

individuals applying for and receiving Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508), further amended the Privacy Act regarding protections for such individuals. The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or local government records. It requires Federal agencies involved in computer matching programs to:

- (1) Negotiate written agreements with the other agency or agencies participating in the matching programs;
- (2) Obtain the Data Integrity Boards' approval of the match agreements.
- (3) Furnish detailed reports about matching programs to Congress and the Office of Management and Budget;
- (4) Notify applicants and beneficiaries that their records are subject to matching; and
- (5) Verify match findings before reducing, suspending, terminating, or denying an individual's benefits or payments.

B. SSA Computer Matches Subject to the Privacy Act

We have taken action to ensure that all of SSA's computer matching programs comply with the requirements of the Privacy Act, as amended.

Dated: March 1, 1995.

Shirley S. Chater,
Commissioner of Social Security.

Notice of Computer Matching Program, Railroad Retirement Board (RRB) With Social Security Administration (SSA)

A. Participating Agencies

SSA and RRB.

B. Purpose of the Matching Program

To identify supplemental security income recipients and applicants who receive benefits payable by the RRB. For such individuals, the income received due to benefits payable by the RRB may affect eligibility for or the amount of SSI benefits.

C. Authority for Conducting the Matching Program

Section 1631(e)(1)(B) and section 1631(f) of the Social Security Act, as amended.

D. Categories of Records and Individuals Covered by the Matching Program

The RRB will provide SSA with a magnetic tape file containing annuity payment information from its system of records entitled Checkwriting Integrated Computer Operation Benefits Payment

Master. SSA will then match the RRB data with information maintained in the Supplemental Security Income Record, HHS/SSA/OSR, 09-60-0103.

E. Inclusive Dates of the Match

The matching program shall become effective 40 days after a copy of the agreement, as approved by the Data Integrity Boards of both agencies, is sent to Congress and the Office of Management and Budget (OMB) (or later if OMB objects to some or all of the agreement), or 30 days after publication of this notice in the **Federal Register**, whichever date is later. The matching program will continue for 18 months from the effective date and may be extended for an additional 12 months thereafter, if certain conditions are met.

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Privacy Act of 1974; Report of New Routine Use

AGENCY: Social Security Administration (SSA), Department of Health and Human Services (HHS).

ACTION: Amended routine use.

SUMMARY: In accordance with the Privacy Act (5 U.S.C. 552a(e)(4) and (11)), we are issuing public notice of our intent to amend a routine use applicable to SSA's system of records entitled "Master Files of Social Security Number (SSN) Holders and SSN Applications, HHS/SSA/OSR, 09-60-0058." The proposed routine use would provide for disclosure from the system of records to the Department of the Treasury, United States Secret Service (USSS), for purposes of investigating crimes (within the jurisdiction of the USSS) involving violations of the Social Security Act. The disclosure under the relevant routine use is currently limited to the Department of Justice (the Federal Bureau of Investigation and United States Attorneys Offices).

We invite public comment on this publication.

DATES: We have filed a report of a new routine use with the Chairman, Committee on Government Reform and Oversight of the House of Representatives, the Chairman, Committee on Governmental Affairs of the Senate, and the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget on March 3, 1995. The routine use will become effective, as proposed, without further notice April 14, 1995, unless we receive comments on or before that date that would result in a contrary determination.

ADDRESSES: Interested individuals may comment on this publication by writing to the SSA Privacy Officer, Social Security Administration, Room 3-A-6 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235. All comments received will be available for public inspection at that address.

FOR FURTHER INFORMATION CONTACT: Mr. John Kattler, Social Insurance Specialist, Standards and Compliance Branch, Office of Disclosure Policy, Social Security Administration, 3-D-1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 410-965-1738.

