

DEPARTMENT OF DEFENSE

Defense Logistics Agency

Privacy Act of 1974; Computer Matching Program Between the Office of Personnel Management and the Department of Defense

AGENCY: Defense Manpower Data Center, Defense Logistics Agency, Department of Defense

ACTION: Notice of a computer matching program between the Office of Personnel Management (OPM) and the Department of Defense (DoD) for public comment.

SUMMARY: The DoD, as the matching agency under the Privacy Act of 1974, as amended, (5 U.S.C. 552a), is hereby giving constructive notice in lieu of direct notice to the record subjects of a computer matching program between OPM and DoD that their records are being matched by computer. The record subjects are civil service annuitants who are reemployed in the Federal government. By comparing the data received through this computer matching program on a recurring basis, OPM and DoD will be able to make timely and accurate adjustments in salary and benefits. This program will prevent or correct overpayment, fraud and abuse, thus insuring proper benefit payments.

DATES: This proposed action will become effective September 2, 1997, and the computer matching will proceed accordingly without further notice, unless comments are received which would result in a contrary determination or if the Office of Management and Budget or Congress objects thereto. Any public comment must be received before the effective date.

ADDRESSES: Any interested party may submit written comments to the Director, Defense Privacy Office, Crystal Mall 4, Room 920, 1941 Jefferson Davis Highway, Arlington, VA 22202-4502. Telephone (703) 607-2943.

FOR FURTHER INFORMATION CONTACT: Mr. Aurelio Nepa, Jr., at (703) 607-2943.

SUPPLEMENTARY INFORMATION: Pursuant to subsection (o) of the Privacy Act of 1974, as amended, (5 U.S.C. 552a), DoD and OPM have concluded an agreement to conduct a computer matching program between the agencies. The purpose of the match is to identify civil service annuitants (including disability annuitants under age 60) who are reemployed by DoD. This match will insure that (1) annuities of DoD reemployed annuitants are terminated where applicable, and (2) salaries are

Changes to the 1997 Correlation

Add 5205.28.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, single yarn, of combed fibers, measuring less than 83.33 decitex (exceeding 120 metric number), ring spun.

Add 5205.28.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, single yarn, of combed fibers, measuring less than 83.33 decitex (exceeding 120 metric number), other than ring spun.

Delete 5205.41.0000.

Add 5205.41.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, not exceeding 14 nm per single yarn, ring spun.

Add 5205.41.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, not exceeding 14 nm per single yarn, other than ring spun.

Delete 5205.42.0000.

Add 5205.42.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, exceeding 14 nm but not exceeding 43 nm per single yarn, ring spun.

Add 5205.42.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, exceeding 14 nm but not exceeding 43 nm per single yarn, other than ring spun.

Delete 5205.43.0000.

Add 5205.43.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, exceeding 43 nm but not exceeding 52 nm per single yarn, ring spun.

Add 5205.43.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, exceeding 43 nm but not exceeding 52 nm per single yarn, other than ring spun.

Delete 5205.44.0000.

Add 5205.44.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, exceeding 52 nm but not exceeding 80 nm per single yarn, ring spun.

Add 5205.44.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, exceeding 52 nm but not exceeding 80 nm per single yarn, other than ring spun.

Delete 5205.46.0000.

Changes to the 1997 Correlation

Add 5205.46.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, measuring per single yarn less than 125 decitex but not less than 106.38 decitex (exceeding 80 metric number but not exceeding 94 metric number), ring spun.

Add 5205.46.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, measuring per single yarn less than 125 decitex but not less than 106.38 decitex (exceeding 80 metric number but not exceeding 94 metric number), other than ring spun.

Delete 5205.47.0000.

Add 5205.47.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, measuring per single yarn less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number), ring spun.

Add 5205.47.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, measuring per single yarn less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number), other than ring spun.

Delete 5205.48.0000.

Add 5205.48.0020—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, measuring per single yarn less than 83.33 decitex (exceeding 120 metric number), ring spun.

Add 5205.48.0090—Cotton Yarn, not sewing thread, containing 85 percent or more by weight of cotton, not put up for retail sale, multiple (folded) or cabled yarn, of combed fibers, measuring per single yarn less than 83.33 decitex (exceeding 120 metric number), other than ring spun.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

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correctly offset where applicable. A cost benefit analysis, based on data collected from prior matches, shows that OPM will save approximately \$222,500 over a 12-month period by performing this match.

