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DEPARTMENT OF AGRICULTURE

Office of the Secretary

Privacy Act of 1974: Notice of a Computer Matching Program for Federal Salary Offset

AGENCY: Farm Service Agency (FSA); Risk Management Agency, formerly the Federal Crop Insurance Corporation (FCIC); Farm Service Agency/Commodity Credit Corporation (FSA/CCC); and Office of the Chief Financial Officer (OCFO)/National Finance Center, formerly the Office of Finance and Management/National Finance Center (OFM/NFC). These agencies of the United States Department of Agriculture throughout this notice are referred to collectively as "USDA".

ACTION: Notice of computer matching program between United States Department of Agriculture (USDA) and the United States Postal Service (USPS).

SUMMARY: USDA is giving notice that it intends to conduct a computer matching program with the USPS to identify USPS employees who owe certain types of delinquent debts to the United States Government under various programs administered by the above USDA agencies because of loans, fees, overpayments, or entitlements.

DATES: Comments must be received March 18, 1999, to be considered. Unless comments are received which result in a contrary determination, the matching program covered by this Notice will begin no sooner than March 29, 1999.

ADDRESSES: Comments should be addressed to Richard M. Guyer, Director of the Fiscal Policy Division, USDA/OCFO, 1400 Independence Avenue, SW, Room 5411, South Building, Washington, DC 20250, telephone (202) 690-0291.

SUPPLEMENTARY INFORMATION: Pursuant to a subsection (o) of the Privacy Act of 1974, as amended, (5 U.S.C. 552a),

USDA and USPS have concluded an agreement to conduct a computer matching program. The purpose of the match is to exchange personal data between the agencies for collection of delinquent debts from defaulters of obligations held by USDA. The match will yield the identity and location of the debtors who are also employees of USPS so that USDA can pursue recoupment of the debts by voluntary payment or by salary offset procedure. Computer matching appears to be the most efficient and effective manner to accomplish this task with the least amount of intrusion into the personal privacy of the individuals concerned.

A copy of the computer matching agreement between USDA and USPS is available to the public upon request. Requests should be submitted to the Debt Collection Coordinator, USDA, 1400 Independence Avenue, SW, Room 5411, South Building, Washington, DC 20250. This notice is being published as required by section (e)(12) of the Privacy Act of 1994 (5 U.S.C. 552a(e)(12)), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503).

The following information is provided as required by paragraph 5b of Appendix I to Office of Management and Budget Circular A-130, revised.

1. *Participating agencies:* The recipient agency is USPS. The source agency is USDA.

2. *Beginning and ending dates:* The matching program will continue in effect no longer than 18 months. If within three months of the expiration date, the Data Integrity Boards of both USDA and the USPS find that the matching program can be conducted without change and both USDA and the USPS certify that the matching program has been conducted in compliance with the matching agreement, the matching program may be extended for one additional year.

3. *Purpose of the match:* The purpose of the match is to identify and locate USPS employees receiving any Federal salary or benefit payments who are delinquent in their repayment of debts owed to the United States government under the programs administered by the USDA, in order to permit the USDA to pursue and collect the debt by voluntary repayments or salary offset procedures.

The names of USPS employees identified through the matching

program will be removed from lists of delinquent debts being referred to the Internal Revenue Service (IRS) for collection from Federal income tax refunds. This action is required to conform to an IRS requirement for the Income Tax Refund Offset Program.

4. *Description of the match:* The subject matching program will involve several steps. USDA will provide USPS one or more magnetic computer tapes of claims submitted by USDA agencies. By computer, USPS will compare that information with its payroll file, establishing matched individuals on the basis of Social Security Numbers (SSN's). For each matched individual, USPS will provide to USDA the individual's name, SSN, home address, work location and information concerning the individual's employment status as permanent or temporary. The respective agencies will verify identity and debtor status of the matched individuals by manually comparing the list of matched individuals to their records of the debts, by conducting independent inquiries when necessary to resolve questionable identities, and by verifying that the debt is still delinquent.

Besides verifying debtor identity and the status of the debt, before USDA taking any steps to effect involuntarily offset of USPS employee salaries, USDA agencies will give debtors a 30-day written notice stating the amount of the debt and that the debtor may repay it voluntarily. Debts not repaid voluntarily will be referred to USPS for involuntary salary offset. Individuals verified as owing delinquent debts to USDA will be afforded all applicable due process rights contained in the Debt Collection Act.

5. *Legal authorities:* This matching program will be conducted under the following authorities:

(a) The Debt Collection Act of 1982 (5 U.S.C. 5514), which gives Federal agencies the authority to offset the salaries of Federal and USPS employees who are delinquent on debts owed to the Federal Government;

(b) Office of Personnel Management (OPM) regulations, 5 CFR part 550, subpart K (Collection by Offset from Indebted Government Employees), §§ 550.1101-1108, which set the standards for Federal agency rules implementing the Debt Collection Act; and

(c) USDA regulations at 7 CFR part 3, subpart C, which implement 5 U.S.C. 5514 and OPM regulations, authorizing USDA agencies to issue regulations governing debt collection by salary offset (7 CFR 3.68).

6. *Categories of individuals involved:* Delinquent debtors who have received benefits from USDA program agencies.

