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DEPARTMENT OF AGRICULTURE

Office of the Secretary

Privacy Act: Renewal of a Computer Matching Program

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of renewal of a computer matching program.

SUMMARY: The U.S. Department of Agriculture (USDA) is giving notice of a renewal of a computer program between the Food and Nutrition Service (FNS) and the U.S. Postal Service (USPS) for the purpose of debt collection.

DATES: This renewal will become effective on March 2, 1998, unless modified by a subsequent notice to incorporate comments received from the public. To be assured of consideration, comments must be received by the contact person listed below on or before February 19, 1998.

ADDRESSES: Comments should be addressed to James I. Porter, Assistant Branch Chief, State Administration Branch, Program Accountability Division, Food Stamp Program, 3101 Park Center Drive, Room 905, Alexandria, Virginia 22302.

FOR FURTHER INFORMATION CONTACT: Joseph M. Scordato, Food and Nutrition Service Privacy Act Officer, 3101 Park Center Drive, Room 308, Alexandria, Virginia 22302. Telephone (703) 305-2244.

SUPPLEMENTARY INFORMATION: This computer matching program is conducted to (1) identify postal employees who owe delinquent debts to the Federal government under the Food Stamp Program (FSP) administered by USDA's FNS and (2) collect those debts under the salary offset provisions of the Debt Collection Act of 1982 when voluntary repayment is not forthcoming. As part of their responsibility for administering the FSP, State agencies are responsible for establishing claims for these overissued benefits and for

taking certain steps to try to collect those claims.

The Debt Collection Improvement Act of 1996 expanded the statutory authority for administrative offset by creating the Treasury Offset Program (TOP). Under TOP, agencies are required to transfer delinquent non-tax debt to Treasury for the purpose of offsetting Federal payments for debt collection. When fully implemented TOP will operate in accordance with statutory and regulatory authorities, including those contained in 31 U.S.C. 3716 and 4 CFR part 102. Because TOP has not yet been fully implemented, FNS will collect the debts through the Federal Salary Offset Program (FSOP).

FNS has been referring delinquent food stamp debts that were the result of an intentional Program violation or an inadvertent household error. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 broadened the scope of referable debts to include State agency error claims.

This computer match will provide otherwise unavailable information which State agencies can use to try to collect delinquent food stamp claims owed by USPS employees. The public was given notice of the current matching program in a General Notice at 59 FR 42205, dated August 17, 1994. This Notice is being published as required by Subsection (e)(12) of the Privacy Act of 1974 (5 U.S.C. 552a(e)(12)), as amended by the Computer Matching and Privacy Act of 1988 (Pub. L. 100-503).

The following information is provided as required by paragraph (b)(3) of Appendix I to Office of Management and Budget Circular A-130, dated February 20, 1996.

1. *Participating agencies:* The recipient agency is USPS. The source agency is USDA.

2. *Beginning and ending dates:* The matching program will begin with the effective date of this notice and continue in effect no longer than December 31, 1998. If within 3 months of the termination date, the Data Integrity Boards of both USDA and the USPS find that the matching program can be conducted without change, and both USDA and the USPS certify that the matching program has been conducted in compliance with the matching agreement, the matching program may be extended for 1 additional year.

3. *Purpose of the match:* In addition to providing information to assist in collecting delinquent food stamp recipient claims, the names of USPS employees identified through this matching program will be removed from lists of delinquent debts being referred to the Internal Revenue Service (IRS) for collection from Federal income tax refunds. This action is required to conform to an IRS requirement for the Federal Income Tax Refund Offset Program (FTROP). (A description of FTROP is contained in a final rulemaking at 60 FR 45990, dated September 1, 1995.)

4. *Description of the match:* The subject matching program will involve several steps. USDA will provide USPS a magnetic computer tape of claims submitted by State agencies participating in FTROP. By computer, USPS will compare that information with its payroll file, identifying matched individuals on the basis of Social Security Numbers (SSNs). For each matched individual, the USPS will provide to USDA the individual's name, SSN, home address, date of birth, work location, and employee type (permanent or temporary).

USDA will prepare lists of matched individuals according to the State agencies which established the claim for the overissued benefits and will distribute the State agency lists accordingly. The respective State agencies will review those lists and their casefiles. In this review State agencies will verify identity and debtor status of the matched individuals by comparing those lists of matched individuals to their records on the debts and by conducting independent inquiries when necessary to resolve questionable identities. State agencies will also review the records of payments to determine if the debt is still delinquent and the correct amount of the debt.

In addition to verifying debtor identity and the status of the debt, prior to USDA taking any steps to refer debts for offset, State agencies will provide debtors with a 30-day written notice stating the amount of the debt and that the debtor may repay the debt voluntarily by entering into a written agreement with the State agency. Debts not repaid voluntarily would be referred to USDA for involuntary offset. Prior to such action, USDA will notify debtors of

the intended collection action and offer them an opportunity for a hearing on the debt, including the right to copy documentation relating to the debt.