SUPPLEMENTARY INFORMATION:

I. Discussion of the Proposed Routine Use

A. Background

We propose to add a routine use to the system of records entitled "Master Files of Social Security Number (SSN) Holders and SSN Applications, HHS/SSA/OSR, 09-60-0058." The proposed routine use is necessary for the USSS to carry out its responsibilities to investigate various crimes involving violations of the Social Security Act.

B. Disclosures to Law Enforcement and Security Agencies

SSA discloses information from this system of records to certain entities that use the information for a purpose that is compatible with the purpose for which SSA collects it. One such category of disclosures is to the Department of Justice (the Federal Bureau of Investigation (FBI) and United States Attorneys Offices) for purposes of investigating or prosecuting violations of the Social Security Act. Disclosures are most often made from the system to investigate or prosecute those violations of section 208 of the Social Security Act (42 U.S.C. 408) involving criminal misuse of the SSN.

SSA proposes to alter the system by amending an existing routine use to authorize disclosure of SSN information to the USSS for use in investigating crimes involving violations of the Social Security Act. We are doing this because the investigative jurisdiction of the USSS includes various offenses which often involve violations of the Social Security Act. These offenses include fraud associated with electronic fund transfers; crimes involving financial institutions; the counterfeiting or fraudulent use of identification documents; the fraudulent use of "access devices" such as credit and debit cards; and certain crimes involving computer fraud (18 U.S.C. 1029, 1030, 3056; Pub.L. 101-509, Title

V, section 528, November 5, 1990, 104 S. 1427). In many such cases, violators utilize SSNs which are not their own to obtain credit or apply for goods or services. Because the misuse of the SSN is an integral part of the criminal activities investigated by the USSS, that agency is in a position to pursue the investigation of violations and to recommend prosecution under 42 U.S.C. 408. Without information from SSA, USSS cannot pursue the issue of SSN misuse when it arises during the course of an investigation.

In circumstances involving investigations under the jurisdiction of the USSS, SSA proposes to provide the same SSN information to the USSS that it now provides to the FBI and United States Attorneys Offices when those entities are investigating violations of the Social Security Act.

II. Compatibility of the Proposed Routine Use

We are proposing the changes discussed above in accordance with the Privacy Act (5 U.S.C. 552a(a)(7), (b)(3), and (e)(11)) and our disclosure regulations (20 CFR part 401).

The Privacy Act permits us to disclose information about individuals without their consent for a routine use, i.e., where the information will be used for a purpose that is compatible with the purpose for which we collected the information. The disclosures that will be made under the proposed routine use will facilitate the investigation and prosecution of violations of the Social Security Act which may potentially interfere with effective use of the relevant system of records, thereby adversely affecting Social Security programs dependent upon these records. The disclosures contemplated under this routine use therefore are compatible with the purpose of the accurate and effective administration of Social Security programs, for which the records were collected, and meet the compatibility requirement for routine uses under the Privacy Act.

III. Effect of the Proposed Routine Use on Individuals

As with previous disclosures for similar purposes under the existing routine use, SSA will follow all statutory and regulatory requirements for disclosure. Therefore, we do not anticipate that the proposed disclosures will have any unwarranted effect on the privacy or other rights of individuals.

IV. Other Changes

We are also making some minor corrections for purposes of accuracy.

Dated: March 3, 1995.

Shirley S. Chater,

Commissioner of Social Security.

09-60-0058

SYSTEM NAME:

Master Files of Social Security Number (SSN) Holders and SSN Applications, HHS/SSA/OSR.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, Office of Systems Operations, 6401 Security Boulevard, Baltimore, MD 21235.

Social Security Administration, Office of Central Records Operations, Metro West Building, 300 N. Greene Street, Baltimore, MD 21201.