7. *Systems of Records and Estimation of Number of Records Involved:* (a) The USPS will provide extracts from its Privacy Act System of Records USPS 050.020, Finance Records-Payroll System, containing payroll records on approximately 800,000 current USPS employees. Disclosure will be made under routine use 24 of that system, a full description of which was last published in 57 FR 57515, dated December 4, 1992.

(b) The USDA will provide extracts from its (1) Applicant/Borrower or Grantee File (USDA/FSA-14), containing records on approximately 762,000 debtors (approximately 88,000 of the 762,000 records will be sent for the match), a full description of which was last published in the **Federal Register** at 62 FR 5568 on February 6, 1997 (routine use number 9); (2) Accounts Receivable (USDA/FCIC-1), containing records on approximately 880 debtors (approximately 880 will be sent for the match), a full description of which was last published in the **Federal Register** at 53 FR 4047 on February 11, 1988 (routine use number 9); (3) Claims Data Base (Automated) (USDA/FSA-13), containing records on approximately 25,000 debtors, (approximately 25,000 will be sent for the match) a full description of which was last published in the **Federal Register** at 62 FR 5568 on February 6, 1997 (routine use number 9); and (4) Administrative Billings and Collections (USDA/OCFO-3), containing records on approximately 45,000 debtors (approximately 6,750 will be sent for the match) a full description of which was last published in the **Federal Register** at 54 FR 47622 on November 10, 1997 (routine use number 6).

8. *Individual notice and opportunity to contest:* USDA will provide to matched individuals due process consisting of USDA's verification of debt; 30-day written notice to the debtor explaining the debtor's rights; provision for debtor to examine and copy of the USDA's documentation of the debt; provision for debtor to seek USDA's review of the debt and opportunity for the individual to enter into a written agreement satisfactory to USDA for repayment. Prior to use of the salary offset provision, an individual will be afforded the opportunity for a hearing

concerning the amount or existence of the debt or the offset repayment schedule. The hearing will be before an individual not under the supervision or control of the Secretary, USDA. Unless the individual notifies USDA otherwise within 30 days from the date of the notice, USDA will conclude that the data provided to the individual is correct and will take the necessary action to recoup the debt.

9. *Inclusive date of the matching program:* This computer matching program is subject to review by the Office of Management and Budget (OMB) 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 having been received that would result in a contrary determination, then this computer matching program becomes effective and the respective agencies may begin the exchange of data on the later of 30 days after the date of this published notice or 40 days after notice to OMB and Congress, at a mutually agreeable time. Exchange of data will be repeated on an annual basis, unless OMB or the Treasury Department requests a match twice a year. Under no circumstances will the matching program be implemented before the respective 30- and 40-day notice periods have elapsed, as this time period cannot be waived. By agreement between USDA and USPS, the matching program will be in effect and continue for 18 months with an option to renew for 12 additional months. The matching program may be terminated by written notification from either participating agency to the other.

Signed at Washington, DC, on February 4, 1999.

Dan Glickman,

Secretary of Agriculture.

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DEPARTMENT OF AGRICULTURE

Farm Service Agency

Notice of Request for Extension and Revision of a Currently Approved Information Collection

AGENCY: Office of Outreach and Farm Service Agency, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act, this notice announces the intention of the Office of Outreach and Farm Service Agency to

request an extension for and revision to a currently approved information collection for the Small Farmer Outreach Training and Technical Assistance Program and the Outreach for Socially Disadvantaged Farmers and Ranchers Program. The Office of Outreach will use the information collection to determine eligibility of each applicant and to ensure that program requirements are met.

DATES: Comments on this notice must be received on or before April 19, 1999.

ADDITIONAL INFORMATION OR COMMENTS: Contact Geraldine Herring, Department of Agriculture, Office of Outreach, Room 4929-S, STOP 6201, 1400 Independence Avenue, SW, Washington, D.C. 20250-6201; telephone (202) 720-1637 and FAX: (202) 720-4995.

SUPPLEMENTARY INFORMATION:

Title: Small Farmer Outreach, Training, and Technical Assistance
OMB Control Number: 0560-0163
Expiration Date of Approval: December 31, 1998

Type of Request: Extension and revision of a currently approved information collection.

Abstract: Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990, (7 U.S.C. 2279) established the "Small Farmer Outreach Training and Technical Assistance Program," and the "Outreach and Assistance for Socially Disadvantaged Farmers and Ranchers Program." This act provides the Office of Outreach with the authority to make grants and enter into contracts, and other agreements with entities to provide outreach, training, and technical assistance. The programs are to encourage and assist small, limited resource and economically/socially disadvantaged farmers and ranchers to own and operate farms and ranches; and to increase their participation and accessibility to agricultural programs.

Grants are awarded to community-based organizations that have demonstrated experience in providing agricultural education or other agriculturally related services to small, limited resource, economically/socially disadvantaged farmers and ranchers. Recipients must have documentary evidence of their past experiences in working with targeted participants during the 2 year period preceding their application for a grant or contract. To be identified as being a responsible grantee or contractor, an applicant must provide documentation of having adequate financial resources, the ability to comply with project completion dates, show that adequate financial management and accounting systems