

Atlanta, Georgia 30341-3724, telephone 404/488-5005.

Dated: November 17, 1992.

Elvin Hilyer,

Associate Director for Policy Coordination,
Centers for Disease Control and Prevention
(CDC).

[FR Doc. 92-28441 Filed 11-23-92; 8:45 am]

BILLING CODE 4160-18-M

Federal Council on the Aging; Meeting

Agency Holding the Meeting: Federal Council on the Aging.

Time and Date: Meeting begins at 9 a.m. and ends at 4:30 p.m. on Monday, December 7, 1992, and begins at 9 a.m. and ends at 4:30 p.m. on Tuesday, December 8, 1992.

Place: On Monday, December 7, 1992, and on Tuesday, December 8, from 9 a.m. to 4:30 p.m., in the President Conference Room at the Jefferson Hotel, 16th and M Streets, NW., Washington, DC 20036.

Status: Meeting is open to the public.

Contact Person: Kevin W. Parks, room 4280, Wilbur Cohen Federal Building, 330 Independence Avenue, SW., Washington, DC 20201 (202) 619-2451.

The Federal Council on the Aging was established by the 1973 Amendments to the Older Americans Act of 1965 (Pub. L. 93-29, 42 U.S.C. 3015) for the purpose of advising the President, the Secretary of Health and Human Services, the Commissioner on Aging and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to the Federal Advisory Committee Act (Pub. L. 92-453, 5 U.S.C. app. 1, sec. 10, 1976) that the Council will hold a planning meeting on December 7 and 8, 1992, from 9 a.m. to 4:30 p.m. respectively in the President Conference Room at the Jefferson Hotel, 16th and M Streets, NW., Washington, DC 20036.

The agenda will include: On December 7, the Council will conduct its regular business session during the morning session. The Council will meet for the rest of the day to discuss the finalization of the Council's submission for the Senate Select Committee on Aging Report, Developments in Aging. On Tuesday, December 8, the morning session will be devoted to developing preliminary recommendations for the 1992 Annual Report to the President. The afternoon session will focus on planning agenda for 1993 and beyond.

Dated: November 17, 1992.

Max Friedersdorf,

Chairperson Federal Council on the Aging.

[FR Doc. 92-28422 Filed 11-23-92; 8:45 am]

BILLING CODE 4130-01-M

Health Care Financing Administration

[MB-065-N]

RIN 0938-AG11

Medicaid Program; Limitations on Aggregate Payments to Disproportionate Share Hospitals: Fiscal Year 1993

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice.

SUMMARY: This notice announces the "preliminary" national aggregate Federal fiscal year 1993 limit on, and individual State allotments for, Medicaid payments made to hospitals that serve a disproportionate number of Medicaid recipients and low-income patients with special needs. We are publishing this notice in accordance with the provisions of section 1923(f)(1)(C) of the Social Security Act. That section requires the Secretary, at the beginning of each Federal fiscal year (beginning with Federal fiscal year 1993), to estimate and publish in the Federal Register the national payment limit, and each State's allotment within that national limit, for disproportionate share hospital (DSH) payments for which Federal financial participation (FFP) will be available under Medicaid. **EFFECTIVE DATE:** The "preliminary" DSH limits included in this notice apply to Medicaid DSH payments made during Federal fiscal year 1993.

FOR FURTHER INFORMATION CONTACT: Bill Lasowski, (410) 966-2003.

SUPPLEMENTARY INFORMATION:

I. Background

Section 1902(a)(13)(A) of the Social Security Act (the Act) requires States to ensure that their Medicaid payment rates include payment adjustments for Medicaid-participating hospitals that serve a large number of Medicaid recipients and other low-income individuals with special needs. These hospitals are referred to as disproportionate share hospitals (DSHs). The payment adjustments are calculated on the basis of formulas specified in section 1923 of the Act.

Section 3 of the Medicaid Voluntary Contribution and Provider-Specific Tax Amendments of 1991 (Pub. L. 102-234, enacted on December 12, 1991) amended section 1923 of the Act to establish limits on the amount of Federal financial participation (FFP) available for payments for Medicaid expenditures made to DSHs. Specifically, section 3(a) of Pub. L. 102-234 deleted the prohibition on an upper payment limit for DSHs from section 1902(h) of the

Act; and section 3(b) added a subsection (f) to section 1923, which imposed national and State limits on aggregate Medicaid payments to DSHs, effective beginning with Federal fiscal year 1993. The provisions of section 3 of Public Law 102-234 apply to all 50 States and the District of Columbia, but not to any State whose entire Medicaid program is operated under a waiver granted under section 1115 of the Act (Arizona) or the Territories.

We are publishing in a document published elsewhere in today's issue of the Federal Register an interim final rule (Limitations on Provider-Related Donations and Health Care Related Taxes: Limitations on Payments to Disproportionate Share Hospitals) establishing Medicaid regulations regarding limitations on aggregate payments for DSHs to implement the provisions of section 1923(f) of the Act, as added by section 3 of Public Law 102-234.

As prescribed in section 1923(f)(1)(B) of the Act, effective beginning October 1, 1992, the national aggregate DSH limit is equal to 12 percent of the total amount of medical assistance expenditures (excluding total administrative costs) that are projected to be made under approved Medicaid State plans during the Federal fiscal year. Note: Whenever the phrases "total medical assistance expenditures" or "total administrative costs" are used in this notice, they mean both the State and Federal share of expenditures or costs.

In addition to the national DSH limit, there is a specific State DSH limit for each State for each Federal fiscal year. As prescribed in section 1923(f)(2)(B) of the Act, the State DSH limit is a specified amount of DSH payments above which FFP will not be available. This is called the "State DSH allotment." Each State's allotment for Federal fiscal year 1993 and beyond is calculated using the State's "base" allotment for Federal fiscal year 1992. Sections 1923(f)(2), (3), and (4) of the Act provide the basic formula for determining the State DSH allotments. A State's base allotment is the greater of: (1) The total amount of the State's projected DSH payments made under the State's approved State plan applicable to Federal fiscal year 1992 as adjusted by HCFA or (2) \$1,000,000.

The DSH allotment for any State in a Federal fiscal year is limited to 12 percent of the State's total medical assistance expenditures (excluding administrative costs), unless the State is classified as a high-DSH State. A high-DSH State is a State whose DSH payments in Federal fiscal year 1992

exceeded 12 percent of the State's total medical assistance expenditures (excluding administrative costs) in that Federal fiscal year. High-DSH States will have their annual Federal fiscal year State DSH allotment limited to their State base allotment, that is, the total amount of DSH payments made during Federal fiscal year 1992 that were applicable to Federal fiscal year 1992. A State with aggregate DSH payments below the 12 percent limit in a Federal fiscal year (referred to as a "low-DSH State") is permitted to increase DSH payments to the extent that its Medicaid program grows each Federal fiscal year (referred to as the growth factor) and to the extent that the sum of all State DSH allotments in that Federal fiscal year does not exceed the national 12 percent DSH limit. (This calculated increase is referred to as a State's supplemental amount.) Growth amounts and supplemental amounts for low DSH States are only available to the extent that they are able to be provided within the national 12 percent aggregate DSH limit.

Section 1923(f)(1)(C) of the Act, as added by section 3(b)(1) of Public Law 102-234 requires the Secretary, at the beginning of each Federal fiscal year (beginning with Federal fiscal year 1993) to estimate and publish in the **Federal Register**, the national DSH payment limit and each State's DSH allotment within that DSH limit. In accordance with the statute, we are publishing this notice for Federal fiscal year 1993. The process that we are using to publish the national and State limits for Federal fiscal year 1993 is described below.

We are publishing in this notice the "preliminary" national DSH limit and State DSH allotments based on projections using the best available data we have at this time. States will be able to use these preliminary figures to begin making DSH payments to providers. By April 1, 1993, we will calculate an update to these preliminary projections based on February 1993 Medicaid budget submissions and actual expenditure data received at that point, as reviewed and adjusted by HCFA if necessary. Also by April 1, we will publish in the **Federal Register** the updated preliminary national limit and updated preliminary State DSH allotments. These updates allow States to make any mid-year adjustments they deem necessary to their DSH expenditures in accordance with the updated limits so that they will be in compliance with all applicable DSH limits for the entire Federal fiscal year.

Based on actual allowable expenditures for Federal fiscal year 1992

that are reported to HCFA as of December 31, 1993, we will calculate the final DSH national 12 percent expenditure limit and the final individual State DSH allotments for Federal fiscal year 1993.

If the total amount of all final State DSH allotments for Federal fiscal year 1993 exceeds 12 percent of the total medical assistance expenditures in Federal fiscal year 1993, we will reduce each State's DSH allotment proportionally in determining the final individual State DSH allotments to maintain the 12-percent national limit. This proportional reduction will be based upon the percentage of each State's DSH base allotment to the total of all State DSH base allotments multiplied by the amount that all State DSH base allotments exceed the aggregate national 12 percent DSH spending limit. The calculated reduction amount will be subtracted from the State's DSH base allotment to determine each State's final DSH allotment for Federal fiscal year 1993. However, we will not reduce any State's DSH allotment below a minimum of \$1 million as prescribed in the law and regulations.