Records may also be maintained at contractor sites (contact the system manager at the address below to obtain contractor addresses).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This system contains a record of each individual who has applied for and obtained an SSN and of each individual whose application was supported by documents which are suspected to be fraudulent and are being verified with the issuing agency, or have been determined to be fraudulent.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains all of the information received on original applications for SSNs (e.g., name, date and place of birth, sex, both parents' names, and race/ethnic data), and any changes in the information on the applications that are submitted by the SSN holders. It also contains applications supported by evidence suspected or determined to be fraudulent, along with the mailing addresses of the individuals who filed such applications and descriptions of the documentation which they submitted. Cross-references may be noted where multiple numbers have been issued to the same individual and an indication may be shown that a benefit claim has been made under a particular SSN(s).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 205(a) and 205(c)(2) of the Act.

PURPOSE(S):

Information in this system is used by the Social Security Administration (SSA) to assign SSNs. The information also is used for a number of administrative purposes, such as:

- By SSA components for various title II, XVI, and XVIII claims purposes including usage of the SSN itself as a case control number and a secondary beneficiary cross-reference control number for enforcement purposes and use of the SSN record data for verification of claimant identity factors and for other claims purposes related to establishing benefit entitlement;
- By SSA as a basic control for retained earnings information;
- By SSA as a basic control and data source to prevent issuance of multiple SSNs;
- As the means to identify reported names or SSNs on earnings reports;
- For resolution of earnings discrepancy cases;
- For statistical studies;
- By the Department of Health and Human Services (HHS), Office of Inspector General, Office of Audit Services, for auditing benefit payments under Social Security programs;
- By the HHS Office of Child Support Enforcement for locating parents who owe child support;
- By the National Institute of Occupational Safety and Health for epidemiological research studies required by the Occupational Safety and Health Act of 1974;
- By the SSA Office of Refugee Resettlement for administering Cuban refugee assistance payments; and
- By the HHS Health Care Financing Administration for administering Title XVIII claims.

Information in this system is also used by SSA to prevent the processing of an SSN card application for an individual whose application is identified as having been supported by evidence that either:

- Is suspect and being verified, or
- Has been determined to be fraudulent.

With this system in place, clerical investigation and intervention is required. Social Security offices are alerted in case an applicant attempting to obtain an SSN might visit other offices and might attempt to find one which would unwittingly accept fraudulent documentation.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

Disclosure may be made for routine uses as indicated below:

1. Employers are notified of the SSNs of employees in order to complete their records for reporting wages to SSA pursuant to the Federal Insurance Compensation Act and section 218 of the Act.
2. To State welfare agencies, upon written request, of the SSNs of Aid to

Families with Dependent Children applicants or recipients.

3. To the Department of Justice (DOJ), Federal Bureau of Investigation and United States Attorneys Offices, and to the Department of the Treasury, United States Secret Service, for investigating and prosecuting violations of the Social Security Act.

4. To the DOJ, Immigration and Naturalization Service, for the identification and location of aliens in the United States pursuant to requests received under section 290(c) of the Immigration and Nationality Act (8 U.S.C. 1360(c)).

5. To a contractor for the purpose of collating, evaluating, analyzing, aggregating or otherwise refining records when SSA contracts with a private firm. (The contractor shall be required to maintain Privacy Act safeguards with respect to such records.)

6. To the Railroad Retirement Board for:

(a) Administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment; and

(b) Administering the Railroad Unemployment Insurance Act.

7. To the Department of Energy for its study of the long-term effects of low-level radiation exposure.

8. To the Department of the Treasury for:

(a) Tax administration as defined in section 6103 of the Internal Revenue Code (IRC) (26 U.S.C. 6103); and

(b) Investigating the alleged theft, forgery, or unlawful negotiation of Social Security checks.

9. To a congressional office in response to an inquiry from the office made at the request of the subject of a record.

10. To the Department of State for administering the Act in foreign countries through facilities and services of that agency.

11. To the American Institute of Taiwan for administering the Act on Taiwan through facilities and services of that agency.

12. To the Department of Veterans Affairs (VA), Philippines Regional Office, for administering the Act in the Philippines through facilities and services of that agency.

