

Maryland-Virginia boundary as those boundaries are formed along the Southern bank of the Potomac River; thence Easterly along the Maryland-Virginia boundary as it proceeds across the Chesapeake Bay, Tangier and Pocomoke Sounds, Pocomoke River, and Delmarva Peninsula to a Point West of the Atlantic Coast on the Maryland-Virginia boundary at a point 75° 30.0' W. longitude on the Maryland-Virginia boundary; thence Northerly to a point 75° 30.0' W. longitude on the Delaware-Maryland boundary." A chart that depicts this area can be found on the Fifth District Web page at http://www.uscg.mil/d5/D5_Units/Sectors.htm.

The Sector Baltimore Commander is vested with all the rights, responsibilities, duties, and authority of a Group/Activities Commander and Commanding Officer, Marine Safety Office, as provided for in Coast Guard regulations, and is the successor in command to the Commanding Officer, Activities Baltimore. The Sector Baltimore Commander is designated: (a) Captain of the Port (COTP) for the Baltimore COTP zone; (b) Federal Maritime Security Coordinator (FMSC); (c) Federal On Scene Coordinator (FOSC) for the Baltimore COTP zone, consistent with the National Contingency Plan; (d) Officer In Charge of Marine Inspection (OCMI) for the Baltimore Marine Inspection Zone and, (e) Search and Rescue Mission Coordinator (SMC). The Deputy Sector Commander is designated alternate COTP, FMSC, FOSC, SMC and Acting OCMI. A continuity of operations order has been issued ensuring that all previous Activities Baltimore practices and procedures will remain in effect until superseded by Commander, Sector Baltimore. This continuity of operations order addresses existing COTP regulations, orders, directives and policies.

The following information is a list of updated command titles, addresses and points of contact to facilitate requests from the public and assist with entry into security or safety zones:

Name: Sector Baltimore.

Address: Commander, U.S. Coast Guard Sector Baltimore, 2401 Hawkins Point Road, Bldg. 70, Baltimore, MD 21226-1791.

Contact: General Number, (410) 576-2561, Sector Commander: CAPT C. Springer; Deputy Sector Commander: CDR J. Burton.

Chief, Prevention Department: (410) 576-2586, Chief, Response Department: (410) 576-2525, Chief, Logistics Department: (410) 576-2546.

Dated: January 18, 2005.

Sally Brice-O'Hara,

Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4922-N-06]

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 United States Postal Service (USPS).

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 updating its notice of a matching program involving comparisons between income data provided by applicants or participants in HUD's assisted housing programs and independent sources of income information. 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 program provides for the verification of the matching results and the initiation of appropriate administrative or legal actions.

This notice supplements the overview of computer matching for HUD's assisted housing programs published in the **Federal Register** on March 9, 2004 (69 FR 11033) and the **Federal Register** notice dated October 25, 2004 (69 FR 62281). The March notice describes HUD's program for computer matching of its tenant data to: (a) The Social Security Administration's (SSA's) earned income and the Internal Revenue Service's (IRS's) unearned income data, (b) SSA's wage, social security, supplemental security income and special veterans benefits data, and (c) State Wage Information Collection Agencies' (SWICAs') wage and unemployment benefit claim

information. The **Federal Register** Notice published on October 25, 2004 (69 FR 62281) described HUD's program for computer matching of its tenant data with the Office of Personnel Management, specifically its employee and retiree databases. This notice describes HUD's program for computer matching of its tenant data to the payroll records of the United States Postal Service.

DATES: *Effective Date:* Computer matching is expected to begin on February 28, 2005, unless comments are received which will result in a contrary determination, or 40 days from the date a computer matching agreement is signed, whichever is later.

Comments Due Date: February 28, 2005.

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 8 a.m. and 5 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 20410-3000, 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 and Oversight 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 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.*); and 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); and 39 U.S.C. sec. 404.

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 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 social security numbers (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.

Section 404 of Title 39, United States Code, gives the USPS the power to investigate postal offenses and civil matters relating to the Postal Service. It is USPS policy that each employee will not engage in criminal, dishonest, disgraceful, or immoral activity, or other conduct prejudicial to the Postal Service. The USPS also expects that each employee will pay every just financial obligation in a proper and timely manner. The obtainment of benefits by misrepresentation or failure to pay just debts owed is considered unacceptable conduct for a Postal Service employee.

