

SUPPORTING STATEMENT - PART A for OMB Control Number 0584-NEW

Waivers and State Plans - Special Supplemental Nutrition Program for Women, Infants, and
Children (WIC)WIC Farmers' Market Nutrition Program (FMNP), and WIC Seniors Farmers'
Market Program (SFMNP)

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A1. Circumstances that make the collection of information necessary.

Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

This is a new information collection request for the Waivers and State Plans (WiSP) application.

The WiSP application will support the following USDA Programs and be available to all participating State agencies and Indian Tribal Organizations, hereafter referred to only as State agencies, in each of these three (3) Programs: (1) Special Supplemental Nutrition Program for Woman, Infants, and Children (WIC); (2) WIC Farmers' Market Nutrition Program (FMNP); and (3) Seniors Farmers' Market Nutrition Program (SFMNP).

The burden activities that are covered by this Information Collection Request include the transition from individual collections for Program waivers and State Plans to a new application supporting multiple USDA Programs. Collection and recordkeeping on WIC State plans and waivers and FMNP and SFMNP State plans are outlined in OMB Control Numbers: 0058-0043(WIC) expiration: 08/31/2027, 0584-0687 (WIC Waivers) expiration: 10/31/2026, 0584-0447 (FMNP) expiration: 08/31/2027, 0584-0541 (SFMNP) expiration: 01/31/2026, and 0584-0332 (Form FNS-339) expiration: -08/31/2028. These collections will be revised to remove all efforts that are covered by this ICRs reporting and recordkeeping requirements within the WiSP system from each of the program ICRs. This ICR and application will allow State agencies to request Program waivers and submit State Plans to USDA Food and Nutrition Service (FNS) staff to manage data provided within the application and covers the gathering and maintenance of all supporting data from each State agency.

The purpose of **(1) WIC** is to provide supplemental foods, nutrition education, and health care

referrals to low income, nutritionally at-risk pregnant, breastfeeding and postpartum women, infants, and children up to age five. The WIC Program is authorized by the Child Nutrition Act (CNA) of 1966 (see Appendix A), as amended. WIC currently operates through a Federal/State partnership in which the USDA FNS provides grants to State agencies in 50 U.S. States, 6 U.S. Territories, and 32 Indian Tribal Organizations (ITOs). The WIC Program requirements are specified in Section 17 of the CNA and WIC regulations at [7 CFR part 246](#) (see Appendix B).

(2) FMNP is designed to provide fresh, unprepared, locally grown fruits and vegetables to WIC participants and expand awareness, use of, and sales at farmers markets. FMNP currently operates through a Federal/State partnership in which FNS provides grants to State agencies in 39 U.S. States, 3 U.S. Territories, and 8 ITOs. FMNP requirements are specified in Section 17(m)(8) of the CNA and FMNP regulations at [7 CFR part 248](#) (see Appendix C) and WIC Farmer's Market Nutrition Act of 1992 (see Appendix D).

(3) SFMNP is designed to provide low-income seniors with access to locally grown fruits, vegetables, honey and herbs and support the development of new and additional farmers markets, roadside stands, and community support agricultural programs. SFMNP currently operates through a Federal/State partnership in which FNS provides grants in 45 U.S. States, 3 U.S. Territories, and 8 ITOs. SFMNP requirements are specified in the Farm Security and Rural Investment Act of 2002, as amended, (see Appendix E) and SFMNP regulations at [7 CFR part 249](#) (see Appendix F).

Waivers

Robert T. Stafford Disaster Relief and Emergency Assistance Act

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Appendix G) provides the Secretary of Agriculture with the authority to operationalize waivers when affected areas

have received a Presidential major disaster declaration and when commercial channels of food distribution are available.

Access to Baby Formula Act of 2022 Waiver Authority

The Access to Baby Formula Act of 2022 (ABFA; PL 117-129) (Appendix H). ABFA amends Section 17 of the CNA to establish waiver authority for the Secretary of Agriculture to address certain emergencies, disasters, and supply chain disruptions impacting WIC.

USDA has authority under ABFA to waive or modify any statutory requirement under Section 17 of the CNA or any regulatory requirement, provided that the following two conditions are met: 1) such requirements cannot be met by WIC State agencies under the conditions that prompted either the emergency period or the supply chain disruption, including a supplemental food product recall, and 2) exercising the waiver authority is necessary to serve participants and does not substantially weaken the nutritional quality of supplemental foods.

