

**DEPARTMENT OF DEFENSE****Defense Logistics Agency****Privacy Act of 1974; Computer Matching Program**

**AGENCY:** Defense Manpower Data Center, Defense Logistics Agency.

**ACTION:** Notice of a computer matching program.

**SUMMARY:** Subsection (e)(12) of the Privacy Act of 1974, as amended, (5 U.S.C. 552a) requires agencies to publish advance notice of any proposed or revised computer matching program by the matching agency for public comment. The Department of Defense (DoD), as the matching agency under the Privacy Act, is hereby giving notice to the record subjects of a computer matching program between Small Business Administration (SBA) and DoD that records are being matched by computer. The record subjects are SBA delinquent debtors who may be current or former Federal employees receiving Federal salary or benefit payments and who are indebted and or delinquent in their repayment of debts owed to the United States Government under programs administered by SBA.

**DATES:** This proposed action will become effective July 5, 2000, and the computer matching will proceed accordingly without further notice, unless comments are received which would result in a contrary determination or if the Office of Management and Budget or Congress objects thereto. Any public comment must be received before the effective date.

**ADDRESSES:** Any interested party may submit written comments to the Director, Defense Privacy Office, 1941 Jefferson Davis Highway, Suite 920, Arlington, VA 22202-4502.

**FOR FURTHER INFORMATION CONTACT:** Mr. Vahan Moushegian, Jr. at (703) 607-2943.

**SUPPLEMENTARY INFORMATION:** Pursuant to subsection (o) of the Privacy Act of 1974, as amended, (5 U.S.C. 552a), the DoD and SBA have concluded an agreement to conduct a computer matching program between the agencies. The purpose of the match is to exchange personal data between the agencies for debt collection. The match will yield the identity and location of the debtors within the Federal government so that SBA can pursue recoupment of the debt by voluntary payment or by administrative or salary offset procedures.

A copy of the computer matching agreement between the SBA and DoD is

available upon request to the public. Requests should be submitted to the address caption above or to the Deputy Assistant Administrator, Office of the Portfolio Management, 409 Third Street, SW, Suite 8300, Washington, DC 20416.

Set forth below is a public notice of the establishment of the computer matching program required by paragraph 6.c. of the Office of Management and Budget Guidelines on computer matching published on June 19, 1989, at 54 FR 25818.

The matching agreement, as required by 5 U.S.C. 552a(r) of the Privacy Act, and an advance copy of this notice were submitted on May 16, 2000, to the House Committee on Government Reform, the Senate Committee on Government Affairs, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget pursuant to paragraph 4d of Appendix I to OMB Circular No. A-130, 'Federal Agency Responsibilities for Maintaining Records about Individuals,' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: May 30, 2000.

**L. M. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**Notice of a Computer Matching Program between the Small Business Administration, and the Department of Defense for Debt Collection.**

**A. Participating agencies:** Participants in this computer matching program are the Small Business Administration (SBA) and the Defense Manpower Data Center (DMDC), Department of Defense (DoD). The Small Business Administration is the source agency, i.e., the activity disclosing the records for the purpose of the match. The DMDC is the specific recipient activity or matching agency, i.e., the agency that actually performs the computer matching.

**B. Purpose of the match:** The purpose of the match is to identify and locate any matched Federal personnel, employed, serving, or retired, who owe delinquent debts to the Federal Government under certain programs administered by SBA. SBA will use this information to initiate independent collection of those debts under the provisions of the Debt Collection Act of 1982, as amended, when voluntary payment is not forthcoming. These collection efforts will include requests by SBA of the military service/employing agency in the case of military personnel (either active, reserve, or retired) and current non-postal civilian

employees, and to OPM in the case of retired non-postal civilian employees, to apply administrative and/or salary offset procedures until such time as the obligation is paid in full.

**C. Authority for conducting the match:** The legal authority for conducting the matching program is contained in the Debt Collection Act of 1982 (Pub. L. 97-365), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134, section 31001); 31 U.S.C. Chapter 37, Subchapter I (General) and Subchapter II (Claims of the United States Government); 31 U.S.C. 3711 Collection and Compromise; 31 U.S.C. 3716 Administrative Offset; 5 U.S.C. 5514, Installment Deduction for Indebtedness (Salary Offset); 10 U.S.C. 135, Under Secretary of Defense (Comptroller); Section 101(1) of Executive Order 12731; 4 CFR 101.1-105.5, Federal Claims Collection Standards; 5 CFR 550.1101-550.1108, Collection by Offset from Indebted Government Employees (OPM); 13 CFR, part 140, Debt Collection (SBA).

**D. Records to be matched:** The systems of records described below contain an appropriate routine use provisions which permits disclosure of information between agencies.

SBA will use personal data from the Privacy Act record system identified as SBA 075, entitled, 'Loan Case File', published in the **Federal Register** at 56 FR 8022 on February 26, 1991, but amended in the **Federal Register** at 65 FR 1422 on January 10, 2000 and corrected at 65 FR 459 on January 27, 2000.

DoD will use personal data from the Privacy Act record system identified as S322.11 DMDC, entitled 'Federal Creditor Agency Debt Collection Data Base,' last published in the **Federal Register** at 64 FR 42101, August 3, 1999.

