

Avenue, NW., Washington, DC 20529. Additionally, comments and/or suggestions regarding the estimated public burden and associated response time may also be directed to Richard A. Sloan.

Dated: October 20, 2004.

**Richard A. Sloan,**

*Director, U.S. Citizenship and Immigration Services, Department of Homeland Security.*

[FR Doc. 04-23850 Filed 10-25-04; 8:45 am]

**BILLING CODE 4410-10-M**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-4903-N-84]

**Notice of Submission of Proposed Information Collection to OMB; Compliance Inspection Report Mortgagee's Assurance of Completion**

**AGENCY:** Office of the Chief Information Officer, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

This is a request for approval to continue a currently approved information collection. Information provided by the Compliance Inspection Report states the status of repair requirements on proposed construction

cases. This report becomes part of the case file and a copy is provided to the lender. The Mortgagee's Assurance of Completion assures HUD that the items set forth in the inspection report will be completed by the required date stated.

**DATES:** *Comments Due Date:* November 24, 2004.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval Number (2502-0189) and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-6974.

**FOR FURTHER INFORMATION CONTACT:**

Wayne Eddins, Reports Management Officer, AYO, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410; e-mail *Wayne\_Eddins@HUD.gov*; or Lillian Deitzer at *Lillian\_L\_Deitzer@HUD.gov* or telephone (202) 708-2374. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Mr. Eddins or Ms Deitzer and at HUD's Web site at *http://www5.hud.gov:63001/po/i/icbts/collectionsearch.cfm*.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that the Department of Housing and Urban Development has submitted to OMB a request for approval of the information collection described below. This notice is soliciting comments from members of the public and affecting agencies

concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. This notice also lists the following information:

*Title of Proposal:* Compliance Inspection Report/Mortgagee's Assurance of Completion.

*OMB Approval Number:* 2502-0189.

*Form Numbers:* HUD-92501 and HUD-92300.

*Description of the Need for the Information and its Proposed Use:* Information provided by the Compliance Inspection Report states the status of repair requirements on proposed construction cases. This report becomes part of the case file and a copy is provided to the lender. The Mortgagee's Assurance of Completion assures HUD that the items set forth in the inspection report will be completed by the required date stated.

*Frequency of Submission:* On occasion.

	Number of respondents	Annual responses	×	Hours per response	=	Burden hours
Reporting Burden .....	24,200	765,600		0.25		191,400

*Total Estimated Burden Hours:* 191,400.

*Status:* Extension of a currently approved collection.

*Authority:* Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: October 14, 2004.

**Wayne Eddins,**

*Departmental Reports Management Officer, Office of the Chief Information Officer.*

[FR Doc. E4-2807 Filed 10-22-04; 8:45 am]

**BILLING CODE 4210-72-P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-4922-N-03]

**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 Office of Personnel Management (OPM).

**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). 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, (c) State Wage Information Collection Agencies' (SWICAs') wage and unemployment benefit claim information. This notice describes HUD's program for computer matching of its tenant data to OPM's personnel data.

**DATES:** *Effective Date:* Computer matching is expected to begin November 24, 2004 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:* November 24, 2004.

**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—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 20410-4500, (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 sections 3003 and 13403 of the Omnibus Budget Reconciliation Act of 1993 (Pub. L. 103-66, approved August 10, 1993); section 542(b) of the 1998 Appropriations Act (Pub. L. 105-65); 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 65 FR 24732 and 64 FR 54930.

The Omnibus Budget Reconciliation Act of 1993 (Budget Reconciliation Act) authorizes HUD to request from the SSA and the IRS federal tax information as prescribed in section 6103(l)(7) of title 26 of the United States Code (Internal Revenue Code). Section 542(b) of HUD's 1998 Appropriation Act (Pub. L. 105-65; October 27, 1997) eliminated a September 30, 1998, sunset provision to 26 U.S.C. 6103(l)(7)(D)(ix) of the Internal Revenue Code, effectively making permanent the authority for SSA and IRS disclosures of federal tax information to HUD.

