

These clubs transport members and their baggage all over the world without the security measures required by TSA. Given this period of heightened security concern, it is critical that such operations are in compliance with TSA's security procedures and requirements.

TSA will assist any aircraft operator affected by this notice. The specific security programs and related security directives may be obtained by contacting David Bernier at the Transportation Security Administration: e-mail [aircarrierinspection@tsa.dot.gov](mailto:aircarrierinspection@tsa.dot.gov), telephone (571) 227-2200, or facsimile (703) 603-0414. Affected aircraft operators should notify TSA of any questions or issues regarding the implementation of these requirements as soon as practicable.

Issued in Arlington, Virginia, on October 12, 2004.

**David M. Stone,**

*Assistant Secretary.*

[FR Doc. 04-23390 Filed 10-18-04; 8:45 am]

BILLING CODE 4910-62-P

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR 4848-N-03]

### Homeless Management Information Systems (HMIS) Data and Technical Standards Final Notice; Clarification and Additional Guidance on Special Provisions for Domestic Violence Provider Shelters

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This notice clarifies and provides further guidance on the special provisions for domestic violence provider shelters participating in Homeless Management Information Systems (HMIS). This clarification and additional guidance follows issuance of the HMIS Data and Technical Standards Final Notice published on July 30, 2004, and the HMIS Data and Technical Standards Draft Notice, published on July 22, 2003.

**DATES:** *Effective Date:* August 30, 2004.

**FOR FURTHER INFORMATION CONTACT:** Michael Roanhouse, Office of Special Needs Assistance Programs, Office of the Assistant Secretary for Community Planning and Development, Room 7262, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-7000; telephone (202) 708-1226, ext. 4482 (this is not a toll-free number). Hearing- or speech-

impaired individuals may access this number by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

This notice provides clarification and further guidance on the special provisions for domestic violence provider shelters (section 1.5.6.) in the Homeless Management Information Systems (HMIS) Data and Technical Standards Final Notice (Final Notice), published on July 30, 2004 (69 FR 45888). This notice provides clarification and additional guidance on the timing of participation and data collection, submission, and aggregation requirements for HUD McKinney-Vento funded domestic violence shelters.

##### II. Background

HUD supported the development of local HMISs in response to Congressional direction<sup>1</sup> on the need for improved data on and the analysis of the extent of homelessness and the effectiveness of the McKinney-Vento Act programs including: (1) Production of an unduplicated count of clients served at the local level; (2) analysis of patterns of use of people entering and exiting the homeless assistance system; and (3) evaluation of the effectiveness of the homeless assistance system. Broad-based participation of all homeless service providers at the local level in HMIS and the collection of longitudinal data are critical to meeting this directive.

Domestic violence programs play a critical role in many Continuums of Care (CoC) and constitute a large proportion of shelter beds and homeless service slots. Their absence from participation in an HMIS would prevent these communities from obtaining an unduplicated count of homeless persons in their community or understanding adequately the needs of the homeless population, including victims of domestic violence. In deciding whether domestic violence programs should be expected to participate in HMIS, HUD reviewed carefully the comments on the HMIS Data and Technical Standards Draft Notice, published on July 22, 2003 (68 FR 43430), and consulted with a wide range of stakeholders.

These stakeholders included local homeless assistance providers, domestic violence providers, national HMIS experts, national advocacy organizations, leading researchers and

other federal agencies. Comments on the draft notice and subsequent stakeholder discussions led HUD to conclude that it was critical for domestic violence programs to participate in HMIS so as to fully understand homelessness at the local and national levels. It was also determined that safety concerns for domestic violence programs could be addressed effectively if:

- A distinction is made between (1) data that domestic violence providers collect from homeless persons and (2) data that domestic violence providers submit to a central server in order to produce an unduplicated count of homeless persons at the CoC level;
- Domestic violence programs are given ample time to implement technological, administrative, and other safeguards to participate in their community's HMIS;
- Adequate local privacy and security standards are developed to protect client information; and
- HUD offers extensive technical assistance support to communities and domestic violence programs.