**E. Description of computer matching program:** SBA, as the source agency, will provide DMDC with an electronic file which contains the names of delinquent debtors in programs SBA administers. Upon receipt of the electronic file of debtor accounts, DMDC will perform a computer match using all nine digits of the SSN of the SBA file against a DMDC computer database. The DMDC database, established under an interagency agreement between DOD, OPM, OMB, and the Department of the Treasury, consists of personnel records of non-postal Federal civilian employees and military members, both active and retired. The 'hits' or matches will be furnished to SBA. SBA is responsible for verifying and determining that the data on the DMDC electronic reply tape file are consistent

with SBA source file and for resolving any discrepancies or inconsistencies on an individual basis. SBA will also be responsible for making final determinations as to positive identification, amount of indebtedness and recovery efforts as a result of the match.

The electronic file tape provided by SBA will contain data elements of the debtor's name, SSN, internal account numbers and the total amount owed for each debtor on approximately 25,000 delinquent debtors.

The DMDC computer database file contains approximately 4.8 million records of active duty and retired military members, including the Reserve and Guard, and approximately 3.1 million records of active and retired non-postal Federal civilian employees.

*F. Individual notice and opportunity to contest:* Due process procedures will be provided by SBA to those individuals matched (hits) consisting of SBA'S verification of debt; a minimum of 30-day written notice to the debtor explaining the debtor's rights; opportunity for the debtor to examine and copy SBA documentation relating to the debt; provision for debtor to seek the SBA review of the debt (or in the case of the salary offset provision, opportunity for a hearing before an individual who is not under the supervision or control of the agency); and opportunity for the individual to enter into a written agreement satisfactory to the SBA for repayment. Only when all of the steps have been taken will SBA disclose information, pursuant to a routine use, to effect an administrative or salary offset. Unless the individual notifies SBA within 30 days from the date of the notice, SBA will infer that the data provided the individual is accurate and correct and will take the next step, as authorized by law, to recoup the delinquent debt.

*G. Inclusive dates of the matching program:* This computer matching program is subject to review by the Office of Management and Budget and Congress. If the mandatory 30 day period for public comment has expired and if no objections are raised by either Congress or the Office of Management and Budget within 40 days of being notified of the proposed match, the computer matching program becomes effective and the respective agencies may begin the exchange of data at a mutually agreeable time and will be repeated on an annual basis. By agreement between SBA and DoD, the matching program will be in effect and continue for 18 months with an option to extend for 12 additional months unless one of the parties to the

agreement advises the other by written request to terminate or modify the agreement.

*H. Address for receipt of public comments or inquiries:* Director, Defense Privacy Office, 1941 Jefferson Davis Highway, Suite 920 Arlington, VA 22202-4502. Telephone (703) 607-2943. [FR Doc. 00-13896 Filed 6-2-00; 8:45 am]

**BILLING CODE 5001-10-F**

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Meeting of the Board of Visitors to the U.S. Naval Academy

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Notice.

**SUMMARY:** The U.S. Naval Academy Board of Visitors will meet to make such inquiry as the Board shall deem necessary into the state of morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, and academic methods of the Naval Academy. During this meeting inquiries will relate to the internal personnel rules and practices of the Academy, may involve on-going criminal investigations, and include discussions of personal information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. The executive session of this meeting will be closed to the public.

**DATES:** The meeting will be held on Monday, June 12, 2000 from 8:30 a.m. to 11:45 a.m. The closed Executive Session will be from 10:50 a.m. to 11:45 a.m.

**ADDRESSES:** The meeting will be held in the Bo Coppedge Room of Alumni Hall at the U.S. Academy, Annapolis, Maryland.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander Thomas E. Osborn, Executive Secretary to the Board of Visitors, Office of the Superintendent, U.S. Naval Academy, Annapolis, MD 21402-5000, telephone (410) 293-1503.

**SUPPLEMENTARY INFORMATION:** This notice of meeting is provided per the Federal Advisory Committee Act (5 U.S.C. App. 2). The executive session of the meeting will consist of discussions of information which pertain to the conduct of various midshipmen at the Naval Academy and internal Board of Visitors matters. Discussion of such information cannot be adequately segregated from other topics, which precludes opening the executive session of this meeting to the public. In accordance with 5 U.S.C. App. 2,

section 10(d), the Secretary of the Navy has determined in writing that the special committee meeting shall be partially closed to the public because they will be concerned with matters as outlined in section 552(b)(2), (5), (6), and (7) of title 5, U.S.C. Due to unavoidable delay in administrative processing, the 15 days advance notice could not be provided.

Dated: May 30, 2000.

**J.L. Roth,**

*Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy, Federal Register Liaison Officer.*

[FR Doc. 00-14115 Filed 6-2-00; 8:45 am]

**BILLING CODE 3810-FF-U**

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## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Privacy Act of 1974; System of Records

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice to amend record system.

**SUMMARY:** The Department of the Navy proposes to amend a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** The amendments will be effective on July 5, 2000, unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to the Department of the Navy, PA/FOIA Policy Branch, Chief of Naval Operations (N09B30), 2000 Navy Pentagon, Washington, DC 20350-2000.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Doris Lama at (202) 685-6545 or DSN 325-6545.

**SUPPLEMENTARY INFORMATION:** The Department of the Navy's record system notices for records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The Department of the Navy proposes to amend a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The changes to the system of records are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of new or altered systems reports. The record system being amended is set forth below, as amended, published in its entirety.