

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Advisory Council for the Elimination of Tuberculosis (ACET)

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention (CDC), announces the following meeting of the aforementioned committee:

Times and Dates

8:30 a.m.—5:30 p.m., October 27, 2009.

8:30 a.m.—2:30 p.m., October 28, 2009.

Place: CDC, 8 Corporate Square Boulevard, Corporate Square, Building 8, 1st Floor Conference Room, Atlanta, Georgia 30333, Telephone (404) 639-8317.

Status: Open to the public, limited only by the space available. The meeting room accommodates approximately 100 people.

Purpose: This council advises and makes recommendations to the Secretary of Health and Human Services, the Assistant Secretary for Health, and the Director, CDC, regarding the elimination of tuberculosis. Specifically, the Council makes recommendations regarding policies, strategies, objectives, and priorities; addresses the development and application of new technologies; and reviews the extent to which progress has been made toward eliminating tuberculosis.

Matters To Be Discussed: Agenda items include issues pertaining to tuberculosis in urban setting; health policy makers; tuberculosis control in the U.S. affiliated pacific islands; Nepal technical instruction site visit; and other related tuberculosis issues. Agenda items are subject to change as priorities dictate.

Contact Person for More Information: Margie Scott-Cseh, Coordinating Center for Infectious Diseases, Strategic Business Unit, 1600 Clifton Road, NE., Mailstop E-07, Atlanta, Georgia 30333, Telephone (404) 639-8317.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** Notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.

Dated: September 22, 2009.

Elaine L. Baker,

Director, Management Analysis and Services Office, Centers for Disease Control and Prevention.

[FR Doc. E9-23565 Filed 9-29-09; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Indian Health Service [System Number 09-17-0002]

Privacy Act of 1974; Report of Modified or Altered System; Indian Health Service Scholarship and Loan Repayment Programs

AGENCY: Department of Health and Human Services (HHS), Indian Health Service (IHS).

ACTION: Notice of a Modification or Alteration to a System of Records (SOR).

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, as amended, 5 U.S.C. 552a(e)(4), the IHS has amended and is publishing the proposed alteration of a SOR, "Indian Health Service Scholarship and Loan Repayment Programs," System No. 09-17-0002. We propose to modify the SOR to reflect current program changes, statutory and implementation changes. Under the system name, we propose to clarify language under the "Categories of individuals covered by the system" section; to include statutory authorities for the grants program under the "Authority for maintenance of the system" section; to include the IHS Grants Program (Indians Into Nursing, Indians Into Medicine, and Indians Into Psychology) and the IHS Health Professions Support Branch in the "Purposes" section; various minor language edits to routine use number 4 for litigation as these records are not Health Insurance Portability and Accountability Act (HIPAA) protected records; add a new routine use number 20 to comply with Office of Management and Budget (OMB) (M)emorandum 07-16 *Safeguarding Against and Responding to the Breach of Personally Identifiable Information* of May 22, 2007 and the HHS Directive memoranda dated September 19, 2007 to incorporate Notification of Breach Routine Use language; and finally minor administrative and program edits to other sections of the SOR.

DATES: Effective Dates: The Report of Intent to Amend a System of Records Notice and an advance copy of the system notice have been sent to the Chair of the House Committee on Government Reform and Oversight, the Chair of the Senate Committee on Governmental Affairs, and the Administrator, Office of Information and Regulatory Affairs, OMB on September 30, 2009. To ensure that all parties have adequate time in which to comment, the modified system of records, including routine uses, will

become effective 40 days from the publication of the notice, or from the date it was submitted to OMB and the Congress, whichever is later, unless IHS receives comments that require alterations to this notice.

