

Second Street, SW., Washington, DC 20593-0001.

**FOR FURTHER INFORMATION CONTACT:** For questions on this notice, contact Mr. Gerald Miente, Assistant Executive Director TSAC, telephone 202-372-1401, fax 202-372-1926, or e-mail [gmiante@comdt.uscg.mil](mailto:gmiante@comdt.uscg.mil).

**SUPPLEMENTARY INFORMATION:** TSAC advises, consults with, and makes recommendations to the Secretary DHS on matters relating to shallow-draft inland and coastal waterway navigation and towing safety. Notice of these meetings is given under the Federal Advisory Committee Act, 5 U.S.C. App. 2 (Pub. L. 92-463, 86 Stat. 770, as amended). The subject proposed rulemakings are available on the Internet at <http://dms.dot.gov> under the docket numbers 24191 (TSA TWIC), 24196 (USCG TWIC), and 24371 (USCG MMC). Once on the DMS Web site, click "simple search" and enter the appropriate number.

#### Tentative Agenda

- Welcome and Opening Remarks—TSAC Chairman.
- Discussion, presentation and voting of the Committee's comments to the Coast Guard on the Transportation Security Administration's (TSA) Transportation Worker's Identification Credential (TWIC) proposed rules and on the Coast Guard's Merchant Mariner Credential (MMC) proposed rule.
- Public comment period (as time permits).
- Meeting adjourned—1430.

#### Procedural

This meeting is open to the public. Please note that the meeting may adjourn early if all business is finished. At the Chair's discretion, members of the public may make oral presentations during the meeting. If you would like to make an oral presentation at the meeting, please notify Mr. Miente no later than July 5, 2006.

#### Information on Services for Individuals With Disabilities

For information on facilities or services for individuals with disabilities or to request special assistance at the meetings, contact Mr. Miente as soon as possible.

Dated: June 19, 2006.

#### Howard L. Hime,

*Acting Director of Standards, Marine Safety Security & Environmental Protection.*

[FR Doc. E6-10063 Filed 6-26-06; 8:45 am]

**BILLING CODE 4910-15-P**

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4922-N-18]

### Privacy Act of 1974; Notice of Matching Program: Matching Tenant Data in Assisted Housing Programs

**AGENCY:** Office of the Chief Information Officer, HUD.

**ACTION:** Notice of a computer matching program between the Department of Housing and Urban Development (HUD) and the Department of Homeland Security, Federal Emergency Management Agency (FEMA).

**SUMMARY:** Pursuant to the Computer Matching and Privacy Protection Act of 1988, as amended, and the Office of Management and Budget's (OMB) Guidance on the statute, HUD is announcing a new matching program involving comparisons between income data provided by applicants or participants in HUD's assisted housing programs and applicants for FEMA disaster assistance. The matching program will be carried out to detect inappropriate (excessive or insufficient) housing assistance under the National Housing Act, the United States Housing Act of 1937, section 101 of the Housing and Community Development Act of 1965, the Native American Housing Assistance and Self-Determination Act of 1996, and the Quality Housing and Work Responsibility Act of 1998.

The matching program will be accomplished by comparing income, family size, family address, family identity, and benefit data for individuals participating in HUD's assisted housing programs and subsidized multifamily housing programs with disaster emergency assistance data maintained by FEMA in its systems of records known as Disaster Assistance Recovery Files (FEMA/REG-2), last published at 69 FR 65615 (November 15, 2004). Specifically, HUD will compare the FEMA identity, income, family size, and benefit data to tenant-reported data included in HUD's system of records known as: (1) the Tenant Housing Assistance and Contract Verification Data (HUD/H-11), last published at 62 FR 11909 (March 13, 1997); and (2) the Public and Indian Housing Information Center (HUD/PIH-4), last published at 67 FR 20986 (April 29, 2002). The tenant comparisons will identify, based on criteria established by HUD, tenants whose incomes, family size, address, or benefit levels, etc. that require further verification to determine if the tenants received appropriate levels of rental assistance. The program also provides for the verification of the matching

results and the initiation of appropriate administrative or legal actions.

**DATES:** *Effective Date:* Computer matching is expected to begin July 27, 2006 unless comments are received which will result in a contrary determination, or 40 days after a copy of the underlying matching agreement is signed, approved by HUD and FEMA Data Integrity Boards, and sent to both Houses of Congress, whichever is later.