To address the specific concerns regarding participation, HUD is providing the following clarification and additional guidance on the timing of participation and data collection, submission, and aggregation requirements for HUD McKinney-Vento funded domestic violence shelters.

##### III. The Timing of Domestic Violence Shelter Provider Participation in HMIS

HUD recognizes that communities and domestic violence programs need time to develop and implement methods to effectively address domestic violence provider participation in HMIS and, therefore, permits CoCs to stage the entry of domestic violence programs last, including after the October 2004, goal for HMIS implementation. The later staging of domestic violence providers will not affect HUD's assessment of CoC progress in HMIS implementation in the national CoC competitive ranking process.

HUD did not state a deadline for domestic violence provider participation in the HMIS and recommended the staging of their addition to the HMIS implementation last to allow for adequate time for planning, discussion, investigation, and development of local participation policies. HUD acknowledges the privacy and security concerns of domestic violence providers and has given discretion to each CoC to work with their domestic violence providers to identify methods of participation that will maximize the safety of persons served by those providers. The Final

<sup>1</sup> Conference Report (H.R. Report 106-988) for the Fiscal Year (FY) 2001 HUD Appropriations Act (Pub. L. 106-377).

Notice also recognizes stronger state confidentiality provisions. In the event that state laws conflict with the Final Notice, as determined by an appropriate state government entity, state law will prevail (see Section 4 of the Final Notice).

#### **IV. Data Collection Versus Data Submission Requirements of Domestic Violence Providers to a CoC**

The Final Notice states that domestic violence programs that receive HUD McKinney-Vento funds are expected to implement the universal and those program-specific data elements required for generation of an Annual Progress Report and Emergency Shelter Grant reporting (see section Sections 1.5.3. and 1.5.6. of the Final Notice). To clarify and provide additional guidance concerning the implementation, the following elaborates on the requirements for data collection, data submission, and data aggregation for domestic violence providers participating in HMIS.

*Data Collection:* All recipients of McKinney-Vento funds collect client-specific information at the program level to meet aggregate reporting requirements for the Annual Progress Report. This includes the following programs: Supportive Housing, Shelter Plus Care, Section 8 Moderate Rehabilitation Single Room Occupancy, and Emergency Shelter Grants. Accordingly, domestic violence programs that receive McKinney-Vento funds must collect the universal and program-specific data elements required for reporting. HUD does not require domestic violence providers to collect or report an address for a client served by a domestic violence provider.

*Data Submission:* HUD understands the concerns regarding submission of client-identified data from domestic violence programs to a central location. HUD will not require the submission of personal identifiers (name and Social Security Number (SSN)) from these programs to the CoC. Domestic violence programs can choose to use a proxy, coded, encrypted, or hashed unique identifier—in lieu of name and SSN—that is appended to the full service record of each client served and submitted to the central server at least once annually for purposes of unduplication and data analysis. The coded unique identifier would need to include, but is not limited to, characters and digits from a portion of a client's name, date of birth, and gender. This unique identifier can be generated either manually or through the use of an advanced technological encryption algorithm. Programs participating in

HMIS are not required to share client data with any other organization besides the central coordinating entity identified by the CoC as described below.

*Data Aggregation:* CoCs should decide how they will use coded unique identifiers in consultation with their domestic violence programs and determine how to produce an unduplicated count of homeless clients at the CoC level using these coded identifiers. CoCs must have or designate a coordinating body responsible for collection and storage of data to a central location at least once a year (see Section 5.2.1. of the Final Notice). HUD fully supports alternative methods of participation by domestic violence providers. Domestic violence programs are charged to meet with CoC representatives to identify administrative solutions, such as delaying entry of data into the HMIS until after the client has exited the domestic violence program, or other technological or administrative solutions that adequately protect data and allow for an accurate unduplicated count of homeless persons and analysis of homeless data throughout the CoC to meet the goals of the congressional directive.

#### **V. HMIS Privacy and Security Provisions**

HUD recognizes that the privacy and security concerns of domestic violence victims are unlike those of other homeless clients. In response to these concerns, HUD has developed HMIS privacy and security standards that are improvements to current practices, set high baseline standards for all users of HMIS data, and adequately protect personal information collected from domestic violence victims as well as all homeless clients.

