Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Privacy Act; System of Records

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of revised Privacy Act systems of records.

SUMMARY: Notice is hereby given that the USDA proposes to revise its systems of records relating to the Rural Development Mission Area.

EFFECTIVE DATE: This notice will be adopted without further publication in the **Federal Register** on August 11, 1998. Unless modified by a subsequent notice to incorporate comments received from the public. Although the Privacy Act requires only that the portion of the system which describes the ''routine uses'' of the system be published for comment, USDA invites comment on all portions of this notice. Comments must be received by the contact person listed below on or before [insert date 30 days after date of publication in the **Federal Register**].

FOR FURTHER INFORMATION CONTACT: Dorothy Hinden, Freedom of Information Officer, Support Services Division, Rural Development, U.S. Department of Agriculture, 1400 Independence Avenue, SW, Stop 0742, Washington, DC 20250–0742; telephone (202) 720–9638.

SUPPLEMENTARY INFORMATION: Pursuant to the Privacy Act, 5 U.S.C. 552a, USDA is redesignating and revising seven systems of records and deleting two systems of records formerly maintained by the Farmers Home Administration (''FmHA''). In 1994, USDA reorganized, transferring the farm loan functions of FmHA to the Farm Service Agency (''FSA''). The revisions USDA is proposing reflect this reorganization. The following are the constituent agencies of Rural Development: (1) Rural Housing Service, (2) Rural Business-Cooperative Service, and (3) Rural Utilities Service. Specifically, USDA will delete the system designated as USDA/FmHA–3, ''Designated Attorney and Escrow Agent File'' and incorporate the records maintained in that system into USDA/Rural Development-1, ''Applicant, Borrower, Grantee, or Tenant File.'' A second system of records, USDA/FmHA–7, ''Reserved Mineral Interests'', is being deleted because the records are no longer maintained by USDA. In addition, USDA is redesignating, reorganizing, and revising systems as follows:

(1) USDA will maintain the records relating to the Rural Development Mission Area formerly maintained under the system designation ''USDA/FmHA–1, ''Applicant, Borrower, Grantee, or Tenant File'' under the new designation ''USDA/Rural Development-1, Applicant, Borrower, Grantee, or Tenant File.'' That portion of the former system pertaining to Farmer Loan Programs has already been redesignated as a separate system entitled ''USDA/FSA–14, Applicant/Borrower.'' In addition to the redesignation to reflect the reorganization of FmHA programs as Rural Development programs, USDA is amending the system to include social security or employee identification number, bank routing and account number under the heading, ''categories of records in the system.''

USDA is making the following revisions to the routine uses in the system:

(1) Routine use number 3 which permits release of names, home addresses, social security numbers, and financial information to business firms in a trade area that buy chattel or crops or sell them for commission is being deleted because it is no longer needed. It is being replaced as follows: referral of legally enforceable debts to the Department of the Treasury under the Treasury Offset Program (TOP) and the Debt Collection Improvement Act of 1996, Pub. L. 104–134. (2) Additional language is being added to routine use number 7 to provide information from this system to assist the borrower in placing the property on the market through a real estate agent. Two new routine uses have been added: (1) Routine use number 17 which provides to consumer or commercial reporting agencies information from this system indicating that an individual is responsible for a claim that is current. (2) Routine use number 18 which permits release of names, home and work addresses, home telephone numbers, social security numbers, and financial information to escrow agents (which also could include attorneys and title companies) selected by the applicant or borrower for the purpose of closing the loan.

(2) USDA is redesignating USDA/FmHA–2, ''Biographical Sketch File'' as USDA/Rural Development-2 ''Biographical Sketch File.'' This system is being amended to indicate a change in the record system location; and to indicate a change in the categories of individuals covered by the system.

(3) USDA is redesignating USDA/FmHA–5, ''Graduation File'' as USDA/Rural Development-3, ''Graduation File.'' This system is being amended to indicate a position title change and to remove the County Committee from the categories of records in the system since it is no longer needed. It is further being amended to add ''or to assist the borrower in the sale of the property'' to the routine use number 3. The purpose of this amendment is to assist the borrower in placing the property on the market through a real estate agent. Stylistic changes have been made in the three routine uses for purposes of clarification.