We will publish the final national limits and the final State allotments for Federal fiscal year 1993 in the **Federal Register** by April 1, 1994.

II. Calculations of the Federal Fiscal Year 1993 DSH Limits

As explained earlier, sections 1923(f)(2), (3), and (4) of the Act provide the basic formula for determining the State DSH allotments. We have calculated the preliminary Federal fiscal year 1993 State DSH allotments in this notice in accordance with section 1923(f) of the Act. The results of these calculations are presented in chart format in section III of this notice.

The preliminary State base DSH allotments for Federal fiscal year 1993 are equal to the allowable Federal fiscal year 1992 DSH expenditures made by the States that are applicable to Federal fiscal year 1992. These amounts were determined using the Federal fiscal year 1992 DSH expenditure data submitted by the States in June 1992 in response to a May 6, 1992, HCFA data request that was sent to all State Medicaid Directors and updated by the States in August 1992. The States submitted unadjusted Federal fiscal year 1992 DSH expenditures of over \$18 billion. These expenditures were reviewed by us and adjusted to remove DSH expenditures that do not qualify under the provisions of section 1923 of the Act, as amended by Public Law 102-234, as base allotment expenditures. Specific

adjustments totalling over \$1.5 billion were made for amounts representing retroactive DSH expenditures that were not applicable to Federal fiscal year 1992, non-DSH expenditures incorrectly included as DSH expenditures, inclusion of one-time DSH expenditures made under plan amendments effective for the period October 1, 1992 through December 31, 1991 that are not allowable in the base allotments, and DSH expenditures for non-qualifying DSH plans. The net effect of these adjustments resulted in adjusted Federal fiscal year 1992 DSH expenditures of over \$16.5 billion and this amount constitutes the total of all State base allotments.

We classified States as high-DSH or low-DSH States. If a State's base allotment exceeded 12 percent of its estimated total medical assistance expenditures (excluding administrative costs) projected to be made under the State's approved plan in Federal fiscal year 1992, we classified that State as a "high-DSH" State. If a State's base allotment was 12 percent or less of its total medical assistance expenditures projected to be made under the State's approved State plan in Federal fiscal year 1992, we classified that State as a "low-DSH" State. In both cases, each State's preliminary base allotment for Federal fiscal year 1993 equalled the absolute dollar amount of allowable DSH payments made in Federal fiscal year 1992 that is applicable to that fiscal year.

We estimated the preliminary Federal fiscal year 1993 national total medical assistance expenditures to be over \$137.8 billion. The expenditures were estimated using the updated budget figures in the Fiscal Year 1993 Mid-Session Review. The estimated national total medical assistance expenditures were calculated using the May 1992 State budget projections (Form HCFA-25) for Federal fiscal year 1993, as adjusted upward by the HCFA actuaries for national aggregate expenditure trends. The aggregate national HCFA actuarial adjustment was distributed proportionally to each State. The distribution was based on the State's ratio of its May projected Federal fiscal year 1993 total medical assistance expenditures to the national total medical assistance expenditures for Federal fiscal year 1993. To establish the individual State expenditure estimates for Federal fiscal year 1993, the aggregate national HCFA actuarial adjustment was distributed proportionately to each State based on the ratio of the State's May projection of total medical assistance expenditures

for Federal fiscal year 1993 to the national total medical assistance expenditures for Federal fiscal year 1993.

The overall preliminary national Federal fiscal year 1993 DSH expenditure limit is approximately \$16.5 billion (12 percent of \$137.8 billion). The preliminary high- and low-DSH base allotments, as adjusted by HCFA, total approximately \$16.5 billion. Thus, because the total of all State DSH base allotments for Federal fiscal year 1993 is approximately equal to (or most precisely, slightly in excess of) 12 percent of our current estimate for Federal fiscal year 1993 total medical assistance expenditures, there were no growth amounts and no distribution pool amounts are available for the low-DSH States. Consequently, the preliminary Federal fiscal year 1993 DSH allotments for both the high- and low-DSH States are equal to the State base allotments.

States will need to make any necessary adjustments to their DSH spending during Federal fiscal year 1993 to ensure that they do not exceed the preliminary State base allotments since these allotments are approximately equal to our current estimate of Federal fiscal year 1993 total medical assistance expenditures. If actual Federal fiscal year 1993 total medical assistance expenditures do not exceed our current estimate, the final Federal fiscal year 1993 individual State DSH allotments will be reduced as described above.

The mid-Federal fiscal year 1993 update of the preliminary Federal fiscal year 1993 State DSH allotments and national Federal fiscal year 1993 limit on DSH expenditures will be published in the **Federal Register** by April 1, 1993. This update will be based upon the information the States submit on their February 1993 Medicaid budget submissions (Form HCFA-25) adjusted by the HCFA actuaries, as deemed necessary. These adjustments, if made, will be for amounts representing historical estimating trends, actual expenditure trends to date, unallowable expenditures, and updated actual Federal fiscal year 1992 DSH expenditures. This notification will provide States with a further update of their individual preliminary State DSH allotments and preliminary national DSH expenditure limit. States will be

encouraged to amend their plans as may be necessary to make any necessary mid-year adjustments to their Federal fiscal year 1993 DSH expenditure patterns so that each State will not significantly be over or under its final Federal fiscal year 1993 DSH allotment when the final reconciliation takes place.

The final Federal fiscal year 1993 reconciliation to actual expenditures will take place during January to March 1994. States will have until December 31, 1993, to file expenditure reports with HCFA for Federal fiscal year 1993 to be used in the reconciliation process for the purpose of calculating the final State DSH allotments and national DSH limit for Federal fiscal year 1993. December 31, 1993, is the final cut-off date for the submission of expenditures to be used in the reconciliation process for the purpose of calculating the final State DSH allotments for final national DSH limit for Federal fiscal year 1993. Allowable expenditures submitted after December 31, 1993, will not be used in the calculation of the final State allotments and final national DSH limits for Federal fiscal year 1993.

The December 31, 1993 cut-off date is only used for the final DSH allotment and national calculation process. States may continue to submit Federal fiscal year 1993 expenditures for Federal claiming purposes in accordance with regular Medicaid program requirements. All additional DSH expenditures made in succeeding Federal fiscal years that are applicable to Federal fiscal year 1993 will continue to be reconciled back to each State's final Federal fiscal year DSH allotment to ensure that the allotment is not exceeded. Any DSH expenditures in excess of the final DSH allotment will be disallowed.

During January through March 1994, HCFA will review the expenditures to be used in the final calculation to determine their allowability. Only allowable expenditures will be used in the final calculation process. Upon completion of this review process, HCFA will establish the final allowable Federal fiscal year 1992 and 1993 DSH and medical assistance expenditures for calculating the final State DSH allotments and national limit.

By April 1, 1994, HCFA will publish in the **Federal Register** the final Federal

fiscal year 1993 State DSH allotments and the final Federal fiscal year 1993 national DSH expenditure limit.

At that point, the final Federal fiscal year State DSH allotments for each State will be compared to each State's Federal fiscal year 1993 DSH expenditures applicable to Federal fiscal year 1993 to determine any amounts that the State has spent over or under its State DSH allotment. Those States that have spent less than their final Federal fiscal year 1993 DSH allotment will be allowed to make additional Federal fiscal year 1993 DSH expenditures in accordance with the methodology specified in their approved State plan up to their final State DSH allotment for Federal fiscal year 1993. Any additional Federal fiscal year 1993 DSH expenditures made by these States in succeeding Federal fiscal years will not be used in calculating the State DSH expenditure allotments for that succeeding Federal fiscal year but will be compared with their final Federal fiscal year 1993 State DSH allotment to ensure that the allotment is not exceeded. Those States that have exceeded their final Federal fiscal year 1993 DSH allotments will have those expenditures in excess of their allotment disallowed. Any DSH expenditures that are disallowed will be subject to the normal Medicaid disallowance procedures.

III. Preliminary Federal Fiscal Year 1993 DSH Allotments Under Public Law 102-234 Chart

Column and Description

Column A=Name of State

Column B=The State's base DSH allotment.

This is an amount that is the greater of the State's Federal fiscal year 1992 allowable DSH expenditures applicable to Federal fiscal year 1992, as reported to HCFA in the June 1992 survey and August 1992 updates and adjusted by HCFA, or \$1,000,000.

Column C=The growth amounts for low-DSH States. There are no growth amounts available.

Column D=The "preliminary" Federal fiscal year 1993 DSH allotments for all States.

This is equal to the State base allotments.

Column E=Low/high DSH designator for Federal fiscal year 1993. An "H" indicates the State will be treated as a high-DSH State and an "L" indicates the State will be treated as a low-DSH State for calculation of the final State allotments.

