

responsibilities are imposed on offerors, contractors, or members of the public.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 98-31951 Filed 11-30-98; 8:45 am]

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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 (5 U.S.C. 552a), 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 of this agreement is to obtain an accurate reconciliation between DoD/USCG and VA as to the correct pay and allowances to be paid by the military services to the individual for duty performed and the proper disability compensation or pension to be paid to, or waived by, certain veterans in the Reserve Forces.

DATES: This proposed action will become effective December 31, 1998, 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. The purpose of this agreement is to obtain an accurate reconciliation between the DoD/USCG and VA as to the correct pay and allowances to be paid by the military services to the individual for duty

performed and the proper disability compensation or pension to be paid to, or waived by, certain veterans in the Reserve Forces.

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 DVA 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 November 4, 1998, to the House Committee on Government Reform and Oversight, 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: November 16, 1998.

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 obtain an accurate reconciliation between DoD/USCG and VA as to the correct pay and allowances to be paid by the military services to the individual for duty performed and the proper disability compensation or pension to be paid to, or waived by, certain veterans in the Reserve Forces. 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 April 24, 1995, at 60 FR 20156, with other amendments as cited therein.

2. The DMDC will use S322.10 DMDC, entitled 'Defense Manpower Data Center Data Base', last published on July 14, 1998 at 63 FR 37860.

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 2.2 million pension and disability compensation recipients.

The DMDC computer database file contains information on approximately 885,000 DoD and 7,000 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 Navy

Privacy Act of 1974; System of Records Notice.

AGENCY: Department of the Navy, DoD.

ACTION: Notice to amend a record system.

SUMMARY: The Department of the Navy proposes to amend a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

DATES: The amendment will be effective on December 31, 1998, unless comments are received that would result in a contrary determination.

ADDRESSES: Send comments to the Department of the Navy, PA/FOIA Policy Branch, Chief of Naval Operations (N09B30), 2000 Navy Pentagon, Washington, DC 20350-2000.

FOR FURTHER INFORMATION CONTACT: Mrs. Doris Lama at (202) 685-6545 or DSN 325-6545.

SUPPLEMENTARY INFORMATION: The Department of the Navy's record system notices for records systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the address above.

The Department of the Navy proposes to amend a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The changes to the system of records are not within the purview of subsection (r) of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, which requires the submission of new or altered systems report. The record system being amended is set forth below, as amended, published in its entirety.

Dated: November 23, 1998.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

N01070-2

SYSTEM NAME:

Naval Attache Files (February 22, 1993, 58 FR 10695).

CHANGES:

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SYSTEM LOCATION:

Delete entry and replace with 'Navy Files: Naval Attache Affairs Office, Office of Naval Intelligence (ONI-3), 4251 Suitland Road, Washington, DC 20395-5720.

Marine Corps Files: Commandant of the Marine Corps, Headquarters, United States Marine Corps, (ATTN: CI/CIRP), 2 Navy Annex, Washington, DC 20380-1775.'

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CATEGORIES OF RECORDS IN THE SYSTEM:

Delete entry and replace with 'File contains copies of questionnaires (i.e., Naval Attache Background Inventory, Naval Attache Opinion Inventory; Naval Attache Relationship Questionnaire; and Substance Abuse Subtle Screening Inventory (SASSI)), data collected during personal interviews; information from the individual's military personnel file; etc.'

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PURPOSE(S):

Delete entry and replace with 'To provide data to Navy, Marine Corps and Defense Intelligence Agency officials to determine suitability of Navy and Marine Corps officer personnel for assignment to the Defense Attache System.'

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SAFEGUARDS:

Delete entry and replace with 'Access is provided on need-to-know basis only. Manual records are stored in a controlled access area and are accessible only to a very limited number of authorized personnel with proper security clearance. Access to computerized data is controlled by password or other user code.'

RETENTION AND DISPOSAL:

Delete entry and replace with 'Records are opened on individuals when first nominated for attache duty. Records are destroyed when personnel are transferred, separated, or when files