Implementation of the Access to Baby Formula Act of 2022 and Related Provisions

ABFA provides USDA with the ability to issue the waiver or modification to multiple WIC State agencies or on a nationwide basis. FNS published this as a final rule, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC): Implementation of the Access to Baby Formula Act of 2022 and Related Provisions, RIN:0584-AE94, 88 FR 86545, p. 1227 effective February 12, 2024 (Appendix S) assigned to OMB Control Number 0584-0043, expiring 08/31/2027. The rule contains waiver authorities that will be used in WiSP, in future functionality.

All Programs require each State agency (SA) to identify within a State Plan (see program OMB Control Numbers referenced above) how the SA will implement the respective Program.

Required updates to State Plans are collected for each Program annually based upon the

reporting deadline for each Program as identified in federal regulations WIC 246.4, FMNP 248.4, and SFMNP 249.4.

These State Plans will be moved from submissions via email and PartnerWeb into the WiSP application as the system of record. WiSP will allow SAs to create a new State Plan, edit a State Plan draft, amend a current State Plan, and submit a new State Plan for review and approval. FNS staff will review the State Plan and work with the SA to get a final version approved for the SA State Plan reporting deadline within WiSP. WiSP will allow for documentation upload and signature management. WiSP users will be able to see the history of the submitted State Plans within WiSP.

A2. Purpose and Use of the Information.

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

The reporting and record-keeping burden activities that are covered by the information collection include allowing State agencies to submit waiver requests and State Plan submissions to FNS from within the new WiSP application (see Appendix V). WiSP will provide a way for State agency staff to request Program waivers and annually submit any required and substantive changes to their State Plans.

The application will support current and future legislation providing FNS with waiver authority for WIC, FMNP, and SFMNP requirements managing the variety of waiver types available (e.g., pre-defined standard waivers, nationwide opt-in waivers, disaster related waivers, and building custom ad hoc waiver requests). Depending on the legislation, this waiver authority may be temporary or permanent.). Waivers are requested on an as needed basis, and not all State

agencies will request a waiver for a Program requirement. Waivers are authorized by specific legislation and may have a scope that only applies to some of the Programs. Application users will be able to respond to requests for more information, as needed, within the application. This will streamline the waiver request process and ensure that all waiver correspondence is kept associated with the waiver request.

State Plan submissions are also supported in the WiSP application. State Plans are the principal source of information about how each State agency operates WIC, FMNP, and SFMNP. Federal regulations require that substantive changes to a State Plan be collected for approval and that full and complete records concerning Program operations are maintained. State agencies form their State Plan submissions based on their work during an average year. This new collection will combine all State Plan collection and recordkeeping activities currently approved under OMB Control Numbers: 0584-0687 (WIC), 0584-0447 (FMNP), 0584-0541 (SFMNP), and 0584-0332 (Form FNS-339). State agencies also submit the Federal-State Supplemental Nutrition Programs Agreement (Form FNS-339). The reporting and recordkeeping burden for the FNS-339 is approved under OMB Control Number: 0584-0332. These collections will be revised to remove all duplication.

What information will be collected?

- **Is the information collected via a report, public disclosure or is it a record that must be maintained?**

The State Plan of Operations is the principal source of information about how each State agency operates each Program. FNS provides checklists (see Appendices O-Q) and instructional guidance to State agencies for each Program to ensure that the State Plans are complete and in compliance with Program regulations (§ 246.4, 248.4, and 249.4 respectively); however, the use

of the guidance provided is optional.

Waiver requests collect information about what Program elements will be waived and why the State agency is requesting the waiver. This could include information about a specific disaster, or supply chain disruption.

State Plans collect state-level statistical information about the Program implementation (e.g., number of participants, number of local agencies), estimations on actions to be taken during the fiscal year (e.g., training materials that will be revised or created, impact of outreach efforts), identify the Program policies and procedures that will be enforced during the fiscal year (e.g., State government policies and procedures), and general Program data (e.g., how many full/part time staff are at the SA, what SA policies are in place to meet regulatory requirements).

Information collected from participants, local agencies, and State agency offices and used within the Waivers or State Plans is collected through State-developed forms or Management Information Systems (MIS).

- **Is the collection voluntary, mandatory or necessary to obtain benefits?**

It is mandatorily required for State agencies to annually submit any required and substantive changes to their State Plans for each Program. State agencies may optionally request one or more of the available Program waivers.