*Comments Due Date:* July 27, 2006.

**ADDRESSES:** Interested persons are invited to submit comments regarding this notice to the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-0500. Communications should refer to the above docket number and title. Facsimile (FAX) comments are not acceptable. A copy of each communication submitted will be available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the above address.

**FOR FURTHER INFORMATION CONTACT:** *For Privacy Act:* Jeanette Smith, Departmental Privacy Act Officer, Room P8001, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, telephone number (202) 708-2374. A telecommunications device for hearing- and speech-impaired individuals (TTY) is available at 1-800-877-8339 (Federal Information Relay Service).

*For further information from recipient agency:* Bryan Saddler, Counsel to the Inspector General, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 8260, Washington, DC 20410, (202) 708-1613.

**SUPPLEMENTARY INFORMATION:** The Computer Matching and Privacy Protection Act (CMPPA) of 1988, an amendment to the Privacy Act of 1974 (5 U.S.C. 552a), OMB's guidance on this statute entitled "Final Guidance Interpreting the Provisions of Public Law 100-503, the CMPPA of 1988" (OMB Guidance), and OMB Circular No. A-130 requires publication of notices of computer matching programs. Appendix I to OMB's Revision of Circular No. A-130, "Transmittal Memorandum No. 4, Management of Federal Information Resources," prescribes Federal agency responsibilities for maintaining records about individuals. In compliance with the CMPPA and Appendix I to OMB Circular No. A-130, copies of this notice are being provided to the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and

OMB's Office of Information and Regulatory Affairs.

### I. Authority

This matching program is being conducted pursuant to the Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (Pub. L. 109-148); section 3003 of the Omnibus Budget Reconciliation Act of 1993 (Pub. L. 103-66); section 542(b) of the 1998 Appropriations Act (Pub. L. 105-65); section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 3544); section 165 of the Housing and Community Development Act of 1987 (42 U.S.C. 3543); the National Housing Act (12 U.S.C. 1701-1750g); the United States Housing Act of 1937 (42 U.S.C. 1437-1437z); section 101 of the Housing and Community Development Act of 1965 (12 U.S.C. 1701s); the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 *et seq.*); the Quality Housing and Work Responsibility Act of 1998 (42 U.S.C. 1437a(f)); the Inspector General Act of 1978 (5 U.S.C. App. 3); Computer Matching and Privacy Protection Act of 1988 (Pub. Law 100-53); and 65 FR 24732 and 64 FR 54930.

Chapter 9, Title I, of the Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, requires HUD to provide Tenant-Based Rental Assistance only for tenants who received housing assistance prior to the hurricanes and to "those which were homeless or in emergency shelters in the declared disaster area prior to Hurricanes Katrina or Rita." It also requires, with respect to Community Development Fund assistance, that HUD establish procedures to prevent recipients from receiving any duplication of benefits.

Section 3003 of the Budget Reconciliation Act authorizes HUD to require applicants and participants in assisted housing programs to sign a consent form authorizing the Secretary of HUD to request that the Commissioner of Social Security and the Secretary of the Treasury release the Federal tax information. The final rule regarding participants' consent to the release of information was published by HUD in the **Federal Register** on March 20, 1995 (61 FR 11112).

The Stewart B. McKinney Homeless Assistance Amendments Act of 1988 authorizes HUD and Public Housing Agencies (but not private owners/management agents for subsidized multifamily projects (hereafter collectively referred to as "POAs")) to

request wage and claim information from State Wage Information Collection Agencies (SWICAs) responsible for administering State unemployment laws in order to undertake computer matching. This Act authorizes HUD to require applicants and participants to sign a consent form authorizing HUD or the POA to request wage and claim information from the SWICAs.

The Housing and Community Development Act of 1987 authorizes HUD to require applicants and participants (as well as members of their household six years of age and older) in HUD-administered programs involving rental assistance to disclose to HUD their SSNs as a condition of initial or continuing eligibility for participation in the programs.