(4) USDA is redesignating USDA/FmHA–6, ''Housing Contractor Complaint File'' as USDA/Rural Development-4, ''Housing Contractor Complaint File.'' Stylistic changes have been made in routine uses 1 and 2.

(5) USDA/FmHA–8, ''Tort Claims File'' is being amended to indicate a change in the system designation to USDA/Rural Development-5 ''Tort Claims File.'' Rural Development has made stylistic changes in the language of the routine use.

(6) USDA/FmHA–9, ''Training File'' is being amended to indicate a change in the system designating to USDA/Rural Development-6, ''Training Files.'' This system is being amended to delete the Norman, OK site. Stylistic changes have been made in the routine use for purposes of clarification.

(7) USDA/FmHA–10, ''Travel Records'' is being amended to indicate a change in the system designation to USDA/Rural Development-7, ''Travel Records'' and to reflect that the period ''two years'' is being replaced with ''six

years'' under the retention and disposal schedule.

Changes in system locations, position titles for system managers, and addresses have been made where appropriate; and all references to Farmers Home Administration have been changed to Rural Development.

A ''Report on Revised System,'' required by 5 U.S.C. 552a(r), as implemented by Appendix III to OMB Circular A–130, was sent to the Chairman, Senate Committee on Governmental Affairs, the Chairman, House Committee on Government Reform and Oversight, and the Director, Office of Information and Regulatory Affairs, Office of Management and Budget on April 15, 1998.

Signed at Washington, D.C., on April 15, 1998.

Dan Glickman,

Secretary of Agriculture.

USDA/RURAL DEVELOPMENT-1

SYSTEM NAME:

Applicant, Borrower, Grantee, or Tenant File.

SYSTEM LOCATION:

Each Rural Development applicant's, borrower's, grantee's, or tenant's file is located in the Local, Area, or State Office through which the financial assistance is sought or was obtained; in the Centralized Service Center, St. Louis, Missouri; and in the Finance Office in St. Louis, Missouri. A State Office version of the Local or Area Office file may be located in or accessible by the State Office which is responsible for that Local or Area Office. Correspondence regarding borrowers is located in the State and National Office files.

A list of all State Offices and any additional States for which an office is responsible is as follows:

Montgomery, AL
Palmer, AK
Phoenix, AZ
Little Rock, AR
Woodland, CA
Lakewood, CO
Camden, DE–DC, MD
Gainesville, FL
Athens, GA
Hilo, HI—Western Pacific Terr.
Boise, ID
Champaign, IL
Indianapolis, IN
Des Moines, IA
Topeka, KS
Lexington, KY
Alexandria, LA
Bangor, ME
Amherst, MA–CT, RI
East Lansing, MI
St. Paul, MN
Jackson, MS
Columbia, MO
Bozeman, MT
Lincoln, NE
Carson City, NV
Mt. Holly, NJ
Albuquerque, NM
Syracuse, NY
Raleigh, NC
Bismarck, ND
Columbus, OH
Stillwater, OK
Portland, OR
Harrisburg, PA
Hato Rey, PR
Columbia, SC
Huron, SD
Nashville, TN
Temple, TX
Salt Lake City, UT
Montpelier, VT–NH, VI
Richmond, VA
Wenatchee, WA
Morgantown, WV
Stevens Point, WI
Casper, WY

The addresses of Local, Area, and State Offices are listed in the telephone directory of the appropriate city or town under the heading ''United States Government, Department of Agriculture, Rural Development,'' The Finance Office is located at 1520 Market Street, St. Louis, Missouri 63103.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Present and former Rural Development applicants, borrowers, grantees, tenants, and their respective household members, including members of associations.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system includes files containing the names of applicants, borrowers, grantees, tenants, their social security or employer identification number, bank routing and account numbers; and their respective household members' characteristics, such as gross and net income, sources of income, capital, assets and liabilities, net worth, age, race, number of dependents, marital status, reference material, farm or ranch operating plans, and property appraisal. The system also includes credit reports and personal references from credit agencies, lenders, businesses, and individuals. In addition, a running record of observation concerning the operations of the person being financed is included. A record of deposits to and withdrawals from an individual's supervised bank account is also contained in those files where appropriate. In some Local Offices, this record is maintained in a separate folder containing only information relating to activity within supervised bank accounts. Some items of information are extracted from the individual's file and placed in a card file for quick reference.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 1921 et. seq., 42 U.S.C. 1471 et seq., and 42 U.S.C. 2706.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USERS:

1. When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, State, local, or tribal, or other public authority responsible for enforcing, investigating, or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative, or prospective responsibility of the receiving entity.

