

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Announcement No. 93612-002]

Cancel Availability of Financial Assistance for the Mitigation of Environmental Impacts to Indian Lands Due to Department of Defense (DOD) Activities

AGENCY: Administration for Native Americans (ANA), ACF, DHHS.

ACTION: Cancel grant program announcement, remaining application deadlines and competitions to assist on environmental problems and impacts from DOD activities to Indian Lands. Additional information to follow.

SUMMARY: On January 22, 1999, in Vol. 64, No. 14 of the **Federal Register**, pages 3594 to 3601, the Administration for Native Americans announced the "Availability of Finance Assistance for the Mitigation of Environmental Impacts to Indian Lands due to Department of Defense Activities". Indian land was defined as all lands used by American Indian tribes and Alaska Native villages. Three deadline dates for submission of applications were published in that announcement: March 12, 1999, November 5, 1999 and November 4, 2000. This notice cancels the two remaining competitions under the program announcement; i.e., November 5, 1999 and November 4, 2000 deadlines are canceled. The Administration for Native Americans will publish additional information on the grant program as soon as possible.

Dated: August 31, 1999.

Gary N. Kimble,

Commissioner, Administration for Native Americans.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Privacy Act of 1974; Amended Systems of Records Notice

AGENCY: Office of Child Support Enforcement (OCSE), ACF, DHHS.

ACTION: Notice.

SUMMARY: In accordance with the requirements of the Privacy Act of 1974 (5 U.S.C. 552a), the Office of Child Support Enforcement (OCSE) is

publishing an advisement concerning its system of records entitled "The Location and Collection System", DHHS/OCSE No. 09-90-0074.

The purpose of this notice is to advise the public about a pilot that OCSE and the Social Security Administration (SSA) will be conducting to determine the benefits and risks of allowing SSA to use a real time read only query to read limited information in the National Directory of New Hires (NDNH) for the purposes of verifying eligibility and/or payment amounts under the Supplemental Security Income (SSI) program. The query gives SSA read only ability to look at limited wage, new hire and unemployment information ONLY to those social security numbers that have a payment or entitlement issue under the SSI program. No decision on whether to implement the proposed pilot on a permanent basis will be made until completion of the pilot and data analysis.

The goals of the pilot are to enable SSA to access which factors are most important for determining a SSI applicant's eligibility and payment amount on a pre-allowance (decisional) basis. Current means of verification are done on a post-entitlement basis, after individuals are in pay status. Pre-decisional information about entitlement and eligibility is expected to improve payment accuracy for SSA, reducing both overpayments and underpayments to beneficiaries and reduce the number of overpayment recovery activities SSA must take. The pilot will demonstrate the extent to which these expectations are realized, and provide a basis for deciding which data is most useful for improving payment accuracy.

DATES: The amendments described in this notice are effective September 14, 1999.

FOR FURTHER INFORMATION CONTACT: Donna Bonar, Director, Division of Program Operations, Office of Child Support Enforcement, Administration for Children and Families, 370 L'Enfant Promenade, SW, 4th Floor East, Washington, DC 20447, (202) 401-4963.

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Office of Child Support Enforcement (OCSE) is amending one of its System of Records, "The Location and Collection System," DHHS/OCSE No. 09-90-0074, last published at 64 FR 11015 on March 8, 1999. This amendment will allow the Social Security Administration (SSA) to use its Real-time Query Access (RQA) process to obtain information contained in the National Directory of New Hires (NDNH) for the purposes of verifying