ADDRESSES: The public should address comments to: Mr. William Tibbitts, IHS Privacy Act Officer, Division of Regulatory Affairs, Office of Management Services, 801 Thompson Avenue, TMP, Suite 450, Rockville, MD 20852-1627; call non-toll free (301) 443-1116; send via facsimile to (301) 443-9879, or send your e-mail requests, comments, and return address to: William.Tibbitts@ihs.gov

FOR FURTHER INFORMATION CONTACT: RADM Robert E. Pittman, Director, Division of Health Professions Support, Office of Public Health Support, 801 Thompson Avenue, TMP, Suite 450A, Rockville, MD 20852-1627, Telephone (301) 443-2361.

SUPPLEMENTARY INFORMATION: As required by the Privacy Act of 1974, as amended, 5 U.S.C. 552a(e)(4), this document sets forth the proposed alteration of a system of records maintained by the IHS. In addition to updating and making editorial corrections to improve the clarity of the system notice, this alteration requires the revisions of the Categories of Records, Purposes, Authority, Safeguard, Retention and Disposal, Notification and Access Procedures sections.

Dated: September 15, 2009.

Yvette Roubideaux,

Director, Indian Health Service.

DEPARTMENT OF HEALTH AND HUMAN RESOURCES 09-17-0002

SYSTEM NAME:

Indian Health Service Scholarship and Loan Repayment Programs, HHS/IHS/OPHS/DHPS.

SECURITY CLASSIFICATION:

None.

SYSTEM LOCATION:

Office of Public Health Support (OPHS), Division of Health Professions Support (DHPS), Scholarship and Loan Repayment Branch(es) and Health Professions Support Branch, Indian Health Service, 12300 Twinbrook Parkway, Suite 450A, Rockville, MD 20852. Washington National Records Center, 4205 Suitland Road, Suitland, MD 20746-8001. Records are also located at the Indian Health Service (IHS) Area Offices. A list of the IHS Area Offices where individually identifiable data are currently located is

available upon request to the Policy-Coordinating Official(s) at IHS Headquarters East, 12300 Twinbrook Parkway, Suite 450A, Rockville, MD 20852.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Applicants for and recipients of benefits from the scholarship programs (Sections 103 and 104 of the Indian Health Care Improvement Act, as amended (IHCIA)), loan repayment program (Section 108 of the IHCIA; and grant programs (Section 112 Nursing Program; Section 114 Indians into Medicine; and Section 217 Indians into Psychology under the IHCIA), and recruitment programs administered by the IHS. The IHS scholarship program includes the Health Professions Pre-Graduate Scholarship Program for Indians, the Health Professions Preparatory Scholarship Program for Indians; and the Health Professions Scholarship Program for Indians. Also included are records of scholarship, loan repayment and grant recipients who are obligated to fulfill, are fulfilling, or have fulfilled their IHS service obligations as a result of receiving funds from these IHS programs, and individuals who have an expressed and/or obligated interest in employment in or an assignment to an IHS medical facility, Tribal medical/health care facility, Title V urban healthcare entity, or other facility described in sections 104, 108, 112 and 217 of the IHCIA.

CATEGORIES OF RECORDS IN THE SYSTEM:

Contains: Name, telephone number(s), work, school, home and/or mailing address; Social Security Number (SSN); IHS scholarship or IHS loan repayment application; associated forms; employment data; professional performance and credentialing history of licensed health professionals; preference for site selection; personal, professional, and demographic background information; progress reports (which include related data, correspondence, and professional performance information); payroll forms; lender's loan repayment confirmation forms; Form W-4 (for withholding Federal taxes on scholarship recipients monthly stipends); direct deposit forms (for monthly stipends for scholarship recipients and for annual loan repayment distribution among participants in the programs); deferment and placement data; and repayment/delinquent/default status information including medical documentation related to default/waiver proceedings.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