BILLING CODE 4120-01-M

PRELIMINARY FEDERAL FISCAL YEAR
1993 DISPROPORTIONATE SHARE HOSPITAL
ALLOTMENTS UNDER PUBLIC LAW 102-234

(AMOUNTS ARE STATE AND FEDERAL SHARES
DOLLARS ARE IN THOUSANDS (000))

A STATE	B BASE ALLOTMENTS FOR ALL STATES	C GROWTH AMOUNTS FOR LOW DSH STATES	D PRELIMINARY FFY 93 STATE DSH ALLOTMENT	E HIGH (H) OR LOW (L) DSH DESIGNATION
AL	\$412,952	N/A	\$412,952	H
AK	\$15,611	\$0	\$15,611	L
AR	\$3,600	\$0	\$3,600	L
CA	\$1,600,000	N/A	\$1,600,000	H
CO	\$332,764	N/A	\$332,764	H
CT	\$393,969	N/A	\$393,969	H
DE	\$4,800	\$0	\$4,800	L
DC	\$32,902	\$0	\$32,902	L
FL	\$191,400	\$0	\$191,400	L
GA	\$296,703	\$0	\$296,703	L
HI	\$38,052	\$0	\$38,052	L
ID	\$1,141	\$0	\$1,141	L
IL	\$298,933	\$0	\$298,933	L
IN	\$140,708	\$0	\$140,708	L
IA	\$4,633	\$0	\$4,633	L
KS	\$182,896	N/A	\$182,896	H
KY	\$265,433	N/A	\$265,433	H
LA	\$1,021,390	N/A	\$1,021,390	H
ME	\$274,301	N/A	\$274,301	H
MD	\$117,481	\$0	\$117,481	L
MA	\$478,632	\$0	\$478,632	L
MI	\$543,423	N/A	\$543,423	H
MN	\$17,240	\$0	\$17,240	L
MS	\$154,964	\$0	\$154,964	L
MO	\$699,112	N/A	\$699,112	H
MT	\$1,000	\$0	\$1,000	L
NE	\$2,500	\$0	\$2,500	L
NV	\$73,560	N/A	\$73,560	H
NH	\$391,113	N/A	\$391,113	H
NJ	\$1,092,356	N/A	\$1,092,356	H
NM	\$8,484	\$0	\$8,484	L
NY	\$2,784,477	N/A	\$2,784,477	H
NC	\$332,661	\$0	\$332,661	L
ND	\$1,000	\$0	\$1,000	L
OH	\$451,834	\$0	\$451,834	L
OK	\$25,867	\$0	\$25,867	L
OR	\$17,312	\$0	\$17,312	L
PA	\$967,407	N/A	\$967,407	H
RI	\$40,336	\$0	\$40,336	L
SC	\$422,651	N/A	\$422,651	H
SD	\$1,000	\$0	\$1,000	L
TN	\$440,944	N/A	\$440,944	H
TX	\$1,513,029	N/A	\$1,513,029	H
UT	\$7,453	\$0	\$7,453	L
VT	\$22,693	\$0	\$22,693	L
VA	\$104,555	\$0	\$104,555	L
WA	\$230,929	\$0	\$230,929	L
WV	\$66,355	\$0	\$66,355	L
WI	\$8,020	\$0	\$8,020	L
WY	\$1,000	\$0	\$1,000	L
TOTAL	\$16,531,576	\$0	\$16,531,576	

N/A=NOT APPLICABLE

FILENAME:CURBASE

20-Nov-92

02:35:12 PM

BILLING CODE 4120-01-C

IV. Regulatory Impact Statement

Executive Order (E.O.) 12291 requires us to prepare and publish a regulatory impact analysis for any final notice that meets one of the E.O. 12291 criteria for a "major rule"; that is, that will be likely to result in—

- An annual effect on the economy of \$100 million or more;
- A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or
- Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Also, we generally prepare a regulatory flexibility analysis that is consistent with the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 through 612), unless the Administrator certifies that a proposed notice would not have a significant economic impact on a substantial number of small entities. For purposes of a RFA, States and individuals are not considered small entities. However, providers are considered small entities. Additionally, section 1102(b) of the Act requires the Secretary to prepare a regulatory impact analysis for any final notice such as this that may have a significant impact on the operations of a substantial number of small rural hospitals. Such an analysis must conform to the provisions of section 604 of the RFA. For purposes of section 1102(b) of the Act, we define a small rural hospital as a hospital which is located outside of a Metropolitan Statistical Area and has fewer than 50 beds.

This notice does not contain rules. Rather, it fulfills our obligation under section 1923 of the Act, as amended by Public Law 102-234, to publish in the *Federal Register* the national and State limits on DSH payments. Although, based on currently available data, we are unable to determine the final DSH payments, we believe that the amount for each State listed in the chart included in this notice reflects the State's DSH payment as projected under the State's approved 1992 State plan or \$1,000,000, whichever is higher, as provided for in the statute. Since these estimated amounts are approximately equal to the national aggregate limit on Medicaid payments to DSHs, there will not be any growth amounts or redistribution pool amounts available to increase the DSH base allotments for low-DSH States for Federal fiscal year 1993.

Until we complete this initial base year, we are unable to make any significant comparisons for prior years. We will issue a complete regulatory impact analysis when we publish the notice containing the final national limits and the final State allotments for Federal fiscal year 1993 in the *Federal Register* by April 1, 1994.

For these reasons (that is, this final notice does not represent an attempt at rulemaking, and the publishing of this notice will not have a significant impact on any aspect of the Medicaid program), this notice does not meet the \$100 million criterion.

In addition, we believe that this notice does not meet the other E.O. 12291 criteria. Therefore, this proposed notice is not a major rule under E.O. 12291, and a regulatory impact analysis is not required.

For these same reasons, we also have determined, and the Secretary certifies, that this notice will not result in a significant impact on a substantial number of small entities and would not have a significant effect on the operations of a substantial number of small rural hospitals. Therefore, we are not preparing analyses for either the RFA or section 1102(b) of the Act.

(Catalog of Federal Assistance Program No. 93.778, Medical Assistance Program)

Dated: October 29, 1992.

William Toby, Jr.,

Acting Deputy Administrator, Health Care Financing Administration.

Approved: November 20, 1992.

Louis W. Sullivan,

Secretary.

[FR Doc. 92-28622 Filed 11-23-92; 8:45 am]

BILLING CODE 4120-01-M

Social Security Administration

Privacy Act of 1974; System of Records; Report of Revised Routine Uses

AGENCY: Social Security Administration (SSA), Department of Health and Human Services (HHS).

ACTION: Addition of a new routine use to four systems of records.

SUMMARY: In accordance with the Privacy Act (5 U.S.C. 552a(e)(11)), we are issuing public notice of our intent to add a new routine use to the systems of records entitled "Earnings Recording and Self-Employment Income system, HHS/SSA/OSR, 09-60-0059", "Master Beneficiary Record, HHS/SSA/OSR, 09-60-0090", "Supplemental Security Income Record, HHS/SSA/OSR, 09-60-0103" and "Disability Studies, Surveys,

Records and Extracts (Statistics), HHS/SSA/OP, 09-60-0196." We invite public comment on this publication.

DATE: The proposed routine use changes will become effective as proposed, without further notice on December 24, 1992, unless we receive comments on or before that date which would warrant our preventing the changes from taking effect.

ADDRESSES: Interested individuals may comment on this publication by writing to the SSA Privacy Officer, Social Security Administration, Room 3-D-1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235. All comments received will be available for public inspection at that address.

FOR FURTHER INFORMATION CONTACT:

Mr. Stanley Hanna, Social Insurance Specialist, Confidentiality and Disclosure Branch, Division of Technical Documents and Privacy, Office of Regulations, Office of Policy, Social Security Administration, 3-D-1 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, telephone 410-966-7077.

SUPPLEMENTARY INFORMATION:

I. DISCUSSION OF PROPOSED ROUTINE USE

We propose to add a new routine use to the systems of records shown above. The proposed routine use will enable SSA employees to disclose statistical data to the Rehabilitation Services Administration (RSA). The statistical data that will be released to RSA will not contain personally identifiable information (such as names or Social Security numbers). RSA will use the information in its studies and development of program enhancements for vocational rehabilitation (VR).

It may be theoretically possible to manipulate the statistical data with other information maintained by RSA in such a way that would identify the individuals to whom the statistics pertain. However, RSA has assured SSA that RSA will not attempt to identify these individuals and will apply appropriate safeguard measures to prevent anyone from doing so. We are publishing the routine use statement described below in order to ensure that disclosure of the statistical data to RSA without the consents of individuals will comply with the requirements of 5 U.S.C. 552a(b).

Background

Since the establishment of the Social Security disability program in 1954 and the Supplemental Security Income disability program in 1974, there has

been a strong connection between these programs and the State VR programs which are approved by RSA. For example, Congress has mandated.

- The referral of certain SSA disability applicants and beneficiaries to such State VR programs,
- Suspension of, or deductions from, benefits payable to beneficiaries who refuse to participate in such programs,
- SSA reimbursement of certain State VR costs and services, and
- Continuation of benefits for certain beneficiaries who participate in such VR programs after their disabling conditions improve. [See 42 U.S.C. 422, 425, 1382d and 1382h.]