eligibility and/or payment amounts under the Supplemental Security Income (SSI) program. Section 453(j)(4) of the Social Security Act (the Act) authorized OCSE to provide SSA with information in the NDNH. The NDNH contains new hire, quarterly wage, and unemployment insurance information provided pursuant to sections 453(n), 453A(b) and 453A(g)(2) by the 50 States, the District of Columbia, U.S. territories and possessions, the Commonwealths of Puerto Rico and the Northern Mariana Islands, and Federal agencies and instrumentalities. This amendment will allow SSA to have limited RQA to information in the NDNH database for the purpose of establishing or verifying eligibility and/or payment amounts under the Supplemental Security Income (SSI) Program. Specifically, data elements to be used from the Quarterly Wage portions of the NDNH database are: For employees—SSN, SSN verification indicator and any corrected SSN, first name, middle name, last name, wage amount, quarter paid, and reporting period; for employers—name of employer, Federal (or optional State if no Federal) Employer Identification Number or Federal Information Processing System Code, address(es), State or Federal agency reporting the data; date the report was processed. Data elements to be used from the New Hire portions of the NDNH database are: For employees—employees' SSN, SSN verification indicator and any corrected SSN; employees' first name, middle name, last name, address(es), date of birth (optional), date of hire (optional), State of hire (optional); for employers—name of employer, Federal (or optional State if no Federal) Employer Identification Number or Federal Information Processing System Code, address of employer. Data elements to be used from the Unemployment Insurance portions of the NDNH database are: Unemployment insurance record identifier, SSN, SSN verification indicator and any corrected SSN; employee's first name, middle name, last name, address, unemployment insurance benefit amount, reporting period, quarter paid, payer State, date report processed. SSA anticipates that RQA access to the NDNH will facilitate earlier overpayment detection, reduce the number of incorrect entitlements, and reduce the number of overpayment recovery actions. Fifty field offices within the SSA will participate in a pilot program during which they will utilize RQA data retrieval. If the pilot is determined to be successful, a national rollout will follow.

Privacy Safeguards:

OCSE and SSA have taken steps to ensure that the read only query will sustain the protections provided in all statutes relating to agency use, collection and disclosure of personal information. These include: (1) Notice to applicants and beneficiaries. SSA routinely advises SSI applicants and beneficiaries that SSA verifies eligibility. This is done via the application process, publications and letters to beneficiaries; (2) Query Is Informational Only. SSA will not take any action to reduce, suspend, or terminate an individual's SSI payment based on data read from the query; (3) Independent Verification. SSA will independently verify information read from the query, as required by Federal statute; (4) Limited Information. The pilot gives SSA the ability to read limited information on a restricted basis. The query can only read records that have a payment or entitlement issue under the SSI program; (5) Read Only. The information the query can read in the NDNH is the same information SSA currently obtains on a post-entitlement, paper based process; (6) Authorized Users. The pilot is limited in the number of field offices participating and the number of employees with read only query ability which is restricted to certain recognizable job classifications within SSA; (7) Anti-browsing Technology. SSA can only read information for those social security numbers that have a payment or entitlement issue under the SSI program; (8) Anomaly Detection and Audit Trails. SSA will monitor use of the query; and (9) Training and Sanctions for Misuse. SSA employees have been trained to work with sensitive information and routinely do so. Sanctions for misuse are found in 5 U.S.C. 552a(i) and Part 401 CFR, Privacy and Disclosure of Official Records and Information, and appendix A to part 401, Employee Standards of Conduct.

Dated: September 7, 1999.

David Gray Ross,

Commissioner, Office of Child Support Enforcement.

OCSE's Location and Collection System is hereby amended to read as follows:
09-90-0074

SYSTEM NAME:

Location and Collection System (LCS), HHS, OCSE.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Child Support Enforcement, 370 L'Enfant Promenade, SW, 4th Floor East, Washington, DC 20447;

Social Security Administration, 6200 Security Boulevard, Baltimore, Maryland 21235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Records will be maintained to locate individuals for the purpose of establishing parentage, establishing, setting the amount of, modifying, or enforcing child support obligations, or enforcing child custody or visitation orders and may include (1) information on, or facilitate the discovery of, or the location of any individuals: (a) Who are under an obligation to pay child support or provide child custody or visitation rights; (b) against whom such an obligation is sought; (c) to whom such an obligation is owed including the individual's social security number (or numbers), most recent address, and the name, address, and employer identification number of the individual's employer; and (d) who have or may have parental rights with respect to a child; (2) information on the individual's wages (or other income) from, and benefits of, employment (including rights to enrollment in group health care coverage); (3) information on the type, status, and amount of any assets or debts owed to or by such an individual; and (4) information on certain Federal disbursements payable to a delinquent obligor which may be offset for the purpose of collecting past-due child support.