25 U.S.C. 1613, including the Health Professions Compensatory Pre-professional and the Health Professions Pre-graduate Scholarships; 25 U.S.C. 1613a, Health Professions Scholarship; 25 U.S.C. 1616a, IHS Loan Repayment Program, 31 U.S.C. 7701, Requirement That Applicant Furnish Taxpayer Identifying Number; 42 U.S.C. 216(a), for PHS Commissioned Officers, and 5 U.S.C. 3301 for civil service employee, both of which authorize verification of an individual's suitability for employment; the grants program is codified at 25 U.S.C. 1616e. Nursing Program; 25 U.S.C. 1616g. Indians into Medicine Program; and 25 U.S.C. 1621p. American Indians into Psychology Program; Federal Records Act (44 U.S.C. 2901); Privacy Act of 1974, as amended (5 U.S.C. 552a); Department Regulation (5 U.S.C. 301); and 42 U.S.C. 254f, Assignment of Corps Personnel.

PURPOSE(S):

The purposes of this system of records are as follows:

1. *The IHS Scholarship Programs.*
 - (a) To select applicants for the IHS Scholarship Programs;
 - (b) To monitor scholarship related activities, such as payment tracking, deferment and/or postponement of service obligations owed, placement, completion, default, and debt collection through national credit company subscription(s);
 - (c) To select and match IHS scholarship recipients for qualified employment assignments with the following: IHS medical facilities, including but not limited to hospitals, health clinics and ambulatory stations; and any other programs authorized under 25 U.S.C. 1616a;
 - (d) To monitor services provided by these IHS scholarship recipient/participant/obligated health care professionals;
 - (e) To maintain records on and to verify individuals' credentials, educational background, prior and current performance history and data and previous and current employment and professional history information to verify and validate all claimed credentials are current, accurate, and in good standing;
 - (f) To negotiate site assignments, and to recruit and retain health professionals for Indian Health programs. Portions of records from this system of records may be used by staff of the HHS/PSC; Division of Financial Operations (DFO), Debt Management, who maintain System No. 09-40-0012, "Debt

Management and Collection Systems" and System No. 09-90-0024, "Financial Transaction of HHS Accounting and Finance Offices", for activities related to the participants' breach of contract including debt collection information provided to PSC staff includes, but may not be limited to the participants' personal identification, number of years of support in school while covered by an IHS scholarship contract, number of days served and still owed, and amount of funds expended and still owed;

(g) To assist the IHS in determining eligibility for a partial or full waiver of the service obligation as provided for by statute; and

(h) To assist Department of Health and Human Services (HHS), Program Support Center (PSC) and other government officials in the collection of any and all overdue debts owed under the IHS Scholarship Program.

2. *The IHS Loan Repayment Program.*

(a) To monitor loan repayment related activities including but not limited to service obligations, default and claims determinations;

(b) To assure IHS loan repayment recipients match to a health care facility serving high priority health professional shortage areas or populations as outlined by current IHS scoring criteria policy and procedure, such as IHS medical facilities, including but not limited to hospitals, health clinics and ambulatory stations; and any other programs as required under 25 U.S.C. 1616a;

(c) To monitor services provided by IHS loan repayment participants;

(d) To maintain records on and to verify individuals' credentials and educational background;

(e) To assist the IHS in determining eligibility for a partial or full waiver of the service obligation as provided for by statute; and

(f) To assist PSC and other governmental officials in the collection of overdue debts owed under the IHS Loan Repayment Agreement Program.

3. *The IHS Grant Programs (Indians Into Nursing, Indians Into Medicine, and Indians Into Psychology).*

(a) To select applicants for the IHS grant programs;

(b) To monitor grant related activities, such as payment tracking, deferment and/or postponement of service obligations owed, placement, completion, default, and debt collection through national credit company subscription(s);

(c) To select and match IHS grant funds recipients for qualified employment assignments with the following: IHS medical facilities, including but not limited to hospitals,

health clinics and ambulatory stations; and any other programs authorized under 25 U.S.C. 1616a;

(d) To monitor services provided by these IHS grant fund recipient/participant/obligated health care professionals;

