

**Supporting Statement for Prohibition of Payment of SSI Benefits to Fugitive Felons  
and Parole/Probation Violators**

**OMB No. 0960-0617**

**20 CFR 416.708(o)**

**A. Justification**

**1. Introduction/Authoring Laws and Regulations**

Section 202(a) of *Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996*, amends Section 1611(e)(4) of the *(Social Security Act)* to preclude eligibility for Social Security Income (SSI) payments for certain fugitives and probation/parole violators. Section 20 CFR 416.708(o) of the *Code of Federal Regulations* requires individuals applying for or receiving SSI benefits to report to SSA that (1) they are fleeing to avoid prosecution for a crime; (2) they are fleeing to avoid custody or confinement after conviction of a crime; or (3) they are violating a condition of probation or parole.

**2. Description of Collection**

SSA will use the information we receive to deny eligibility or suspend certain recipients' SSI payments. The respondents are SSI applicants and recipients, or representative payees of SSI applicants and recipients, who are reporting their status as a fugitive felon or probation/parole violator.

**3. Use of Information Technology to Collect the Information**

SSA will collect this information during interviews with SSI applicants or recipients to determine eligibility for payments when processing initial claims or redeterminations (RZ) and will enter the information into SSAs intranet Modernized SSI Claims System (MSSICS).

In accordance with the agency's Government Paperwork Elimination Act plan, SSA electronically collects fugitive felon and parole/probation violator information. We estimate that using this electronic method is at 100% when processing MSSICS claims and RZs.

**4. Why We Cannot Use Duplicate Information**

The nature of the information we are collecting and the manner in which we are collecting it preclude duplication. SSA does not use another collection instrument to collect similar data.

**5. Minimizing Burden on Small Respondents**

This collection does not affect small businesses or other small entities.

**6. Consequence of Not Collecting Information or Collecting it Less Frequently**

If we did not collect the fugitive felon and parole/violator information, we would be paying benefits to fugitives or probation /parole violator who are not eligible to receive benefits. Because we only collect this information on an as needed basis, we cannot collect it less frequently.

There are no technical or legal obstacles to burden reduction.

**7. Special Circumstances**

There are no special circumstances that would cause SSA to conduct this information collection in a manner inconsistent with 5 CFR 1320.5.

**8. Solicitation of Public Comment and Other Consultations with the Public**

The 60-day advance Federal Register Notice published on January 31, 2012, at 77 FR 4854, and we received no public comments. The 30-day FRN published on May 11, 2012 at 77 FR 27829. If we receive any comments in response to this Notice, we will forward them to OMB. We did not consult with the public in the maintenance collection.

**9. Payment or Gifts to Respondents**

SSA does not provide payments or gifts to the respondents.

**10. Assurances of Confidentiality**

SSA protects and holds confidential the information it collects in accordance with 42 U.S.C. 1306, 20 CFR 401 and 402, 5 U.S.C. 552 (Freedom of Information Act), 5 U.S.C. 552a (Privacy Act of 1974), and OMB Circular No. A-130.

**11. Justification for Sensitive Questions**

The information collection does not contain any questions of a sensitive nature.

**12. Estimates of Public Reporting Burden**

<b>Collection Instrument</b>	<b>Number of responses</b>	<b>Frequency of response</b>	<b>Average burden per response (minutes)</b>	<b>Estimated total annual burden (hours)</b>
MSSICS	1,000	1	1	17

The total burden for this ICR is 17 hours. This figure represents burden hours, and we did not calculate a separate cost burden.

**13. Annual Cost to the Respondents (Other)**

This collection does not impose a known cost burden on the respondents.

**14. Annual Cost to Federal Government**

The estimated cost to the Federal Government to collect the information is negligible. Because the cost of maintaining the system which collects this information is accounted for within the cost of maintaining all of SSA's automated systems, it is not possible to calculate the cost associated with just one Internet application.

**15. Program Changes or Adjustments to the Information Collection Request**

There are no changes to the public reporting burden.

**16. Plans for Publication Information Collection Results**

SSA will not publish the results of the information collection.

**17. Displaying the OMB Approval Expiration Date**

SSA is not requesting an exception to the requirement to display the OMB approval expiration date.

**18. Exceptions to Certification Statement**

SSA is not requesting an exception to the certification requirements at 5 CFR 1320.9 and related provisions at 5 CFR 1320.8(b)(3).

**B. Collections of Information Employing Statistical Methods**

SSA does not use statistical methods for this information collection.