CATEGORIES OF RECORDS IN THE SYSTEM:

Specific records retained in the LCS system are: the name of noncustodial or custodial parent or child, Social Security number (when available), date of birth, place of birth, sex code, State case identification number, local identification number (State use only), State or locality originating request, date of origination, type of case (TANF, non-TANF full-service, non-TANF locate only, parental kidnapping); home address, mailing address, type of employment, work location, annual salary, pay rate, quarterly wages, medical coverage, benefit amounts, type of military service (Army, Navy, Marines, Air Force, not in service), retired military (yes or no), Federal employee (yes or no), recent employer's address, known alias (last name only), date requests sent to Federal agencies or departments (SSA, Treasury, DoD/OPM, VA, USPS, FBI, and SESAs), dates of Federal agencies' or departments' responses, date of death, record

identifier; employee's SSN, SSN verification indicator and any corrected SSN, employee first name, middle name, last name, employee address(es), date of birth (optional), employee date of hire (optional), employee State of hire, wage amount, quarter paid, reporting period; employer name, Federal Employer Identification Number or Federal Information Processing System Code, State Employee Identification Number of Federal Information Processing System Code, employer address, employer foreign address, employer optional address, and employer optional foreign address; multistate employer name, address and Federal Identification Number; employee SSN, employee first name, middle name, last name, employee address(es), date of birth (optional), data of hire (optional), State of hire (optional), employee wage amount, quarter paid, reporting period; unemployment insurance record identifier, claimant SSN, SSN verification indicator and any corrected SSN; claimant first name, middle name, claimant address, SSA/VA benefit amount, unemployment insurance benefits amount, reporting period, quarter paid, payer State, date report processed; State code, local code, case number, arrearage amount, collection amount, adjustment amount, return indicator, transfer State, street address, city and State, zip code, zip code 4, total debt, number of adjustments, number of collections, net amount, adjustment year, tax period for offset, type of offset, offset amount, submitting State FIPS, locate code, case ID number, case type, and court/administrative order indicator. Records used to aid State Child Support Enforcement Agencies in obtaining information from multistate financial institutions may include institution name(s), name control, Taxpayer Identification Number(s), year, month, service bureau indicator, transfer agent indicator, foreign corporation indicator, reporting agent/transmitter, address(es), file indicator, record type, payee last name control, SSN(s), payee account number, account full legal title (optional), payee foreign country indicator (optional), payee names, addresses, account balances (optional), trust fund indicator, account balance indicator (optional), account update indicator, account type, date of birth.

Individuals will be fully informed of the uses and disclosures of their records.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Legal authority for maintenance of the system is contained in sections 452 and

453 of the Social Security Act that requires the Secretary of the Department of Health and Human Services to establish and conduct the Federal Parent Locator Service, a computerized national location network which provides address and social security number information to authorized persons, primarily for the purposes of establishing and collecting child support obligation.

PURPOSE(S):

The primary purpose of the Location and Collection System is to improve State's abilities to locate parents and collect child support.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

The routine uses of records maintained in the LCS are as follows: (1) Request the most recent home and employment addresses and SSN of the noncustodial or custodial parents from any State or Federal government department, agency or instrumentality which might have such information in its records; (2) provide the most recent home and employment addresses and SSN to State Child Support Enforcement (CSE) agencies under agreements covered by section 463 of the Social Act (42 U.S.C. 663) for the purpose of locating noncustodial parents or children in connection with activities by State courts and Federal attorneys and agents charged with making or enforcing child custody determinations or conducting investigations, enforcement proceedings or prosecutions concerning the unlawful taking or restraint of children; (3) provide the most recent home and employment addresses and SSN to agents and attorneys of the United States, involved in activities in States which do not have agreements under section 463 of the Act for purposes of locating noncustodial parents or children in connection with Federal investigations, enforcement proceedings or prosecutions involving the unlawful taking or restraint of children; (4) provide to the State Department the name and SSN of noncustodial parents in international child support cases, and in cases involving the Hague Convention on the Civil Aspects of International Child Abduction; (5) provide to State agencies data in the NDNH portion of this system for the purpose of administering the Child Support Enforcement Program and the Temporary Assistance for Needy Families (TANF) program; (6) provide to the Commissioner of Social Security information for the purposes of