The Quality Housing and Work Responsibility Act of 1998 (QHWRA), section 508(d), 42 U.S.C. 1437a(f) authorizes the Secretary of HUD to require disclosure by the tenant to the public housing agency of income information received by the tenant from HUD as part of income verification procedures of HUD. The QHWRA was amended by Public Law 106-74, which extended the disclosure requirements to participants in Section 8, Section 202, and Section 811 assistance programs. The participants are required to disclose the HUD-provided income information to owners responsible for determining the participants' eligibility or level of benefits.

The Inspector General Act authorizes the HUD Inspector General to undertake programs to detect and prevent fraud and abuse in all HUD programs.

The FEMA, pursuant to section 312 of the Stafford Act, 42 U.S.C. 5155, must assure that no person or entity receiving disaster assistance receives assistance "with respect to any part of such loss as to which he has received financial assistance under any other program or from insurance or any other source."

### II. Objectives To Be Met by the Matching Program

HUD's primary objective in implementing the computer matching program is to increase the availability of rental assistance to individuals who meet the requirements of the rental assistance programs. Other objectives include determining the appropriate level of rental assistance, and deterring and correcting abuse in assisted housing programs. In meeting these objectives HUD also is carrying out a responsibility under 42 U.S.C. 1437a(f) to ensure that income data provided to POAs by household members is complete and accurate, and under 42 U.S.C. 5155 to

avoid the duplication of Federal assistance payments.

HUD's various assisted housing programs, available through POAs, require that applicants meet certain income and other criteria to be eligible for rental assistance. In addition, tenants generally are required to report the amounts and sources of their income at least annually. However, under the QHWRA of 1998, public housing agencies may now offer tenants the option to pay a flat rent, or an income-based rent. Those tenants who select a flat rent will be required to recertify income at least every three years. In addition, the Changes to the Admissions and Occupancy Final Rule (65 FR 16692; March 29, 2000) specified that household composition must be recertified annually for tenants who select a flat rent or income-based rent.

The matching program identifies tenants receiving inappropriate (excessive or insufficient) rental assistance resulting from under or over-reported household income (including other Federal assistance) or composition. When excessive rental assistance amounts are identified, some tenants move out of assisted housing units; other tenants agree to repay excessive rental assistance. These actions may increase rental assistance or the number of units available to serve other beneficiaries of HUD programs. When tenants continue to be eligible for rental assistance, but at a reduced level, the tenants will be required to increase their contributions toward rent.

### III. Program Description

This computer matching program, to the extent that it involves the use of SSA, IRS or SWICA data is fully described at 69 FR 11033. With respect to FEMA data, the matching program will be accomplished by comparing income, family size, family address, family identity, and benefit data for individuals participating in HUD's assisted housing programs and subsidized multifamily housing programs with disaster emergency assistance data maintained by FEMA in its systems of records known as Disaster Assistance Recovery Files (FEMA/REG-2), last published at 69 FR 65615 (November 15, 2004). Specifically, HUD will compare the FEMA identity, income, family size, and benefit data to tenant-reported data included in HUD's system of records known as: (1) The Tenant Housing Assistance and Contract Verification Data (HUD/H-11), last published at 62 FR 11909 (March 13, 1997); and (2) the Public and Indian Housing Information Center (HUD/PIH-4), last published at 67 FR 20986 (April

29, 2002). The tenant comparisons will identify, based on criteria established by HUD, tenants whose incomes, family size, address, or benefit levels, etc., that require further verification to determine if the tenants received appropriate levels of rental assistance. The program also provides for the verification of the matching results and the initiation of appropriate administrative or legal actions.

#### A. Income Verification

Any match (*i.e.*, a "hit") will be further reviewed by HUD, the POA, or the HUD Office of Inspector General (OIG) to determine whether the income reported by tenants to the POA is correct and complies with HUD and POA requirements. Specifically, current or prior wage information and other data will be sought directly from employers.

#### B. Administrative or Legal Actions

Regarding all the matching described in this notice, HUD anticipates that POAs will take appropriate action in consultation with tenants to: (1) Resolve income disparities between tenant-reported and independent income source data, and (2) use correct income amounts in determining housing rental assistance.

POAs must compute the rent in full compliance with all applicable occupancy regulations. POAs must ensure that they use the correct income and correctly compute the rent.

The POAs may not suspend, terminate, reduce, or make a final denial of any housing assistance to any tenant as the result of information produced by this matching program until: (a) The tenant has received notice from the POA of its findings and informing the tenant of the opportunity to contest such findings and (b) either the notice period provided in applicable regulations of the program, or 30 days, whichever is later, has expired. In most cases, POAs will resolve income discrepancies in consultation with tenants.