2. A record from this system of records may be disclosed to a Member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the written request of the constituent about whom the record is maintained.

3. Rural Development will provide information from this system to the U.S. Department of the Treasury and to other Federal agencies maintaining debt servicing centers, in connection with overdue debts, in order to participate in the Treasury Offset Program as required by the Debt Collection Improvements Act, Pub. L. 104–134, section 31001.

4. Disclosure of the name, home address, and information concerning default on loan repayment when the default involves a security interest in tribal allotted or trust land. Pursuant to the Cranston-Gonzales National Affordable Housing Act of 1990 (42 U.S.C. 12701 et seq.,) liquidation may be pursued only after offering to transfer the account to an eligible tribal member, the tribe, or the Indian housing authority serving the tribe(s).

5. Referral of names, home addresses, social security numbers, and financial information to a collection or servicing contractor, financial institution, or a local, State, or Federal agency, when Rural Development determines such referral is appropriate for servicing or collecting the borrower's account or as provided for in contracts with servicing or collection agencies.

6. It shall be a routine use of the records in this system of records to disclose them in a proceeding before a court or adjudicative body, when: (a)

The agency or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States is a party to litigation or has an interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records is a use of the information contained in the records that is compatible with the purpose for which the agency collected the records.

7. Referral of names, home addresses, and financial information for selected borrowers to financial consultants, advisors, lending institutions, packagers, agents, and private or commercial credit sources, when Rural Development determines such referral is appropriate to encourage the borrower to refinance his Rural Development indebtedness as required by Title V of the Housing Act of 1949, as amended (42 U.S.C. 1471), or to assist the borrower in the sale of the property.

8. Referral of legally enforceable debts to the Department of the Treasury, Internal Revenue Service (IRS), to be offset against any tax refund that may become due the debtor for the tax year in which the referral is made, in accordance with the IRS regulations at 26 CFR 301.6402–6T, Offset of Past Due Legally Enforceable Debt Against Overpayment, and under the authority contained in 31 U.S.C. 3720A.

9. Referral of information regarding indebtedness to the Defense Manpower Data Center, Department of Defense, and the United States Postal Service for the purpose of conducting computer matching programs to identify and locate individuals receiving Federal salary or benefit payments and who are delinquent in their repayment of debts owed to the U.S. Government under certain programs administered by Rural Development in order to collect debts under the provisions of the Debt Collection Act of 1982 (5 U.S.C. 5514) by voluntary repayment, administrative or salary offset procedures, or by collection agencies.

10. Referral of names, home addresses, and financial information to lending institutions when Rural Development determines the individual may be financially capable of qualifying for credit with or without a guarantee.

11. Disclosure of names, home addresses, social security numbers, and financial information to lending institutions that have a lien against the same property as Rural Development for the purpose of the collection of the debt. These loans can be under the direct and guaranteed loan programs.

12. Referral to private attorneys under contract with either Rural Development or with the Department of Justice for the purpose of foreclosure and possession actions and collection of past due accounts in connection with Rural Development.

13. It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when: (a) The agency or any component thereof; or (b) any employee of the agency in his or her official capacity where the Department of Justice has agreed to represent the employee; or (c) the United States Government, is a party to litigation or has an interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation and the use of such records by the Department of Justice is therefore deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records.

14. Referral of names, home addresses, social security numbers, and financial information to the Department of Housing and Urban Development (HUD) as a record of location utilized by Federal agencies for an automatic credit prescreening system.

15. Referral of names, home addresses, social security numbers, and financial information to the Department of Labor, State Wage Information Collection Agencies, and other Federal, State, and local agencies, as well as those responsible for verifying information furnished to qualify for Federal benefits, to conduct wage and benefit matching through manual and/or automated means, for the purpose of determining compliance with Federal regulations and appropriate servicing actions against those not entitled to program benefits, including possible recovery of improper benefits.

16. Referral of names, home addresses, and financial information to financial consultants, advisors, or underwriters, when Rural Development determines such referral is appropriate for developing packaging and marketing strategies involving the sale of Rural Development loan assets.