5. *Legal authorities:* This matching program will be conducted under the following authorities:

(a) The Debt Collection Act of 1982 (5 U.S.C. 5514), which gives authority to Federal agencies to offset the salaries of Federal and USPS employees who are delinquent on debts owed to the Federal government.

(b) The Debt Collection Improvement Act of 1996 (5 U.S.C. 5514(a)) which provides for salary offset and (31 U.S.C. 3716(c)) which mandates centralized administrative offset through the Treasury Offset Program.

(c) The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (7 U.S.C. 2022(b)(1)) which added a new category of claims, State agency error claims, to those eligible for offset.

(d) Office of Personnel Management (OPM) regulations, 5 CFR part 550, subpart K (Collection by Offset from Indebted Government Employees), §§ 550.1101–1108, which set the standards for Federal agency rules implementing the Debt Collection Act.

(e) USDA regulations at 7 CFR part 3, subpart C, which implement 5 U.S.C. 5514 and OPM regulations, and which authorize USDA agencies to issue regulations governing debt collection by salary offset (7 CFR 3.68).

(f) USDA regulations at 7 CFR 273.18 (g)(6) which set the procedures for the operation of the Federal salary offset program for the FSP.

(g) Section 13941 of the Omnibus Budget Reconciliation Act of 1993 (Pub. L. 103–66), which amended Sections 11(e)(8) and 13 of the Food Stamp Act of 1977, 7 U.S.C. 2020(e)(8), 2022, to authorize the Federal salary offset program for the FSP.

6. *Categories of individuals involved:* Two groups of individuals will be involved with this matching program. One group is USPS employees. The other group is individuals who have participated in the Food Stamp Program but are no longer participating, and who owe delinquent debts for overissued food stamp benefits for which they are not making repayments.

7. *Record systems used:* (a) USPS will use records from its Privacy Act system of records "Finance Records—Payroll System, USPS 050.020," containing payroll records for approximately 700,000 current employees. Disclosure will be made pursuant to routine use Number 24 of USPS 050.020, (57 FR 57515, dated December 4, 1992).

(b) USDA will use records from its Privacy Act system of records "Claims

Against Food Stamp Recipients—USDA/FNS—3," containing approximately 350,000 records. Disclosure will be made pursuant to routine use Number 4 of record system USDA/FNS—3, (58 FR 48633, dated September 17, 1993).

8. *Agency contact:* Inquiries about this matching program should be directed to James I. Porter, Assistant Branch Chief, State Administration Branch, Program Accountability Division, Food Stamp Program, FNS, USDA, 3101 Park Center Drive, Room 905, Alexandria, Virginia 22302, telephone (703) 305–2385.

Dated: January 6, 1998.

Dan Glickman,

Secretary of Agriculture.

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DEPARTMENT OF AGRICULTURE

Farm Service Agency

Notice of Request for Reinstatement and Revision of a Currently Approved Information Collection

AGENCY: Farm Service Agency, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Farm Service Agency's (FSA) intention to request a reinstatement and revision of a currently approved information collection in support of the Dairy Indemnity Payment Program (DIPP) contingent upon the appropriation of funds.

DATES: Comments on this notice must be received on or before March 23, 1998 to be assured consideration.

FOR FURTHER INFORMATION CONTACT: Raellen Erickson, Agricultural Program Specialist, Price Support Division, USDA, FSA, STOP 0512, 1400 Independence Avenue, SW, Washington, DC 20250–0512; telephone (202) 720–7320; e-mail rerickso@wdc.fsa.usda.gov.

SUPPLEMENTARY INFORMATION: This notice announces FSA's intention to request a reinstatement and revision of the currently approved information collection in support of the DIPP. The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1998 (Pub. L. 105–86, 111 Stat. 2079) appropriated funds and authorized DIPP to be carried out until all available funds are expended.

Title: 7 CFR Part 760, Dairy Indemnity Payment Program.

OMB Control Number: 0560–0116.

Expiration Date: June 30, 1997.

Type of Request: Reinstatement and revision of a currently approved information collection.

Abstract: This information is needed to administer the DIPP. The information will be gathered from milk producers and milk handlers to determine the amount of indemnity payment a dairy producer or manufacturer is eligible to receive. Producers are required to meet certain eligibility requirements to ensure the integrity of the program so that only eligible producers receive indemnity payments. The number of times producers or manufacturers have been removed from the market has declined in recent years. Accordingly, fewer requests for assistance have been received. Therefore, the currently approved information collection is revised to reduce the number of responses per request and the annual burden per respondent to half of the currently approved estimate. The emergency clearance of the Information Collection Package for Indemnity Payment Programs was approved by the Office of Management and Budget on November 20, 1997, and extended the expiration date to April 30, 1998.

Estimate of Burden: Public reporting burden for this collection of information is estimated to average 17 minutes per response.

Respondents: Dairy farms and small businesses.

Estimated Number of Respondents: 80.

Estimated Number of Responses per Respondent: 6.

Estimated Total Annual Burden on Respondents: 140 hours.

Proposed topics for comments include: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; or (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be sent to the Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, D.C. 20503 and to Raellen Erickson, Agricultural Program Specialist, USDA-Farm Service Agency-