

By the Office of Thrift Supervision.

John M. Reich,

Director.

By the National Credit Union
Administration on February 28, 2007.

JoAnn M. Johnson,

Chairman.

[FR Doc. 07-1083 Filed 3-7-07; 8:45 am]

BILLING CODE 4810-33-P; 6210-01-P; 6714-01-P;
6720-01-P; 7535-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

Privacy Act of 1974; Retraction of a Modified System of Records

AGENCY: Department of Health and
Human Services (HHS), Centers for
Medicare & Medicaid Services (CMS).

ACTION: Notice of Retraction of a
Modified System of Records.

SUMMARY: The Centers for Medicare &
Medicaid Services CMS inadvertently
published a modification to its existing
system of records titled "Medicare Drug
Data Processing System (DDPS)" System
No. 09-70-0553 in the **Federal Register**
on Thursday, February 22, 2007 (72 FR
7993). CMS is withdrawing the February
22, 2007 modification to the DDPS
system of records pending the
conclusion of rulemaking that will
support the routine uses of data
contained in the system of records. The
existing notice established at 70 FR
58436 (October 6, 2005) will remain the
effective notice for the DDPS system of
records.

FOR FURTHER INFORMATION CONTACT:

Inquiries may be directed to: CMS
Privacy Officer, Division of Privacy
Compliance, Enterprise Architecture
and Strategy Group, Office of
Information Services, CMS, Room N2-
04-27, 7500 Security Boulevard,
Baltimore, Maryland 21244-1850. He
can also be reached at 410-786-5357 or
by e-mail at walter.stone@cms.hhs.gov.

Dated: February 28, 2007.

William Saunders,

*Acting Deputy Director, Office of Information
Services, Centers for Medicare & Medicaid
Services.*

[FR Doc. E7-4133 Filed 3-7-07; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Medicare & Medicaid Services

Privacy Act of 1974; Report of a Modified System of Records

AGENCY: Department of Health and
Human Services (HHS), Center for
Medicare & Medicaid Services (CMS).

ACTION: Notice of a Modified System of
Records (SOR).

SUMMARY: In accordance with the
requirements of the Privacy Act of 1974,
we are proposing to modify an existing
system titled, "Medicare Learning
Network (MLN) Registration and
Product Ordering System (REPOS)," No.
09-70-0542, most recently modified at
68 FR 35897 (June 17, 2003). We
propose to modify existing routine use
number 1 that permits disclosure to
agency contractors and consultants to
include disclosure to CMS grantees who
perform a task for the agency. CMS
grantees, charged with completing
projects or activities that require CMS
data to carry out that activity, are
classified separate from CMS
contractors and/or consultants. The
modified routine use will remain as
routine use number 1. We will delete
routine use number 2 authorizing
disclosure to support constituent
requests made to a congressional
representative. If an authorization for
the disclosure has been obtained from
the data subject, then no routine use is
needed. The Privacy Act allows for
disclosures with the "prior written
consent" of the data subject.

Finally, we will delete the section
titled "Additional Circumstances
Affecting Routine Use Disclosures," that
addresses "Protected Health Information
(PHI)" and "small cell size." The
requirement for compliance with HHS
regulation "Standards for Privacy of
Individually Identifiable Health
Information" does not apply because
this system does not collect or maintain
PHI. In addition, our policy to prohibit
release if there is a possibility that an
individual can be identified through
"small cell size" is not applicable to the
data maintained in this system.

We are modifying the language in the
routine uses to provide a proper
explanation as to the need for the
routine use and to provide clarity to
CMS's intention to disclose individual-
specific information contained in this
system. The routine uses will then be
prioritized and reordered according to
their usage. We will also take the
opportunity to update any sections of

the system that were affected by the
recent reorganization or because of the
impact of the Medicare Prescription
Drug, Improvement, and Modernization
Act of 2003 (MMA) (Pub. L. 108-173)
provisions and to update language in
the administrative sections to
correspond with language used in other
CMS SORs.

The primary purpose of the system of
records is to collect and maintain
information on health care providers,
and other individuals ordering provider
educational materials who voluntarily
register for computer/web-based
training courses, satellite broadcasts and
train-the-trainer sessions. Information in
this system will also be used to: (1)
support regulatory and policy functions
performed within the Agency or by a
contractor, consultant, or grantee; and
(2) to support litigation involving the
Agency related to this system. We have
provided background information about
the modified system in the

SUPPLEMENTARY INFORMATION section
below. Although the Privacy Act
requires only that CMS provide an
opportunity for interested persons to
comment on the proposed routine uses,
CMS invites comments on all portions
of this notice. See **EFFECTIVE DATES**
section for comment period.

DATES: *Effective Date:* CMS filed a
modified SOR report with the Chair of
the House Committee on Government
Reform and Oversight, the Chair of the
Senate Committee on Homeland
Security & Governmental Affairs, and
the Administrator, Office of Information
and Regulatory Affairs, Office of
Management and Budget (OMB) on
February 7, 2007. To ensure that all
parties have adequate time in which to
comment, the modified system will
become effective 30 days from the
publication of the notice, or 40 days
from the date it was submitted to OMB
and the Congress, whichever is later. We
may defer implementation of this
system or one or more of the routine use
statements listed below if we receive
comments that persuade us to defer
implementation.

ADDRESSES: The public should address
comments to: CMS Privacy Officer,
Division of Privacy Compliance,
Enterprise Architecture and Strategy
Group, Office of Information Services,
CMS, Room N2-04-27, 7500 Security
Boulevard, Baltimore, Maryland 21244-
1850. Comments received will be
available for review at this location, by
appointment, during regular business
hours, Monday through Friday from 9
a.m.-3 p.m., Eastern Time zone.

FOR FURTHER INFORMATION CONTACT:
Mary Case, Technical Advisor, Division