DoD does not expect to realize any monetary savings from this matching program, but does benefit by having a mechanism to assist in correcting its civilian personnel data bases. Computer matching appeared to be the most efficient and effective manner to accomplish this task with the least amount of intrusion of personal privacy of the individuals concerned. It was therefore concluded and agreed upon that computer matching would be the best and least obtrusive manner and choice for accomplishing this requirement.

A copy of the computer matching agreement between OPM and DoD is available upon request to the public. Requests should be submitted to the address above or to the Chief, Quality Assurance Division, Retirement and Insurance Group, Office of Personnel Management, Washington, DC 20415.

Set forth below is a 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 in the **Federal Register** at 54 FR 25818 on June 19, 1989.

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 July 10, 1997, to the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget, pursuant to paragraph 4b of Appendix I to OMB Circular No. A-130, 'Federal Agency Responsibilities for Maintaining Records about Individuals,' dated February 8, 1996 (61 FR 6435, February 20, 1996). The matching program is subject to review by OMB and Congress and shall not become effective until that review period has elapsed.

Dated: July 23, 1997.

L. M. Bynum,

*Alternate OSD Federal Register Liaison
Officer Department of Defense.*

**COMPUTER MATCHING PROGRAM
BETWEEN THE OFFICE OF
PERSONNEL MANAGEMENT AND THE
DEPARTMENT OF DEFENSE ON
REEMPLOYED ANNUITANTS**

A. Participating Agencies: Participants in this computer matching program are the Quality Assurance Division, Retirement and Insurance Group, Office of Personnel Management (OPM), Washington, DC 20415 and the Defense Manpower Data Center (DMDC) of the Department of Defense (DoD). The OPM is the source agency, i.e., the agency disclosing the records for the purpose of the match. The DMDC is the specific recipient agency or matching agency, i.e., the agency that actually performs the computer matching.

B. Purpose of the Match: The purpose of the computer matching program is to identify civil service annuitants (including disability annuitants under age 60) who are reemployed by DoD. This match will help insure that (1) annuities of DoD reemployed annuitants are terminated where applicable and, (2) salaries are correctly offset where applicable.

C. Authority of the Match: Both OPM and DoD have responsibilities to monitor and adjust retirement benefits under Title 5 U.S.C. Section 8331 (CSRA), (especially 5 U.S.C. 8344) and Title 5 U.S.C. Section 8401 (FERSA) et seq. (especially 5 U.S.C. 8468).

D. Records to be matched: The match will involve the OPM system of records published as OPM Central-1, Civil Service Retirement and Insurance Records, 60 FR 63081, December 8, 1995 and the DoD system of records last published as Defense Manpower Data Center Data Base, S322.10 DMDC, 61 FR 6355, February 20, 1996.

Appropriate routine uses have been published by both agencies to permit disclosures needed to conduct this match. They are respectively identified and accentuated in the attached record system notices of the parties.

E. Description of Computer Matching Program: DMDC will match OPM data with DoD employee data for the same dates to make an initial determination. DMDC will share the matched information with appropriate DoD offices. DoD will screen the initial data appropriate to rule out matched individuals who are not valid matches according to information available to them at the time. DoD will take

appropriate adjustment action for each matched individual including notification to OPM of individuals suspected of receiving retirement benefits to which they are not entitled.

Each individual identified as receiving prohibited retirement benefits will be notified of the match findings and will be afforded due process by OPM and given the opportunity to contest the findings and any actions that may ensue as a result of the match. Each individual identified as having improper salary will be notified by DoD and will be given an opportunity to contest the findings.

DMDC will provide OPM with an annual report summarizing the results of the matches.

The OPM file will contain the information on approximately 1.5 million CSRA and FERSA retirees. The DoD file contains approximately 800 thousand DoD civilian employee records.

The tape extract provided by OPM will contain the names, addresses, social security numbers, payment and service data of individuals receiving benefits from OPM.

F. Inclusive Dates of the Matching Program: This computer matching program is subject to review by the Office of Management and Budget and Congress. If no objections are raised by either, and the mandatory 30 day public notice period for comment has expired for this Federal Register notice with no significant adverse public comments in receipt resulting in a contrary determination, then this computer matching program becomes effective and the respective agencies may begin the exchange of data 30 days after the date of this published notice at a mutually agreeable time and will be repeated on a quarterly basis. Under no circumstances shall the matching program be implemented before the 30 day public notice period for comment has elapsed as this time period cannot be waived. By agreement between OPM and DoD, the matching program will be in effect and continue 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, Crystal Mall 4, Room 920, 1941 Jefferson Davis Highway, Arlington, VA 22202-4502. Telephone (703) 607-2943.

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