verifying reported SSNs, verifying eligibility and/or payment amounts under the Supplemental Security Income (SSI) program, and for other purposes; (7) provide to the Secretary of the Treasury information in the NDNH portion of this system for purposes of administering advance payments of the earned income tax credit and verifying a claim with respect to employment in a tax return; (8) provide to researchers new hire data for research efforts that would contribute to the TANF and CSE programs. Information disclosed may not contain personal identifiers; (9) provide to State CSE agencies, or any agent of an agency that is under contract with the State CSE agency, information which will assist in locating individuals for the purposes of establishing paternity and for establishing, modifying, and enforcing child support obligations; (10) disclose to authorized persons as defined in section 453(c) of the Act (42 U.S.C. 653(c)) records for the purpose of locating individuals and enforcing child custody and visitation orders; (11) disclose to the State agency administering the Medicaid, Unemployment Compensation, Food Stamp, SSI and territorial cash assistance programs new hire information for income eligibility verification; (12) disclose to State agencies administering unemployment and worker's compensation programs new hire information to assist in determining the allowability of claims; (13) disclose information to the Treasury Department in order to collection past due child support obligation via offset of tax refunds and certain Federal payments such as: Federal salary, wage and retirement payments; vendor payments; expense reimbursement payments, and travel payments; (14) disclose to the Secretary of State information necessary to revoke, restrict, or deny a passport to any person certified by State CSE agencies as owing a child support arrearage greater than \$5,000; and (15) disclose to States information pertaining to multistate financial institutions which has been provided by such institutions in order to aid State Child Support Enforcement Agencies.

DISCLOSURE TO CONSUMER REPORTING AGENCIES: None.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

The Location and Collection System records are maintained on disc and computer tape, and hard copy.

RETRIEVABILITY:

SSA will access and use the information obtained by the real time query access only for the period of time required for any processing related to the access program.

SAFEGUARDS:

1. *Authorized users:* Access to the records accessed and to any records created by the Real Time Query Access (RQA) will be restricted to only those authorized employees who need it to perform their official duties in connection with the use of the information. All personnel who have access to the NDNH records accessed or the records created by the RQA will be: (1) Advised of the confidential nature of the information, (2) advised of the safeguards required to protect the information; and (3) advised of the civil and criminal sanctions for noncompliance contained in the applicable Federal laws.

2. *Physical safeguards:* The records accessed and any records created by the RQA will be handled and stored in an area that is physically safe from access by unauthorized persons at all times. The records accessed will be transported under appropriate safeguards.

3. *Procedural and technical safeguards:* The records accessed and the data created by the RQA will be processed under the immediate supervision and control of authorized personnel in a manner that will protect the confidentiality of the records. System security measures will be implemented that will protect records in such a way that unauthorized persons cannot retrieve any such records by means of computer, remote terminal, or any other means.

These practices are in compliance with the standards of Chapter 45-13 of the HHS General Administration Manual, "Safeguarding Records Contained in Systems of Records," and the Department's Automated Information System Security Program Handbook.

RETENTION AND DISPOSAL:

SSA will retain identifiable records received from the NDNH database only for the period of time required for any processing related to the RQA and will destroy the records. Electronic files will be erased.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Program Operations, Office of Child Support Enforcement, Administration for Children and Families, 370 L'Enfant Promenade, SW., 4th Floor East, Washington, DC 20447.

NOTIFICATION PROCEDURES:

To determine if a record exists, write to the Systems Manager at the address listed above. The Privacy Act provides that, except under certain conditions specified in the law, only the subject of the records may have access to them. All requests must be submitted in the following manner: identify the system of records you wish to have searched, have your request notarized to verify your identify, indicate that you are aware that the knowing and willful request for or acquisition of a Privacy Act record under false pretenses is a criminal offense subject to a \$5,000 fine. Your letter must also provide sufficient particulars to enable OCSE to distinguish between records on subject individuals with the same name.

