



BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

**Agency Information Collection Activities: Proposed Collection; Comment Request –
Supplemental Nutrition Assistance Program Repayment Demand and Program
Disqualification**

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice invites the general public and other public agencies to comment on proposed information collections. This collection is a revision of currently approved information collection requirements associated with initiating collection actions against households who have received an overissuance in the Supplemental Nutrition Assistance Program (SNAP).

DATES: Written comments must be submitted on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER] to be assured consideration.

ADDRESSES: Comments are invited on: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the

validity of the methodology and assumptions that were used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on those who are to respond, including use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Comments may be sent to: Jane Duffield, Chief, State Administration Branch, Food and Nutrition Service, U.S. Department of Agriculture, 3101 Park Center Drive, Room 822, Alexandria, VA 22302. Comments may also be submitted via e-mail to SNAPSAB@fns.usda.gov, or through the federal eRulemaking Portal. Go to <http://www.regulations.gov>, and follow the online instructions for submitting comments electronically

All written comments will be open for public inspection at the office of the Food and Nutrition Service during regular business hours (8:30 a.m. to 5 p.m. Monday through Friday) at 3101 Park Center Drive, Room 822, Alexandria, Virginia 22302.

All responses to this notice will be summarized and included in the request for Office of Management and Budget approval. All comments will be a matter of public record.

FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of this information collection should be directed to Ralph Badette at 703-457-7717.

SUPPLEMENTARY INFORMATION:

Title: Supplemental Nutrition Assistance Program Repayment Demand and Program Disqualification

OMB Number: 0584-0492

Form Number: None

Expiration Date: August 31, 2017

Type of Request: Revision of a currently approved collection.

Abstract: Section 13(b) of the Food and Nutrition Act of 2008, as amended (7 U.S.C. 2022(b)), and Supplemental Nutrition Assistance Program (SNAP) regulations at 7 CFR 273.18 require State agencies to initiate collection action against households that have been overissued benefits. To initiate collection action, State agencies must provide an affected household with written notification informing the household of the claim and demanding repayment. This process is automated in most State agencies. Note that for overissuance claims, this information collection only covers the activities associated with initiating collection. The burden associated with reporting collections and other claims management information on the FNS-209 form is covered under currently approved under the Food Program Reporting System OMB number 0584-0594, expiration date 6/30/2019. The burden associated with referring delinquent claims and receiving collections through the Treasury Offset Program is covered under currently approved OMB number 0584-0446, expiration date 9/30/2019.

SNAP regulations at 7 CFR 273.16(e)(3) require State agencies to investigate any case of suspected fraud and, where applicable, make an intentional Program violation (IPV) determination either administratively or judicially. Notifications and activities involved in the IPV process include:

- The State agency providing written notification informing an individual suspected of committing an IPV of an impending administrative disqualification hearing or court action;
- An individual opting to accept the disqualification and waiving the right to an administrative disqualification hearing or court action by signing either a waiver to an administrative disqualification hearing or a disqualification consent agreement in cases of deferred adjudication and returning it to the State agency; and
- Once a determination is made regarding an IPV, the State agency sending notification to the affected individual of the action taken on the administrative disqualification hearing or court decision.

SNAP regulations at 7 CFR 273.16 require State agencies to use disqualified recipient data to ascertain the correct penalty for IPV, based on prior disqualifications. State agencies determine this by accessing and reviewing records located in the Electronic Disqualified Recipient System (eDRS). eDRS is an automated system developed by FNS that contains records of disqualifications in every State. State agencies are also responsible for updating the system, as required at 7 CFR 237.16, which includes reporting disqualifications in eDRS as they occur and updating eDRS when records are no longer accurate, relevant, or complete.

Summary of Estimated Burden

The burden consists of two major components: the initiation of overissuance collection and actions associated with IPV determinations. The estimated total annual burden for this collection is 203, 079.82 hours (139,052.851 SA reporting hours + 32,372.096 SA recordkeeping hours +31,654.835 household reporting hours). The net aggregate change to this collection is a decrease of 4,753.18 total burden hours from the currently approved burden of 207,833 hours. The estimated total annual responses for this collection is 3,046,653.32 responses (1,083,671.320 SA reporting total annual response + 971,260.00 SA recordkeeping total annual records +991,722.00 household reporting total annual responses). The burden hours associated with overissuance collection initiation have increased due to an increase in the amount of claims established in fiscal year (FY) 2015. The burden hours associated with IPV activity have decreased slightly as a result of a decreased number of SNAP households that States initiated IPV activity against in FY2015.

