of this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 21,692 facilities will have to enter into an agreement annually, for 21,692 responses ($21,692 * 1 = 21,692$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 5,423.12 hours ($21,692 * 0.25 = 5,423.12$). FNS estimates that this requirement will add 21,692 responses and 5,423.12 burden hours to the collection.

5. Section 226.17(f) requires that independent child care centers must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, as required by 226.6(b)(4) with the State agency. At a minimum, the agreement must include the provisions set forth in paragraph (b) of this section. The SA may terminate this agreement for cause as described in 226.25(a).

New burden hours: FNS estimates that 6,843 facilities will have to enter into an agreement annually, for a total of 6,843 responses ($6,843 * 1 = 6,843$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 1,711 hours ($6,843 * 0.25 = 1,710.87$). FNS estimates that this requirement will add 6,843 responses and 1,711 burden hours to the collection.

6. Section 226.17a(f)(2)(i) requires that sponsoring organizations must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with an unaffiliated sponsored afterschool child care center participating in the Program. At a minimum, the agreement must include the applicable provisions set forth in this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).

New burden hours: FNS estimates that 21,692 facilities will have to enter into an agreement annually, for a total of 21,692 responses ($21,692 * 1 = 21,692$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated

burden of 5,423.12 hours ($21,692 * 0.25 = 5,423.12$). FNS estimates that this requirement will add 21,692 responses and 5,423.12 burden hours to the collection.

- 7. Section 226.17a(f)(2)(ii) requires that independent afterschool child care centers must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with the State agency, as required by 226.6(b)(4). At a minimum, the agreement must include the applicable provisions set forth in this section. The SA may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 6,843 facilities will have to enter into an agreement annually, for a total of 6,843 responses ($6,843 * 1 = 6,843$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 1,711 hours ($6,843 * 0.25 = 1,710.87$). FNS estimates that this requirement will add 6,843 responses and 1,711 burden hours to the collection.

8. Section 226.18(a)(5) requires a day care home to promptly inform the sponsoring organization about any change in the number of children enrolled for care or in its licensing or approval status.

Ongoing burden hours: FNS estimates that 89,843 day care homes will inform sponsoring organizations 5 times each year, for a total of 449,215 responses ($89,843 * 5 = 449,215$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 112,304 hours ($449,215 * 0.25 = 112,303.75$). There is no change in burden.

9. Section 226.18(a)(14) requires a day care home to notify their sponsoring organization in advance whenever they are planning to be out of their home during the meal service period.

Ongoing burden hours: FNS estimates that 89,843 day care homes will inform sponsoring organizations 5 times each year, for a total of 449,215 responses ($89,843 * 5 = 449,215$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 112,304 hours ($449,215 * 0.25 = 112,303.75$). There is no change in burden.

- 10. Section 226.19(d) requires that sponsoring organizations must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with an unaffiliated sponsored outside-school-hours child care center participating in the Program. At a minimum, the agreement must include the provisions set forth in paragraph (b) of this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 21,692 facilities will have to enter into an agreement annually, for 21,692 responses ($21,692 * 1 = 21,692$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 5,423.12 ($21,692 * 0.25 = 5,423.12$). FNS estimates that this requirement will add 21,692 responses and 5,423.12 hours to the collection.

- 11. Section 226.19a(d) requires that sponsoring organizations must enter into a permanent written agreement, specifying the rights and responsibilities of both parties, with an unaffiliated sponsored adult day care center participating in the Program. At a minimum, the agreement must address the provisions set forth in paragraph (b) of this section. The sponsoring organization may terminate this agreement for cause as described in 226.25(a).**

New burden hours: FNS estimates that 6,843 facilities will have to enter into an agreement annually, for 6,843 responses ($6,843 * 1 = 6,843$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 1,711 hours ($6,843 * 0.25 = 1,711$). FNS estimates that this requirement will add 6,843 responses and 1,710.87 hours to the collection.

AFFECTED PUBLIC: HOUSEHOLDS

This section of the burden narrative describes the burden associated with households.

1. Sections 226.15(e)(2), 226.17(b)(8), and 226.18(e) require households to annually update enrollment documentation, signed by a parent or legal guardian, and include information on enrolled children's normal days and hours of care and the meals normally received while in care.

Ongoing burden hours: FNS estimates that 3,599,004 households will each provide 1.59 enrollment documents, on average, annually, for a total of 5,772,416 responses ($3,599,004 * 1.59 = 5,772,416$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 477,822 hours ($5,772,416 * 0.0835 = 477,821.77$). There is no change in burden.

2. Section 226.23(e)(1) requires households of participants enrolled in institutions, day care home providers who wish to enroll their own eligible children in the Program, and households of all children enrolled in the day care home, as applicable, to apply for free/reduced-price meals. The application must include information on household income. NOTE: Appendix D includes a Household Income Statement Template.

