

services. The decision and steps taken to implement it in DoD's personal property program relate to public contracts and are exempt from the Regulatory Flexibility Act, 5 U.S.C. 601-612. This policy decision to implement a single distance calculation source for procurement purposes is not considered rule making within the meaning of the Administrative Procedure Act or the Regulatory Flexibility Act.

Mary V. Yonts,

Alternate Army Federal Register Liaison Officer.

[FR Doc. 98-31950 Filed 11-30-98; 8:45 am]

BILLING CODE 3710-08-P

DEPARTMENT OF DEFENSE

Department of the Army

Proposed Implementation of the Defense Table of Official Distances (DTOD) for Passenger Transportation and Travel Services

AGENCY: Military Traffic Management Command, DoD.

ACTION: Final Notice (Policy Statement).

SUMMARY: The Department of Defense (DoD) has decided as a matter of procurement policy and internal agency procedure to change the distance calculation source used for payment under DoD passenger transportation and travel entitlement programs. Beginning on the effective date, the DoD will use the Department of Defense Table of Distances (DTOD) for computing highway distances traveled by the DoD personnel in connection with temporary duty (TDY) or to permanent change of station (PCS). The DTOD will also be used with the Groups Operational Passenger System (GOPAX) in situations where mileage is used as the basis for payment of commercial transportation services. Carriers and passenger service providers participating in the DoD passenger transportation and travel services programs must agree to be bound by the DTOD distance calculations for payment and audit purposes in all procurements using mileage-based rates. This policy decision is in furtherance of DoD's goal to use a single integrated, electronic distance calculation source for its passenger, freight and personal property programs.

EFFECTIVE DATE: 1 June 1999.

FOR FURTHER INFORMATION CONTACT: Ms. Beverly Cox, Headquarters, Military Traffic Management Command, ATTN: MTOP-TC, Room 621, 5611 Columbia Pike, Falls Church, VA 22041-5050;

Telephone (703) 681-9444; telefax (703) 681-3265.

SUPPLEMENTARY INFORMATION:

a. Background

In furtherance of DoD's goal of making its transportation programs, including passenger transportation and travel entitlement, more economical and efficient, the DoD Comptroller tasked MTMC to find a commercially available, integrated, automated distance calculation source capable of supporting all DoD's transportation and travel related requirements. After an extensive proof of concept and market analysis phase, MTMC contracted for delivery and installation of a commercial-off-the-shelf distance calculation system adaptable to DoD's global transportation and travel environment. The DTOD, commercially known as PC*MILER by ALK Associates, Inc., will become the DoD standard, automated source for surface vehicular distance information worldwide. A notice of proposed implementation of DTOD in DoD passenger transportation and travel entitlement programs was published in the **Federal Register**, Vol. 63, No. 130, pages 36886-36887, Wednesday, July 8, 1998. In response to this notice, two comments were submitted and were carefully considered in the decision to implement this policy change. Concerns raised by the comments include:

Concern: The use of "truck safe" or practical mileage to determine mileage calculation for personal travel will result in systematic overpayment.

Response: "Truck safe" and practical mileage considers the use of the interstate highway system and other heavily traveled routes. DoD travelers generally use these routes and are entitled to reimbursement for mileage traveled.

Concern: DTOD will significantly impact passenger carriers.

Response: Nearly all DoD passenger movements using commercial transportation service providers are procured on a point-to-point or seat-mile basis. Mileage sources are not used in the payment and audit process. Commercial passenger transportation providers submitted no comments describing significant operational impact resulting from DTOD implementation.

Concern: The DTOD product lacks version control and flexible delivery systems.

Response: The DoD is confident that DTOD includes management controls and delivery systems well suited to the DoD and commercial user movement.

Concern: DTOD creates a DoD unique system and is contrary to commercial practice.

Response: DTOD is based on ALK's PC*MILER which is a well-established and widely used commercial product. DTOD will be accessible through the internet, as well as in mainframe, personal, computer network or CD-ROM stand-alone versions.

Concern: DTOD will require costly, complicated and risky program transitions.

Response: The impact of transition to DTOD will be minimal. Passenger transportation service providers who contract on a mileage-based rate basis will be able to access PC*MILER on the worldwide web for a fee of \$375 for 500 look-ups. The cost to the DoD in transitioning to DTOD will be more than offset by the economies and efficiencies of using, maintaining and training on a standard, integrated distance calculation product.

Concern: MTMC did not do an initial regulatory flexibility analysis as required under the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612.

Response: MTMC is a procurement activity rather than a regulatory agency. The decision to implement DTOD in DoD's passenger transportation acquisition program is a policy decision relating to public contracts and agency personnel entitlements and is not "rulemaking" within the meaning of the Administrative Procedures Act, 5 U.S.C. 552 et seq., and is exempt from its procedural rules. Implementation of DTOD in DoD's travel and travel entitlement programs involves matters of internal agency procedure, namely the distance basis for paying DoD personnel for travel expenses related to temporary duty (TDY) and permanent change of station (PCS), and is also not considered rulemaking.

b. Regulatory Flexibility Act

Implementation of this policy change in DoD passenger transportation and travel entitlement programs involves public contracts and DoD personnel entitlements and is designed to standardize distance calculation in the payment and audit process. This change is not considered rule making within the meaning of the Administrative Procedures Act or the Regulatory Flexibility Act, 5 U.S.C. 601-612.

c. Paperwork Reduction Act

The Paperwork Reduction Act, 44 U.S.C. 3051 et seq., does not apply because no information collection, reporting or records keeping

responsibilities are imposed on offerors, contractors, or members of the public.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 98-31951 Filed 11-30-98; 8:45 am]

BILLING CODE 3710-08-P

DEPARTMENT OF DEFENSE

Defense Logistics Agency

Privacy Act of 1974; Computer Matching Program

AGENCY: Defense Manpower Data Center, Defense Logistics Agency, DoD.
ACTION: Notice of a Computer Matching Program.