17. Rural Development, in accordance with 31 U.S. 3711(e)(5), will provide to consumer reporting agencies or commercial reporting agencies information from this system indicating that an individual is responsible for a claim that is current.

18. Referral of names, home and work addresses, home telephone numbers, social security numbers, and financial information to escrow agents (which also could include attorneys and title companies) selected by the applicant or borrower for the purpose of closing the loan.

DISCLOSURES TO CONSUMER REPORTING AGENCIES:

Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collections Act (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders at the Local, Area, State, and National Offices. A limited subset of personal, financial, and characteristics data required for effective management of the programs and borrower repayment status is maintained on disc or magnetic tape at the Finance Office. This subset of data may be accessed by the authorized personnel from each office.

RETRIEVABILITY:

Records are indexed by name, identification number and type of loan or grant. Data may be retrieved from the paper records or the magnetic tapes. A limited subset of data is available through telecommunications capability, ranging from telephones to intelligent terminals. All Rural Development offices have the telecommunications capability available to access this subset of data.

SAFEGUARDS:

Records are kept in locked offices at the Local, Area, State, and National Offices. A limited subset of data is also maintained in a tape and disc library and an on-line retrieval system at the Finance Office. Access is restricted to authorized Rural Development personnel. A system of operator and terminal passwords and code numbers is used to restrict access to the on-line system. Passwords and code numbers are changed as necessary.

RETENTION AND DISPOSAL:

Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 33), and in accordance with Rural Development's disposal schedules. The Local, Area, State, and National Offices dispose of records by shredding, burning, or other suitable disposal methods after established retention periods have been fulfilled. Finance Office records are disposed of

by overprinting. (Destruction methods may never compromise the confidentiality of information contained in the records.)

Applications, including credit reports and personal references, which are rejected, withdrawn, or otherwise terminated are kept in the Local, Area, or State Office for 2 full fiscal years and 1 month after the end of the fiscal year in which the application was rejected, withdrawn, canceled, or expired. If final action was taken on the application, including an appeal, investigation, or litigation, the application is kept for 1 full fiscal year after the end of the fiscal year in which final action was taken.

The records, including credit reports, of borrowers who have paid or otherwise satisfied their obligation are retained in the Local, Area, or State Office for 1 full fiscal year after the fiscal year in which the loan was paid in full. Correspondence records at the National Office which concern borrowers and applicants are retained for 3 full fiscal years after the last year in which there was correspondence.

SYSTEM MANAGER(S) AND ADDRESS:

The Community Development Manager at the Local Office, the Rural Development Manager at the Area Office, and the State Director at the State Office, the Deputy Chief Financial Officer in St. Louis, MO, and the respective Administrators in the National Office at the following addresses: Administrator, Rural Housing Service, USDA, 1400 Independence Avenue, SW, Room 5014, South Building, Stop 0701, Washington, DC 20250–0701; Administrator, Rural Business-Cooperative Service, USDA, 1400 Independence Avenue, SW, Room 5045, South Building, Stop 3201, Washington, DC 20250–3201; Administrator, Rural Utilities Service, USDA, 1400 Independence Avenue, SW, Room 4501, South Building, Stop 1510, Washington DC 20250–1510.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records, or determine whether the system contains records pertaining to him/her, from the appropriate System Manager, If the specific location of the record is not know, the individual should address his or her request to: Rural Development, Freedom of Information Officer, United States Department of Agriculture, 1400 Independence Avenue, SW., Stop 0742, Washington, DC 20250–0742.

A request for information pertaining to an individual must include a name; an address; the Rural Development office where the loan or grant was applied for, approved, and/or denied; the type of Rural Development program; and the date of the request of approval.

RECORD ACCESS PROCEDURES:

Any individual may obtain information regarding the procedures for gaining access to a record in the system which pertains to him or her by submitting a written request to one of the System Managers.

CONTESTING RECORD PROCEDURES:

Same as record access procedures.

RECORD SOURCE CATEGORIES:

Information in this system comes primarily from the applicant, borrower, grantee, or tenant. Credit reports and personal references come primarily from credit agencies and creditors.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

USDA/RURAL DEVELOPMENT–2

SYSTEM NAME:

Biographical Sketch File.