To ensure the maximum protection is afforded to individuals' rights under the Privacy Act, SSA and RSA are entering into a Memorandum of Understanding to govern the use and security of the exchanged data. Also, we are publishing the new routine use described below to ensure that the requirements of the Privacy Act have been met and to provide the public an opportunity to comment.

Proposed Routine Use

The proposed routine use will be #25 in the Earnings Recording and Self-Employment Income system, #31 in the Master Beneficiary Record system, #29 in the Supplemental Security Income Record system and #3 in the Disability Studies, Surveys, Records and Extracts (Statistics) system. It will state that information may be disclosed

"To the Rehabilitation Services Administration (RSA) for use in its program studies of, and development of enhancements for, State vocational rehabilitation programs. These are programs to which applicants or beneficiaries under titles II and or XVI of the Social Security Act may be referred. Data released to RSA will not include any personally identifying information (such as names or SSNs)."

II. Compatibility of Proposed Routine Use

We are proposing the changes discussed above in accordance with the Privacy Act (5 U.S.C. 552a(a)(7), (b)(3), and (e)(11)) and our disclosure regulation (20 CFR part 401).

The Privacy Act permits us to disclose information about individuals without their consent for routine uses when the purposes for which the information would be used by an agency receiving it from SSA would be compatible with the purposes for which SSA collects the information. SSA regulations which implement the Privacy Act indicate that SSA would find such compatibility of purposes when disclosure would assist

projects that relate to functions performed by SSA under provisions of the Social Security Act. See 20 CFR 401.310(c).

The routine use described above will allow SSA to provide data to the RSA for use in its program studies and development of program enhancements for State VR programs approved by RSA. The enhancements, in turn, benefit applicants for and beneficiaries of SSA disability programs who are, or will be, participants in such programs.

A goal of SSA's program of referral, reflected in 42 U.S.C. 422 and 1382d, is the rehabilitation of as many disability applicants and beneficiaries as possible into productive activity. The data SSA will supply to RSA will help RSA assist such VR programs in providing better services to program participants, so that the maximum number of applicants and beneficiaries can be rehabilitated.

Some of the information to be disclosed to RSA comes from Federal tax returns, and therefore is governed by section 6103 of the Internal Revenue Code (IRC) (26 U.S.C. 6103). Section 6103(l)(1)(A) of the IRC allows SSA to use tax return information for its administration of the Social Security Act. This includes activities relating to SSA's VR referral program.

The disclosure covered by the routine use statement described above will assist the study and enhancement of State VR programs to improve the services for which individuals are and will be referred under 42 U.S.C. 422 and 1382d. Therefore, we believe that disclosure of tax return information under the proposed routine use is a use of such information by SSA which is consistent with 26 U.S.C. 6103(l)(1)(A).

III. Effect of the Proposal on Individual Rights

As discussed above, the proposed routine use will permit SSA to aid beneficiaries by assisting the RSA in conducting studies of, and developing enhancements for, State VR programs. The disclosures will meet statutory and SSA's regulatory requirements for disclosure. Moreover, the statistical data which will be released to RSA will not contain any personally identifiable information. Therefore, we do not anticipate that the disclosures will have any effect on the privacy or other rights of individuals.

IV. Other Changes

In the Earnings Recording and Self-Employment system we are deleting the routine use which currently appears as #25. This routine use permitted certain disclosures to the Department of Veterans Affairs pursuant to section

6103(l)(7) of the Internal Revenue Code (26 U.S.C.), as amended by section 8051 of Public Law No. 101-508, the Omnibus Budget Reconciliation Act of 1990. As we indicated when the routine use was published last year, that amendment does not permit such disclosures to continue after September 30, 1992.

We have also made minor editorial changes to correct typographical errors and to update the names of certain offices.

Dated: October 28, 1992.

Louis D. Enoff,

Principal Deputy Commissioner of Social Security.

09-60-0059

SYSTEM NAME:

Earnings Recording and Self-Employment Income System, HHS/SSA/OSR.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, Office of Systems, 6401 Security Boulevard, Baltimore, MD 21235.

Social Security Administration, Office of System Requirements, 6401 Security Boulevard, Baltimore, MD 21235.

Social Security Administration, Office of Central Records Operations, Metro West Building, 300 North Greene Street, Baltimore, MD 21201.

Records also may be located at contractor sites (contact the system manager at the address below for contractor addresses.)

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Any person who has been issued a Social Security Number (SSN) and who may or may not have earnings under Social Security; or any person requesting, reporting, changing and/or inquiring about earnings information; or any person having a vested interest in a private pension fund.

CATEGORIES OF RECORDS IN THE SYSTEM:

This system contains records of every SSN holder, his/her name, date of birth, sex, and race/ethnic data and a summary of his/her yearly earnings and quarters of coverage; special employment codes (i.e., self-employment, military, agriculture, and railroad); benefit status information; employer identification (i.e., employer identification numbers and pension plan numbers); minister waiver forms (i.e., forms filed by the clergy for the election or waiver of coverage under Social Security Act (the Act)); correspondence

received from individuals pertaining to the above-mentioned items; the replies to such correspondence; and pension plan information (i.e., nature, form, and amount of vested benefits).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 205(a) and 205(c)(2) of the Act, the Federal Records Act of 1950 (64 Stat. 583), and the Employee Retirement Income Security Act of 1974 (Public Law 93-406).

PURPOSE(S):

This system is used for the following purposes:

- As a primary working record file of all SSN holders;
- As a quarterly record detail file to provide full data in wage investigation cases;
- To provide information for determining amount of benefits;
- To record all incorrect or incomplete earnings items;
- To reinstate incorrectly or incompletely reported earnings items;
- To record the latest employer of a wage earner;
- For statistical studies;
- For identification of possible overpayments of benefits;
- For identification of individuals entitled to additional benefits;
- To provide information to employers/former employers for correcting or reconstructing earnings records and for Social Security tax purposes;
- To provide workers and self-employed individuals with earnings statements or quarters of coverage statements;
- To provide information to Health and Human Services (HHS) Audit Agency for auditing benefit payments under Social Security programs;
- To provide information to the National Institute for Occupational Safety and Health for epidemiological research studies required by the Occupational Health and Safety Act of 1974;
- To assist the Social Security Administration (SSA) in responding to general inquiries about Social Security, including earnings or adjustments to earnings, and in preparing responses to subsequent inquiries; and
- To store ministerial waivers, thus preventing erroneous payment of Social Security benefits.

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

Disclosure may be made for routine uses as indicated below:

1. To employers or former employers, including State Social Security administrators, for correcting and reconstructing State employee earnings records and for Social Security purposes.

2. To the Department of the Treasury for:

(a) Investigating the alleged forgery, or unlawful negotiation of Social Security checks; and

(b) Tax administration as defined in 26 U.S.C. 6103 of the Internal Revenue Code (IRC).

3. To the Railroad Retirement Board (RRB) for administering provisions of the Railroad Retirement and Social Security Acts relating to railroad employment.

4. To the Department of Justice (DOJ) (Federal Bureau of Investigation and United States Attorneys) for investigating and prosecuting violations of the Act.

5. To a contractor for the purpose of collating, evaluating, analyzing, aggregating or otherwise refining records when the SSA contracts with a private firm. (The contractor shall be required to maintain Privacy Act safeguards with respect to such records.)

6. To the Department of Energy for their study of low-level radiation exposure.

7. To a congressional office in response to an inquiry from the congressional office made at the request of the subject of a record.

8. To the Department of State for administering the Act in foreign countries through services and facilities of that agency.

9. To the American Institute on Taiwan for administering the Act in Taiwan through services and facilities of that agency.

10. To the Department of Veterans Affairs (DVA) Regional Office for administering the Act in the Philippines through services and facilities of that agency.

11. To the Department of Interior for administering the Act in the Trust Territory of the Pacific Islands through services and facilities of that agency.

12. To State audit agencies for auditing State supplementation payments and Medicaid eligibility considerations.

13. To DOJ, a court or other tribunal, or another party before such tribunal when:

(a) SSA, any component thereof, or

(b) Any SSA employee in his/her official capacity; or

(c) Any SSA employee in his/her individual capacity where DOJ (or SSA

where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components,

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the court or other tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

Wage and other information which are subject to the disclosure provisions of the IRC (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

14. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Act.

15. Information necessary to adjudicate claims filed under an international Social Security agreement that the United States has entered into pursuant to section 233 of the Act may be disclosed to a foreign country which is a party to that agreement.

16. To Federal, State, or local agencies (or agents on their behalf) for the purpose of validating SSN's used in administering cash or noncash income maintenance programs or health maintenance programs (including programs under the Act).