Ongoing burden hours: FNS estimates that 3,599,004 households will each provide 1.59 enrollment documents, on average, annually, for a total of 5,772,416 responses ($3,599,004 * 1.59 = 5,772,416$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 477,822 hours ($5,772,416 * 0.0835 = 477,821.77$). There is no change in burden.

3. Section 226.20(g) requires households to provide a written statement to support the need for substitutions, on a case-by-case basis, for foods and meals for individual participants. NOTE: A memorandum that explains the nutrition requirements for fluid milk and fluid milk substitutes in the Program is included in Appendix E7. Nutrition Requirements for Fluid Milk and Milk Substitutions.

Ongoing burden hours: FNS estimates that 267,355 households will provide 1 written request for substitutions annually, for a total of 267,355 responses ($267,355 \times 1 = 267,355$). The estimated average burden per response is approximately 5 minutes (0.0835 hours), resulting in a total estimated burden of approximately 22,324 hours ($267,355 \times 0.0835 = 22,324.14$). There is no change in burden.

RECORDKEEPING REQUIREMENTS

AFFECTED PUBLIC: STATE, LOCAL, AND TRIBAL GOVERNMENT

State Agencies (SAs)

This section of the burden narrative describes the burden associated with State government agencies.

1. Sections 226.6(b), 226.6(d), 226.6(m)(5), 226.7(h), 226.7(i), 226.7(j), 226.7(k), 226.7(l), and 226.8 require SAs to establish and maintain Program procedures, such as procedures: to determine the eligibility of institutions, including to conduct pre-approval visits; for monitoring institutions and conducting household contacts; for bid and contracts: to annually review information submitted by institutions; for claims processing and payments; for serious deficiencies; for administrative reviews; and to audit institutions.

Ongoing burden hours: FNS estimates that 56 SAs will each maintain a set of their program procedures annually, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 16 hours, resulting in a total estimated burden of 896 hours ($56 \times 16 = 896$). There is no change in the burden.

2. Section 226.6(n) requires each SA to maintain on file evidence of complaints received or irregularities noted in connection with the operation of the program.

Ongoing burden hours: FNS estimates that, each year, 56 SAs will each maintain 21 records of findings of irregularities in investigations, for a total of 1,176 responses ($56 \times 21 = 1,176$). The estimated average burden per response is 1 hour and 30 minutes (1.50 hours), resulting in a total estimated burden of 1,764 hours ($1,176 \times 1.50 = 1,764$). There is no change in burden.

3. Sections 226.7(b) and 226.7(m) require SAs to establish and maintain an acceptable financial management system, adhere to financial management standards and otherwise carry out financial management policies in accordance with 2 CFR part 200, subpart D and USDA implementing regulations 2 CFR part 400, part 415, and part 416, as applicable; and FNS guidance to identify allowable Program costs and set standards for institutional recordkeeping and reporting.

Ongoing burden hours: FNS estimates that 56 SAs will each maintain a record of their financial management activities, for a total of 56 responses ($56 \times 1 = 56$). The estimated average burden per response is 80 hours, resulting in a total estimated burden of 4,480 hours ($56 \times 80 = 4,480$) annually. There is no change in the burden.

4. **Section 226.25(b) requires that SAs must collect and maintain on file CACFP agreements (Federal/State and State/Institutions), records received from applicant and participating institutions, National Disqualified Lists/State Agency Lists, and documentation of any administrative review (appeals), Program assistance, activities, results, and corrective actions. The FNS-843 Report of Disqualification from Participation: Institution and Responsible Principals/Individuals and the FNS-844 Report of Disqualification from Participation – Individually Disqualified Responsible Principal/Individual or Day Care Home Provider forms are included among the records associated with this requirement.**

Ongoing burden hours: FNS estimates 56 SAs will maintain 5 sets of records, for 280 responses ($56 * 5 = 280$). The estimated average burden per response is approximately 5 hours, which results in approximately 1,400 hours ($280 * 5 = 1,400$). The burden remains unchanged from its original citation at 7 CFR 226.6 so FNS estimates that the change in citation will not change the burden.

5. **Section 226.25(c) requires that SAs must collect and maintain on file corrective action plans submitted by institutions, unaffiliated centers, or day care homes, in writing, which must discuss what corrective actions have been taken to correct each serious management problem.**

New burden hours: FNS estimates that 56 SAs will each maintain 3 records for submitted corrective action plans annually for a total of 168 responses ($56 * 3 = 168$). The estimated average burden per response is 1 hour and 30 minutes (1.5 hours), resulting in a total estimated burden of 252 hours ($168 * 1.5 = 252$). FNS estimates that this requirement will add 168 responses and 252 hours to the collection.

