data that may affect determinations of eligibility for, or the amount of, HUD or other Federal benefits that tenants receive; (13) automated records provided by other Federal agencies under the investigative exclusion of the Computer Matching and Privacy Protection Act of 1988; and (14) automated records provided by housing agencies, owners and management agents regarding actions taken on computer matching results.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The records will be obtained to detect excessive assisted housing that tenants receive using income information as provided under sections 3003 and 13403 of the Omnibus Budget Reconciliation Act of 1993, Public Law, 103–66; and section 904 of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988, Public Law 100–628.

The Omnibus Budget Reconciliation Act of 1993, Public Law 103-66, permitted HUD to request from the Commissioner of the SSA and the Secretary of the Treasury, SSA and IRS earned and unearned income information, respectively, needed to verify the incomes of tenants who receive housing assistance. However, the Act precludes HUD from redisclosing that information to entities that administer HUD programs (i.e., housing agencies, owners and management agents). But the Act allows HUD to notify those entities that disparities exist between the tenantreported incomes and income obtained from independent income sources, i.e., the SSA, the IRS or State wage data. HUD plans to identify disparities between tenant-reported and independent income source information, to notify tenants of disparities, and to request that the tenants disclose independent income source data to entities administering HUD programs.

The McKinney Amendments of 1988 authorized HUD to request wage and claim information from State agencies responsible for the administration of State unemployment law, to permit computer matching in HUD's rental assistance programs.

Section 165 of the Housing and Community Development Act of 1987, Public Law 100–242; the National Housing Act, 12 U.S.C. 1701–1750g authorizes HUD to require applicants and participants (including all members of their household six (6) years of age and older) in HUD-administered programs involving housing assistance to disclose to HUD their social security numbers as a condition of initial or continuing eligibility for participation.

Applicable laws concerning HUD's assisted housing programs include: The United States Housing Act of 1937, 42 U.S.C. 1437–14370; and section 101 of the Housing and Urban Development Act of 1965, 12 U.S.C. 1701s.

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

1. Records included in the system may be used in conducting computer matching to aid in the identification of tenants who have received excessive rental housing assistance.

2. Records that HUD obtains from the SSA and the IRS under the authority of 26 U.S.C. 6103(l)(7), may be disclosed only to the tenant/taxpayer, to HUD employees responsible for investigating or prosecuting such violation or enforcing or implementing a statute, rule or regulation, or as otherwise permitted under 26 U.S.C. 6103.

3. Records that indicate a potential violation of law, whether criminal, civil or regulatory in nature, except for records obtained from the SSA and the IRS under 26 U.S.C. 6103(l)(7), may be disclosed to the appropriate Federal, State or local agency charged with the responsibility for investigating or prosecuting such violation or enforcing or implementing a statute, rule or regulation.

4. Records, except for those obtained from the SSA or IRS under the authority of 26 U.S.C. 6103(l)(7), may be disclosed to a congressional office in response to an inquiry from that congressional office made at the request of the individual who is the subject of the records.

5. Records, with the exception of those obtained pursuant to 26 U.S.C. 6103(l)(7), may be disclosed to housing agencies, owners and management agents in order to assist them in determining tenants' eligibility for housing assistance, and the amount of that assistance and to facilitate recovery of money or property or other administrative actions, i.e., eviction, necessary to promote the integrity of programs.

6. Records, except for those obtained from the SSA and the IRS under 26 U.S.C. 6103(l)(7), may be disclosed during the course of an administrative proceeding where HUD or a housing agency, owner or management agent is a party to the litigation and disclosure is relevant and reasonably necessary to adjudicate the matter.

7. Records, except for those obtained from the SSA and the IRS under 26 U.S.C. 6103(l)(7), may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the record is relevant and necessary to the requesting agency's decision on the matter.

8. Records, except for those obtained from the SSA and the IRS under 26 U.S.C. 6103(l)(7), may be disclosed to a Federal agency to initiate Federal salary or annuity offsets as necessary to collect excessive housing assistance received by the tenant.

9. Records, except for those obtained from the SSA and the IRS under 26 U.S.C. 6103(l)(7), concerning an individual's receipt of excessive housing assistance, including the individual's actions to repay the same, may be disclosed to the Federal agency that employs such individual, for the purpose of notifying the employer of potential violation of the Standards of Ethical Conduct for Employees of the Executive Branch.

10. Records may be used to provide statistical information for use in evaluating the effectiveness of computer matching, income verification and related administrative or legal actions taken.

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

STORAGE:

Records are stored manually in tenant case files and electronically in office automation equipment. Records, except for those obtained from the SSA and the IRS under 26 U.S.C. 6103(l)(7)(A) and (B), may also be stored on mainframe computer facilities.

RETRIEVABILITY:

Records may be retrieved by manual or computer search of indices by the name, social security number, housing agency, owner or management agent.

SAFEGUARDS:

Records are maintained in locked file cabinets or in metal file cabinets in secured rooms or premises with access limited to those persons whose official duties require access. Computer files and printed listings are maintained in locked cabinets. Computer terminals are secured in controlled areas which are locked when unoccupied. Access to automated records is limited to authorized personnel who must use a password system to gain access. HUD will safeguard the SSA and the IRS records obtained pursuant to 26 U.S.C.