Section 3003 of the Budget Reconciliation Act authorizes HUD to require applicants and participants in assisted housing programs sign a consent form authorizing the Secretary of HUD to request that the Commissioner of Social Security and

the Secretary of the Treasury release the federal tax information. The final rule regarding participants' consent to the release of information was published by HUD in the **Federal Register** on March 20, 1995 (61 FR 11112).

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.

The OPM'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 OPM/GOVT-1 system will be made pursuant to routine use "hh" and the disclosures from the OPM/Central-1 will be made pursuant to routine use "s" and "ff." See 65 FR 24732 and 64 FR 54930, respectively. 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 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. With respect to OPM data, the objectives of the 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, unemployment, benefit, salary, and retirement data

maintained by OPM in its systems of records known as the Central Personnel Data File (OPM/GOVT-1, General Personnel Records System), last published on April 27, 2000 (65 FR 24732); and the Annuity Roll Systems (OPM/Central-1, Civil Service Retirement and Insurance Records), last published as 64 FR 54930 (October 8, 1999), as amended on May 3, 2000 (65 FR 25775). Specifically, HUD will compare the OPM income 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 and 67 FR 20986, 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. With respect to OPM data, the match 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 (HUD/PIH-4). These records contain information about individuals who are participants in the federal low income and Section 8 housing assistance programs. The OPM will provide HUD with extract files from the OPM/GOVT-1 and OPM/Central-1 systems. The notice for these systems was published at 65 FR 24732 and 64 FR 54930, respectively. The disclosure from OPM/GOVT-1 will be made in accordance with routine use "hh" and the disclosure from OPM/Central-1 will be made in accordance with routine uses "s" and "ff." HUD will match the tenant records to these OPM records on current and retired federal employees to compare tenant reported income.

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 employees SSNs (*i.e.*, "hits"), HUD will extract the following information from OPM/GOVT-1: SSN, Date of Birth, Name, Sex, Work schedule, Annual Salary, Location Code, Standard Metropolitan Statistical Area, Submitting Office Number (SON), Agency Code, and File Date. HUD will extract the following information from OPM/Central-1: File ID, SSN, Date of Birth, Sex, Last name, Annualized Salary, Annuity Commence Date, Pay Status, OPM Claim Number, Health Benefit Enrollment Code, Date of Death, Zip Code, Contact Address, and "As of" Date of File. In addition, HUD will use the 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, and SWICA. 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: October 6, 2004.

**Carolyn Cockrell,**

*Acting Chief Technology Officer.*

[FR Doc. E4-2806 Filed 10-22-04; 8:45 am]

**BILLING CODE 4210-27-P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### Draft Revised Comprehensive Conservation Plan for Kodiak National Wildlife Refuge, Alaska

**AGENCY:** Fish and Wildlife Service, Department of the Interior.

**ACTION:** Notice of availability.

**SUMMARY:** The U.S. Fish and Wildlife Service (Service) announces that the Revised Draft Comprehensive Conservation Plan (Draft Conservation Plan) and Environmental Impact Statement for the Kodiak National Wildlife Refuge is available for review and comment. The Draft Conservation Plan was prepared pursuant to the Alaska National Interest Lands Conservation Act of 1980 (ANILCA; 16 U.S.C. 140hh-3233, 43 U.S.C. 1602-1784), the National Wildlife Refuge System Administration Act of 1966 (Refuge Administration Act) as amended by the National Wildlife Refuge System Improvement Act of

1997 (Refuge Improvement Act) (16 U.S.C. 668dd-668ee), and the National Environmental Policy Act of 1969 as amended (42 U.S.C. 4321-4347). Four alternatives for management of the Kodiak Refuge over the next 15 years, including continuing current management, are considered in the Draft Conservation Plan.

