

**DEPARTMENT OF EDUCATION****Privacy Act of 1974; Computer Matching Program**

**AGENCY:** Department of Education.

**ACTION:** Notice—Computer Matching between the Department of Education and the Department of Homeland Security, United States Citizenship and Immigration Services, formerly the Immigration and Naturalization Service.

**SUMMARY:** Pursuant to the Office of Management and Budget (OMB) *Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988*, (54 FR 25818 (June 19, 1989)) and OMB Circular A-130, Appendix I (65 FR 77677 (December 12, 2000)) notice is hereby given of the computer matching program between the Department of Education (ED) (the recipient agency), and the Department of Homeland Security, United States Citizenship and Immigration Service (USCIS), (the source agency).

In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988, and OMB Circular A-130, the following information is provided:

1. *Names of Participating Agencies.*

The U.S. Department of Education and the U.S. Department of Homeland Security, USCIS.

2. *Purpose of the Match.*

The matching program entitled "Verification Division USCIS/ED" will permit ED to confirm the immigration status of alien applicants for, or recipients of, financial assistance under Title IV of the Higher Education Act of 1965, as amended (HEA), as authorized by section 484(g) of the HEA; 20 U.S.C. 1091(g). The Title IV programs include: the Federal Pell Grant Program; the Academic Competitiveness Grant Program; the National Science and Mathematics Access to Retain Talent Grant Program; the Federal Perkins Loan Program; the Federal Work-Study Program; the Federal Supplemental Educational Opportunity Grant Program; the Federal Family Education Loan Program; the William D. Ford Federal Direct Loan Program; the Leveraging Educational Assistance Partnership Program; and the Gaining Early Awareness and Readiness for Undergraduate Programs.

3. *Authority for Conducting the Matching Program.*

The information contained in the USCIS data base is referred to as the Verification Information System (VIS), and is authorized under the Immigration

Reform and Control Act of 1986 (IRCA), Public Law 99-603. ED seeks access to the VIS database for the purpose of confirming the immigration status of applicants for assistance, as authorized by section 484(g) of the HEA, 20 U.S.C. 1091(g), and consistent with the Title IV student eligibility requirements of section 484(a)(5), 20 U.S.C. 1091(a)(5) of the HEA. USCIS is authorized to participate in this immigration status verification under section 103 of the Immigration and Nationality Act, as amended, 8 U.S.C. 1103.

4. *Categories of Records and Individuals Covered.*

The records to be used in the match and the roles of the matching participants are described as follows: Through the use of user identification codes and passwords, authorized persons from ED will transmit electronically data from its Privacy Act system of records entitled, "Federal Student Aid Application File (18-11-01)" to USCIS. The data will include the alien registration number, the First and Last Name, date of birth, current Social Security Number and the answer to the question, "Are you male or female?" of the alien applicant for, or recipient of, Title IV assistance. This action will initiate a search for corresponding data elements in a USCIS Privacy Act system of records entitled "Verification Information System Records Notice (DHS-2007-0010)." Where there is a match of records, the system will add the following data to the record and return the file to ED: the Primary or Secondary Verification Number, a code indicating whether the student was confirmed to be an eligible non-citizen or if a determination could not be made, the date of entry into the U.S., country of birth, and the USCIS status code of the alien applicant or recipient. In accordance with 5 U.S.C. 552a(p), ED will not suspend, terminate, reduce, or make a final denial of any Title IV assistance to such individual, or take other adverse action against such individual, as a result of information produced by such a match, until (1)(a) ED has independently verified the information; or (b) the Data Integrity Board of ED determines in accordance with guidance issued by the Director of the OMB that (i) The information is limited to identification and amount of benefits paid by ED under a Federal benefit program; and (ii) there is a high degree of confidence that the information provided to ED is accurate; (2) the individual receives a notice from ED containing a statement of its findings and informing the individual of the opportunity to contest such findings by submitting documentation

demonstrating a satisfactory immigration status within 30 days of receipt of the notice; and (3) 30 days from the date of the individual's receipt of such notice has expired.

5. *Effective Dates of the Matching Program.*

The matching program will become effective 40 days after a copy of the computer matching agreement, as approved by the Data Integrity Board of each agency, is sent to Congress and OMB, unless the requested ten-day waiver is approved by OMB or unless 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 after the effective date and may be extended for an additional 12 months thereafter, if the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

6. *Address for Receipt of Public Comments or Inquires.*

Ms. Marya Dennis, Management and Program Analyst, U.S. Department of Education, Federal Student Aid, Union Center Plaza, 830 First Street, NE., Washington, DC 20002-5345. Telephone: (202) 377-3385. If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape or computer diskette) on request to the contact person listed in the preceding paragraph.

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**Authority:** 5 U.S.C. 552a; Public Law 100-503.

Dated: September 13, 2007.