17. Tax return information (e.g., information with respect to net earnings from self-employment, wages, payments of retirement income which have been disclosed to SSA and business and employment addresses) may be disclosed, upon written request, the officers and employees of a Federal, State or local agency for purposes of, and to the extent necessary in, determining an individual's eligibility for, or the correct amount of, benefits under certain programs listed in the Internal Revenue Code 6103(1)(7). These programs are:

(a) Aid to families with dependent children provided under a State plan approved under part A of title VI of the Act;

(b) Medical assistance provided under a State plan approved under title XIX of the Act;

(c) Supplemental security income benefits provided under title XVI of the Act, and federally administered supplementary payments of the type

described in section 1616(a) of such Act (including payments pursuant to an agreement entered into under section 212(a) of Public Law 93-66);

(d) Any benefits provided under a State plan approved under title I, X, XIV, or XVI of the Act (as those titles apply to Puerto Rico, Guam and the Virgin Islands);

(e) Unemployment compensation provided under a State law described in section 3304 of the IRC;

(f) Assistance provided under the Food Stamp Act of 1977; and

(g) State-administered supplementary payments of the type described in section 1616(a) of the Act (including payments pursuant to an agreement entered into under section 212(a) of Public Law 93-66).

18. Tax return information (e.g., information with respect to net earnings from self-employment, wages, payments of retirement income which have been disclosed to SSA and business and employment addresses) may be disclosed, upon written request, to appropriate officers and employees of a State or local child support enforcement agency in accordance with 6 U.S.C. 6103(b) for purposes of, and to the extent necessary in

(a) Establishing and collecting child support obligations from individuals who owe such obligations, and

(b) Locating those individuals under a program established under title IVD of the Act (42 U.S.C. 651ff).

19. The fact that a veteran is or is not eligible for retirement insurance benefits under the Social Security program may be disclosed to the Office of Personnel Management (OPM) for its use in determining a veteran's eligibility for a civil service retirement annuity and the amount of such annuity.

20. Employee and employer name and address information may be disclosed to DOJ (Immigration and Naturalization Service) for the purpose of informing that agency of the identities and locations of aliens who appear to be illegally employed.

21. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

22. Information derived from this system may be disclosed to OPM for the purpose of computing civil service

annuity offsets of civil service annuitants with military service or the survivors of such individuals pursuant to provisions of section 307 of Public Law 97-253.

23. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

24. Disclosure of tax return information will be made to OPM, upon OPM's written request, for the purpose of administering the Civil Service and Federal Employees Retirement Systems in accordance with Chapters 83 and 84 of Title 5, United States Code.

25. To the Rehabilitation Services Administration (RSA) for use in its program studies of, and development of enhancements for, State vocational rehabilitation programs. These are programs to which applicants or beneficiaries under titles II and/or XVI of the Act may be referred. Data released to RSA will not include any personally identifying information (such as names or SSNs).

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

STORAGE:

Records in this system are maintained as paper forms, correspondence in manila folders on open shelving, paper lists, punchcards, microfilm, magnetic tapes, and discs with online access files.

RETRIEVABILITY:

Records in this system are indexed by SSN, name, and employer identification number.

SAFEGUARDS:

Safeguards for automated records have been established in accordance with the HHS Information Resources Management Manual, Part 6, Automated Information Systems Security Program Handbook. This includes maintaining the magnetic tapes and discs within an enclosure attended by security guards. Anyone entering or leaving this enclosure must have a special badge issued only to authorized personnel.

For Computerized records electronically transmitted between Central Office and field office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/

unlock password system, exclusive use of leased telephone lines, a terminal-oriented transaction matrix, and an audit trail. All microfilm and paper files are accessible only by authorized personnel who have a need for the information in the performance of their official duties.

Expansion and improvement of SSA's telecommunications systems has resulted in the acquisition of terminals equipped with physical key locks. The terminals also are fitted with adapters to permit the future installation of data encryption devices and devices to permit the identification of terminal users.

RETENTION AND DISPOSAL:

All paper forms and cards are retained until they are filmed or are entered on tape and their accuracy is verified. Then they are destroyed by shredding. All tapes, discs, and microfilm files are updated periodically. The out-of-date magnetic tapes and discs are erased. The out-of-date microfilm is shredded.

SSA retains correspondence 1 year when it concerns documents returned to an individual, denials of confidential information, release of confidential information to an authorized third party and undeliverable material, for 4 years when it concerns information and evidence pertaining to coverage, wage, and self-employment determinations or when the statute of limitations is involved, and permanently when it affects future claims development especially coverage, wage, and self-employment, determinations. Correspondence is destroyed, when appropriate, by shredding.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Pre-Claims Requirements, Office of Systems Requirements, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

NOTIFICATION PROCEDURE:

An individual can determine if this system contains a record pertaining to him/her by providing his/her name, signature and SSN or, if the SSN is not known, name, signature, date and place of birth, mother's maiden name and father's name to the address shown under system manager and by referring to this system (Furnishing the SSN is voluntary, but it will make searching for an individual's record easier and avoid delay.)

An individual requesting notification of records in person need not furnish any special documents of identity.

Documents he/she would normally carry on his/her person would be sufficient (e.g., credit cards, driver's license, or voter registration card). An individual requesting notification via mail or telephone must furnish a minimum of his/her name, date of birth, and address in order to establish identity, plus any additional information specified in this section. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

CONTESTING RECORD PROCEDURES:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD SOURCE CATEGORIES:

SSN applicants, employers and self-employed individuals; DOJ (Immigration and Naturalization Service); the Department of Treasury (Internal Revenue Service); an existing system of records maintained by SSA, the Master Beneficiary Record (09-60-0090); correspondence, replies to correspondence, and earnings modifications resulting from SSA internal processes.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

09-60-0090

SYSTEM NAME:

Master Beneficiary Record (MBR), HHS/SSA/OSR.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, MD 21235.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

All Social Security beneficiaries who are or were entitled to receive Retirement and Survivors Insurance (RSI), or Disability Insurance (DI) benefits, including individuals who have received a RSI or DI payment since November 1978 even if their payment is not part of an ongoing award of benefits;

individuals (nonclaimants) on whose earnings records former spouses apply for RSI or DI benefits; persons who are only enrolled in the Hospital and/or Supplementary Medical Insurance (SMI) programs; and claimants whose benefits have been denied or disallowed.

The system also contains short reference to records for persons entitled to Supplemental Security Income payments, Black Lung benefits or Railroad Retirement Board (RRB) benefits.

CATEGORIES OF RECORDS IN THE SYSTEM:

The MBR contains information about each claimant who has applied for RSDI benefits, or to be enrolled in the Hospital or SMI programs; a record of the amount of Federal tax withheld on benefits paid to nonresident aliens; and the aggregate amount of benefit payments, repayments and reductions with respect to an individual in a calendar year. A record is maintained under each individual's Social Security number (SSN). However, if the individual has filed on another person's SSN, only a short 'pointer' record is maintained. Personal and general data about the claim is maintained under the SSN of that claim. Data about the claimant can be accessed using the claimant's SSN or the SSN on which benefits have been awarded or claimed (claim account number (CAN)).

There are three types of data in each CAN:

Account data. This includes the primary insurance amount, insured status of the SSN holder (if no monthly benefits are payable), data relating to the computation (use of military service credits, railroad retirement credits, or coverage credits earned under the social security system of a foreign country when the claim is based on a totalization agreement), and, if only survivor's benefits have been paid, identifying data about the SSN holder (full name, date of birth, date of death and verification of date of death).

Payment data. This includes the payee's name and address, data about a financial institution (if benefits are sent directly to the institution for deposit), the monthly payment amount, the amount and date of a one-time payment of past due benefits, and, where appropriate, a scheduled future payment. Payment data can refer to one beneficiary or several beneficiaries in a combined payment.

Beneficiary data. This includes personal information (name, date of birth, sex, date of filing, relationship to the SSN holder, other SSN's, benefit amount and payment status), and, if applicable, information about a

representative payee, data about disability entitlement, worker's compensation offset data, estimates and report of earnings, or student entitlement information.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 202-205, 223, 226, 228, 1818, 1836, and 1840 of the Social Security Act (the Act).

PURPOSE(S):

Data in this system are used by a broad range of Social Security employees for responding to inquiries, generating followups on beneficiary reporting events, computer exception processing, statistical studies, conversion of benefits, and generating records for the Department of the Treasury to pay the correct benefit amount.

Data in this system also are available to the Department of Health and Human Services' (HHS') Inspector General for use in the performance of his/her duties.

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

Disclosure may be made for routine uses as indicated below:

1. To applicants or claimants, prospective applicants or claimants (other than the data subject), their authorized representatives or representative payees to the extent necessary to pursue Social Security claims and to representative payees, when the information pertains to individuals for whom they serve as representative payees, for the purpose of assisting SSA in administering its representative payment responsibilities under the Act and assisting the representative payees in performing their duties as payees, including receiving and accounting for benefits for individuals for whom they serve as payees.

2. To third party contacts in situations where the party to be contacted has, or is expected to have, information relating to the individual's capability to manage his/her affairs or his/her eligibility for, or entitlement to, benefits under the Social Security program when:

(a) The individual is unable to provide information being sought. An individual is considered to be unable to provide certain types of information when:

- (1) He/she is incapable or of questionable mental capability;
- (2) He/she cannot read or write;
- (3) He/she cannot afford the cost of obtaining the information;
- (4) He/she has a hearing impairment, and is contacting SSA by telephone

through a telecommunications relay system operator;

(5) A language barrier exists; or
(6) The custodian of the information will not, as a matter of policy, provide it to the individual; or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following:

(1) His/her eligibility for benefits under the Social Security program;

(2) The amount of his/her benefit payment; or

(3) Any case in which the evidence is being reviewed as a result of suspected fraud, concern for program integrity, quality appraisal, or evaluation and measurement activities.