13. To the Department of the Interior for administering the Act in the Trust Territory of the Pacific Islands through facilities and services of that agency.

14. To the Department of Labor for:

(a) Administering provisions of the Black Lung Benefits Act; and

(b) Conducting studies of the effectiveness of training programs to combat poverty.

15. To VA for the following purposes:

(a) For the purpose of validating SSNs of compensation recipients/pensioners in order to provide the release of accurate pension/compensation data by VA to SSA for Social Security program purposes; and

(b) Upon request, for purposes of determining eligibility for or amount of VA benefits, or verifying other information with respect thereto.

16. To Federal agencies which use the SSN as a numerical identifier in their recordkeeping systems, for the purpose of validating SSNs.

17. To the DOJ, to a court, to another tribunal, or to another party before such tribunal, when:

(a) SSA, or any component thereof; or

(b) Any SSA employee in his/her official capacity; or

(c) Any SSA employee in his/her individual capacity when DOJ (or SSA when it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof when SSA determines that the litigation is likely to affect the operations of SSA or any of its components

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the tribunal, or other party before such tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

Wage and other information that is subject to disclosure provisions of the IRC will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

18. To State audit agencies for auditing State supplementation payments and Medicaid eligibility considerations.

19. To the Social Security agency of a foreign country, to carry out the purpose of an international Social Security agreement entered into between the United States and the other country, pursuant to section 233 of the Act.

20. To Federal, State, or local agencies (or agents on their behalf) for the purpose of validating SSNs used in administering cash or noncash income maintenance programs or health maintenance programs (including programs under the Act).

21. To third party contacts when the party to be contacted has, or is expected to have, information which will verify documents when SSA is unable to determine if such documents are authentic.

22. Upon request, information on the identity and location of aliens may be disclosed to the DOJ, Criminal Division, Office of Special Investigations, for the purpose of detecting, investigating, and, when appropriate, taking legal action against suspected Nazi war criminals in the United States.

23. To the Selective Service System for the purpose of enforcing draft registration pursuant to the provisions of the Military Selective Service Act (50 U.S.C. App. 462, as amended by section 916 of Pub L. 97-86).

24. To contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

25. Validated SSN information may be disclosed to organizations or agencies such as prison systems that are required by law to furnish SSA with SSN information.

26. Nontax return information that is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration (NARA) for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the NARA Act of 1984.

27. Disclosure of SSNs and dates of birth may be made to VA or third parties under contract to that agency for the purpose of conducting VA medical research and epidemiological studies.

28. SSN information may be disclosed to the Office of Personnel Management (OPM) upon receipt of a request from that agency in accordance with 5 U.S.C. 8347(m)(3), when OPM needs the information in administering its pension program for retired Federal Civil Service employees.

29. Upon request by the Department of Education, SSNs which are provided by students to postsecondary educational institutions may be verified as required by Title IV of the Higher Education Act of 1965 (20 U.S.C. 1091).

30. To student volunteers and other workers, who technically do not have the status of Federal employees, when they are performing work for SSA as authorized by law, and they need access to personally identifiable information in SSA records in order to perform their assigned Agency functions.

31. To Federal, State, and local law enforcement agencies and private security contractors, as appropriate, information necessary.

(a) To enable them to protect the safety of SSA employees and customers, the security of the SSA workplace and the operation of SSA facilities, or

(b) To assist investigations or prosecutions with respect to activities that affect such safety and security or activities that disrupt the operation of SSA facilities.

32. Corrections to information that resulted in erroneous inclusion of individuals in the Death Master File (DMF) may be disclosed to recipients of erroneous DMF information.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records in this system are maintained in paper form (e.g., paper lists, punch cards, Forms SS-5 (Application for an SSN), and systems generated forms); magnetic media (e.g., magnetic tape and disc with on-line access); and in microfilm and microfiche form.