SYSTEM LOCATION:

USDA/Rural Development, 1400 Independence Avenue, SW., Stop 0730, Washington, DC 20250–0730.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All employees and former employees of Rural Development at or above the Division Director level and all current and former Schedule C employees and Senior Executive Service members.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of files containing information concerning employee's educational and employment history, awards, marital status, number of children, present employment, place of birth, and current residence. The employee knows the file is maintained and has approved the biography.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et seq., and 5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

This information is furnished to the news media, congressional committees, organizations to which the employee will be speaking, and other interested parties.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders at the National Office.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Records are kept in a building with full-time security.

RETENTION AND DISPOSAL:

Indefinite.

SYSTEM MANAGER(S) AND ADDRESSES:

Administrator, Rural Housing Service, USDA, 1400 Independence Avenue, SW, Room 5014, South Building, Stop 0701, Washington, DC 20250–0701; Administrator, Rural Business-Cooperative Service, USDA, 1400 Independence Avenue, SW, Room 5045, South Building, Stop 3201, Washington, DC 20250–3201; Administrator, Rural Utilities Service, USDA, 1400 Independence Avenue, SW, Room 4501, South Building, Stop 1510, Washington, DC 20250–1510.

NOTIFICATION PROCEDURE:

Any individual may request information concerning this system of records, or information as to whether the system contains records pertaining to him/her from the System Manager. A request for information pertaining to an individual should contain: Name, address, position(s) held in Rural Development, and dates of employment.

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to and contesting a record in the system which pertains to him/her by submitting a written request to the System Manager.

CONTESTING RECORD PROCEDURES:

Same as record access procedures.

RECORD SOURCE CATEGORIES:

Information in this system is provided by the employee, or is taken from his/her record with his/her concurrence.

USDA/Rural Development-3

SYSTEM NAME:

Graduation File.

SYSTEM LOCATION:

Each borrower's graduation file is located in the Local and Area Offices through which the borrower obtained his loan, and, in some cases, at the State Office responsible for that Local and Area Offices.

A list of State Offices and any additional States for which an office is responsible is included under the system titled USDA/Rural Development-1 Applicant, Borrower, Grantee, or Tenant File.'' The addresses of State and Local Offices are listed in the telephone directory of the appropriate city or town under the heading ''United States Government, Department of Agriculture, Rural Development.''

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Rural Development borrowers whose loans are eligible for review to determine whether the borrower should obtain credit from other sources. All borrowers who have been in debt for at least five years on a real estate loan are considered eligible for review.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of files containing names of borrowers eligible for review, type of loan, whether graduation is advisable and any communications with the borrower concerning whether the loan has been paid off or if the borrower is unable to refinance, as well as comments of the Community Development Manager.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et seq., and 5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

1. When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, State, local, or tribal, or other public authority responsible for enforcing, investigating, or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility of the receiving entity.

2. A record from this system of records may be disclosed to a Member of Congress or to a congressional staff member in response to an inquiry of the congressional office made at the written request of the constituent about whom the record is maintained.

3. Referral of names, home addresses, and financial information for selected borrowers to financial consultants, advisors, lending institutions, packagers, agents, and private or commercial credit sources, when Rural Development determines such referral is appropriate to encourage the borrower to refinance his Rural Development indebtedness as required by Title V of the Housing Act of 1949, as amended (42 U.S.C. 1471), or to assist the borrower in the sale of the property.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Records are kept in locked offices at all levels, and access is restricted to authorized Rural Development officials.

RETENTION AND DISPOSAL:

Records are retained for three years after the list of borrowers eligible for review was received by the Community Development Manager.

SYSTEM MANAGER(S) AND ADDRESS:

The Community Development Manager and the State Director at the appropriate levels.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him from the appropriate System Manager. If the specific location of the record is not known, the individual should address a request to the Freedom of Information Officer, Rural Development, USDA, 1400 Independence Avenue, SW., Stop 0742, Washington, DC 20250–0742. A request for information pertaining to an individual should contain: Name, address, State and county where loan was applied for or approved, and particulars involved (i.e. date of request/approval, type of loan, etc.).

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to one of the System Managers referred to in the preceding paragraph.

CONTESTING RECORD PROCEDURES:

Same as access.

RECORD SOURCE CATEGORIES:

Information in this system comes primarily from the borrower.