3. To third party contacts where necessary to establish or verify information provided by representative payees or payee applicants.

4. To a person (or persons) on the rolls when a claim is filed by another individual which is adverse to the person on the rolls:

(a) An award of benefits to a new claimant precludes an award to a prior claimant; or

(b) An award of benefits to a new claimant will reduce the benefit payments to the individual(s) on the roll; but only for information concerning the facts relevant to the interests of each party in a claim.

5. To the Department of the Treasury for:

(a) Collecting Social Security taxes or as otherwise pertinent to tax and benefit payment provisions of the Act (including SSN verification services);

(b) Investigating the alleged theft, forgery, or unlawful negotiation of Social Security checks;

(c) Determining the Federal tax liability on Social Security benefits pursuant to 26 U.S.C. 6050, as amended by Public Law 98-21. The information disclosed will consist of the following:

(1) The aggregate amount of Social Security benefits paid with respect to any individual during any calendar year;

(2) The aggregate amount of Social Security benefits repaid by such individual during such calendar year;

(3) The aggregate reductions under section 224 of the Act in benefits which would otherwise have been paid to such individual during the calendar year on account of amounts received under a worker's compensation act; and

(4) The name and address of such individual; and

(d) Depositing the tax withheld on benefits paid to nonresident aliens in the Treasury (Social Security Trust

Funds) pursuant to 26 U.S.C. 871, as amended by Public Law 98-21.

6. To the United States Postal Service for investigating the alleged theft or forgery of Social Security checks.

7. To the Department of Justice (DOJ) for:

(a) Investigating and prosecuting violations of the Act to which criminal penalties attach;

(b) Representing the Secretary of HHS; and

(c) Investigating issues of fraud by agency officers or employees, or violation of civil rights.

8. To the Department of State for administering the Act in foreign countries through services and facilities of that agency.

9. To the American Institute on Taiwan for administering the Act on Taiwan through services and facilities of that agency.

10. To the Department of Veterans Affairs (DVA), Philippines Regional Office, for administering the Social Security Act in the Philippines through the services and facilities of that agency.

11. To the Department of Interior for administering the Act in the Trust Territory of the Pacific Islands through services and facilities of that agency.

12. Information necessary to adjudicate claims filed under an international Social Security agreement that the United States has entered into pursuant to Section 233 of the Act may be disclosed to a foreign country which is a party to that agreement.

13. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry received from that individual or from a third party on his/her behalf.

14. To the Office of Education for determining eligibility of applicants for basic educational opportunity grants.

15. To the Bureau of Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to this system of records.

16. To the Department of the Treasury, Office of Tax Analysis, for studying the effects of income taxes and taxes on earnings.

17. To the Office of Personnel Management for the study of the relationship of civil service annuities to minimum Social Security benefits, and the effects on the trust fund.

18. To State Social Security Administrators for administering agreements pursuant to section 218 of the Act.

19. To the Department of Energy for their study of the long-term effects of low-level radiation exposure.

20. To contractors under contract to the Social Security Administration (SSA) (or under contract to another agency with funds provided by SSA) for the performance of research and statistical activities directly relating to this system of records.

21. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.

22. To the Department of Labor for conducting statistical studies of the relationship of private pensions and Social Security benefits to prior earnings.

23. In response to legal process or interrogatories relating to the enforcement of an individual's child support or alimony obligations, as required by sections 459 and 461 of the Act.

24. To Federal, State, or local agencies (or agents on their behalf) for administering income maintenance or health maintenance programs (including programs under the Act). Such disclosures include, but are not limited to, release of information to:

(a) RRB for administering provisions of the Railroad Retirement Act relating to railroad employment; for administering the Railroad Unemployment Insurance Act and for administering provisions of the Social Security Act relating to railroad employment;

(b) DVA for administering 38 U.S.C. 412, and upon request, for determining eligibility for, or amount of, veterans' benefits or verifying other information with respect thereto;

(c) State welfare departments for administering sections 205(c)(B)(i)(II) and 402(a)(25) of the Act requiring information about assigned SSN's for Aid to Families with Dependent Children (AFDC) program purposes and for determining a recipient's eligibility under the AFDC program; and

(d) State agencies for administering the Medicaid program.

25. Upon request, information on the identity and location of aliens may be disclosed to DOJ (Criminal Division, Office of Special Investigations) for the purpose of detecting, investigating and, where appropriate, taking legal action against suspected Nazi war criminals in the United States.

26. To third party contacts (including private collection agencies under contract with SSA) for the purpose of their assisting SSA in recovering overpayments.

27. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of

assisting SSA in the efficient administration of its programs. We contemplate disclosing information under the routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

28. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

29. Information may be disclosed to the Federal Reserve Bank of New York for the purpose of making direct deposit/electronic funds transfer of Social Security benefits to foreign-resident beneficiaries.

30. To DOJ, a court or other tribunal, or another party before such tribunal when:

- (a) SSA, any component thereof, or
- (b) Any SSA employee in his/her official capacity; or
- (c) Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or
- (d) The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components,

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the court or other tribunal is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

31. To the Rehabilitation Services Administration (RSA) for use in its program studies of, and development of enhancements for, State vocational rehabilitation programs. These are programs to which applicants or beneficiaries under titles II and or XVI of the Act may be referred. Data released to RSA will not include any personally identifying information (such as names or SSNs).

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

STORAGE:

Records are stored in magnetic media (e.g., magnetic tape and magnetic disc) and in microform and paper form.

RETRIEVABILITY:

Records in this system are indexed and retrieved by SSN.

SAFEGUARDS:

Safeguards for automated records have been established in accordance with the HHS Information Resources Management Manual, "Part 6, Automated Information Systems Security Program Handbook." All magnetic tapes and discs are within an enclosure attended by security guards. Anyone entering or leaving this enclosure must have special badges which are issued only to authorized personnel. All microform and paper files are accessible only by authorized personnel and are locked after working hours.

For computerized records, electronically transmitted between SSA's central office and field office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/unlock password system, exclusive use of leased telephone lines, a terminal oriented transaction matrix, and an audit trail.

RETENTION AND DISPOSAL:

Primary data storage is on magnetic disc. A new version of the disk file is generated each month based on changes to the beneficiary's record (adjustment in benefit amount, termination, or new entitlements). The prior version is written to tape and retained for 90 days in SSA's main data processing facility and is then sent to a secured storage facility for indefinite retention.

Selected records also are retained on magnetic disc for on-line query purposes. The query files are updated monthly and retained indefinitely. Microform records are disposed of by shredding or the application of heat after periodic replacement of a complete file.

Paper records are usually destroyed after use, by shredding, except where needed for documentation of the claims folder. (See the notice for the Claims Folders System, 09-60-0089 for retention periods and method of disposal for these records).

SYSTEM MANAGER AND ADDRESS:

Director, Office of Claims and Payment Requirements, Office of System

Requirements, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

NOTIFICATION PROCEDURE:

An individual can determine if this system contains a record about him/her by contacting the most convenient Social Security field office and providing his/her name, Social Security claim number (SSN plus alphabetic symbols), address, and proper identification. (Furnishing the SSN is voluntary, but it will make searching for an individual's record easier and avoid delay.)

An individual requesting notification of records in person need not furnish any special documents of identity. Documents he/she would normally carry on his/her person would be sufficient (e.g., credit cards, driver's license, or voter registration card). An individual requesting notification via mail or telephone must furnish a minimum of his/her name, date of birth and address in order to establish identity, plus any additional information specified in this section.

These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

CONTESTING RECORD PROCEDURES:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is untimely, incomplete, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD SOURCE CATEGORIES:

Data for the MBR come primarily from the Claims Folders System (09-60-0089) and/or is furnished by the claimant/beneficiary at the time of filing for benefits, via the application form and necessary proofs, and during the period of entitlement when notices of events such as changes of address, work, marriage, are given to the SSA by the beneficiary; and from States regarding HI third party premium payment/buy-in cases.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

09-60-0103

SYSTEM NAME:

Supplemental Security Income Record (SSR), HHS/SSA/OSR.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, Office of Systems Operations, 6401 Security Boulevard, Baltimore, MD 21235.

Records also may be located in Social Security Administration (SSA) Regional and field offices (individuals should consult their local telephone directories for address information).

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

This file contains a record for each individual who has applied for supplemental security income (SSI) payments, including individuals who have requested an advance payment; SSI recipients who have been overpaid; and each essential person associated with an SSI recipient.