Local Government Agencies

This section of the burden narrative describes the burden associated with institutions that are local government agencies.

1. Sections 226.10(d), 226.11(e), 226.15(e), 226.15(e)(1), 226.15(e)(2), 226.17(b)(8), 226.18(e), 226.22(d), and 226.22(k) require sponsors/institutions to collect and maintain for a

period of 3 years and the current year Program applications, enrollment documents, income eligibility forms, attendance records, menus, meal counts, invoices and receipts, all accounts and records to support the claims, licenses, administrative and operating costs records, training documentation, financial management systems records, written code of standards of conduct, procurement history, and any other records required by the SA. All copies of documents and supporting documents submitted to the State must be maintained.

Ongoing burden hours: FNS estimates that 3,791 local government agencies will each maintain 3 sets of documents annually, for a total of 11,373 responses ($3,791 \times 3 = 11,373$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 11,373 hours ($11,373 \times 1 = 11,373$). There is no change in burden.

2. Section 226.15(e)(3) requires sponsoring organizations to maintain documentation used to classify homes as Tier 1.

Ongoing burden hours: FNS estimates that, each year, 83 sponsoring organizations of day care homes will each maintain 127 documents used to classify homes as tier 1, for a total of 10,541 responses ($83 \times 127 = 10,541$). The estimated average burden per response is 1 minute and 30 seconds (0.025 hours), resulting in a total estimated burden of 264 hours ($10,541 \times 0.025 = 263.53$). There is no change in burden.

3. Section 226.23(h)(6) requires sponsoring organizations to maintain information to verify homes that qualify as Tier 1 based on provider's income.

Ongoing burden hours: FNS estimates that 83 sponsoring organizations will each maintain 42 sets of documents with information used to verify homes that qualify as tier 1 based on provider's income, for a total of 3,486 responses ($83 \times 42 = 3,486$). The estimated average burden per response is 1 minute and 30 seconds (0.025 hours), resulting in a total estimated burden of 87 hours ($3,080 \times 0.025 = 87.15$). There is no change in burden.

AFFECTED PUBLIC: BUSINESSES

Institutions

This section of the burden narrative describes the burden associated with institutions that are businesses.

1. Sections 226.10(d), 226.11(e), 226.15(e), 226.15(e)(1), 226.15(e)(2), 226.17(b)(8), 226.18(e), 226.22(d), and 226.22(k) require sponsors/institutions to collect and maintain for a period of 3 years and the current year Program applications, enrollment documents, income eligibility forms, attendance records, menus, meal counts, invoices and receipts, all accounts and records to support the claim, licenses, administrative and operating costs records, training documentation, financial management systems records, written code of standards of conduct, procurement history, and any other records required by the SA. All copies of documents and supporting documents submitted to the State must be maintained.

Ongoing burden hours: FNS estimates that 21,650 sponsors/institutions will each maintain 3 sets of documents annually, for a total of 64,950 responses ($21,650 \times 3 = 64,950$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 64,950 hours ($64,950 \times 1 = 64,950$). There is no change in burden.

2. Section 226.15(e)(3) requires sponsoring organizations to maintain documentation used to classify homes as Tier 1.

Ongoing burden hours: FNS estimates that, each year, 551 institutions will each maintain 127 documents used to classify homes as tier 1, for a total of 69,977 responses ($551 \times 127 = 69,977$). The estimated average burden per response is 1 minute and 30 seconds (0.025 hours), resulting in a total estimated burden of approximately 1,749 hours ($69,977 \times 0.025 = 1,749.43$). There is no change in burden.

3. Section 226.23(h)(6) requires sponsoring organizations to maintain information to verify homes that qualify as Tier 1 based on provider's income.

Ongoing burden hours: FNS estimates that 551 sponsoring organizations will each maintain 42 sets of documents with information used to verify homes that qualify as tier 1 based on provider's income, for a total of 23,142 responses ($551 \times 42 = 23,142$). The estimated average burden per response is 1 minute and 30 seconds (0.025 hours), resulting in a total estimated burden of approximately 579 hours ($23,142 \times 0.025 = 578.55$). There is no change in burden.

4. Section 226.20(f) requires Child and Adult Care Food Program Operators (institutions) to maintain documentation demonstrating service sites qualify for the menu planning option to serve starchy vegetables in place of bread in certain territories to meet the grains requirement: American Samoa, Puerto Rico, Guam, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands. Documentation is required to show if institutions serve primarily American Indian and Alaska Native children.

FNS estimates that 70 institutions will serve American Indian and Alaska Native participants primarily through CACFP. Each sponsor will maintain 1 record annually for a total of 70 responses ($70 \times 1 = 70$). The estimated average number of burden hours per response is 75 minutes (1.25 hours) resulting in estimated total burden of 88 hours ($70 \times 1.25 = 87.50$). There is no change in burden.