RECORD ACCESS PROCEDURES:

Write to the Systems Manager specified above to attain access to records. Requesters should provide a detailed description of the records contents they are seeking.

CONTESTING RECORD PROCEDURE:

Contact the official at the address specified under System Manager above, and identify the record and specify the information to be contested and corrective action sought with supporting justification to show how the record is inaccurate, incomplete, untimely, or irrelevant.

RECORD SOURCE CATEGORIES:

Information is obtained from departments, agencies, or instrumentalities of the United States or any State and from multi-state financial institutions.

SYSTEM EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES**Food and Drug Administration**

[Docket No. 98N-0572]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Collection of Letters of Interest and Food Safety Data in a Voluntary Pilot Program Using HACCP Principles for Retail Food Operations

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that the proposed collection of information listed below has been submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (the PRA).

DATES: Submit written comments on the collection of information by October 14, 1999.

ADDRESSES: Submit written comments on the collection of information to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW., rm. 10235, Washington, DC 20503, Attn: Desk Officer for FDA.

FOR FURTHER INFORMATION CONTACT:

Peggy Schlosburg, Office of Information Resources Management (HFA-250), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-827-1223.

SUPPLEMENTARY INFORMATION: In compliance with section 3507 of the PRA (44 U.S.C. 3507), FDA has submitted the following proposed collection of information to OMB for review and clearance.

Collection of Letters of Interest and Food Safety Data in a Voluntary Pilot Program Using HACCP Principles for Retail Food Operations

Section 402 of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 342) enables FDA to regulate the safety of foods in interstate commerce. In addition, under authority granted in the Public Health Service Act (the PHS Act) (42 U.S.C. 241, 243, and 264), the agency engages in a range of activities intended to ensure the safety of the nation's food supply, from regulating food when it can be a vector of disease to assisting, and cooperating with, the States to ensure effective State and local food safety programs. FDA endeavors to assist the more than 3,000 Federal, tribal, State, and local regulatory agencies that have primary responsibility for monitoring retail food establishments to ensure that consumers are protected.

FDA is proposing to collect information, through a voluntary pilot program, on how hazard analysis critical control points (HACCP) principles might be implemented in the retail food industry. The pilot program is designed to provide insight into the problems, costs, and benefits of developing and implementing HACCP principles for food service, retail food stores, and other retail food establishments, in order to improve and provide direct guidance to both the

retail industry and regulatory authorities for the implementation of HACCP principles in the retail food sector. FDA will select candidates with a goal of ensuring that the participants in the program cross the spectrum of retail activities, have a range of scientific capabilities, have facilities of varying sizes, and have a range of HACCP experience. FDA has been approached by State and local governments to provide guidance for applying HACCP principles at retail; therefore, the agency intends to collect information through the pilot program to develop and enhance guidance. The agency intends to make a summary of the results of the retail pilot program publicly available.

The agency will request retail food establishments and regulatory agencies interested in participating in the pilot program to send to FDA a letter of interest. Letters from regulatory agencies need only state an interest in participating. FDA requests that the letters of interest from retail food establishments describe their menu, the location and size of their facility, the type of techniques they use to prepare their products, and the extent to which, and how, they employ HACCP; identify area government officials with whom they have worked to implement or reinforce the system; identify which State, local, and/or tribal government officials they would like to work with in the pilot program; and identify trade associations they would like to work with in the pilot. FDA will review the letters of interest from retail applicants and identify a limited number of individual establishments that represent a broad spectrum of the retail food industry and that, in the judgment of the agency, are best suited to participate in the pilot program. The retail pilot participants will maintain a food safety program based upon HACCP principles for the duration of the pilot. FDA will study the information and data the pilot participants use to maintain their food safety programs.

In the **Federal Register** of July 30, 1998 (63 FR 40716), the agency requested comments on the proposed collection of information. The agency received one comment from a trade association that represents one segment of the retail food industry. The comment recommended that FDA not pursue the pilot program as currently planned. Instead, the comments suggested that the agency solicit industry and academic input into the development of a "new, more inclusive" HACCP pilot program. The comment's recommendation was based on several concerns.