- **From whom will the information be collected? If there are different respondent categories (e.g., beneficiary, retailer, State agency, Local agency, School Food Authority, etc.), each should be identified along with the type of collection activity that applies.**

The respondents for the information collection are State agencies and Indian Tribal Organizations. The State agency shall collect and maintain information relating to program

operation and administration to include participant certification information. State agency specific policies and procedures; nutrition education documentation and provision; local agency and vendor application and agreement information; vendor sales and shelf price data; data related to vendor monitoring and training; data related to vendor and participant sanctions and complaints; EBT delivery; infant formula cost containment measures; and financial and food delivery system records.

The State agency may delegate information collection activities to local agencies, including participant certification information (e.g., income and nutrition risk) and nutrition education documentation.

- **How will this information be used? (Provide ALL uses.)**

The information collected is used by the FNS to manage, plan, evaluate, make decisions, and report on WIC Program operations.

- **How will the information be collected (e.g., forms, descriptive reports or plans, electronically, face-to-face, over the phone, over the Internet)? Does the respondent have multiple options for providing the information? If so, what are they?**

State agencies submit their State Plans electronically through the WiSP application. State agencies have also developed various methods for local agencies to submit certification and financial data. This may include submission of data either directly through an integrated computer network, via email attachments or by facsimile. Vendors generally submit information and forms to the State agencies in paper format, by email, or through an online portal.

- **How frequently will the information be collected?**

State Plans updates are collected annually, and amendments are collected as needed (§ 246.4, 248.4, 249.4). Waiver requests are collected as needed.

•Will the information be shared with any other organizations inside or outside USDA or the government?

The information may be made available to the Government Accountability Office (GAO) or other Congressional offices.

The information may also be made available to private contractors conducting research for FNS.

The research information may subsequently be made public when the reports developed by the contractors are issued. To protect the privacy of participants and vendors, information made available to the public is provided only in aggregate form, without identifying individual participants or vendors.

•If this is an ongoing collection, how have the collection requirements changed over time?

FNS collects State Plans and waiver request information from State agencies; however, utilization of the WiSP system for State Plan and waiver request submissions is a new collection.

A3. Use of information technology and burden reduction.

Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

FNS is committed to complying with the E-Government (E-Gov) Act, 2002. Improved and extended use of automated approaches for program management is a priority for WIC and WIC FMNP and SFMNP.

Any information that must be submitted to FNS may be submitted via email or PartnerWeb, a

web-based application that allows users to share and access information. All State agencies have chosen to submit via email or PartnerWeb (<https://usdagcc.sharepoint.com/sites/FNCSPW-PartnerWeb>); those with limited access to or familiarity with technology may mail or fax their information. This collection will change the method of electronic submission from the use of email or PartnerWeb to the web-based WiSP application. In addition, FNS encourages its State agency partners to offer electronic submission to local agencies and vendors whenever it is feasible.

Nearly all State agency responses pertaining to reporting and recordkeeping are collected electronically via either PartnerWeb or their MIS. Responses from participants, retail vendors, and nonprofit businesses operating as local agencies are not collected electronically. Out of 55,379,381 responses for this collection, FNS estimates that 18,085,559 (33%) are collected electronically.

A4. Efforts to identify duplication.

Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in

Question 2.

Every effort has been made to avoid duplication, FNS has reviewed USDA reporting requirements and State administrative agency requirements. FNS solely administers and monitors the WIC Program and is solely responsible for granting WIC Waiver requests from State agencies.

A5. Impacts on small businesses or other small entities.

If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden. Information being requested or required has been held to the minimum required for the intended use.

No small entities are impacted by this collection of information.

A6. Consequences of collecting the information less frequently.

Describe the consequence to Federal program or policy activities if the collection is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

If this collection is not conducted, FNS will be unable to streamline State agency applications and the review and granting of State agency waiver requests and submit State Plans.

This is an ongoing information collection which includes requirements that are both mandatory and required to obtain or retain benefits as required by statute. The information is collected for the purpose of administering an ongoing program. Collecting data less frequently would not allow FNS to properly monitor program funding, statutory and regulatory compliance, and program trends. If information were collected less frequently than discussed in A2, the efficiency and effectiveness of the Program would be jeopardized. The risk for improper use of Federal funds would increase, and FNS' ability to detect violations would diminish greatly.

A7. Special circumstances relating to the Guidelines of 5 CFR 1320.5.

Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **Requiring respondents to report information to the agency more often than quarterly;**

State agencies may enter amendments to an approved State plan multiple times throughout the year and may be more often than quarterly. Amendments are required if the State agency makes

significant changes to their policies and procedures.

- **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Not anticipated for the State plan submissions.