**Lawrence A. Warder,**

*Acting Chief Operating Officer, Federal Student Aid.*

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## DEPARTMENT OF ENERGY

### Office of Energy Efficiency and Renewable Energy

[Docket No. EERE-2007-BT-CRT-0009]

#### Agency Information Collection Extension: Energy Conservation Program: Compliance and Certification Information Collection for Electric Motors

**AGENCY:** Department of Energy.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of Energy (DOE), pursuant to the Paperwork Reduction Act of 1995, intends to extend for three years, through the Office of Management and Budget (OMB), the mandatory Compliance Certification information collection package for certain 1 through 200 horsepower electric motors covered under the Energy Policy and Conservation Act, Public Law 94-163, as amended (EPCA); whereby, a manufacturer or private labeler reports on and certifies its compliance with energy efficiency standards for commercial and industrial electric motors covered under Title 10, Code of Federal Regulations, Part 431 (10 CFR Part 431)—Energy Efficiency Program for Certain Commercial and Industrial Equipment: Appendix C to Subpart B of Part 431: Certification of Compliance with Energy Efficiency Standards for Electric Motors.

**DATES:** Comments regarding this collection must be received on or before November 19, 2007. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, please advise the OMB Desk Officer of your intention to make a submission as soon as possible. The Desk Officer may be telephoned at (202) 395-4650.

**ADDRESSES:** Written comments should be sent to: Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10102, 725 17th Street, NW., Washington, DC 20503.

Also, comments should also be addressed to: Mr. James D. Raba, Building Technologies Program, EE-2J,

Energy Efficiency and Renewable Energy, U.S. Department of Energy, 1000 Independence Ave, SW., Washington, DC 20585-0121, or by fax at (202) 586-4617, or by e-mail at [jim.raba@ee.doe.gov](mailto:jim.raba@ee.doe.gov).

Any comments submitted must identify the information collection for electric motors, and provide the docket number EERE-2007-BT-CRT-0009. Comments may be submitted using any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *E-mail:* [appliance.information@ee.doe.gov](mailto:appliance.information@ee.doe.gov).

Include the docket number in the subject line of your message.

- *Postal Mail:* Ms. Brenda Edwards-Jones, U.S. Department of Energy, Building Technologies Program, Mailstop EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Telephone: (202) 586-2945.

Please submit one signed paper original.

- *Hand Delivery/Courier:* Ms. Brenda Edwards-Jones, U.S. Department of Energy, Building Technologies Program, Room 1J-018, 1000 Independence Avenue, SW., Washington, DC 20585-0121. Please submit one signed original paper copy.

*Docket:* For access to the docket to read background documents or comments received, go to the U.S. Department of Energy, Forrestal Building, Room 1J-018 (Resource Room of the Building Technologies Program), 1000 Independence Avenue, SW., Washington, DC, (202) 586-2945, between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Please call Ms. Brenda Edwards-Jones at the above telephone number for additional information regarding visiting the Resource Room. Please note: DOE's Freedom of Information Reading Room (Room 1E-190 at the Forrestal Building) no longer houses rulemaking materials.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument and instructions should be directed to James Raba, U.S. Department of Energy, Office of Energy Efficiency and Renewable Energy, Building Technologies Program, EE-2J, 1000 Independence Avenue, SW., Washington, DC 20585-0121, telephone (202) 586-8654. E-mail: [jim.raba@ee.doe.gov](mailto:jim.raba@ee.doe.gov).

#### Authority and Background

Part C of Title III of the Energy Policy and Conservation Act, as amended, 42 U.S.C. 6291 *et seq.*, (EPCA) establishes energy efficiency standards and test

procedures for certain industrial equipment, including electric motors. Further, EPCA states that, "the Secretary [of Energy] shall require manufacturers to certify" that each electric motor meets the applicable efficiency standards. 42 U.S.C. 6316(c). EPCA authorizes the Secretary to carry out this requirement, in part, by issuing the necessary rules requiring each manufacturer or private labeler of covered electric motors to submit information and reports to ensure compliance. 42 U.S.C. 6316(a). This directive is carried out under 10 CFR 431.36, Compliance Certification, which requires a manufacturer or private labeler to submit a compliance statement, as well as a certification report that provides energy efficiency information for each basic model of electric motor that it distributes in commerce in the United States.

The compliance certification information collection request, at appendix C to subpart B of 10 CFR Part 431, provides a format for a manufacturer or private labeler to certify compliance with the applicable energy efficiency standards prescribed under section 342(b)(1) of EPCA, 42 U.S.C. 6313(b)(1), through an independent testing or certification program nationally recognized in the United States (EPCA 345(c), 42 U.S.C. 6316(c)). Compliance Certification information is used by DOE and United States Customs Service officials and facilitates voluntary compliance with and enforcement of the energy efficiency standards established for electric motors under EPCA 342(b)(1), 42 U.S.C. 6313(b)(1).

**SUPPLEMENTARY INFORMATION:** Today's notice and information collection request pertains: (1) OMB No.: 1910-5104. (2) Collection Title: Title 10 Code of Federal Regulations Part 431—Energy Efficiency Program for Certain Commercial and Industrial Equipment: Subpart B—Electric Motors: Appendix C to Subpart B of Part 431—Compliance Certification. (3) Type of Review: Renewal. (4) Purpose: Regulations that, in part, (1) Require the manufacturer of private labeler of certain commercial or industrial electric motors subject to energy efficiency standards prescribed under section 342(b) of EPCA to establish, maintain, and retain records of its test data and subsequent verification of any alternative efficiency determination method used under Part 431, and (2) preclude distribution in commerce of any basic model of commercial or industrial electric motor which is subject to an energy efficiency standard set forth under subpart B of