



DATE: April 8, 2014

United States  
Department of  
Agriculture


Food and  
Nutrition  
Service

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TO: Julie Wise, OMB Desk Officer  
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Office of Management and Budget

THROUGH: Ruth Brown, Desk Officer  
United States Department of Agriculture  
Office of Chief Information Office

FROM: Lynnette Thomas   
Branch Chief, Planning & Regulatory Affairs  
Food and Nutrition Service

SUBJECT: Justification for Increased Burden Hours to OMB Control No: 0584-0083  
Operating Guidelines, Forms, Waivers, and Program and Budget Summary  
Statements (Forms FNS-366A & FNS-366B)

Through this memorandum, we are requesting a non-substantive change to the burden estimates for the collection "Operating Guidelines, Forms, Waivers, and Program and Budget Summary Statements (Forms FNS-366A & FNS-366B)", under the Information Collection Request (ICR), OMB Control No. 0584-0083, which was approved on December 26, 2013.

The "Operating Guidelines, Forms, Waivers, and Program and Budget Summary Statements (Forms FNS-366A & FNS-366B)" collection is intended to cover State agency reporting requirements specific to the planning and budgeting for operation of the Supplemental Nutrition Assistance Program (SNAP), as required at 7 CFR 272.2(a) and 272.2(c). These reporting requirements include the Budget Projection Statement (FNS-366A) for the upcoming fiscal year, the Program Activity Statement (FNS-366B) for the previous fiscal year, and periodic updates (as needed) to the State Plan of Operations including waivers, State options, and automated data processing (ADP) plans.

The Food and Nutrition Service (FNS) is requesting OMB approval to add 26.5 hours (30 minutes per State agency) to the current approved burden hours. FNS is seeking a non-substantive revision to gather information on State agency activity related to the prevention of and response to trafficking activity among SNAP benefit recipients. The form FNS-366B currently collects information regarding State agency investigations, administrative hearings, prosecutions, and disqualification of recipients suspected of committing intentional program violations (IPV). However, the form does not currently allow the State agencies to specify the type of intentional program violation (eligibility fraud versus trafficking of benefits) associated with each activity. As the prevention of recipient trafficking is a top priority for this Administration, FNS has included in its fiscal year (FY) 2014 strategic priorities a commitment to request further clarification on the FNS-366B data submitted in FY 2013 specific to recipient trafficking. Additionally, FNS intends to request basic information on State agency processes associated with cases referred for prosecution.

FNS plans to conduct a one time, 16-item survey of State agencies to collect recipient trafficking data from fiscal year 2013. We are seeking approval to add the following questions to the existing data collection:

1. How many SNAP client cases (persons) were disqualified for an intentional program violation (IPV) by your State agency in FY 2013?
  - a. Of the total IPV disqualifications, how many were related to eligibility fraud?
  - b. Of the total IPV disqualifications, how many were related to recipient trafficking?
2. How many SNAP client cases (persons) were prosecuted in court by your State agency in FY 2013? (Do not include disqualification consent agreements.)
  - a. Of the total IPV prosecutions, how many were related to eligibility fraud?
  - b. Of the total IPV prosecutions, how many were related to recipient trafficking?
3. Is there a dollar threshold established by your State agency for referring IPV cases for prosecution?
  - a. If your State agency has an established threshold, what is the amount of the dollar threshold?
4. Are there additional standards established by your State agency for referring IPV cases for prosecution?
  - a. If your State agency has additional established standards, what are those standards?
5. When IPV cases are referred for prosecution by your State agency, who are they referred to? (e.g. State Attorney General, county prosecutor, local prosecutor, etc.)
6. Of the total number of SNAP client cases (persons) referred for prosecution by your State agency in FY 2013, how many cases signed disqualification consent agreements (DCA)?
  - a. Of the total signed DCAs, how many were related to eligibility fraud?
  - b. Of the total signed DCAs, how many were related to recipient trafficking?
7. Does your State agency offer DCAs to all IPV cases referred for prosecution?
  - a. If your State agency does not offer DCAs to all cases referred for prosecution, what standards are established to determine whether a case qualifies for a DCA?

The 16-item survey will add approximately 26.5 hours to the reporting total burden for 0584-0083. This burden increase represents an additional 30 minutes per State agency to complete the one time survey. The additional data points collected in this survey will provide FNS with accurate data on the current efforts by State agencies to detect, investigate, prosecute, and disqualify recipients suspected of trafficking SNAP benefits. This information will allow the agency to establish clear objectives for the continued State agency detection and response to SNAP recipient trafficking.

| <b>Burden</b>   | <b>Responses</b> | <b>Hours</b> |
|-----------------|------------------|--------------|
| <b>Previous</b> | 919              | 2,728        |
| <b>New</b>      | 919              | 2,754.5      |

If you have any questions regarding this request, please contact Lynnette Thomas, Branch Chief for the Food and Nutrition Service, Planning & Regulatory Affairs Branch at (703) 605-4782.