Affected Public: State, Local and Tribal government (SA); Individual/Households (I/H),

Respondent Type: SNAP participants

SA Reporting Burden

Estimated Number of Respondents: 53

Estimate Total Number of Responses per Respondent: 38,772.289

Estimated Total Annual Responses: 2, 054,931.32

Estimated Time per Response: 0.08342

Estimated Total Annual Reporting Burden: 203, 079.82

Initiation of Overissuance Collection CFR 273.18 (a)(2)

For activities related to initiating collection on an overissuance, the estimated annual burden for State agency reporting is decreased by 4,406.557 hours ($117,932.518 - 122,339.075 = 4,406.557$).

IPV Determinations CFR 273.16(i)(2)(i)

The State agencies' annual reporting burden for activities related to IPV hearing and disqualification notices decreased by 679.513 hours ($7,752.488 - 7,072.975 = 679.513$), and activities associated with accessing and updating eDRS increased by 1251.95 hours ($4,788.225 - 3,536.275 = 1251.95$).

SA Recordkeeping Burden

Estimated Number of Recordkeepers: 53

Estimated Total Records per Recordkeeper: 16,688.98

Estimated Total Annual Records: 971,260

Estimated Average # of Hours per Response: 0.03333

Estimated Total Recordkeeping Hours: 32,372.096

Initiation of Overissuance Collection CFR 272.1(f)

For activities related to initiating collection on an overissuance, we are increasing the estimated annual burden for State agency recordkeeping by 6,550.414 hours (29,480.918 – 22,930.504 = 6,550.414).

IPV Determinations CFR 272.1(f)

States' annual recordkeeping burden for the IPV related activities decreased by -504.52 burden hours (2,891.178 - 3,395.699 = -504.52).

I/H Reporting Burden

Estimated Number of Respondents: 917,566

Estimated Number of Responses per Respondent: 1.0

Total Number of Annual Responses: 991,722

Estimated Time per Response: 0.03192

Estimated Total Annual Reporting Burden: 31,654.835

Initiation of Overissuance Collection CFR 273.18(a)(2)

For activities related to initiating collection on an overissuance, we are increasing the household reporting burden by 7,652 hours (29,480.918 – 22,930.504 = 6,550.414).

IPV Hearing Notices and Disqualifications CFR 273.16(e)(9)

The household annual reporting burden for the activities related to IPV disqualifications has also decreased by -420 hours (707.281 - 836.297 = -129.016).

Grand Total Burden Reporting and Recordkeeping Burden: 203, 079.782 and the total annual responses 3,046,653.320.

Title	CFR Section of Regulations	Estimated # Respondents	Responses Per Respondent	Total Annual Responses (Col. DxE)	Estimated Avg. # of Hours Per Response	Estimated Total Hours (Col. FxG)	Previously Approved	Due to Program Change	Due to an Adjustment	Total Difference
STATE AGENCY										
Reporting Burden										
Demand Letter for Overissuance	273.18(a)(2)	53	17,312.57	884,516.000	0.13333	117,932.518	122,339.075	0.000	-4,406.557	-4,406.557
Notice for Hearing or Prosecution	273.16(e)(3)	53	825.34	40,230.000	0.13333	5,363.866	5,832.540	0.000	-468.674	-468.674