(e) To maintain records on and to verify individuals' credentials, educational background, prior and current performance history and data and previous and current employment and professional history information to verify and validate all claimed credentials are current, accurate, and in good standing;

(f) To negotiate site assignments, and to recruit and retain health professionals for Indian Health programs. Portions of records from this system of records may be used by staff of the HHS/PSC; Division of Financial Operations (DFO), Debt Management, who maintain System No. 09-40-0012, "Debt Management and Collection Systems" and System No. 09-90-0024, "Financial Transaction of HHS Accounting and Finance Offices", for activities related to the participants' breach of contract including debt collection information provided to PSC staff includes, but may not be limited to the participants' personal identification, number of years of support in school while covered by an IHS scholarship contract, number of days served and still owed, and amount of funds expended and still owed;

(g) To assist the IHS in determining eligibility for a partial or full waiver of the service obligation as provided for by statute; and

(h) To assist Department of Health and Human Services (HHS), Program Support Center (PSC) and other government officials in the collection of any and all overdue debts owed under the IHS grant programs.

3. *The IHS Health Professions Support Branch.*

(a) To negotiate site assignments, and recruit and retain health professionals for Indian Health programs. Portions of records from this system of records may be used by staff of the HHS/PSC; Division of Financial Operations (DFO), Debt Management, who maintain System No. 09-40-0012, "Debt Management and Collection Systems" and System No. 09-90-0024, "Financial Transaction of HHS Accounting and Finance Offices", for activities related to the participants' breach of contract including debt collection information provided to PSC staff includes, but may not be limited to the participants' personal identification, number of days served and still owed, and amount of funds expended and still owed.

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

1. IHS may disclose records to a congressional office in response to a verified inquiry from the congressional office made at the written request of the subject individual.

2. Records may be disclosed to authorized persons employed by the grantee institution (the educational institution which the recipient of a scholarship or grant is attending as needed for the administration of a scholarship or grant award.

3. Records may be disclosed to other Federal or State agencies that also provide scholarships, loan repayment or grant funding at the request of these agencies to detect or curtail fraud and abuse in Federal programs, and to collect delinquent loans or benefit payments owed to the Federal Government.

4. IHS may disclose information from these records in litigations and/or proceedings related to an administrative claim when:

(a) IHS has determined that the use of such records is relevant and necessary to the litigation and/or proceedings related to an administrative claim and would help in the effective representation of the affected party listed in subsections (i) through (iv) below, and that such disclosure is compatible with the purpose for which the records were collected. Such disclosure may be made to the Department of Justice (DOJ) when any of the following is a party to litigation and/or proceedings related to an administrative claim or has an interest in the litigation and/or proceedings related to an administrative claim:

(i) HHS or any component thereof; or
(ii) Any HHS employee in his or her official capacity; or

(iii) Any HHS employee in his or her individual capacity where the DOJ (or HHS, where it is authorized to do so) has agreed to represent the employee; or

(iv) The United States or any agency thereof (other than HHS) where HHS/ OGC has determined that the litigation and/or proceedings related to an administrative claim is likely to affect HHS or any of its components.

(b) In the litigation and/or proceedings related to an administrative claim described in subsection (a) above, information from these records may be disclosed to a court or other tribunal, or to another party before such tribunal when such records are relevant and necessary to the litigation and such use by the court, tribunal, or other party is compatible with the purpose for which the agency collected the records.

5. IHS may provide to any organization, program or facility administered under the authority of the IHCA (Pub. L. 93-437) solely to provide health care services for the benefit of Indians, whether directly by our service; or by any Federally recognized Tribe under authority of the Indian Self Determination and Education Assistance Act (ISDEAA) (Pub. L. 93-638, as amended); a list of obligated recipients of scholarships, loan repayment or grants, and any relevant information pursuant to recruiting and retaining these individuals for the purpose of meeting the health care needs of the requesting organization, program, facility or the Federal recognized Tribe under IHCA and ISDEAA.