Additionally, serious violations, which POAs, HUD Program staff, or HUD OIG verify, should be referred for full investigation and appropriate civil and/or criminal proceedings.

#### IV. Records To Be Matched

This computer matching program, to the extent that it involves the use of SSA, IRS or SWICA data is fully described at 69 FR 11033. With respect to FEMA data, the match will involve tenant records obtained directly from POAs and subsidized multifamily projects included in the Tenant Housing Assistance and Contract Verification

Data (HUD/H-11) and the Public and Indian Housing Information Center (HUD/PIH-4). These records contain information about individuals who are participants in the Federal low income and Section 8 housing assistance programs. Specifically, the tenant records include these data elements: (1) SSNs for each family member; (2) family control number to identify each tenant with a particular family; (3) Head of Household Indicator; (4) Last Name, First Name, Middle Initial, and Address for household; (5) Sex; (6) Birth Date; (7) Reported Income by source, description and amount; (8) Program Code; and (9) Recertification Date.

The FEMA will provide HUD with extract files from the FEMA/REG-2 system. The notice for this system was published at 69 FR 65615. The disclosure from FEMA/REG-2 will be made in accordance with routine use "a(1)." HUD will match the tenant records to the FEMA records on disaster assistance applicants to compare tenant reported income.

For matched employees SSNs (*i.e.*, "hits"), HUD will extract the following information from FEMA/REG-2: SSN, Date of Birth, Name, Sex, Income Information, Household Size and Composition, Address, Insurance Coverage Information, and Temporary Housing Assistance Eligibility Determinations.

#### V. Period of the Match

The computer matching program will be conducted according to an agreement between HUD and the FEMA. The computer matching agreement for the planned matches will terminate either when the purpose of the computer matching program is accomplished, or 18 months from the date the agreement is signed, whichever comes first.

The agreement may be extended for one 12-month period, with the mutual agreement of all involved parties, if the following conditions are met:

(1) Within 3 months of the expiration date, all Data Integrity Boards review the agreement, find that the program will be conducted without change, and find a continued favorable examination of benefit/cost results; and

(2) All parties certify that the program has been conducted in compliance with the agreement. The agreement may be terminated, prior to accomplishment of the computer matching purpose or 18 months from the date the agreement is signed (whichever comes first), by the mutual agreement of all involved parties within 30 days of written notice.

Dated: June 20, 2006.

**Bajinder N. Paul,**

*Deputy Chief Information Officer for IT Operations.*

[FR Doc. E6-10070 Filed 6-26-06; 8:45 am]

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4922-N-16; HUD-2006-0179]

### Privacy Act of 1974; Establishment of a New System of Records

**AGENCY:** Department of Housing and Urban Development, HUD.

**ACTION:** Notification of the Establishment of a New Privacy Act System of Records.

**SUMMARY:** Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), as amended, the Department of Housing and Urban Development HUD is giving notice that it proposes to establish a new system of records entitled: HUD Central Accounting and Program System (HUDCAPS, A-75). The information in this system will be used to monitor payments and collections from HUD employees and persons doing business with HUD.

**DATES:** *Effective Date:* This action will be effective without further notice on July 27, 2006 unless comments are received that would result in a contrary determination.

*Comments Due Date:* July 27, 2006.

**ADDRESSES:** Interested persons are invited to submit comments regarding this new system of records to the Rules Docket Clerk, Office of General Counsel, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 10276, Washington, DC 20410-0500. Communications should refer to the above docket number and title. Facsimile (FAX) comments are not acceptable. A copy of each communication submitted will be available for public inspection and copying between 8 a.m. and 5 p.m. weekdays at the above address.

**FOR FURTHER INFORMATION CONTACT:** Jeanette Smith, Departmental Privacy Act Officer, Telephone Number (202) 708-2374, or Gail B. Dise, Assistant Chief Financial Officer for Systems, Telephone Number (202) 708-0614, x3749. (These are not toll free numbers.) A telecommunications device for hearing and speech-impaired persons (TTY) is available at (800) 877-8339 (Federal Information Relay Services). (This is a toll-free number).