SUMMARY: Subsection (e)(12) of the Privacy Act of 1974, as amended (5 U.S.C. 552a), requires agencies to publish advanced notice of any proposed or revised computer matching program by the matching agency for public comment. The DoD, as the matching agency under the Privacy Act is hereby giving notice to the record subjects of a computer matching program between VA and DoD that their records are being matched by computer. The purpose of this agreement is to obtain an accurate reconciliation between DoD/USCG and VA as to the correct pay and allowances to be paid by the military services to the individual for duty performed and the proper disability compensation or pension to be paid to, or waived by, certain veterans in the Reserve Forces.

DATES: This proposed action will become effective December 31, 1998, and matching may commence unless changes to the matching program are required due to public comments or by Congressional or by Office of Management and Budget objections. Any public comment must be received before the effective date.

ADDRESSES: Any interested party may submit written comments to the Director, Defense Privacy Office, 1941 Jefferson Davis Highway, Suite 920, Arlington, VA 22202-4502.

FOR FURTHER INFORMATION CONTACT: Mr. Vahan Moushegian, Jr. at (703) 607-2943.

SUPPLEMENTARY INFORMATION: Pursuant to subsection (o) of the Privacy Act of 1974, as amended, (5 U.S.C. 552a), the DMDC and VA have concluded an agreement to conduct a computer matching program. The purpose of this agreement is to obtain an accurate reconciliation between the DoD/USCG and VA as to the correct pay and allowances to be paid by the military services to the individual for duty

performed and the proper disability compensation or pension to be paid to, or waived by, certain veterans in the Reserve Forces.

The parties to this agreement have determined that a computer matching program is the most efficient, expeditious, and effective means of obtaining and processing the information needed by the DVA to identify those individuals who are receiving both VA compensation and DoD/USCG payments for those periods when they are performing Reserve Duty. By law, the individual must waive his or her entitlement to VA disability compensation or pension if he or she desires to receive DoD/USCG pay and allowances for the period of duty performed. This matching agreement will result in an accurate reconciliation of such payments by permitting the VA to determine which individuals are being paid by DoD/USCG for duty performed and are being paid VA disability compensation or pension benefits for the same period of time without a waiver on file with the VA. If this reconciliation is not done by computer matching, but is done manually, the cost would be prohibitive and it is possible that not all such dual payments would be detected.

A copy of the computer matching agreement between VA and DoD is available upon request. Requests should be submitted to the address caption above or to the Department of Veterans Affairs, Veterans Benefit Administration, 810 Vermont Avenue, NW, Washington, DC 20420.

Set forth below is the notice of the establishment of a computer matching program required by paragraph 6.c. of the Office of Management and Budget Guidelines on computer matching published on June 19, 1989, at 54 FR 25818.

The matching agreement, as required by 5 U.S.C. 552a(r) of the Privacy Act, and an advance copy of this notice was submitted on November 4, 1998, to the House Committee on Government Reform and Oversight, the Senate Committee on Governmental Affairs, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget pursuant to paragraph 4d of Appendix I to OMB Circular No. A-130, 'Federal Agency Responsibilities for Maintaining Records about Individuals,' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: November 16, 1998.

L. M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

NOTICE OF A COMPUTER MATCHING PROGRAM BETWEEN THE DEPARTMENT OF VETERANS AFFAIRS AND THE DEPARTMENT OF DEFENSE FOR RESERVE PAY RECONCILIATION

A. Participating agencies: Participants in this computer matching program are the Department of Veterans Affairs (VA) and the Defense Manpower Data Center (DMDC) of the Department of Defense (DoD). The VA is the source agency, i.e., the activity disclosing the records for the purpose of the match. The DMDC is the specific recipient activity or matching agency, i.e., the agency that actually performs the computer matching.

B. Purpose of the match: The purpose of this agreement is to obtain an accurate reconciliation between DoD/USCG and VA as to the correct pay and allowances to be paid by the military services to the individual for duty performed and the proper disability compensation or pension to be paid to, or waived by, certain veterans in the Reserve Forces. The agreement will not only cover current individuals receiving dual payments but those who may have received them for Fiscal Years 1993 through 1997.

C. Authority for conducting the match: The legal authority for conducting the matching program is 38 U.S.C. 5304(c) which provides that VA disability compensation or pension based upon his or her previous military service shall not be paid to a person for any period for which such person receives active service pay. 10 U.S.C. 12316 further provides that a reservist who is entitled to disability payments due to his or her earlier military service and who performs duty for which he or she is entitled to DoD/USCG compensation may elect to receive for that duty either the disability payments or, if he or she waives such payments, the DoD/USCG compensation for the duty performed.

D. Records to be matched: The systems of records maintained by the respective agencies under the Privacy Act of 1974, as amended, 5 U.S.C. 552a, from which records will be disclosed for the purpose of this computer match are as follows:

1. The VA will use 58 VA 21/22, entitled 'Compensation, Pension, and Education and Rehabilitation Records - VA' first published on March 3, 1976, at