CATEGORIES OF RECORDS IN THE SYSTEM:

This file contains data regarding SSI eligibility; citizenship; residence; Medicaid eligibility; eligibility for other benefits; alcoholism or drug addiction data, if applicable (disclosure of this information may be restricted by 21 U.S.C. 1175 and 42 U.S.C. 290dd-3 and ee-3); income data; resources; payment amounts, including overpayment amounts and date and amount of advance payments; living arrangements; case folder location data; appellate decisions, if applicable; Social Security numbers (SSN's) used to identify a particular individual, if applicable; information about representative payees, if applicable; and, a history of changes to any of the persons who have applied for SSI payments. For eligible individuals, the file contains basic identifying information, income and resources (if any) and, in conversion cases, the State welfare number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Sections 1602, 1611, 1612, 1613, 1614, 1615, 1616, 1631, 1633, and 1634 of Title XVI of the Social Security Act (the Act).

PURPOSE(S):

SSI records begin in Social Security field offices where an individual or couple files an application for SSI payments. The application contains data which may be used to prove the identity of the applicant, to determine his/her eligibility for SSI payments and, in cases where eligibility is determined, to

compute the amount of the payment. Information from the application, in addition to data used internally to control and process SSI cases, is used to create the SSR. The SSR also is used as a means of providing a historical record of all activity on a particular individual's or couple's record.

In addition, statistical data are derived from the SSR for actuarial and management information purposes.

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

Disclosure may be made for routine uses as indicated below:

1. To the Department of the Treasury to prepare SSI and Energy Assistance checks.
2. To the States to establish the minimum income level for computation of State supplements.
3. To the following Federal and State agencies to prepare information for verification of benefit eligibility under section 1631(e): Bureau of Indian Affairs; Office of Personnel Management; Department of Agriculture; Department of Labor; Immigration and Naturalization Service; Internal Revenue Service (IRS); Railroad Retirement Board (RRB); State Pension Funds; State Welfare Offices; State Worker's Compensation; Department of Defense; United States Coast Guard; and the Department of Veterans Affairs (DVA).
4. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.
5. To State crippled children's agencies (or other agencies providing services to disabled children) to identify title XVI eligibles under the age of 16 for the consideration of rehabilitation services in accordance with section 1615 of the Act.
6. To contractors under contract to SSA or under contract to another agency with funds provided by SSA for the performance of research and statistical activities directly relating to this system of records.
7. To State audit agencies for auditing State supplementation payments and Medicaid eligibility consideration.
8. To State agencies to effect and report the fact of Medicaid eligibility of title XVI recipients in the jurisdiction of those States which have elected Federal determinations of Medicaid eligibility of title XVI eligibles and to assist the States in administering the Medicaid program.
9. To State agencies to identify title XVI eligibles in the jurisdiction of those States which have not elected Federal determinations of Medicaid eligibility in

order to assist those States in establishing and maintaining Medicaid rolls and in administering the Medicaid program.

10. To State agencies to enable those which have elected Federal administration of their supplementation programs to monitor changes in applicant/recipient income, special needs, and circumstances.

11. To State agencies to enable those which have elected to administer their own supplementation programs to identify SSI eligibles in order to determine the amount of their monthly supplementary payments.

12. To State agencies to enable them to assist in the effective and efficient administration of the SSI program.

13. To State agencies to enable those which have an agreement with the Secretary of Health and Human Services (HHS), to carry out their functions with respect to Interim Assistance Reimbursement pursuant to Section 1631(g) of the Act.

14. To enable State agencies to enable them to locate potentially eligible individuals and to make eligibility determinations for extensions of social services under the provisions of title XX of the Act.

(b) the RRB for administering the Railroad Unemployment Insurance Act;

(c) State agencies to determine the eligibility for Medicaid;

(d) State agencies to locate potentially eligible individuals and to make determinations of eligibility for the food stamp program; and

(e) State agencies to administer energy assistance to low income groups under programs for which the States are responsible.

20. To IRS, Department of the Treasury, as necessary, for the purpose of auditing SSA's compliance with safeguard provisions of the Internal Revenue Code of 1954, as amended.

21. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry received from that individual or a third party on his/her behalf.

22. Upon request, information on the identity and location of aliens may be disclosed to the DOJ (Criminal Division, Office of Special Investigations) for the purpose of detecting, investigating and, where necessary, taking legal action against suspected Nazi war criminals in the United States.

23. To third party contacts (including private collection agencies under contract with SSA) for the purpose of their assisting SSA in recovering overpayments.

24. Information may be disclosed to contractors and other Federal agencies, as necessary, for the purpose of assisting SSA in the efficient administration of its programs. We contemplate disclosing information under this routine use only in situations in which SSA may enter a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

25. Nontax return information which is not restricted from disclosure by Federal law may be disclosed to the General Services Administration and the National Archives and Records Administration for the purpose of conducting records management studies with respect to their duties and responsibilities under 44 U.S.C. 2904 and 2906, as amended by the National Archives and Records Administration Act of 1984.

26. To the Department of Justice (DOJ), a court or other tribunal, or another party before such tribunal when:

- (a) SSA, any component thereof, or
- (b) Any SSA employee in his/her official capacity; or
- (c) Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or
- (d) The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components,

is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, the court, or other tribunal, is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

Wage and other information which are subject to the disclosure provisions of the Internal Revenue Code (IRC) (26 U.S.C. 6103) will not be disclosed under this routine use unless disclosure is expressly permitted by the IRC.

27. To representative payees, when the information pertains to individuals for whom they serve as representative payees, for the purpose of assisting SSA in administering its representative payment responsibilities under the Act and assisting the representative payees in performing their duties as payees, including receiving and accounting for benefits for individuals for whom they serve as payees.

28. To third party contacts in situations where the party to be

contacted has, or is expected to have, information relating to the individual's capability to manage his/her affairs or his/her eligibility for, or entitlement to, benefits under the Social Security program when:

(a) The individual is unable to provide information being sought. An individual is considered to be unable to provide certain types of information when:

- (1) He/she is incapable of or of questionable mental capability;
- (2) He/she cannot read or write;
- (3) He/she cannot afford the cost of obtaining the information;

(4) He/she has a hearing impairment, and is contacting SSA by telephone through a telecommunications relay system operator;

(5) A language barrier exists; or

(6) The custodian of the information will not, as a matter of policy, provide it to the individual; or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following:

- (1) His/her eligibility for benefits under the Social Security program;
- (2) The amount of his/her benefit payment; or
- (3) Any case in which the evidence is being reviewed as a result of suspected fraud, concern for program integrity, quality appraisal, or evaluation and measurement activities.

29. To the Rehabilitation Services Administration (RSA) for use in its program studies of, and development of enhancements for, State vocational rehabilitation programs. These are programs to which applicants or beneficiaries under titles II and or XVI of the Act may be referred. Data released to RSA will not include any personally identifying information (such as names or SSNs).

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

STORAGE:

Records are maintained in magnetic media (e.g., magnetic tape) and in microform.

RETRIEVABILITY:

Records are indexed and retrieved by SSN.

SAFEGUARDS:

System security for automated records has been established in accordance with the HHS Information Resources Management Manual, Part 6, Automated Information System Security Program Handbook. This includes maintaining all magnetic tapes and magnetic discs

within an enclosure attended by security guards. Anyone entering or leaving that enclosure must have special badges which are only issued to authorized personnel. All authorized personnel having access to the magnetic records are subject to the penalties of the Privacy Act. The microfiche are stored in locked cabinets, and are accessible to employees only on a need-to-know basis. All SSR State Data exchange records are protected in accordance with agreements between SSA and the respective States regarding confidentiality, use, and redisclosure.

RETENTION AND DISPOSAL:

Original input transaction tapes received which contain initial claims and posteligibility actions are retained indefinitely although these are processed as received and incorporated into processing tapes which are updated to the master SSR tape file on a monthly basis. All magnetic tapes appropriate to SSI information furnished to specified Federal, State, and local agencies for verification of eligibility for benefits and under section 1631(e) are retained, in accordance with the privacy Act accounting requirements, for at least 5 years or the life of the record, whichever is longer.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Claims and Payment Requirements, Office of Systems Requirements, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

NOTIFICATION PROCEDURE:

An individual can determine if this system contains a record about him/her by writing to or visiting the most convenient Social Security field office and providing his or her name and SSN. (Individuals should consult their local telephone directories for Social Security Office address and telephone information.) (Furnishing the SSN is voluntary, but it will make searching for an individual's record easier and avoid delay).

An individual requesting notification of records in person need not furnish any special documents of identity. Documents he/she would normally carry on his/her person would be sufficient (e.g., credit cards, driver's license, or voter registration card). An individual requesting notification via mail or telephone must furnish a minimum of his/her name, date of birth and address in order to establish identity, plus any additional information specified in this section.

These procedures are in accordance with HHS regulations 45 CFR part 5b.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Requesters should also reasonably specify the record contents being sought. An individual who requests notification of, or access to, a medical record shall, at the time he or she makes the request, designate in writing a responsible representative who will be willing to review the record and inform the subject individual of its contents at the representative's discretion.

A parent or guardian who requests notification of, or access to, a minor's medical record shall at the time he or she makes the request designate a physician or other health professional (other than a family member) who will be willing to review the record and inform the parent or guardian of its contents at the physician's or health professional's discretion. These procedures are in accordance with HHS regulations 45 CFR part 5b.

