

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

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

**ACTION:** Notice of a Computer Matching Program.

**SUMMARY:** Subsection (e)(12) of the Privacy Act of 1974, as amended, requires agencies to publish advanced notice of any proposed or revised computer matching program by the matching agency for public comment. The DoD, as the matching agency under the Privacy Act is hereby giving notice to the record subjects of a computer matching program between VA and DoD that their records are being matched by computer. The purpose is to verify eligibility for the DoD/USCG members of the Reserve forces who receive VA disability compensation or pension to also receive military pay and allowances when performing reserve duty.

**DATES:** This proposed action is effective October 31, 2001 and matching may commence unless changes to the matching program are required due to public comments or by Congressional or by Office of Management and Budget objections. 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 DMDC and VA have concluded an agreement to conduct a computer matching program between the agencies. The purpose of the match is to verify eligibility for the DoD/USCG members of the Reserve forces who receive VA disability compensation or pension to also receive military pay and allowances when performing reserve duty.

The parties to this agreement have determined that a computer matching program is the most efficient, expeditious, and effective means of obtaining and processing the information needed by the VA to identify those individuals who are receiving both VA compensation and DoD/USCG payments for those periods when they are performing Reserve Duty. By law, the individual must waive his

or her entitlement to VA disability compensation or pension if he or she desires to receive DoD/USCG pay and allowances for the period of duty performed. This matching agreement will result in an accurate reconciliation of such payments by permitting the VA to determine which individuals are being paid by DoD/USCG for duty performed and are being paid VA disability compensation or pension benefits for the same period of time without a waiver on file with the VA. If this reconciliation is not done by computer matching, but is done manually, the cost would be prohibitive and it is possible that not all such dual payments would be detected.

A copy of the computer matching agreement between VA and DoD is available upon request. Requests should be submitted to the address caption above or to the Department of Veterans Affairs, Veterans Benefit Administration, 810 Vermont Avenue, NW., Washington, DC 20420.

Set forth below is the notice of the establishment of a 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 was submitted on September 19, 2001, to the House Committee on Government Reform, the Senate Committee on Governmental 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: September 25, 2001.

**L.M. Bynum,**

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

**Notice of a Computer Matching Program Between the Department of Veterans Affairs and the Department of Defense for Reserve Pay Reconciliation**

**A. Participating Agencies:** Participants in this computer matching program are the Department of Veterans Affairs (VA) and the Defense Manpower Data Center (DMDC) of the Department of Defense (DoD). The VA 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 this agreement is to verify eligibility for the DoD/USCG members of the Reserve forces who receive VA disability compensation or pension to also receive military pay and allowances when performing reserve duty. The agreement will not only cover current individuals receiving dual payments but those who may have received them for Fiscal Years 1993 through 1997.

**C. Authority for Conducting the Match:** The legal authority for conducting the matching program is 38 U.S.C. 5304(c) which provides that VA disability compensation or pension based upon his or her previous military service shall not be paid to a person for any period for which such person receives active service pay. 10 U.S.C. 12316 further provides that a reservist who is entitled to disability payments due to his or her earlier military service and who performs duty for which he or she is entitled to DoD/USCG compensation may elect to receive for that duty either the disability payments or, if he or she waives such payments, the DoD/USCG compensation for the duty performed.

**D. Records to be Matched:** The systems of records maintained by the respective agencies under the Privacy Act of 1974, as amended, 5 U.S.C. 552a, from which records will be disclosed for the purpose of this computer match are as follows:

1. The VA will use 58 VA 21/22, entitled "Compensation, Pension, and Education and Rehabilitation Records—VA" first published on March 3, 1976, at 41 FR 924, and last amended on June 15, 2000, at 65 FR 37605, with other amendments as cited therein.

2. The DMDC will use S322.10 DMDC, entitled "Defense Manpower Data Center Data Base", last published on May 31, 2001, at 66 FR 29552.

**E. Description of Computer Matching Program:** Annually, VA will submit to DMDC an electronic file of all VA pension and disability compensation beneficiaries as of the end of September. Upon receipt of the electronic file, DMDC will match this file by SSN with a file of days drilled as submitted to DMDC by the military services and the USCG. Upon a SSN match, or a 'hit,' of both files, DMDC will provide VA the individual's name and other identifying data, to include the number of days drilled, by Fiscal Year, for each matched record.

The hits will be furnished to VA which will be responsible for verifying and determining that the data in the DMDC electronic file is consistent with

the VA files and for resolving any discrepancies or inconsistencies on an individual basis. VA will initiate actions to obtain an election by the individual of which pay he or she wishes to receive and will be responsible for making final determinations as to positive identification, eligibility for, or amounts of pension or disability compensation benefits, adjustments thereto, or any recovery of overpayments, or such other action as authorized by law.

