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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4456-N-24]

### Privacy Act of 1974; Notice of a Computer Matching Program

**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 Department of Education.

**SUMMARY:** In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503), and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs (54 FR 25818 (June 19, 1989)), and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," HUD is issuing a public notice of its intent to conduct a recurring computer matching program with the Department of Education to utilize a computer information system of HUD, the Credit Alert Interactive Voice Response System (CAIVRS), with the Department of Education's debtor files. This match will allow prescreening of applicants for loans issued by or guaranteed by the Federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Federal government for HUD or the Department of Education for direct or guaranteed loans.

Before granting a loan, the lending agency and/or the authorized lending institution will be able to interrogate the CAIVRS debtor file which contains delinquent debt information from the Departments of Agriculture, Education, Veteran Affairs, the Small Business administration and judgment lien data from the Department of Justice, and verify that the applicant is not in default on a Federal judgment or delinquent on direct or guaranteed loans of participating Federal agencies. This match will allow prescreening of applicants for loans issued by or guaranteed by the Federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Federal government.

Authorized users do a prescreening of CAIVRS to determine a loan applicant's credit status with the Federal government. As a result of the

information produced by this match, the authorized users may not deny, terminate, or make a final decision of any loan assistance to an applicant or take other adverse action against such applicant, until an officer or employee of such agency has independently verified such information.

**DATES:** *Effective Date:* Computer matching is expected to begin on March 28, 2003, 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:* March 28, 2003.

**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.

Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the above address.

#### FOR FURTHER INFORMATION FROM

**RECIPIENT AGENCY CONTACT:** Jeanette Smith, Departmental Privacy Act Officer, Department of Housing and Urban Development, 451 7th St., SW., Room P8001, Washington, DC 20410, telephone number (202) 708-2374. (This is not a toll-free number.) A telecommunication device for hearing- and speech-impaired individuals (TTY) is available at 1-800-877-8339 (Federal Information Relay Service). (This is a toll-free number).

#### FOR FURTHER INFORMATION FROM SOURCE

**AGENCY CONTACT:** Kathryn Griffin, Management Analyst, Collections, Federal Student Aid, Department of Education, Union Center Plaza, 830 First Street, NE., Room 41D2, Washington, DC 20202-5320, telephone number (202) 377-3252. (This is not a toll-free number.)

**Reporting:** In accordance with Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, as amended, and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," copies of this notice and report are being provided to the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget.

**Authority:** HUD has authority to collect and review mortgage data pursuant to the National Housing Act,

as amended, 12 U.S.C 1701 *et seq.*, and related laws. The Department of Education oversees and manages Federal student aid programs pursuant to the Higher Education Act of 1965, as amended, 20 U.S.C. 1001 *et seq.* This computer matching will be conducted pursuant to Public Law 100-503, "The Computer Matching and Privacy Protection Act of 1988," as amended, and Office of Management and Budget (OMB) Circulars A-129 (Managing Federal Credit Programs) and A-70 (Policies and Guidelines for Federal Credit Programs). One of the purposes of all Executive departments and agencies is to implement efficient management practices for Federal credit programs. OMB Circulars A-129 and A-70 were issued under the authority of the Budget and Accounting Act of 1921, as amended; the Budget and Accounting Act of 1950, as amended; the Debt Collection Act of 1982 (Pub. L. 97-365), as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134, section 31001); and the Deficit Reduction Act of 1984, as amended.

**Objectives to be Met by the Matching Program:** The matching program will allow the Department of Education access to a system that permits prescreening of applicants for loans issued by or guaranteed by the Federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the government. In addition, HUD will be provided access to the Department of Education's debtor data for prescreening purposes.

**Records to be Matched:** HUD will utilize its system of records entitled HUD/DEPT-2, *Accounting Records*. The debtor files for HUD programs involved are included in this system of records. HUD's debtor files contain information on borrowers and co-borrowers who are currently in default (at least 90 days delinquent on their loans); or who have any outstanding claims paid during the last three years on insured or guaranteed home mortgage loans under title II of the National Housing Act; or individuals who have had a claim paid in the last three years on a loan under title I of the National Housing Act. For the CAIVRS match, HUD/DEPT-2, System of Records, receives its program inputs from HUD/DEPT-28, Property Improvement and Manufactured (Mobile) Home Loans—Default; HUD/DEPT-32, Delinquent/Default/Assigned Temporary Mortgage Assistance Payments (TMAP) Program; and HUD/CPD-1, Rehabilitation Loans—Delinquent/Default.

The Department of Education will provide HUD with debtor files contained in its system of records

(Higher Education Act, Title IV Program File, 18-40-0024). HUD is maintaining the Department of Education's records only as a ministerial action on behalf of the Department of Education, not as part of HUD's HUD/DEPT-2 system of records. The Department of Education's data contain information on individuals who have defaulted on their guaranteed loans. The Department of Education will retain ownership and responsibility for their system of records that they place with HUD. HUD serves only as a record location and routine use recipient for the Department of Education's data.