6. IHS may disclose records consisting of names, disciplines, current mailing addresses, e-mail address and dates of graduation of scholarship, loan repayment or grant recipients to designated coordinators at schools for the purpose of guiding and informing these recipients about the nature of their forthcoming professional service obligation.

7. IHS may disclose records consisting of names of the IHS scholarship, loan repayment, and/or grant recipient, professional school he or she is attending, and the date of graduation to Indian health programs as defined by the IHCA; health professions associations, other interested health professions groups and contractors and subcontractors which have responsibility for coordinating funds paid to students from Federal and other sources. Contractors and/or subcontractors are required to maintain Privacy Act safeguards with respect to such records.

8. IHS may disclose records contained in this system of records to HHS contractors and subcontractors for the purpose of collecting, compiling, aggregating, analyzing, or refining records in the system. Contractors and/or subcontractors are required to maintain Privacy Act safeguards with respect to such records.

9. IHS may disclose records contained in this system of records to HHS contractors and subcontractors for the purpose of recruiting, screening, and matching health/allied health professionals for assignment to or employment in a medical facility located in one of the options cited in sections 104(b)(3), 108(a)(2)(A), and/or 217(d) of the IHCA. In addition, HHS contractors and subcontractors:

(a) May disclose biographic data and information supplied by potential applicants;

(j) To references listed on application and associated forms for the purpose of evaluating the applicant's professional qualifications, experience, and suitability, and

(ii) To a State or local government medical licensing board and/or to the Federation of State Medical Boards or a similar non-government entity for the purpose of verifying that all claimed background and employment data are valid and all claimed credentials are current and in good standing.

(b) May disclose biographic data and information supplied by references listed on application and associated forms to other references for the purpose of inquiring into the applicants' professional qualifications and suitability; and

(c) May disclose professional suitability evaluation information to IHS officials, prospective employers, or to officials of prospective employers, or to site representatives, for the purpose of appraising the applicant's professional qualifications and suitability for site assignment or employment.

Contractors and/or subcontractors are required to maintain Privacy Act safeguards with respect to such records.

10. IHS may disclose records contained in this system of records to private parties such as present and former employers references listed on application and associated forms, other references, and education institutions. The purpose of such disclosures is to obtain information to evaluate an individuals' professional accomplishments, performance, and educational background, and to determine if an applicant is suitable for employment in/assignment to a medical facility located at one of the sites listed in sections 104(b)(3), 108(a)(2)(A), and/or 217(d) of the IHCA.

11. IHS may disclose records contained in this system of records to other Federal agencies that also provide scholarship, educational loan repayment, or grant funding at the request of these Federal agencies in conjunction with a computer matching program conducted by these Federal agencies to detect or curtail fraud and abuse in Federal scholarship or educational loan repayment programs, and to collect delinquent loans or benefit payments owed to the Federal Government.

12. IHS may disclose information from this system of records to a consumer reporting agency (credit bureau) to obtain an applicant or participant's commercial credit report for the following purposes: (1) To establish his or her credit worthiness; (2) to assess and verify his or her ability

to repay debts owed to the Federal Government; (3) to determine and verify the eligibility of loans submitted for repayment; and to determine current contact information and mailing address.

13. IHS may also disclose information from this system of records to the National Student Clearinghouse using the Loan Locator Internet System or similar system to assist in the verification loan data submitted by Loan Repayment Program (LRP) applicants. Disclosures are limited to the individual's name, address, and other information necessary to identify him or her; locate all student loans and verify payment addresses; identify the funding being sought or amount and status of the debt; and the program under which the applicant or claim is being processed.