- **Requiring respondents to submit more than an original and two copies of any document;**

The Waivers and State Plans (WiSP) application will provide an online place for WIC, FMNP, and SFMNP State agencies to request Program waivers and submit any required and substantive changes to their State Plan as needed, to reflect Program operations. State agencies will be able to use the application to submit all required and supporting documentation for review and approval. The application will allow bi-directional communication between the different stakeholder groups for both waivers and State Plans. The method of collection is completing an online form and optionally uploading files within an online screen. Each file is associated with one single record (either waiver or state plan), per Program. The date entered or uploaded is considered the original submission. FNS does not anticipate routinely requesting more than a single original submission for each waiver or WIC State Plan, except where a State agency runs both an FMNP and SFMNP programs. FMNP and SFMNP State Plans may include documents that are duplicative uploads (copies), if they are applicable for each program.

Supporting documentation for Program waivers, including the data entered in the online form and file attachments, are collected only once for each waiver requested (see Appendix J).

Supporting documentation for State Plans, including the data entered in the online forms and file attachments, are collected annually for each Program.

• **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

1. Under 7 CFR 246.25(a)(2) of the WIC regulations, all records shall be retained for a minimum of three years following the date of submission of the final expenditure report for the period to which the report pertains. If any litigation, claim, negotiation, audit, or other action involving these records has been started before the end of the three-year period, the records shall be kept until all issues are resolved, or until the end of the regular three-year period, whichever is later.
2. Under 7 CFR 248.23(a)(2) of the FMNP regulations, all records shall be retained for a minimum of 3 years following the date of submission of the final expenditure report for the period to which the report pertains. If any litigation, claim, negotiation, audit or other action involving the records has been started before the end of the 3-year period, the records shall be kept until all issues are resolved, or until the end of the regular 3-year period, whichever is later.
3. Under 7 CFR 249.23(a)(2) of the SFMNP regulations, all records must be retained for a minimum of 3 years following the date of submission of the final expenditure report for the period to which the report pertains. If any litigation, claim, negotiation, audit or other action involving the records has been started before the end of the 3-year period, the records must be kept until all issues are resolved, or until the end of the regular 3-year period, whichever is later.
4. If FNS deems any of the Program records to be of historical interest, it may require the State or local agency to forward such records to FNS whenever either agency is disposing of them. (§ 246.25(a)(2), § 248.23(a)(2), and § 249.23(a)(2))

- **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

Under § 246.26(b) of the WIC regulations, FNS reserves the right to use information obtained under the Program in a summary, statistical, or other form which does not identify particular individuals.

- **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

Under § 246.26(b) of the WIC regulations, FNS reserves the right to use information obtained under the Program in a summary, statistical, or other form which does not identify particular individuals.

- **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

If the State agency exercises the authority to use and disclose confidential applicant and participant information for non-WIC purposes, a list of all organizations with which the State agency or its local agencies has executed or intends to execute a written agreement pursuant to § 246.26(h) authorizing the use and disclosure of confidential applicant and participant information for non-WIC purposes must be documented in the State Plan.

- **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Under § 246.26(d)(ii) of the WIC regulations, the State agency must restrict the use and

disclosure of confidential applicant and participant information to persons directly connected with the administration or enforcement of the WIC Program and whom the State agency determines have a need to know the information for WIC Program purposes. These persons may include but are not limited to personnel from the State agency's local agencies and other WIC State or local agencies; persons under contract with the State agency to perform research regarding the WIC Program; and persons investigating or prosecuting WIC Program violations under Federal, State, or local law.

There are no other special circumstances that cause this information collection to be conducted in a manner that is inconsistent with 5 CFR 1320.5.

A8. Comments to the Federal Register Notice and efforts for consultation.

If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A 60-day notice was published in the Federal Register on December 30, 2024, Volume 89, pages, 106420-106422. The public comment period ended on February 28, 2025. The Food and Nutrition Service (FNS) received one comment (see Appendix M) in response to the published Federal Register notice (see Appendix L). The commenter supports WiSP as it allows for correspondence and follow-up information to be housed within the application. The commenter recommends the application display deadlines upon waiver submission and provide status updates so State agencies can see their waiver review process in real time. FNS recognizes that the waiver module does not currently include functionality to track timelines from waiver

submission through the decision-making process. FNS will consider building this functionality as part of future enhancements. The commenter also suggests the application provide State agencies with a documented rationale when a waiver is denied. State agencies will receive formal communication from FNS on any waiver decision. If a waiver has been denied, a reason for the denial will be included in the decision letter. Once a state agency is notified of the final decision, the waiver record will be updated within the module. In the future, the decision process will be handled entirely within the application.