Facilities

This section of the burden narrative describes the burden associated with facilities.

1. Sections 226.10(d), 226.11(b)(2), 226.15(e), 226.17(b)(8), 226.17(b)(9), 226.17a(o), 226.17a(p), 226.18(b)(4), 226.18(e), 226.18(g), 226.19a(b)(8), 226.19a(b)(9), and 226.19a(b)(10) require facilities to collect and maintain for a period of 3 years and the current year Program applications, enrollment documents, income eligibility forms, attendance records,

menu planning records, time of service, snacks and meal counts, invoices and receipts, claims for reimbursement, licenses, administrative and operating costs records, training documentation, and any other records required by the SA. Adult day care centers must maintain records on the age of each enrolled person, functional impairment eligibilities are meant if under 60, and that qualified participants resides in their homes.

Ongoing burden hours: FNS estimates that 159,490 facilities will each maintain 3 sets of documents annually, for a total of 478,470 responses ($159,490 \times 3 = 478,470$). The estimated average burden per response is 1 hour, resulting in a total estimated burden of 478,470 hours ($478,470 \times 1 = 478,470$). There is no change in burden.

2. Section 226.20(f) requires Child and Adult Care Food Program Operators (facilities) to maintain documentation demonstrating service sites qualify for the menu planning option to serve starchy vegetables in place of bread in certain territories to meet the grains requirement: American Samoa, Puerto Rico, Guam, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Northern Mariana Islands. Documentation is required to show if institutions serve primarily American Indian and Alaska Native children.

FNS estimates that 540 facilities will serve American Indian and Alaska Native participants primarily through CACFP. Each sponsor will maintain 1 record annually for a total of 540 responses ($540 \times 1 = 540$). The estimated average number of burden hours per response is 75 minutes (1.25 hours) resulting in estimated total burden of 675 hours ($540 \times 1.25 = 675$). There is no change in burden.

PUBLIC DISCLOSURE REQUIREMENTS

AFFECTED PUBLIC: STATE, LOCAL, AND TRIBAL GOVERNMENT

State Agencies (SAs)

This section of the burden narrative describes the burden associated with State government agencies.

1. **Section 226.6(q)(2)(iii) requires the CSA must conduct a full review at the MSSO headquarters and financial records center. The CSA must coordinate the timing of the reviews and make copies of monitoring reports and findings available to all other State agencies that have agreements with the MSSO.**

New burden hours: FNS estimates that 56 SAs will each provide 23 public disclosures with other State agencies that have agreements with the MSSO annually, for a total of 1,288 responses ($56 * 23 = 1,288$). The estimated average burden per response is 15 minutes (.25 hours), resulting in a total estimated burden of 322 hours ($1,288 * 0.25 = 322$). FNS estimates that this requirement will add 1,288 responses and 322 hours to the collection.

2. Section 226.23(d) requires institutions to annually provide the information media serving the area from which the institution draws its attendance with a public release, unless the SA has issued a Statewide media release on behalf of all institutions. The public release includes information about the availability of free and reduced-price meals or free milk.

Ongoing burden hours: FNS estimates that 28 SAs will each provide 1 public release annually, for a total of 28 responses ($28 \times 1 = 28$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 7 hours ($28 \times 0.25 = 7$). There is no change in the burden.

Local Government Agencies

This section of the burden narrative describes the burden associated with institutions that are local government agencies.

1. Section 226.23(d) requires institutions to annually provide the information media serving the area from which the institution draws its attendance with a public release, unless, the SA has issued a Statewide media release on behalf of all institutions. The public release includes information about the availability of free and reduced-price meals or free milk.

Ongoing burden hours: FNS estimates that 1,629 local government agencies will each provide 1 public release annually, for a total of 1,629 responses ($1,629 \times 1 = 1,629$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 407 hours ($1,629 \times 0.25 = 407.25$). There is no change in burden.

AFFECTED PUBLIC: BUSINESSES

This section of the burden narrative describes the burden associated with institutions that are businesses.

Institutions

1. Section 226.23(d) requires institutions to annually provide the information media serving the area from which the institution draws its attendance with a public release, unless, the SA has issued a Statewide media release on behalf of all institutions. The public release includes information about the availability of free and reduced-price meals or free milk.

Ongoing burden hours: FNS estimates that 9,301 institutions will each provide 1 public release annually, for a total of 9,301 responses ($9,301 \times 1 = 9,301$). The estimated average burden per response is 15 minutes (0.25 hours), resulting in a total estimated burden of 2,325 hours ($9,301 \times 0.25 = 2,325.25$). There is no change in burden.