**Notice Procedures:** HUD and the Department of Education have separate notification procedures. When the Federal credit being sought is a HUD/FHA mortgage, HUD will notify individuals at the time of application (ensuring that routine use appears on the application form). The Department of Education will notify individuals at the time of application for Federal student loan programs that their records will be matched to determine whether they are delinquent or in default on a Federal debt. HUD and the Department of Education will also publish notices concerning routine use disclosures in the **Federal Register** to inform individuals that a computer match may be performed to determine a loan applicant's credit status with the Federal government.

**Categories of Records/Individuals Involved:** The debtor records include these data elements: SSN, claim number, the Department of Education's Regional Office Code, Collection Agency Code, program code, and indication of indebtedness. Categories of records include: records of claims and defaults, repayment agreements, credit reports, financial statements, and records of foreclosures. Categories of individuals include former mortgagors and purchasers of HUD-owned properties, manufactured (mobile) home and home improvement loan debtors who are delinquent or in default on their loans, and rehabilitation loan debtors who are delinquent or in default on their loans.

**Period of the Match:** Matching will begin at least 40 days from the date copies of the signed (by both Data Integrity Boards) computer matching agreement are sent to both Houses of Congress or at least 30 days from the date this notice is published in the **Federal Register**, whichever is later, providing no comments are received which would result in a contrary determination.

Dated: February 11, 2003.

**Gloria R. Parker,**

*Chief Technology Officer.*

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4456-N-25]

### Privacy Act of 1974; Notice of a Computer Matching Program

**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 Department of Veterans Affairs (VA).

**SUMMARY:** In accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503), and the Office of Management and Budget (OMB) Guidelines on the Conduct of Matching Programs (54 FR 25818 (June 19, 1989)), and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," HUD is issuing a public notice of its intent to conduct a recurring computer matching program with the Department of Veterans Affairs (VA) to utilize a computer information system of HUD, the Credit Alert Interactive Voice Response System (CAIVRS), with VA's debtor files. This match will allow prescreening of applicants for loans issued by or guaranteed by the Federal government to ascertain if the applicant is delinquent in paying a debt owed to or insured by the Federal government for HUD or VA direct or guaranteed loans.

Before granting a loan, the lending agency and/or the authorized lending institution will be able to interrogate the CAIVRS debtor file and verify that the loan applicant is not in default on a Federal judgment or delinquent on direct or guaranteed loans of participating Federal agencies. The CAIVRS database contains delinquent debt information from the Departments of Agriculture, Education, Veteran Affairs, the Small Business Administration and judgment lien data from the Department of Justice.

Authorized users do a prescreening of CAIVRS to determine a loan applicant's credit status with the Federal government. As a result of the information produced by this match, the authorized users may not deny,

terminate, or make a final decision of any loan assistance to an applicant or take other adverse action against such applicant, until an officer or employee of such agency has independently verified such information.

**DATES:** *Effective Date:* Computer matching is expected to begin on March 28, 2003, 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:* March 28, 2003.

**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.

Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection and copying between 7:30 a.m. and 5:30 p.m. weekdays at the above address.

#### FOR FURTHER INFORMATION FROM

**RECIPIENT AGENCY CONTACT:** Jeanette Smith, Departmental Privacy Act Officer, Department of Housing and Urban Development, 451 7th St., SW., Room P8001, Washington, DC 20410, telephone number (202) 708-2374. (This is not a toll-free number.) A telecommunication device for hearing and speech-impaired individuals (TTY) is available at 1-800-877-8339 (Federal Information Relay Service). (This is not a toll-free number.)

**FOR FURTHER INFORMATION FROM SOURCE AGENCY CONTACT:** Don Toivola, Chief, Computer Specialist, Debt Management Center, U.S. Department of Veterans Affairs, Bishop Henry Whipple Federal Building, Room 156, 1 Federal Drive, Ft. Snelling, MN 55111-4050, telephone number (612) 970-5705. (This is not a toll-free number.)

**Reporting:** In accordance with Public Law 100-503, the Computer Matching and Privacy Protection Act of 1988, as amended, and OMB Bulletin 89-22, "Instructions on Reporting Computer Matching Programs to the Office of Management and Budget (OMB), Congress and the Public," copies of this notice and report are being provided to the Committee on Government Reform of the House of Representatives, the Committee on Governmental Affairs of the Senate, and the Office of Management and Budget.

**Authority:** HUD has authority to collect and review mortgage data pursuant to the National Housing Act, as amended, 12 U.S.C. 1701 *et seq.*, and related laws. The VA is authorized