The commenter submitted their comment publicly, and therefore, FNS was able to respond directly (see Appendices M-N).

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years even if the collection of information activity is the same as in prior years. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

FNS Regional Offices consult with State agencies regarding any proposed changes as the result of legislative, regulatory, or administrative changes. Such constant contact with State agencies provides feedback on FNS processes and procedures that may impact State agencies.

The FNS National Office consults with the (7) FNS Regional Offices regarding any proposed

changes to information collected from WIC, FMNP, and SFMNP waiver and State plans as the result of legislative, regulatory, or policy changes. In addition, the Regional Offices are consulted when managing and filing Program waivers, State plans, FNS-339s agreements, and to ensure accessibility by State agencies to documents through PartnerWeb and WiSP.

FNS Regional Offices communicate regularly with WIC, FMNP, and SFMNP State agencies on FNS processes and information collections that may impact them as a result of legislative, regulatory, or policy changes. Aside from the 60-Day Notice, program partners' feedback that is received from State agencies regarding the frequency of information collected, the clarity of instructions and recordkeeping, reporting format, etc. is reported through the FNS Regional Office to the FNS National Office. The FNS National Office considers feedback from State agencies when revising and/or updating the format of information collected. The individuals/organizations consulted as part of the WiSP working group about the information collection are listed in the table below. No comments were received by these individuals/organizations.

Name	State agency
Luisa B.	Puerto Rico
Carly M.	North Dakota
Katrina L.	Chickasaw Nation
Kristy H.	Texas
Caitlin T.	Nevada

Amy T.	Michigan
Ginger R.	Maine
Fran M.	New Hampshire
Karen F.	South Carolina

A9. Explain any decisions to provide any payment or gift to respondents.

Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payments or gifts are provided to respondents under this collection.

A10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

FNS does not offer any assurance of confidentiality to the respondents.

The Department complies with the Privacy Act of 1974. State agencies are required to comply with confidentiality requirements set forth in § 246.26(d)(e)(f)(g) and (h) of the WIC regulations.

§ 246.26(d)(1)(ii) states that "...the State agency must restrict the use and disclosure of confidential applicant and participant information to persons directly connected with the administration or enforcement of the WIC Program whom the State agency determines have a need to know the information for WIC Program purposes." With constantly changing technology, as well as constantly changing threats, FNS has taken the position that it is impossible for the agency to set and enforce security standards for State systems. It would be inappropriate for FNS to assume the liability of approving or certifying systems regarding security. To the extent that FNS reviews security as part of the assessment of a State agency

system, it is to inquire about the State agency's standards and protocols, and to seek the State agency's own attestation that they are adhering to their standards. Deea Coleman, FNS Privacy Officer, reviewed and had no privacy concerns.

A11. Justification for any questions of a sensitive nature.

Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to people from whom the information is requested, and any steps to be taken to obtain their consent.

No private or sensitive questions will be asked. Deea Coleman, FNS Privacy Officer, reviewed and had no privacy concerns.

A12. Estimates of the hour burden of the collection of information.

Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

Affected Public: Respondent groups identified include State agency officials from the **50** geographic States, **6** US Territories, and **32** Indian Tribal Organizations. Not all identified State agencies participate with all Programs or with all application features.

Program waivers are issued based upon regulations. These non-mandatory requests are available for the State agencies at their option. WIC, FMNP, and SFMNP require that each of their State agencies file a Program specific State Plan each year.

Estimated Number of Respondents: The total estimated number of respondents is 194. The total number of respondents includes an unduplicated count of respondents that are responsible for the operation of 88 WIC Programs, 50 FMNP Programs, and 56 SFMNP Programs: 58 State agencies solely operate WIC, 3 State agencies solely operate FMNP; 24 State agencies solely operate SFMNP; 15 State agencies operate both WIC and FMNP; 17 State agencies operate both FMNP and SFMNP; and 15 State agencies operate WIC, FMNP, and SFMNP.

Estimated Number of Responses per year: The State agencies will be able to use the WiSP application to submit Program waivers, and State Plans. The estimated total number of responses per year is **1147.00**(80 waiver responses + 873.00 State Plan responses + 194.00 application training activities), which represents the estimated sum of all requests estimated from State agencies for all applicable FNS Programs, across all collection items for both waivers and State Plans (see Appendices T & U) The distinct number of responses is broken down below for waivers and State Plans.