USDA/Rural Development-4

SYSTEM NAME:

Housing Contractor Complaint File

SYSTEM LOCATION:

Complaints concerning housing contractors may be filed in the Local, Area, and State Offices in any State, County or District in which the contractor has conducted business.

A list of State Offices and any additional State for which an office is responsible is included under the system titled ''USDA/Rural Development-1 Applicant, Borrower, Grantee, or Tenant File.'' The addresses of State and Local Offices are listed in the telephone directory of the appropriate city or town under the heading ''United States Government, Department of Agriculture, Rural Development.''

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All housing contractors who have performed work for Rural Development borrowers and about whom the borrower has seen fit to file a complaint.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of files containing borrowers' complaints concerning contractors.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et seq., and 5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

1. When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, State, local, or tribal, or other public authority responsible for enforcing, investigating, or prosecuting such violation or charged with enforcing or implementing that statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility of the receiving entity.

2. It shall be a routine use of the records in this system of records to disclose them in a proceeding before a court or adjudicative body, when: (a) The agency or any component thereof, or (b) any employee of the agency in his or her official capacity; or (c) any

employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States is a party to litigation or has an interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation, provided, however, that in each case, the agency determines that disclosure of the records is a use of the information contained in the records that is compatible with the purpose for which the agency collected the records.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders.

RETRIEVABILITY:

Records are indexed by the contractor or name of the construction company.

SAFEGUARDS:

Records are kept in locked offices at all levels. Access at all levels is restricted to authorized Rural Development officials.

RETENTION AND DISPOSAL:

Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 33) and in accordance with Rural Development's disposal schedules. Records are retained for three years after the fiscal year of the complaint.

SYSTEM MANAGER(S) AND ADDRESS:

The Community Development Manager at the Local Office level and the State Director at the State Office level.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the appropriate System Manager. If the specific location of the record is not known, the individual should address his/her request to the Freedom of Information Officer, Rural Development, USDA, 1400 Independence Avenue, SW., Stop 0742, Washington, DC 20250–0742. A request for information pertaining to an individual should contain: Name, address, and location where work was performed for Rural Development borrowers.

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to one of the System Managers referred to in the preceding paragraph.

CONTESTING RECORD PROCEDURES:

Same as access.

RECORD SOURCE CATEGORIES:

Information in this system comes primarily from the complainants.

USDA/Rural Development-5

SYSTEM NAME:

Tort Claims File, USDA/Rural Development.

SYSTEM LOCATION:

Each claimant's file is located in the office of the employee against whom the action was filed, the applicable State Office, and the National Office. A list of State Offices and any additional States for which an office is responsible is included under the system titled ''USDA/Rural Development-1 Applicant, Borrower, Grantee or Tenant File.'' The addresses of State and Local Offices are listed in the telephone directory of the appropriate city or town under the heading ''United States Government, Department of Agriculture, Rural Development.'' The National Office is located at the following address: USDA/Rural Development, 1400 Independence Avenue, SW., Stop 0742, Washington, DC 20250–0742.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All claimants who have filed civil suits against employees of Rural Development, or against the Federal Government, including those filed under the Tort Claims Act, as a result of circumstances involving Rural Development.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of files containing information as to the circumstances of the loss for which the claimant is seeking relief, opinions of the Office of General Counsel, USDA, and disposition of the case.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et seq., and 5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, State, local, or tribal, or other public authority responsible for enforcing, investigating, or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility of the receiving entity.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders.

RETRIEVABILITY:

Records are indexed by claimant's name.

SAFEGUARDS:

Records are kept in locked offices at all levels. Access at all levels is restricted to authorized Rural Development officials.

RETENTION AND DISPOSAL:

Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 33) and in accordance with Rural Development's disposal schedules. Records are retained for five years after the last written report or document was placed in the file.

SYSTEM MANAGER(S) AND ADDRESS:

The Community Development Manager at the Local Office level, the State Director at the State Office level and the respective Administrators in the National Office at the following addresses: Administrator, Rural Housing Service, USDA, 1400 Independence Avenue, SW., Room 5014, South Building, Stop 0701, Washington, DC 20250–0701; Administrator, Rural Business-Cooperative Service, USDA, 1400 Independence Avenue, SW., Room 5045, South Building, Stop 3201, Washington, DC 20250–3201; Administrator, Rural Utilities Service, USDA, 1400 Independence Avenue, SW, Room 4501, South Building, Stop 1510, Washington, DC 20250–1510.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the appropriate System Manager. If the specific location of the record is not known, the individual should address his/her request to the Freedom of Information Officer, Rural Development, USDA, 1400 Independence Avenue, SW., Stop 0742,

Washington, DC 20250–0742. A request for information pertaining to an individual should contain: Name, address, defendant in the action and date of the initiation of the action.

