

Control Number and should be sent to: Wayne Eddins, Reports Management Officer, Department of Housing and Urban Development, 451 7th Street, SW, L'Enfant Building, Room 8202, Washington, D.C. 20410, telephone (202) 708-5221 (this is not a toll-free number) for copies of the proposed forms and other available information.

FOR FURTHER INFORMATION CONTACT: Beverly J. Miller, Director, Policy and Participation Division, Department of Housing and Urban Development, 451 7th Street, SW, Washington, DC 20410, telephone number (202) 708-1320 (this is not a toll-free number) for copies of the proposed forms and other available.

SUPPLEMENTARY INFORMATION: The Department is submitting the proposed information collection to OMB for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

This Notice is soliciting comments from members of the public and affected agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including the use of appropriate automated collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Previous Participation Certification.

OMB Control Number, if applicable: 2502-0118.

Description of the need for the information and proposed use: The previous participation review process supports the Department's policy that participants in its housing programs be responsible individuals and organizations who will honor their legal, financial and contractual obligations. Collection and review of this information also protects the Department from fraud, waste, and abuse of federal financial assistance.

Agency form numbers, if applicable: HUD-2530.

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: The number of

respondents is 4,300; the frequency of responses is 1 per year; estimated time to prepare form is 1/2 hour, and the estimated total annual burden hours are 2,150.

Status of the proposed information collection: Reinstatement without change.

Authority: The Paperwork Reduction Act of 1995, 44 U.S.C., Chapter 35, as amended.

Dated: August 10, 2000.

William C. Apgar,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 00-20806 Filed 8-15-00; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4253-N-01]

Eligibility Restrictions on Noncitizens: Inapplicability of Welfare Reform Act Restrictions on Federal Means-Tested Public Benefits

AGENCY: Office of the Secretary, HUD.

ACTION: Notice.

SUMMARY: Section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (referred to as the "Welfare Reform Act") places restrictions on providing "Federal means-tested public benefits" to certain legal aliens. The purpose of this notice is to advise the public that no HUD programs fall under the category of "Federal means-tested public benefits" and therefore no HUD programs are subject to these restrictions.

DATES: *Effective Date:* This notice is effective upon publication.

FOR FURTHER INFORMATION CONTACT: The following persons should be contacted:

For questions about programs administered by HUD's Office of Public and Indian Housing: Pat Arnaudo, Office of Public and Indian Housing, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 4226, Washington, DC 20410; telephone (202) 708-0744;

For questions about programs administered by HUD's Office of Community Planning and Development: Salvatore Sclafani, Office of Community Planning and Development, U.S. Department of Housing and Urban Development, 451 Seventh Street, SW, Room 7154, Washington, DC 20410; telephone (202) 708-1283; and

For questions about programs administered by HUD's Office of Housing: Willie Spearmon, Office of Housing, U.S. Department of Housing and Urban Development, 451 Seventh

Street, SW, Room 6134, Washington, DC 20410; telephone (202) 708-3000.

Hearing and speech-impaired persons may access the above telephone numbers via TTY by calling the Federal Information Relay Service at 1-800-877-8339. (With the exception of the "800" number, these are not toll-free numbers.)

SUPPLEMENTARY INFORMATION:

On August 22, 1996, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193, 110 Stat. 2105) (referred to as the "Welfare Reform Act") was enacted into law. Section 403 of the Welfare Reform Act imposes restrictions on providing "Federal means-tested public benefits" to certain legal aliens. Specifically, unless statutorily excepted, an alien who is a "qualified alien," as that term is defined in section 431 of the Welfare Reform Act, and who enters the United States on or after August 22, 1996 is ineligible for "Federal means-tested public benefits" for the first five years after the qualified alien's entry. Following a thorough review of the legislative history, HUD has concluded that "Federal means-tested public benefits" refers not to discretionary spending programs but only to mandatory spending programs in which eligibility for benefits, or the amount of such benefits, or both, are determined on the basis of income, resources, or financial need of the individual, household, or family unit.

This conclusion is consistent with that reached by other agencies that administer Federal public benefit programs. (Please see the notices published by the Department of Health and Human Services and the Social Security Administration in the **Federal Register** on August 26, 1997, at 62 FR 45256 and 62 FR 45284, respectively, and the notice published by the Department of Agriculture on July 7, 1998 at 63 FR 36653.) HUD has no mandatory spending programs. Accordingly, no HUD programs fall within the category of "Federal means-tested public benefits."

Another section of the Welfare Reform Act that might appear to apply to HUD programs is section 421, which provides that income and resources of an alien sponsored under section 213A of the Immigration and Nationality Act applying for "Federal means-tested public benefits" are deemed to include the income and resources of the individual's sponsor. That section is only applicable to programs covered by section 403 of the Act. Hence, its provisions are inapplicable to HUD programs.