As stated in the Final Notice, the baseline privacy and security standards are based on principles of fair information practice and on security standards recognized by the information technology and privacy communities. The privacy standards were developed after careful review of the Health Insurance Portability and Accountability Act (HIPAA) standards for protecting patient information. The HIPAA privacy rule establishes a national baseline of privacy standards for most health information. For some key provisions in the HMIS privacy standards, HUD set baseline standards that exceeded those in HIPAA, especially for provisions that are important to domestic violence programs.

HUD also developed multi-layered security provisions that meet or surpass current Information Technology (IT) industry standards requiring: (1) User authentication; (2) industry standard encryption (128-bit Secure Socket Layer) of all HMIS data that are electronically transmitted over the Internet, publicly accessible networks, or phone lines; and (3) strict limitations to physical and network access to systems with HMIS data. In addition to these baseline standards, HUD recommends additional privacy and security standards that CoCs and programs could implement to further increase the security of the system. The baseline privacy and security standards for HMIS required by the Final Notice far exceed the requirements for many other systems into which these client data are entered. HUD continues to encourage organizations to apply these additional protections as they deem appropriate.

#### **VI. Providing Technical Assistance to Communities and Domestic Violence Programs**

HUD recognizes that the development of an HMIS with adequate technological and/or administrative solutions to protect client data can be challenging. HUD will continue to provide technical assistance to local CoCs to help them develop solutions that meet the needs of domestic violence victims and the programs that serve this population.

Research is currently underway to document successful methods of participation of domestic violence providers in existing HMIS implementations. Some of these methods use coded unique client identifiers that do not require providers to submit name, SSN, or other identifying information to the central server, but do allow for an unduplicated count at the CoC level. Other methods currently in use include delayed entry of data into the HMIS until after the client has exited the program or HMIS system administration/hosting by the domestic violence provider agency. Information about the specific methods will be posted on HUD's HMIS page and also distributed via the [hmisinfo@hud.gov](mailto:hmisinfo@hud.gov) list-serve.

#### **VII. Summary**

HUD will exempt domestic violence providers from submission of client identifiers (name and SSN) to the CoC for unduplication and data analysis. Those programs electing this exemption are required to use either a proxy, coded, encrypted, or hashed unique identifier—in lieu of name and SSN—that is appended to the full service

record of each client served and submitted to the CoC central server at least once annually for purposes of unduplication and data analysis. Domestic violence providers may also choose to adopt a delayed data entry protocol whereby client records are not entered into the HMIS system until a set period of time after exit.

CoC representatives are instructed to meet with domestic violence providers to develop and implement a method by which the CoC can unduplicate data across all providers in the HMIS. HUD fully supports alternative methods of participation by domestic violence providers including those that incorporate technological or administrative solutions that adequately protect data and allow for an accurate unduplicated local count of homeless persons and analysis of homeless data to meet the goals of the Congressional directive.

Dated: October 14, 2004.

**Patricia A. Carlile,**

*Deputy Assistant Secretary for Special Needs Assistance.*

[FR Doc. 04-23438 Filed 10-15-04; 12:08 pm]

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[NM-952-05-1420-BJ]

#### Notice of Filing of Plats of Survey; New Mexico

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The plats of survey described below are scheduled to be officially filed in the New Mexico State Office, Bureau of Land Management, Santa Fe, New Mexico, thirty (30) calendar days from the date of this publication.

#### SUPPLEMENTARY INFORMATION:

##### Indian Meridian, Oklahoma

The Plat representing the dependent resurvey and survey in Township 10 North, Range 26 East, of the Arkansas River and Historic Riverbed, accepted September 28, 2004, for Group 61 Oklahoma.

If a protest against a survey, as shown on any of the above plats is received prior to the date of official filing, the filing will be stayed pending consideration of the protest. A plat will not be officially filed until the day after all protests have been dismissed and become final or appeals from the dismissal affirmed.

A person or party who wishes to protest against any of these surveys must file a written protest with the New Mexico State Director, Bureau of Land Management, stating that they wish to protest.