The annual electronic file provided by the VA will contain information on approximately 2.5 million pension and disability compensation recipients.

The DMDC computer database file contains information on approximately 827,000 DoD and 8,300 USCG reservists who receive pay and allowances for performing authorized duty.

VA will furnish DMDC the name and SSN of all VA pension and disability compensation recipients and DMDC will supply VA the name, SSN, date of birth, and the number of days drilled by fiscal year of each reservist who is identified as a result of the match.

*F. Inclusive Dates of the Matching Program:* This computer matching program is subject to public comment and review by Congress and the Office of Management and Budget. If the mandatory 30 day period for comment has expired and no comments are received 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 at a mutually agreeable time on an annual basis. By agreement between VA and DMDC, the matching program will be in effect for 18 months with an option to renew for 12 additional months unless one of the parties to the agreement advises the other by written request to terminate or modify the agreement.

*G. 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.

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## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### Intent To Prepare a Draft Environmental Impact Statement (DEIS) for the C-7 (North Dade) Canal General Reevaluation Report (GRR)

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** The Jacksonville District, U.S. Army Corps of Engineers (Corps), along with the South Florida Water Management District (SFWMD), intends to prepare a Draft Environmental Impact Statement (DEIS) for the feasibility phase of the C-7 (North Dade) Canal General Reevaluation Report (GRR).

**FOR FURTHER INFORMATION CONTACT:** Questions about the proposed action and DEIS can be answered by: Paul Stevenson, Planning Division, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019; Telephone 904-899-5049/Fax 904-232-3442.

#### SUPPLEMENTARY INFORMATION:

*a. Authorization:* Construction of the C-7 (Little River) canal and associated water control structure, S-27 was authorized by the Flood Control Act of 1948, which provided for construction of the first phase of a comprehensive plan for flood control, fish and wildlife preservation, regional groundwater control, salinity control, and navigation.

The Energy and Water Development Act of 1995 authorized preparation of a GRR to review conveyance capacity of existing canal, document the quality of local maintenance, and to make recommendations for sufficient solutions to flooding problems within the C-7 drainage basins.

*b. Study Area:* The C-7 basin is located in northeastern Miami-Dade County, Florida; the canal and associated control structure S-27 are previously constructed Corps' projects. The C-7 basin comprises 35 square miles, and is approximately 11 miles long. The western portion of the basin lies in Area B, an area of relatively poor drainage, west of the coastal ridge, eastern Miami-Dade County. S-27 is a double gated concrete spillway located in C-7, which permits release of flood runoff and prevents over-drainage and saltwater intrusion through C-7.

S-30 is a gated concrete culvert which prevents excessive seepage losses from Water Conservation Area (WCA) -3A by permitting higher stages in the L-33 borrow canal and supplies water from L-33 borrow canal during dry periods to

maintain stages and satisfy irrigation demands in the C-7 drainage basin. C-7 canal discharges into northern Biscayne Bay, at Miami.

*c. Project Scope and Preliminary Alternatives:* The primary objective of this project is to develop a total watershed plan, which identifies structural and/or operational modifications to the C-7 canal and the associated water management facilities, to improve flood control. While the project emphasis is to enhance flood control benefits in the project area, the GRR will also document the status and quality of maintenance on the existing project and identify environmental restoration opportunities in conjunction with proposed project modifications.

Alternatives will be developed and evaluated based on the project objectives, environmental studies, flood control feasibility, and economics. Standard Corps' programs and SWMM modeling will be used to develop hydraulic models of the existing and any proposed flood control features.

In addition to the without project and future conditions, four preliminary alternatives have been drafted which may be revised pending model results and public feedback. They include: (1) No action; (2) modifications to existing canal to increase conveyance where appropriate and possible; (3) installation of pumps to pump water eastward to tide, possibly in conjunction with canal cross-section modifications; (4) installation of pumps to pump water westward possibly in conjunction with channel modifications and a water treatment component.

*d. Scoping:* The scoping process as outlined by the Council on Environmental Quality will be utilized to involve Federal, State, and local agencies, affected Indian Tribes, and other interested private organizations and parties.

A Scoping letter will be sent to interested Federal, State and local agencies, interested organizations and the public, requesting their comments and concerns regarding issues they feel should be addressed in DEIS. Interested persons and organizations wishing to participate in the scoping process should contact the U.S. Army Corps of Engineers at the address above. Significant issues anticipated include concern for: maintenance of flood protection for the project area; water quality, particularly in the receiving waters of Biscayne Bay or WCA-3A; wetlands, fish and wildlife; saltwater intrusion into project canal and the groundwater and; threatened and endangered plant and animal species. Public meetings will be held over the