**DATES:** Comments on the Draft Conservation Plan must be received on or before January 24, 2005.

**Public Meetings:** Meetings will be held in Anchorage, the City of Kodiak, and in other local communities near the Refuge, as requested. Dates, times, and locations of these meetings will be announced at a later date and advertised in these communities, as appropriate.

**ADDRESSES:** To provide written comments or to request a paper copy or a compact diskette of the Draft Conservation Plan, contact Mikel Haase, Planning Team Leader, U.S. Fish and Wildlife Service, 1011 East Tudor Road, MS 231, Anchorage, Alaska, 99503-6199; telephone: (907) 786-3402; fax: (907) 786-3965. You may also access or download a copy of the Draft Conservation Plan at the following Web site: <http://alaska.fws.gov/planning>. Comments may be e-mailed to: [fw\\_kodiak\\_planning@fws.gov](mailto:fw_kodiak_planning@fws.gov).

Copies of the Draft Conservation Plan may be viewed at the Kodiak Refuge Office, 1390 Bushkin River Road, Kodiak, Alaska; local libraries, and the U.S. Fish and Wildlife Service Regional Office in Anchorage, Alaska.

**FOR FURTHER INFORMATION CONTACT:** Mikel Haase at the above address or by phone at (907) 786-3402.

**SUPPLEMENTARY INFORMATION:** The Alaska National Interest Lands Conservation Act requires development of a conservation plan for all national wildlife refuges in Alaska. The Draft Conservation Plan for the Kodiak Refuge was developed consistent with Section 304(g) of ANILCA and the National Wildlife Refuge System Administration Act as amended by the National Wildlife Refuge System Improvement Act. Conservation plans provide refuge managers with a 15-year management strategy for achieving refuge purposes and contributing toward the mission of the National Wildlife Refuge System, consistent with sound principles of fish, wildlife, and habitat management and conservation; legal mandates; and Service policies. Plans define long-term goals and objectives toward which refuge management activities are directed and identify which uses may be compatible with the purposes of the refuge. They identify wildlife-dependent recreation opportunities

available to the public, including hunting, fishing, wildlife observation and photography, and environmental education and interpretation. Conservation plans are updated in accordance with planning direction in Section 304(g) of ANILCA and with the National Environmental Policy Act.

**Background:** On August 19, 1941, President Franklin D. Roosevelt established the Kodiak National Wildlife Refuge by Executive Order 8857 "for the purpose of protecting the natural feeding and breeding ranges of the brown bears and other wildlife on Uganik and Kodiak Islands." The Alaska Native Claims Settlement Act of 1971 allowed the conveyance of about 310,000 acres of Refuge land to Native village corporations.

On December 2, 1980, ANILCA added about 50,000 acres on Afognak and Ban islands to the Kodiak Refuge and stated that the Kodiak Refuge purposes include: To conserve fish and wildlife populations and habitats in their natural diversity; to fulfill international treaty obligations of the United States with respect to fish and wildlife and their habitats; to provide the opportunity to continued subsistence use by local residents; and to ensure water quality and necessary water quantity within the Refuge.

Since 1994, the Service has purchase fee title to nearly 174,000 acres, and conservation or nondevelopment easements have been acquired on more than 100,000 acres within the Refuge boundaries. Today, Refuge boundaries encompass nearly 1.8 million acres, of which nearly 1.64 million acres (92 percent) are under Service jurisdiction.

The original Kodiak conservation plan was completed in 1987. The plan was prepared following direction in Section 304(g) of ANILCA. The 1997 Refuge Improvement Act includes additional direction for conservation planning throughout the Refuge System. This direction has been incorporated into national planning policy for the Refuge System, including refuges in Alaska. This draft revision of the Kodiak conservation plan meets the requirements of both ANILCA and the Refuge Improvement Act.

Issues raised during scoping and addressed in this draft conservation plan are (1) how to manage public use, given limited access and projected growth in demand, to continue providing opportunities for appropriate and quality use while preventing significant impacts to Refuge resources; and (2) what types of bear-viewing opportunities should be available on the Refuge and how should these