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to one of the System Managers referred to in the preceding paragraph.

CONTESTING RECORD PROCEDURES:

Same as access.

RECORD SOURCE CATEGORIES:

Information in this file comes primarily from the claimant.

USDA/Rural Development-6

SYSTEM NAME:

Training Files.

SYSTEM LOCATION:

Training files may be located at the Rural Development National Office, 501 School Street, SW., Washington, DC 20024.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All persons who have received or applied for training at the Rural Development Training Center and other locations if such training was to be at Rural Development expense.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name of individual, date(s) of training and course(s) taken or applied for are included in this record.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et seq., and 5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, State, local, or tribal, or other public authority responsible for enforcing, investigating, or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility of the receiving entity.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders at the National Office.

RETRIEVABILITY:

Records are indexed by the name of the individual receiving/applying for training.

SAFEGUARDS:

Records are kept in a locked office.

RETENTION AND DISPOSAL:

Retention is indefinite.

SYSTEM MANAGER(S) AND ADDRESS:

Administrator, Rural Housing, USDA, 1400 Independence Avenue, SW., Room 5014, South Building, Stop 0701, Washington, DC 20250–0701; Administrator, Rural Business-Cooperative Service, USDA, 1400 Independence Avenue, SW., Room 5045, South Building, Stop 3201, Washington, DC 20250–3201; Administrator, Rural Utilities Service, USDA, 1400 Independence Avenue, SW., Room 4501, South Building, Stop 1510, Washington, DC 20250–1510.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the appropriate System Manager. Requests should include name and address.

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the System Manager.

CONTESTING RECORD PROCEDURES:

Same as access.

RECORD SOURCE CATEGORIES:

Information in this system comes from the applicant.

USDA/Rural Development-7

SYSTEM NAME:

Travel Records.

SYSTEM LOCATION:

Each traveler's file is located in the Local Office or Area Office in which he/she is employed; the State Office responsible for that Local Office or Area Office; or in the National Office if the traveler is employed at either of those levels.

A list of State Offices and any additional States for which an office is responsible is included under the system titled ''USDA/Rural Development-1 Applicant, Borrower, Grantee, or Tenant File.'' The addresses of State, Local, and Area Offices are listed in the telephone directory of the appropriate city or town under the heading ''United States Government, Department of Agriculture, Rural Development.''

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Rural Development employees and former employees whose travel expenses have been paid for by Rural Development.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system consists of files containing employees; itineraries and travel vouchers.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 1921 et seq., 42 U.S.C. 1471 et seq., and 5 U.S.C. 301.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, State, local, or tribal, or other public authority responsible for enforcing, investigating, or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative, or prosecutive responsibility of the receiving entity.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained in file folders.

RETRIEVABILITY:

Records are indexed by name.

SAFEGUARDS:

Records are kept in locked offices at all levels. Access at all levels is restricted to authorized Rural Development officials.

RETENTION AND DISPOSAL:

Records are maintained subject to the Federal Records Disposal Act of 1943 (44 U.S.C. 33) and in accordance with Rural Development's disposal schedules. Records are disposed of six years after the fiscal year in which the travel occurred.

SYSTEM MANAGER(S) AND ADDRESS:

The Community Development Manager at the Local Office level, the State Director at the State Office level, the Deputy Chief Financial Officer for Finance Office records and the respective Administrators, for the National Office files at the following addresses in the National Office: Administrator, Rural Housing Service, USDA, 1400 Independence Avenue, SW., Room 5014, South Building, Stop 0701, Washington, DC 20250–0701; Administrator, Rural Business-Cooperative Service, USDA, 1400 Independence Avenue, SW., Room 5045, South Building, Stop 3201, Washington, DC 20250–3201; Administrator, Rural Utilities Service, USDA, 1400 Independence Avenue, SW., Room 4501, South Building, Stop 1510, Washington, DC 20250–1510.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records, or information as to whether the system contains records pertaining to him/her from the appropriate System Manager. If the specific location of the record is not known, the individual should address his/her request to the Freedom of Information Officer, Rural Development, USDA, 1400 Independence Avenue, SW., Stop 0742, Washington, DC 20250–0742. A request for information pertaining to an individual should contain: Name, address, and dates and places of employment.

