



*Billing Code 3410-30

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

November 20, 2019.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments are requested regarding; whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments regarding this information collection received by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] will be considered. Written comments should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), OIRA_Submission@omb.eop.gov or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, D.C. 20250-7602. Copies of the submission(s) may be obtained by calling (202) 720-8958.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Food and Nutrition Service

TITLE: Food Distribution Programs

OMB CONTROL NUMBER: 0584-0293

SUMMARY OF COLLECTION: The Food Distribution Programs of the Department of Agriculture (USDA), Food and Nutrition Service (FNS) assist American farmers and needy people by purchasing USDA donated foods and delivering them to State agencies that, in turn, distribute them to organizations who provide food assistance to those in need. The USDA donated foods help to meet the nutritional needs of: (a) children from preschool age through high school in FNS Child Nutrition Programs and in nonprofit summer camps; (b) needy persons in households on Indian reservations participating in the Food Distribution Program on Indian Reservations (FDPIR) or the Food Distribution Program for Indian Households in Oklahoma (FDPIHO); (c) needy persons served by charitable institutions; (d) elderly persons participating in the Commodity Supplemental Food Program (CSFP); (e) low-income, unemployed or homeless people provided foods through household distributions or meals through soup kitchens under the Emergency Food Assistance Program (TEFAP); (f) pre-school and school-age children, elderly, and functionally impaired adults enrolled in child and adult day care centers participating in the Child and Adult Care Food Program (CACFP); and (g) victims of Presidentially-declared disasters and other situations of distress. The following authorizing legislation allows the Secretary broad authority to establish regulatory provisions governing accountability in the use of USDA donated foods by Federal, State, and private agencies: (a) Section 4(b) of the Food and Nutrition Act of 2008, as amended (7 U.S.C. 2013(b)); (b) Sections 6, 14, and 17 of the National School Lunch Act, as amended (42 U.S.C.

1755, 1762(a), 1766); (c) Section 4 of the Child Nutrition Act of 1966, as amended (42 U.S.C. 1733); (d) The Emergency Food Assistance Act of 1983, as amended (7 U.S.C. 7501 et. seq.); and (e) Sections 4(a) and 5 of the Agriculture and Consumer Protection Act of 1973, as amended (7 U.S.C. 612c note).

NEED AND USE OF THE INFORMATION: FNS collects information from state and local agencies, for-profit and non-profit businesses, and individuals and households. This collection is mandatory for the states, local agencies and the businesses, but it is required to obtain or maintain benefits for the individuals and households. The information collected from the state and local agencies is used for a variety of program activities such as ordering USDA foods; arranging for their delivery to storage facilities; sharing information concerning inaccurate or incomplete orders; providing inventory data; applying to participate in the programs and preparing plans to initiate or continue program operations; recovering unused funds; responding to audits; conducting on-site reviews; reporting on financial status and administrative costs; and other program monitoring activities. The information collected from the individuals and households permits them to apply for benefits (including assistance during disasters or situations of distress) or to recertify their eligibility. FNS uses this information to manage the Food Distribution Programs and monitor the use of Federal funds.

DESCRIPTION OF RESPONDENTS: State, Local, or Tribal Government; Business or other for-profit; Not-for-profit institutions; and Individuals or households

NUMBER OF RESPONDENTS: 638,170

FREQUENCY OF RESPONSES: Recordkeeping; Reporting: On occasion; Quarterly; Semi-annually; Monthly; and Annually

TOTAL BURDEN HOURS: 1,161,151

Food and Nutrition Service

TITLE: Child and Adult Care Food Program (CACFP) National Disqualified List

OMB CONTROL NUMBER: 0584-0584

SUMMARY OF COLLECTION: Section 243(c) of Public Law 106-224, the Agricultural Risk Protection Act of 2000, amended 42 U.S.C. 1766 (d)(5)(E)(i) and (ii) of the Richard B. Russell National School Lunch Act (NSLA) by requiring the Department of Agriculture to maintain a list of institutions, day care home providers, and individuals that have been terminated or otherwise disqualified from CACFP participation. The law also requires the Department to make the list available to State agencies for their use in reviewing applications to participate and to sponsoring organizations to ensure that they do not employ as principals any persons who are disqualified from the program. This statutory mandate has been incorporated into §226.6(c)(7) of the Program regulations.

NEED AND USE OF THE INFORMATION: The Food and Nutrition Service (FNS) uses forms FNS-843 Report of Disqualification from Participation – Institution and Responsible Principals/Individuals and FNS-844 Report of Disqualification from Participation – Individually Disqualified Responsible Principal/Individual or Day Care Home Provider to collect and maintain the disqualification data. The State agencies use these forms, which are accessed through a web-based National Disqualification List (NDL) system, to collect the contact information and the disqualification information and reasons on all individuals and institutions that have been disqualified and are therefore

ineligible to participate in CACFP. The information is collected from State agencies as the disqualifications occur so that the list is kept current. By maintaining the web-based system, the Department ensures program integrity by making the NDL data available to sponsoring organizations and State agencies so that no one who has been disqualified can participate in CACFP. Without this data collection, State agencies would not be able to prevent individuals and institutions disqualified in other States from reapplying to participate in CACFP.

DESCRIPTION OF RESPONDENTS: State, Local, or Tribal Government

NUMBER OF RESPONDENTS: 56

FREQUENCY OF RESPONSES: Reporting: On occasion; Other (as needed)

TOTAL BURDEN HOURS: 784

Ruth Brown,
Departmental Information Collection Clearance Officer.

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