

requires that Federal agencies provide the Chair of the House Committee on Government Operations, the Chair of the Senate Committee on Government Affairs, and the Office of Management and Budget with notice of the matching program and computer matching agreements 40 days before operating the program.

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 4178, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, telephone number (202) 708-2374. Hearing- or speech-impaired individuals may call (202) 708-1112 (Federal Information Relay Service—TDD). *For further information from recipient agency:* David L. Decker, Director, Computer Matching Activities, Office of the Public and Indian Housing Comptroller, Room 5156, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, telephone number (202) 708-0099, TDD—(202) 708-0850; or Barbara D. Hunter, Acting Director, Planning and Procedures Division, Office of Multifamily Housing Management, Room 6180, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, telephone number (202) 708-3944, TDD—(202) 708-4594. (These telephone numbers are not toll-free.)

SUPPLEMENTARY INFORMATION: This notice supersedes a similar notice published in the **Federal Register** on December 12, 1991 (56 FR 64793).

The Computer Matching and Privacy Protection Act of 1988, as amended (5 U.S.C. 552a) (the CMPP Act), the Office of Management and Budget's (OMB's) guidance on this statute entitled "Final Guidance Interpreting the Provisions of Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988" (OMB Guidance), and OMB Circular No. A-130 require publication of notices of computer matching programs. OMB's Guidance augments the "OMB Guidelines on the

Administration of the Privacy Act of 1974" that were issued July 1, 1975. Appendix I to OMB's Revision of Circular No. A-130, "Transmittal 2, Management of Federal Information Resources," prescribes Federal agency responsibilities for maintaining records about individuals. In accordance with the CMPP Act and Appendix I to OMB Circular No. A-130, copies of this notice are being provided to the Committee on Government Operations 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 sections 3003 and 13403 of the Omnibus Budget Reconciliation Act of 1993 (Pub. L. 103-66, approved August 10, 1993); 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. 1437-1437o); and section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s).

The Omnibus Budget Reconciliation Act of 1993 (Budget Reconciliation Act) authorizes HUD to request from the Social Security Administration (SSA) and the Internal Revenue Service (IRS) return information as prescribed in section 6103(l)(7) of title 26 of the United States Code (Internal Revenue Code). The Budget Reconciliation Act limits HUD's access to tax return data and prohibits HUD's redisclosure of tax return data to public housing agencies and Indian housing authorities (collectively referred to as HAs), and private owners/management agents for subsidized multifamily projects. However, it allows HUD to disclose the fact that discrepancies exist between information provided by the tenant and other sources, and to request reverification of income in light of the tenant's uncertain eligibility for, or level of, benefits.

The Budget Reconciliation Act requires that applicants and participants in assisted housing programs 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 return information. A final rule regarding participants' consent to the release of information was published by HUD in the **Federal Register** on March 20, 1995 (60 FR 14632).

The Stewart B. McKinney Homeless Assistance Amendments Act of 1988 authorizes HUD and HAs (but not private owners/management agents for subsidized multifamily projects) 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 HA 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 households six years of age and older) in HUD-administered programs involving rental assistance to disclose to HUD their social security numbers (SSNs) as a condition of initial or continuing eligibility for participation in the programs.

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 housing assistance to individuals who meet the requirements of the housing assistance programs. Other objectives include identifying and recouping excessive housing assistance received by tenants, and deterring future abuses of assisted housing programs.

HUD's various assisted housing programs, available through HAs or subsidized multifamily project owners/management agents, require that applicants meet certain income and other criteria to be eligible for housing assistance. In addition, tenants are required to report the amount and sources of their income on at least an annual basis. The matching program will identify tenants receiving excessive housing assistance resulting from unreported or underreported family income. When the excessive housing assistance is identified, these tenants frequently move out of assisted housing units, increasing funds or units available to serve the intended beneficiaries of HUD programs. Further, program administrators may collect excessive housing assistance from those tenants. Some tenants may continue to receive housing assistance but will be required to increase their contributions toward rent, and to re-pay excessive housing assistance.

III. Program Description

In this computer matching program, tenant-provided information included