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to one of the System Managers referred to in the preceding paragraph.

CONTESTING RECORD PROCEDURES:

Same as access.

RECORD SOURCE CATEGORIES:

Information in this system comes primarily from the employee.

[FR Doc. 98–15753 Filed 6–11–98; 8:45 am]

BILLING CODE 3410–07–M

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Notice of Federal Invention Available for Licensing and Intent To Grant Exclusive License

AGENCY: Agricultural Research Service, USDA.

ACTION: Notice of availability and intent.

SUMMARY: Notice is hereby given that a Federally owned invention U.S. Serial No. 09/041,056, filed March 10, 1998, entitled ''Chemical Attractants for Yellowjackets and Paper Wasps'' is available for licensing and the U.S. Department of Agriculture, Agricultural Research Service, intends to grant to Sterling International, Inc., of Veradale, Washington, an exclusive license to Serial No. 09/041,056.

DATES: Comments must be received on or before September 10, 1998.

ADDRESSES: Send comments to: USDA, ARS, Office of Technology Transfer, Room 415, Building 005, BARC-West, Beltsville, Maryland 20705–2350.

FOR FURTHER INFORMATION CONTACT: June Blalock of the Office of Technology Transfer at the Beltsville address given above; telephone: 301–504–5989.

SUPPLEMENTARY INFORMATION: The Federal Government's patent rights to this invention are assigned to the United States of America, as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as Sterling International, Inc., has submitted a complete and sufficient application for a license. The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7. The prospective exclusive license may be granted unless, within ninety (90) days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which establishes that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Richard M. Parry, Jr.,

Assistant Administrator.

[FR Doc. 98–15750 Filed 6–11–98; 8:45 am]

BILLING CODE 3410–03–P

DEPARTMENT OF AGRICULTURE

Rural Utilities Service

Cordova Electric Cooperative, Inc.; Adoption of Environmental Documents & Finding of No Significant Impact

AGENCY: Rural Utilities Service, USDA.

ACTION: Adoption of Environmental Documents & Finding of No Significant Impact.

SUMMARY: Notice is hereby given that the Rural Utilities Service (RUS), pursuant to the National Environmental Policy Act of 1969, as amended, the Council on Environmental Quality Regulations (40 CFR Parts 1500–1508), and RUS Environmental Policies and Procedures (7 CFR Part 1794), has adopted the Environmental Assessment (EA) prepared by the Federal Energy Regulatory Commission (FERC) and made a Finding of No Significant Impact (FONSI) with respect to a hydroelectric project proposed by Cordova Electric Cooperative, Inc. (CEC), of Cordova, Alaska.

CEC is anticipated to request financing assistance from RUS for the project to be located on Power Creek, a tributary to Eyak Lake, near Cordova, in southeast Alaska.

The proposed project is a 6-megawatt (MW) hydroelectric generating plant and it consists primarily of (1) A diversion dam and intake structure located at stream mile 3.3; (2) a tunnel-and-pipeline power conduit conveying water approximately 5,900 feet; (3) a powerhouse containing 3 generating units with a total installed capacity of 6.0 MW; (4) a 7.2 mile-long buried transmission line; and (5) approximately 2.5 miles of access road. The project bypasses of about 1 mile of Power Creek. On January 6, 1997, Whitewater Engineering Corporation (WEC) of Bellingham, Washington, filed an application to FERC for a license for construction and operation of the Power Creek Project. WEC will transfer the license to CEC. CEC will be responsible for compliance with the terms and conditions of the license. WEC will construct the project for CEC.

The FONSI is based on the final EA issued by FERC. RUS concurs with the FERC determination that issuing a license would not be a major Federal action significantly impacting the quality of the human environment. In accordance with § 1794.83, RUS has adopted the final EA issued by FERC as its EA for the project.

FOR FURTHER INFORMATION CONTACT: Nurul Islam, Environmental Protection Specialist, RUS, Engineering and