Dated: June 23, 2000.

Andrew Cuomo,
Secretary.

[FR Doc. 00-20803 Filed 8-15-00; 8:45 am]

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4456-N-10]

Privacy Act of 1974; Notice of a Computer Matching Program

AGENCY: Office of the Chief Information Officer, HUD.

ACTION: Notice of a Computer Matching Program between HUD and the Department of Education.

SUMMARY: In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended (Pub. L. 100-503), and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs (54 FR 25818 (June 19, 1989)), and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," the Department of Housing and Urban Development (HUD) is issuing a public notice of its intent to conduct a computer matching program with the Department of Education to utilize a computer information system of HUD, the Credit Alert Interactive Voice Response System (CAIVRS), with the Department of Education's debtor files. This match will allow prescreening of applicants for debts owed or loans guaranteed by the Federal Government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Federal Government for HUD or the Department of Education for direct or guaranteed loans.

Before granting a loan, the lending agency and/or the authorized lending institution will be able to interrogate the CAIVRS' debtor file which contains delinquent debt information from the Departments of Agriculture, Education, Veteran Affairs, the Small Business Administration and judgment lien data from the Department of Justice, and verify that the loan is not in default on a Federal judgment or delinquent on direct or guaranteed loans of participating Federal programs. This match will allow prescreening of applicants for debts owed or loans guaranteed by the Federal Government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Federal Government.

Authorized users do a prescreening of CAIVRS to determine a loan applicant's

credit status with the Federal Government. As a result of the information produced by this match, the authorized users may not deny, terminate, or make a final decision of any loan assistance to an applicant or take other adverse action against such applicant, until an officer or employee of such agency has independently verified such information.

DATES: *Effective Date:* Computer matching is expected to begin 30 days after publication of this notice unless comments are received which will result in a contrary determination, or 40 days from the date a computer matching agreement is signed, whichever is later.

Comments due date: September 15, 2000.

ADDRESSEES: Interested persons are invited to submit comments regarding this notice to the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410.

Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the above address.

FOR FURTHER INFORMATION FROM

RECIPIENT AGENCY CONTACT: Jeanette Smith, Departmental Privacy Act Officer, Department of Housing and Urban Development, 451 7th St., SW, Room P8001, Washington, DC 20410, telephone number (202) 708-2374. (This is not a toll-free number.) A telecommunications device for hearing and speech-impaired persons (TTY) is available at 1-800-877-8339 (Federal Information Relay Services). (This is a toll-free number).

FOR FURTHER INFORMATION FROM SOURCE

AGENCY CONTACT: Adara Walton, Branch Chief, Student Receivables Division, Department of Education, Regional Office Building, 7th & D Streets, SW, Washington, DC 20202, telephone number (202) 708-4766. (This is not a toll-free number.)

Reporting

In accordance with Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, as amended, and Office of Management and Budget Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public;" copies of this Notice and report are being provided to the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of

the Senate, and the Office of Management and Budget.

Authority

The matching program will be conducted pursuant to Public Law 100-503, "The Computer Matching and Privacy Protection Act of 1988," as amended, and Office of Management and Budget (OMB) Circulars A-129 (Managing Federal Credit Programs) and A-70 (Policies and Guidelines for Federal Credit Programs). One of the purposes of all Executive departments and agencies—including HUD—is to implement efficient management practices for Federal credit programs. OMB Circulars A-129 and A-70 were issued under the authority of the Budget and Accounting Act of 1921, as amended; the Budget and Accounting Act of 1950, as amended; the Debt Collection Act of 1982, as amended; and, the Deficit Reduction Act of 1984, as amended.

Objectives To Be Met By The Matching Program

The matching program will allow the Department of Education access to a system which permits prescreening of applicants for debts owed or loans guaranteed by the Federal Government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Government. In addition, HUD will be provided access to the Department of Education's debtor data for prescreening purposes.

Records To Be Matched

HUD will utilize its system of records entitled HUD/DEPT-2, *Accounting Records*. The debtor files for HUD programs involved are included in this system of records. HUD's debtor files contain information on borrowers and co-borrowers who are currently in default (at least 90 days delinquent on their loans); or who have any outstanding claims paid during the last three years on Title II insured or guaranteed home mortgage loans; or individuals who have had a claim paid in the last three years on a Title I loan. For the CAIVRS match, HUD/DEPT-2, System of Records, receives its program inputs from HUD/DEPT-28, Property Improvement and Manufactured (Mobile) Home Loans—Default; HUD/DEPT-32, Delinquent/Default/Assigned Temporary Mortgage Assistance Payments (TMAP) Program; and HUD/CPD-1, Rehabilitation Loans—Delinquent/Default.

The Department of Education will provide HUD with debtor files contained in its system of records (Title IV Program File, 18-40-0024). HUD is