RETRIEVABILITY:

Records of SSN holders are indexed by both SSN and name. Records of applications that have been denied because the applicant submitted fraudulent evidence, or that are being verified because the evidence is suspected to be fraudulent, are indexed either by the applicant's name plus month and year of birth, or by the applicant's name plus the eleven-digit reference number of the disallowed application.

SAFEGUARDS:

Safeguards for automated records have been established in accordance with the Systems Security Handbook. This includes maintaining the magnetic tapes and discs within a secured enclosure attended by security guards. Anyone entering or leaving this enclosure must have a special badge issued only to authorized personnel.

For computerized records electronically transmitted between Central Office and Field Office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal-oriented transaction matrix, and an audit trail. All microfilm, microfiche, and paper files are accessible only by authorized personnel who have a need for the records in the performance of their official duties.

Expansion and improvement of SSA's telecommunications systems has resulted in the acquisition of terminals equipped with physical key locks. The terminals also are fitted with adapters to permit the future installation of data encryption devices and devices to permit the identification of terminal users.

RETENTION AND DISPOSAL:

All paper forms are retained for 5 years after they have been filmed or entered on tape and the accuracy has been verified. They then are destroyed by shredding. All tape, discs, microfilm, and microfiche files are updated periodically. Out-of-date magnetic tapes and discs are erased. Out-of-date microfiches are disposed of by applying heat.

SYSTEM MANAGER AND ADDRESS:

Director, Division of Data Support and Enumeration, Office of Systems Requirements, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

NOTIFICATION PROCEDURES:

An individual can determine if this system contains a record pertaining to him/her by providing his/her name, signature, and SSN to the address shown under "System manager and address" above. (Furnishing the SSN is voluntary, but it makes searching for an individual's record easier and avoids delay.) If the SSN is unknown or no SSN has been assigned because the evidence presented with the application is being verified or has been determined to be fraudulent, the individual should provide name, signature, date and place of birth, sex, mother's birth name, and father's name, and evidence of identity. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Also, requesters should reasonably specify the record contents which they are seeking. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

CONTESTING RECORD PROCEDURES:

Same as notification procedures above. Also, requesters should reasonably identify the record, specify the information which they are contesting, and state the corrective action sought and the reasons for the correction, with supporting justification showing how the record is incomplete, untimely, inaccurate, or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD SOURCE CATEGORIES:

Information in this system is obtained from SSN applicants (or individuals acting on their behalf). The SSN itself is assigned to the individual as a result of internal processes of this system.

SYSTEM EXEMPTIONS FROM CERTAIN PROVISIONS OF THE PRIVACY ACT:

None.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Public and Indian Housing

[Docket No. N-95-3870; FR-3798-C-02]

Community Development Block Grant Program for Indian Tribes and Alaska Native Villages; Notice of Fund Availability; Correction of Application Due Date

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of fund availability for fiscal year 1995; correction of application due date.

SUMMARY: On February 24, 1995 (60 FR 10452), the Department published in the **Federal Register**, a Notice of Fund Availability that announced HUD's funding for the Community Development Block Grant Program for Indian Tribes and Alaska Native Villages for Fiscal Year 1995. The application due date was computed incorrectly and ends on May 14, 1995, which is a Sunday afternoon. This incorrect date appears in the "DATES" section, and also appears on page 10464 of the February 24, 1995 notice in paragraph II.(c).

The purpose of this document is to correct the application due date by extending it until 3 p.m. on Monday, May 15, 1995, in both of the places referred to above.

DATES: Applications must be received by the appropriate field office of the HUD Office of Native American Programs (ONAP) no later than 3 p.m., May 15, 1995. Application materials will be available from each field office. General program questions may be directed to the field office serving your area or by contacting Dom Nessi, Office of Native American Programs, Office of Public and Indian Housing, Department of Housing and Urban Development, Room B-133, 451 Seventh Street SW., Washington, DC 20410. Telephone (202)