The USPS's disclosure of income data on current and retired federal employees is authorized by subsection (b)(3) of the Privacy Act of 1974, 5 U.S.C. 552a(b)(3). The disclosures from the USPS 050.020 system of records will be made pursuant to routine use "20". ((USPS 050.020, Finance Records-Payroll System), last published on February 23, 1999, 64 FR 8876, and last published fully on October 26, 1989, 54 FR 43652). The routine uses permit disclosure to agencies to help eliminate fraud and abuse in federal benefits 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 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. 1437f(k) to ensure that income data provided to POAs by household members is complete and accurate.

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 (March 29, 2000, 65 FR 16692;) specified that household composition must be recertified annually for tenants who select a flat rent and/or income-based rent.

The matching program identifies tenants receiving inappropriate (excessive or insufficient) rental assistance resulting from under or over-reported household income. 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 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, March 9, 2004. With respect to OPM data, the computer matching program is described at 69 FR 62281, October 25, 2004. The objectives of this matching program will be accomplished by comparing income data for individuals participating in HUD's assisted housing programs and subsidized multifamily housing programs with wage, benefit, and salary data maintained by USPS in its systems of records known as the 050.020, Finance Records-Payroll System. This system of records was last amended and published at 64 FR 8876, February 23, 1999, and last published fully at 54 FR 43652, October 26, 1989. The routine uses permit disclosure to agencies to help improve the integrity of the federal benefits programs and prevent overpayment, in sum, to eliminate fraud and abuse in federal benefits programs. The common identifier that we will use is the tenant's and employee's social security number. Using that identifier, HUD and the USPS will compare the USPS payroll data to tenant-reported income data included in HUD's systems of records known as the Tenant Assistance and Contract Verification Data (HUD/H-11) and the Public and Indian Housing Information Center (HUD/PIH-4). The notices for these systems were

published at 65 FR 52777, August 30, 2000 and 67 FR 20986, April 29, 2002 respectively. The tenant income comparisons identify, based on criteria established by HUD, tenants whose incomes require further verification to determine if the tenants received appropriate levels of rental assistance.

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, March 9, 2004. With respect to OPM data, the program is described at 69 FR 62281, October 25, 2004. The match under this notice, between the HUD/H-11 and HUD/PIH-4 data and USPS 050.020 data, will involve tenant records obtained directly from POAs and subsidized multifamily projects

included in HUD/H-11, Tenant Assistance and Contract Verification Data and HUD/PIH-4, Public and Indian Housing Information Center Files. These records contain information about individuals who are participants in the federal low income and Section 8 housing assistance programs. The USPS will provide HUD with data from the USPS 050.020 payroll system of records. These records include current and former employees.

The tenant records (one record for each family member) includes 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. For matched employee SSNs (*i.e.*, “hits”), USPS will provide HUD with the following information from USPS 050.020 records, name, SSN, Date of Birth, home address, employment status, the amount of Annual Salary. In addition, HUD will use the Submitting Office Number (SON) Master File to obtain the address of the agencies so that employer verification letters can be sent to such agencies. This information includes: SON, Agency Code and sub-element, SON name and address, zip code, and File Date.

V. Period of the Match

The computer matching program will be conducted according to agreements between HUD and the SSA, IRS, OPM, SWICA, and the USPS. The computer matching agreements 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 agreements 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: January 10, 2005.

Darlene F. Williams,

Chief Information Officer.

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

Invasive Species Advisory Committee

AGENCY: Office of the Secretary, Interior.

ACTION: Notice of public meetings of the Invasive Species Advisory Committee.

SUMMARY: Pursuant to the provisions of the Federal Advisory Committee Act, notice is hereby given of meetings of the Invasive Species Advisory Committee. The purpose of the Advisory Committee is to provide advice to the National Invasive Species Council, as authorized by Executive Order 13112, on a broad array of issues related to preventing the introduction of invasive species and providing for their control and minimizing the economic, ecological, and human health impacts that invasive species cause. The Council is co-chaired by the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce. The duty of the Council is to provide national leadership regarding invasive species issues. The purpose of a meeting on February 16-18, 2005, is to convene the full Advisory Committee; and to discuss implementation of action items outlined in the National Invasive Species Management Plan, which was finalized on January 18, 2001.

DATES: Meeting of Invasive Species Advisory Committee: Wednesday, February 16, 2005, through Friday, February 18, 2005; beginning at 8 a.m. each day.

ADDRESSES: Hilton Washington—Silver Spring Hotel, 8727 Colesville Road, Silver Spring, Maryland 20910. Meeting will be held all three days in the Maryland Ball Room.

FOR FURTHER INFORMATION CONTACT: Kelsey Brantley, National Invasive Species Council Program Analyst; Phone: (202) 513-7243; Fax: (202) 371-1751.

Dated: January 21, 2005.

Christopher P. Dionigi,

Domestic Assistant Director, National Invasive Species Council.

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