

the local or subdistributing agency to establish, the duration of agreements between the local or subdistributing agency and other agencies. Current regulations do not address the duration of these agreements.

*State and Local Agency Responsibilities, Section 247.5*

Proposed § 247.5 includes an outline of the major responsibilities of State and local agencies in program administration. Since current regulations do not include such an outline, it is necessary to read through all of 7 CFR part 247 to determine the major responsibilities of the State or local agency in the program. This section is not, however, meant to be a comprehensive list of all State or local agency responsibilities. We propose to break out, in three separate paragraphs, the major responsibilities shared by the State and local agency, and specific responsibilities of the State agency and those of the local agency. We are not proposing to impose any new responsibilities on State or local agencies in this section. While some of the responsibilities listed are not specifically discussed in current regulations, they are inherent in the administration of the program (e.g., ordering commodities and maintaining caseload limits).

*State Plan, Section 247.6*

Currently, under § 247.3(a), the State agency is required to submit a State Plan on an annual basis and, under § 247.5, must submit a State Plan to initiate or continue program operations and to request additional caseload to expand service to women, infants, children, and elderly persons. Other State Plan requirements are also included under the current § 247.5. We propose to include all State Plan requirements in this proposed § 247.6. In paragraph (a), we propose to describe the purpose, general format, and duration of the State Plan. We propose to make the State Plan permanent, rather than annual, with amendments submitted at the State agency's initiative, or at FNS request, and with all amendments subject to FNS approval. In conjunction with this proposal, we also propose to require that the State agency submit a State Plan to initiate the program, while removing the requirement for continuing program operations. While a State Plan to initiate the program must continue to describe the caseload needed to serve eligible women, infants, children, and the elderly, we propose to require that requests for additional caseload be made in amendments to the Plan, as described under paragraph (d) of this section.

We also propose to remove the language which states that FNS will assign caseload in approving the State Plan submission, and which describes the factors that determine the caseload assignment. We propose to include requirements and procedures for caseload assignment under the proposed § 247.21. We retain the State agency's option to submit the State Plan in the format provided in FNS guidance, in an alternate format, or in combination with other documents required by Federal regulations. However, we propose to remove the requirement that FNS receive advance notification of submission in an alternate format. We propose to encourage the State agency to collaborate with the State agency administering the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) in development of the State Plan (collaboration with the State WIC agency is required in developing a plan to prevent and detect dual participation). Likely areas of collaboration include plans for serving women, infants, and children, program outreach, and nutrition education. These recommendations for collaboration with the State WIC agency would incorporate policy guidance provided to State CSFP and WIC agencies on August 31, 2000. As at present, the State Plan must be signed by the State agency official responsible for program operations.

In paragraph (b) of this proposed section, entitled *When must the State Plan be submitted?*, we propose to retain the current requirement that the State agency submit the State Plan by August 15, to receive approval by the beginning of the fiscal year. We also include unchanged the requirement that FNS provide written approval or disapproval within 30 days of the receipt of the Plan or amendments, and must indicate the reason for disapproval. FNS must notify the State agency within 15 days if further information is required to make a decision on the Plan. We propose to add, in paragraph (b), that the approval of the State Plan or amendments is a prerequisite for the assignment of caseload and the allocation of administrative funds but does not ensure that caseload and funds will be provided. Program resources are dependent upon appropriations, which often become available later in the year. As at present, we propose to include the requirement that a copy of the State Plan be available for public inspection at the State agency.

In paragraph (c) of this proposed section, we propose to include the required contents of the State Plan. In the interest of reducing the paperwork

burden for State agencies, we propose to remove several elements currently required to be included in the State Plan. We do not believe a description of these activities need be included in the State Plan, as Federal regulations sufficiently describe the requirements and the means by which the State agency must comply with them. We propose to remove the following elements:

(1) The names and addresses of all certification, food distribution, and storage sites under the jurisdiction of the local agency.

(2) A description of plans for requesting program expansion. Since the State Plan would be a one-time submission, expansion, or additional caseload requests, and plans for opening new sites, would be made in an amendment to the State Plan, as described previously.

(3) The requirement that the plan for nutrition education services provide for participant input and an evaluation component.

(4) A description of the manner in which the State agency plans to monitor local agencies.

(5) A description of plans to involve local agencies and other parties in the development of the Plan for the next fiscal year. Again, we are proposing that the Plan no longer be developed and submitted each year.

(6) A description of the financial management system that will be utilized.

(7) A description of the procedures for resolving commodity complaints.

(8) A description of the audit procedures.

(9) A description of procedures used to meet civil rights requirements.

(10) A description of the fair hearing procedures for participants. Since the procedures that the State agency must follow are detailed in the regulations, it is not necessary for the State agency to describe them in the Plan.

(11) A description of plans to initiate or expand service to elderly persons, including the means by which the homebound elderly will be served. We propose to retain only the requirement to address the means by which the homebound elderly will be served. Until 1986, the elderly could participate only under three pilot sites. Since general service to the elderly has long since become a standard part of the program, it is no longer necessary to specifically describe plans to serve them.

Currently, the State agency must describe in the State Plan the manner in which foods are distributed to local agencies and to participants. We propose to revise this to require that the