<i>Action Taken on Hearing or Court Decision:</i> For IPV Findings	273.16(e)(9)	53	800.70	46,514.000	0.16667	7,752.488	7,072.975	0.000	679.513	679.513
<i>Action Taken on Hearing or Court Decision:</i> For No IPV Findings	273.16(e)(9)	53	24.64	1,541.000	0.08333	128.412	108.829	0.000	19.583	19.583
<i>Electronic Disqualified Recipient System Breakout:</i> For eDRS Reporting	273.16(i)(2)(i)	53	800.70	57,461.000	0.08333	4,788.225	3,536.275	0.000	1,251.950	1,251.950
<i>Electronic Disqualified Recipient System Breakout:</i> For Editing and Resubmission	272.1(f)(3)	53	96.08	6,895.320	0.16667	1,149.243	848.684	0.000	300.559	300.559
<i>Electronic Disqualified Recipient System Breakout:</i> For Penalty Checks using Mainframe	273.16(i)(4)	53	800.70	46,514.000	0.04167	1,938.099	1,768.222	0.000	169.877	169.877

Total State Agency Reporting Burden		53	20,660.730	1,083,671.320	0.12832	139,052.851	19,167,239.00	0.000	-2,453.749	-2,453.749
Recordkeeping										
Title		Estimated # Recordkeepers	Records Per Recordkeeper	Annual Records	Estimated Avg. # of Hours Per Records	Estimated Total Annual Records	Previously Approved	Due to Program Change	Due to an Adjustment	Total Difference
<i>Recordkeeping Breakout: For initiating Collection Action</i>	272.1(f)	53	16,688.98	884,516.000	0.03333	29,480.918	22,930.504	0.000	6,550.414	6,550.414
<i>Recordkeeping Breakout: For IPV's</i>	272.1(f)	53	1,626.04	86,744.000	0.03333	2,891.178	3,395.699	0.000	-504.521	-504.521

Total State Agency Recordkeeping Burden		53	18,315.021	971,260.000	0.03333	32,372.096	26,326.203	0.000	6,045.893	6,045.893
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	CFR Section of Regulations	Estimated # Respondents	Responses Per Respondent	Total Annual Responses	Estimated Avg. # of Hours Per Response	Estimated Total Hours	Previously Approved	Due to Program Change	Due to an Adjustment	Total Difference
TOTAL STATE AGENCY BURDEN		53	38,772.289	2,054,931.32	0.08342	171,424.947	19,193,565.20	0.000	3,592.144	3,592.144

Title		Estimated # Respondents	Responses Per Respondent	Total Annual Responses (Col. DxE)	Estimated Avg. # of Hours Per Response	Estimated Total Hours (Col. FxG)	Previously Approved	Due to Program Change	Due to an Adjustment	Total Difference
HOUSEHOLD										
Reporting Burden										
Demand Letter for Overissuance	273.18(a)(2)	917,566.00	1.00	884,516.000	0.03333	29,480.918	22,930.504	0.000	6,550.414	6,550.414
Notice for Hearing or Prosecution	273.16(e)(3)	43,743.00	1.00	40,230.000	0.016667	670.513	861.532	0.000	-191.019	-191.019

Administrative Disqualification Hearing Waiver	273.16(i)(2)	18,112.00	1.00	20,320.000	0.03333	677.266	711.062	0.000	-33.796	-33.796
Disqualification Consent Agreement	273.16(i)(2)	6,849.00	1.00	2,913.000	0.03333	97.090	275.706	0.000	-178.616	-178.616
<i>Action Taken on Hearing or Court Decision:</i> For IPV Findings	273.16(e)(9)	42,437.00	1.00	42,437.000	0.016667	707.281	836.297	0.000	-129.016	-129.016
<i>Action Taken on Hearing or Court Decision:</i> For No IPV Findings	273.16(e)(9)	1,306.00	1.00	1,306.000	0.016667	21.767	25.266	0.000	-3.499	-3.499
Total Household Reporting Burden		917,566	1.08082	991,722.000	0.03192	31,654.835	25,640.367	0.000	6,014.468	6,014.468

SUMMARY OF BURDEN

State Agency Level		53		2,054,931.320		171,424.947	19,193,565.20	0.000	3,592.144	3,592.144
Household		917,566		991,722.000		31,654.835	25,640.367	0.000	6,014.468	6,014.468
TOTAL BURDEN THIS COLLECTION		917,619	3.32017	3,046,653.320	0.06666	203,079.782	19,219,205.57	0.000	9,606.612	9,606.612

Dated: June 15, 2017.

Jessica Shahin
 Acting Administrator
 Food and Nutrition Service
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