Estimated Time per Response: The estimated time of response for both waivers and State Plans varies from **2.00** to **80.00** hours depending on respondent group and instrument, as shown in the table below, with an average estimated annual burden of **2.12** response hours per respondent.

Estimated Total Annual Burden on Respondents: The estimated total annual burden on respondents for both waivers and State Plan items is **18,844.00** hours. See the table below for estimated total annual burden for each type of information collected (see Appendix K, Appendix R).

CFR Citation	Instrument	Number of respondents	Frequency of response	Total Annual responses	Hours per response	Annual burden (hours)
246.29 - WIC 42 U.S.C. 1786 - FMNP 42 U.S.C. 5121 - SFMNP	WAIVERS	20	4	80	2.25	180.00
246.4 - WIC 248.4 - FMNP 249.4 - SFMNP	STATE PLANS	194.00	2.44	873.00	20.00	17,460.00
246.4, 246.29 - WIC 248.4, 42 U.S.C. 1786 - FMNP 249.4, 42 U.S.C. 5121 - SFMNP	APPLICATION TRAINING	194.00	1.00	194.00	6.00	1,164.00
	TOTAL	194	5.91	1,147	16.43	18,844.00

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

Respondent Type	Estimated Total Burden Hours	Estimated Hourly Mean Wage*	Total Annual Respondent Cost (base annual cost + 33%)
State agency staff (not including local staff or nonprofit business local)	18,844.00	\$34.89	\$657,467.16+ \$216,964.16= \$874,431.32
Totals			\$874,431.32

* These mean hourly rates were obtained from the U.S. Department of Labor, Bureau of Labor Statistics, May 2024 National Industry-Specific Occupational Employment and Wage Statistics <https://data.bls.gov/oes/#/industry/999200>.

The total annual respondent cost is \$874,431.32.

The average hourly mean wage for functions performed by state program staff is estimated at \$34.89 per staff hour. With a burden of 18,844.00 hours at \$34.89 per hour, the base annual respondent cost is estimated at \$874,431.32. An additional 33% of the estimated base annual respondent cost must be added to represent fully loaded wages, equaling \$216,964.16.

A13. Estimates of other total annual cost burden.

Provide estimates of the total annual cost burden to respondents or recordkeepers resulting from the collection of information, (do not include the cost of any hour burden shown in questions 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.

There are no capital/start-up or ongoing operation, or maintenance costs associated with this information collection.

A14. Provide estimates of annualized cost to the Federal government.

Provide estimates of annualized cost to the Federal government. Provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.

The annual cost after adjustment for fully loaded rates provides a total cost of \$133,430.92.

The cost to the Federal government includes contractor costs to update and maintain the data

collection system and provide technical assistance to State agencies. These contractor costs are approximately \$4,636,371.20 over 5 years (base + 4 option years) of the contract for an annualized cost of \$926,874.24 ($\$4,636,371.20 / 5 \text{ years}$) per year (this is based on the FY 2025 contract).

The cost to the Federal government also includes the cost of FNS Regional Office and Headquarters staff to analyze data received from this information collection. Total staff hours result in an annual cost of \$100,324.00. The amounts used for the salaries are the annual and hourly rates obtained from the Office of Personnel Management Salary Table 2025-General Schedule, Effective October 1, 2024

(<https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/#url=2025>). An additional 33% of the estimated base annual cost to the Federal government must be added to represent fully loaded wages, equaling \$33,106.92. 7 Regional Program Analysts

GS-12 Step 5 Base Rate \$84,365

Hourly Salary \$40.56

Hours Reviewing Data 40

7 Regions x 7

Total Hours 280

Total Cost \$11,356.80

(1) 2 Headquarters Program Analysts

GS-13 Step 5 Base rate \$100,324.00

Average Hourly Salary \$48.23

Hours Reviewing Data 1,040

Total Hours 2,080

Total Cost \$100,324.00

A15. Explanation of program changes or adjustments.

Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

This submission is a new information collection request because of Program adjustments and changes and will add 18,844 burden hours and 1147.00 total annual responses to OMB's inventory.

A16. Plans for tabulation and publication and project time schedule.

For collections of information whose results are planned to be published, outline plans for tabulation and publication.

The information covered by this collection is not for publication.

A17. Displaying the OMB Approval Expiration Date.

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

This submission is not seeking OMB approval to not display the expiration date.

A18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I "Certification for Paperwork Reduction Act."

There are no exceptions to the certification statement. We have not identified any exemption items in Item 19 of the OMB 83-I form.