CONTESTING RECORD PROCEDURES:

Same as notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is incomplete, untimely, inaccurate or irrelevant. These procedures are in accordance with HHS regulations 45 CFR part 5b.

RECORD SOURCE CATEGORIES:

Data contained in the SSR are obtained for the most part from the applicant for SSI payments and are derived from the Claims Folders System (09-60-0089). The States also provide data affecting the SSR State Data Exchange Files.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

SYSTEM NAME:

Disability Studies, Surveys, Records and Extracts (Statistics), HHS/SSA/OP.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Social Security Administration, Office of System Operations, 6401 Security Boulevard, Baltimore, MD 21235.

Bureau of the Census, Washington, DC 20233.

Bureau of the Census, Jeffersonville, IN 47130.

Contractor sites:

Addresses may be obtained by writing to the system manager at the address below.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Samples of persons who are present or potential recipients of Social Security disability payments/benefits, including specifically selected subsets of each category; applicants/participants in State vocational rehabilitation programs; and samples of other persons regardless of status for purposes of comparison in the above categories.

CATEGORIES OF RECORDS IN THE SYSTEM:

Socioeconomic, demographic, medical and disability characteristics, attitudes, earnings and employment history, benefit information, and use of medical and rehabilitative services.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Section 702 of the Social Security Act (the Act) (42 U.S.C. 902); 13 U.S.C. 182 for Census participation.

PURPOSE(S):

The purpose of this system is to collect data by the following methods: (1) Extraction from program records (including records compiled at the State level); and (2) through surveys which may be augmented with program data.

Researchers and statisticians in the Social Security Administration (SSA) use the data to examine the medical, economic, and social consequences of limitations in work activity for the disabled person and his/her family; for program planning and evaluation; for evaluation of proposals for policy and legislative changes; for determinations of the characteristics of program applicants and benefit recipients, etc.

Access to microdata files with identifiers comprised of data from this system is limited to researchers and statisticians authorized by the SSA Office of Research and Statistics (ORS). Public-use tapes containing microdata or tabulations are furnished on request by mail to public and private organizations.

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

Disclosure may be made for routine uses as indicated below:

1. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.
2. To a contractor under contract to SSA, or under contract to another agency with funds provided by SSA, for the performance of research and

statistical activities directly related to this system of records.

3. To the Rehabilitation Services Administration (RSA) for use in its program studies of, and development of enhancements for, State vocational rehabilitation programs. These are programs to which applicants or beneficiaries under titles II and/or XVI of the Act may be referred. Data released to RSA will not include any personally identifying information (such as names or SSNs).

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

STORAGE:

Records are stored in paper form (e.g., questionnaire forms, computer printouts and punch cards), on microfilm, and in magnetic media (e.g., magnetic tapes and discs).

RETRIEVABILITY:

Files are indexed by Social Security Number (SSN) or by SSA assigned case numbers. Files based on Census sample populations are indexed by Census assigned case numbers. These numbers are cross-referred at Census to SSN's which are available only to Census employees or SSA staff who are Census special-sworn employees.

SAFEGUARDS:

Safeguards are established in accordance with the Department of Health and Human Services (HHS) Automated Data Processing (ADP) System Manual, "Part 6, ADP System Security." Employees having access to records have been notified of criminal sanctions for unauthorized disclosure of information about individuals.

Magnetic tapes or other files with personal identifiers are retained in secured storage areas accessible only to authorized personnel.

Microdata files prepared for purposes of research and analysis are purged of personal identifiers and are subject to procedural safeguards to assure anonymity.

RETENTION AND DISPOSAL:

Hard copy questionnaires are destroyed when survey reports are completed. Records with identifiers are held in secure storage areas and are disposed of as soon as they are determined to be no longer needed for SSA analysis. Means of disposal are appropriate to the record storage medium; e.g., erasure of tapes, shredding of printouts, etc. Periodic reviews are made to determine the need for retention.

In longitudinal studies, working files are purged of identifiers and given randomly assigned case numbers. A separate link file is maintained in secure storage areas for updating with individual identifiers.

SYSTEM MANAGER(S) AND ADDRESS:

Associate Commissioner, Office of Research and Statistics, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235.

NOTIFICATION PROCEDURE:

This system contains limited data selected for statistical analysis. Individuals inquiring about their records in SSA programs may wish to contact other SSA systems of which contain more detailed information.

However, if an individual wishes notification of or access to information in this system, he/she should write to the system manager (at the address above) and provide the name of this system, his/her name, SSN and a description of the information being sought. (Furnishing the SSN is voluntary, but it will make searching for an individual's record easier and avoid delay.)

An individual requesting notification of records in person need not furnish any special documents of identity. Documents he/she would normally carry on his/her person would be sufficient (e.g., credit cards, driver's license, or voter registration). These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD ACCESS PROCEDURES:

Same as notification procedures. Except in transitory stages of preparation, files at SSA which are based on Census samples do not have personal identifiers, and cannot be located on an individual basis. Records with identifiers maintained at the Bureau of Census are considered by Census to be exempt from access.

CONTESTING RECORD PROCEDURES:

Same as notification procedures. Also, requesters should reasonably identify the record, specify the information they are contesting and state the corrective action sought and the reasons for the correction with supporting justification showing how the record is untimely, incomplete, inaccurate or irrelevant. These procedures are in accordance with HHS Regulations 45 CFR part 5b.

RECORD SOURCE CATEGORIES:

Records are derived from other SSA systems (e.g., the Earnings Records System (09-60-0059), Claims Folders System (09-60-0069) (disability case

folders), and Master Beneficiary Record (09-60-0090)); survey data collected by contractors; case service reports of the vocational rehabilitation agencies (R-300); the SSA OHA Records Locator; the Health Insurance Master Files (09-70-0502) of the HHS Health Care Financing Administration; and the SSA Administrative Awards File. Bureau of the Census records may be used as a sampling frame.

SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:

None.

[FR Doc. 92-28421 Filed 11-23-92; 8:45 am]

BILLING CODE 4190-29-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CO-920-93-4110-03; COC52189]

Colorado; Proposed Reinstatement of Terminated Oil and Gas Lease

Under the provisions of Public Law 97-451, a petition for reinstatement of oil and gas lease COC52189, Moffat County, Colorado, was timely filed and was accompanied by all required rentals and royalties accruing from July 1, 1992, the date of termination.

No valid lease has been issued affecting the lands. The lessee has agreed to new lease terms for rentals and royalties at rates of \$5 per acre and 16% percent, respectively. The lessee has paid the required \$500 administrative fee for the lease and has reimbursed the Bureau of Land Management for the cost of this Federal Register notice.

Having met all the requirements for reinstatement of the lease as set out in Section 31 (d) and (e) of the Mineral Leasing Act of 1920, as amended, (30 U.S.C. 188 (d) and (e)), the Bureau of Land Management is proposing to reinstate the lease effective July 1, 1992, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above.

Questions concerning this notice may be directed to Joan Gilbert of the Colorado State Office at (303) 239-3783.

Dated: November 16, 1992.

Janet M. Budzilek,

Chief, Fluid Minerals Adjudication Section.

[FR Doc. 92-28453 Filed 11-23-92; 8:45 am]

BILLING CODE 4310-JB

[ID-030-03-4210-05; IDI-28621]

Realty Action; Fremont County, ID

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of action—amendment of Medicine Lodge Resource Management Plan (RMP). Notice of Realty Action (NORA) sale of public land in Fremont County, Idaho.

NOTICE: Notice is hereby given that the Bureau of Land Management (BLM) has amended the Medicine Lodge (RMP) to allow for the direct sale of a parcel of public land in Fremont County to Delmar Raybould.

SUMMARY: The following described public land has been examined and through public supported land use planning process has been determined as suitable for direct sale pursuant to section 203 of the Federal Land Policy and Management Act of 1976, at no less than the fair market value of \$3,700.

Boise Meridian, Idaho

T. 7 N., R. 39E.

Sec. 5, SE¼NE¼SE¼SW¼, E¼SE¼S E¼SW¼.

The land will not be offered for sale until at least 60 days after the date of publication of this notice in the Federal Register.

Upon publication of this notice in the Federal Register, the land described above will be segregated from operation of the public land laws, including the mining laws except the sale provisions of the Federal Land Policy and Management Act. The segregative effect will end upon issuance of patent or 270 days from the date of publication, whichever occurs first.

SUPPLEMENTARY INFORMATION: Detailed information concerning the conditions of the sale can be obtained by contacting Barbara Klingenberg, Realty Specialist, at (208) 524-7544.

PLANNING PROTEST: Any party that participated in the plan amendment and is adversely affected by the amendment may protest this action as it affects issues submitted for the record during the planning process. The protest shall be in writing and filed with the Director (760), Bureau of Land Management, 1800 C Street, NW., Washington, DC 20240, within 30 days of this notice.

SALE COMMENTS: For a period of 45 days from the date of publication of this notice in the Federal Register, interested parties may submit comments regarding the land sale to the District Manager, Bureau of Land Management, 940 Lincoln Road, Idaho Falls, Idaho 83401. Objections will be reviewed by the State