A statement of reasons for a protest may be filed with the notice of protest to the State Director, or the statement of reasons must be filed with the State Director within thirty (30) days after the protest is filed.

#### FOR FURTHER INFORMATION CONTACT:

These plats will be available for inspection in the New Mexico State Office, Bureau of Land Management, P.O. Box 27115, Santa Fe, New Mexico 87502-0115. Copies may be obtained from this office upon payment of \$1.10 per sheet.

Dated: October 7, 2004.

**Jay Innes,**

*Acting Chief Cadastral Surveyor for New Mexico.*

[FR Doc. 04-23364 Filed 10-18-04; 8:45 am]

BILLING CODE 4310-FB-M

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[OR-957-00-1420-BJ: GP05-0001]

#### Filing of Plats of Survey: Oregon/ Washington

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** The plats of survey of the following described lands were officially filed in the Oregon State Office, Portland, Oregon, on August 11, 2004.

##### Willamette Meridian

###### Oregon

T. 29 S., R. 8 W., accepted May 20, 2004  
T. 32½ S., R. 33 E., accepted May 20, 2004  
T. 33 S., R. 33 E., accepted May 20, 2004  
T. 37 S., R. 2 E., accepted May 20, 2004  
T. 39 S., R. 13 W., accepted May 20, 2004  
T. 15 S., R. 8 W., accepted May 28, 2004  
T. 22 S., R. 10 E., accepted May 28, 2004  
T. 7 S., R. 3 E., accepted June 8, 2004  
T. 9 S., R. 3 E., accepted June 8, 2004  
T. 12 S., R. 2 E., accepted June 8, 2004  
T. 15 S., R. 7 W., accepted June 8, 2004  
T. 22 S., R. 4 W., accepted June 8, 2004  
T. 1 N., R. 34 E., accepted June 24, 2004  
T. 23 S., R. 3 W., accepted June 24, 2004  
T. 23 S., R. 4 W., accepted June 24, 2004  
T. 25 S., R. 2 W., accepted June 24, 2004  
T. 27 S., R. 11 W., accepted June 24, 2004  
T. 33 S., R. 5 W., accepted June 24, 2004  
T. 38 S., R. 4 W., accepted June 24, 2004

###### Washington

T. 31 N., R. 1 E., accepted May 20, 2004  
T. 23 N., R. 11 W., accepted July 13, 2004

The plat of survey of the following described lands is scheduled to be officially filed in the Oregon State Office, Portland, Oregon, thirty (30) calendar days from the date of this publication.

##### Oregon

T. 16 S., R. 16 E., accepted September 7, 2004

T. 17 S., R. 16 E., accepted September 7, 2004

A copy of the plats may be obtained from the Public Room at the Oregon State Office, Bureau of Land Management, 333 S.W. 1st Avenue, Portland, Oregon 97204, upon required payment. A person or party who wishes to protest against a survey must file a notice that they wish to protest (at the above address) with the State Director, Bureau of Land Management, Portland, Oregon.

#### FOR FURTHER INFORMATION CONTACT:

Chief, Branch of Geographic Sciences, Bureau of Land Management, (333 SW. 1st Avenue) P.O. Box 2965, Portland, Oregon 97208.

Dated: October 7, 2004.

**Robert D. DeViney, Jr.,**

*Branch of Realty and Records Services.*

[FR Doc. 04-23380 Filed 10-18-04; 8:45 am]

BILLING CODE 4310-33-P

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### Agency Information Collection Activities: Proposed Collection, Comment Request

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Notice of a revision of a currently approved information collection (OMB control number 1010-0107).

**SUMMARY:** To comply with the Paperwork Reduction Act of 1995 (PRA), we are inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. We changed the title of this information collection request (ICR) to clarify the regulatory language we are covering under 30 CFR part 218. The previous title of this ICR was "30 CFR part 218, subpart B—Oil and Gas, General." The new title of this ICR is "30 CFR part 218, subpart A—General Provisions, § 218.42 Cross-lease netting in calculation of late-payment interest; subpart B—Oil and Gas, General, § 218.52 How does a lessee designate a Designee? (Form MMS-4425, Designation Form for Royalty Payment Responsibility) and § 218.53