

Appendix C

Burden Narrative

Reporting Burden: State Agencies (53)

273.18(a)(2) – Demand Letter for Overissuance

This claim is a Federal debt subject to this and other regulations governing Federal debts.

The State agency must establish and collect any claim by following these regulations. Fifty-three (53) State agencies issue approximately 10,561.98 demand letters for overissuance for a total of 559,786 responses. At .1336 hours (8 minutes) per response, the annual burden for this activity is 74,787.276 hours.

273.16(e)(3) – Notice for Hearing or Prosecution

The State agency shall conduct administrative disqualification hearings for individuals accused of intentional Program violation in accordance with the requirements outlined in this section.

Notices for Hearing or Prosecution: Fifty-three (53) State agencies issue approximately 807.34 notices for hearing or prosecution for a total of 42,789 responses. At .1336 hours (8 minutes) per response, the annual burden for this activity is 5,716.61 hours.

273.16(e)(9) – Action Taken on Hearing or Court Decision for IPV Finding

Action Taken on Hearing or Court Decision for No IPV Finding

If the hearing official finds that the household member did not commit intentional Program violation, the State agency shall provide a written notice which informs the household member of the decision.

If the hearing official finds that the household member committed intentional Program violation, the State agency shall provide written notice to the household member prior to disqualification.

The notice shall inform the household member of the decision and the reason for the decision. In addition, the notice shall inform the household member of the date the disqualification will take effect. If the individual is no longer participating, the notice shall inform the individual that the period of disqualification will be deferred until such time as the individual again applies for and is determined eligible for Program benefits. The State agency shall also provide written notice to the remaining household members, if any, of either the allotment they will receive during the period of disqualification or that they must reapply because the certification period has expired. The procedures for handling the income and resources of the disqualified member are described in § 273.11(c). A written demand letter for restitution, as described in § 273.18(d)(3), shall also be provided.

Each State agency shall develop a form for notifying individuals that they have been found by an administrative disqualification hearing to have committed intentional Program violation. The form shall contain the information required by this section.

In the case of IPV Findings, Fifty-three (53) State agencies will take action on hearings or court decisions in approximately 815.40 instances for a total of 39,097 responses. At .167 hours (10 minutes) per response, the annual burden for this activity is 6,529.199 hours.

In the case of No IPV Findings: Fifty-three (53) State agencies will take action on hearings or court decision for no IPV findings in approximately 69.66 instances for a total of 3,692 responses. At .0835 hours (5 minutes) per response, the annual burden for this activity is 308.282 hours.

273.16(i)(2)(i) – Electronic Disqualified Recipient System Breakout for eDRS reporting

State agencies shall report information concerning each individual disqualified for an intentional Program violation to FNS. FNS will maintain this information and establish the format for its

use. State agencies shall report information to the disqualified recipient database in accordance with procedures specified by FNS.

eDRS system breakout reporting: Fifty-three (53) State agencies will report on eDRS in approximately 737.68 instances for a total of 39,097 responses. At .0835 hours (5 minutes) per response, the annual burden for this activity is 3,264.60 hours.

272.1(f)(3) – Editing and Resubmissions to eDRS:

Each State agency shall retain all Program records in an orderly fashion for audit and review purposes for no less than 3 years from the month of origin of each record.

Disqualification records submitted to the disqualified recipient database must be purged by the State agency that submitted them when the supporting documents are no longer accurate, relevant, or complete. The State agency shall follow a prescribed records management program to meet this requirement. Information about this program shall be available for FNS review.

Fifty-three (53) State agencies will edit and resubmit information to eDRS in approximately 88.52 instances for a total of 4,691.64 responses. At .167 hours (10 minutes) per response, the annual burden for this activity is 783.504 hours.

273.16(i)(4) – Penalty Checks using eDRS mainframe

State agencies shall implement the disqualification penalties for intentional Program violation, and the improved recovery of overpayments provisions

Fifty-three (53) State agencies will use the eDRS mainframe for penalty checks in approximately 737.68 instances for a total of 39,097 responses. At .0501 hours (3 minutes) per response, the annual burden for this activity is 1,958.76 hours.

State Agency Recordkeeping Burden

272.1(f) – Recordkeeping Breakout for Initiating Collection Action/IPVs

Each State agency shall retain all Program records in an orderly fashion for audit and review purposes for no less than 3 years from the month of origin of each record.

Recordkeeping for Initiating Collection Actions: Fifty-three (53) State agencies will keep records for collection actions in approximately 10,561.98 instances for a total of 559,785 annual records.

At .0334 (2 minutes) hours per response, the estimated annual burden for this activity is 18,696.819 hours.

Recordkeeping for IPVs: Fifty-three (53) State agencies will keep records for IPVs in approximately 1,545.02 instances for a total of 81,886 annual records. At .0334 (2 minutes) hours per response, the estimated annual burden for this activity is 2,734.992 hours

Individual/Household Burden (559,785 Respondents)

273.18(a)(2) – Demand Letter for Overissuance

Responding to a Demand Letter for Overissuance: An estimated 559,785 households will respond to a demand letter for overissuance one time for a total of 559,785 responses. At .0334

(2 minutes) hours per response, the estimated annual household burden for this activity is 18,696.819 hours.

273.16(e)(3) – Notice for Hearing or Prosecution

Responding to a Notice for Hearing or Prosecution: An estimated 42,789 households will respond to a Notice for a Hearing or Prosecution one time for a total of 42,789 responses.

At .0167 (1 minute) hours per response, the estimated annual household burden for this activity is 714.576 hours.

273.16(i)(2) – Responding to an Administrative Disqualification Hearing Waiver

Responding to a Disqualification Consent Agreement

Responding to an Administrative Disqualification Hearing Waiver: An estimated 15,664 households will respond to an administrative disqualification hearing waiver one time for a total of 15,664 responses. At .0334 (2 minutes) hours per response, the estimated annual household burden for this activity is 523.178 hours.

Responding to Disqualification Consent Agreement: an estimated 2,898 households will respond to a disqualification consent agreement one time for a total of 2,898 responses. At .0334 (2 minutes) hours per response, the estimated annual household burden for this activity is 96.763 hours.

273.16(e)(9) – Action Taken on Hearing or Court Decision for IPV Finding

Action Taken on Hearing or Court Decision for No IPV Finding

Household Action on Hearing or Court Decision for IPV Finding: An estimated 39,097 households will act on a hearing or court decision for an IPV finding one time for a total of 39,097 responses. At .0167 (1 minute) hours per response, the estimated annual household burden for this activity is 652.92 hours.

Household Action on Hearing or Court Decision for No IPV Finding: An estimated 3,692 households will act on a hearing or court decision for no IPV finding one time for a total of 3,692 responses. At .0167 (1 minute) hours per response, the estimated annual household burden for this activity is 61.656 hours.

Third-Party Disclosure Reporting

There is no third-party disclosure reporting associated with this information collection request.