Disclosure to consumer reporting agencies: Disclosures pursuant to 5 U.S.C. 552a(b)(12): Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 158a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)). The purposes of these disclosures are: (1) To provide an incentive for debtors to repay delinquent Federal Government debts by making these debts part of their credit records, and (2) to enable PHS agencies to improve the quality of loan, scholarship and grant decisions by taking into account the financial reliability of applicants. Disclosure of records will be limited to the individual's name, and other information necessary to establish the identity of the individual, the amount, status, and history of the claim, and the agency or program under which the claim arose.

14. IHS may disclose from this system of records a delinquent debtor's or a defaulting participant's name, address, and other relevant information necessary to identify him or her; the amount, status, and the history of the claim, and the agency or program under which the claim arose, as follows:

(a) To any Federal agency to effect a salary offset for debts owed by Federal employees; if the claim arose under Social Security Act, and the employee must have agreed in writing to the salary offset with the supporting document from the requesting Federal agency.

(b) To any Federal agency to effect authorized administrative offset; *i.e.*, withhold money, other than Federal salaries, payable to or held on behalf of the individual that is court ordered and/or in accordance with a specific law/mandate.

(c) To the Treasury Department, Internal Revenue Service (IRS), to request an individual's current mailing address to locate him or her for purposes of either collecting or compromising a debt or to pay a commercial credit report prepared.

15. IHS may disclose to debt collection agents, other Federal agencies, and other third parties who are authorized to collect a Federal debt, information necessary to identify a delinquent debtor or a defaulting participant. Disclosure will be limited to the individual's name, address, and other information necessary to identify him or her; the amount, status, and history of the claim, and the agency or program under which the claim arose.

16. IHS may disclose to the IRS information about an individual applying for the IHS loan repayment, scholarship or grant program authorized by the Public Health Service Act to find out whether the applicant has a delinquent tax account. This disclosure is for the sole purpose of determining the applicant's creditworthiness and is limited to the individuals' name, address, and other relevant information necessary to identify him or her, and the program for which the information is being obtained.

17. IHS may report to the IRS, as taxable income, the written-off amount of a debt owed by an individual to the Federal Government when a debt becomes partly or wholly uncollectible, either because the time period for collection under statute or regulations has expired, or because the Government agrees with the individual to forgive or compromise the debt.

18. IHS may disclose from this system of records to the Department of Treasury, IRS: (1) A delinquent debtor's or a defaulting participant's name, address, and other relevant information necessary to identify the individual; (2) the amount of the debt; and (3) the program under which the debt arose, so that the IRS can offset against the debt any income tax refunds which may be due to the individual.

19. IHS may disclose information provided by the lender or education institution to other Federal agencies, debt collection agents, and other third parties who are authorized to collect a Federal debt. The purpose of this disclosure is to identify an individual who is delinquent in loan or benefit payments owed to the Federal Government and the nature of the debt.

20. To appropriate Federal agencies and Department contractors that have a need to know the information for the purpose of assisting the Department's efforts to respond to a suspected or

confirmed breach of the security or confidentiality of information maintained in this system of records, and the information disclosed is relevant and necessary for that assistance.

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

STORAGE:

Records are maintained in paper format (*i.e.*, file folders), and in computerized and electronic format (*i.e.*, forms, database(s), *etc.*).

RETRIEVABILITY:

Records which identify individual persons are indexed by name or assigned identification number of scholarship, loan repayment or grant applicant or recipient.

SAFEGUARDS:

1. *Authorized users:* Access is limited only to authorized personnel in the performance of their duties. Authorized personnel includes and is limited to: The system manager, his or her staff, IHS Area Office Scholarship or IHS Loan Repayment Coordinators or grant project officers, IHS Headquarters Branch and Division Chiefs while acting as advisors to scholarship or IHS loan repayment or grant recipients, IHS and PSC debt management staff for activities related to the participants' breach of contract including debt collection.

2. *Physical safeguards:* Paper records are stored in locked file cabinets or file room. The records storage areas are secured during off-duty hours. Electronic records are stored in areas where fire and life safety codes are strictly enforced. Any and all records pertaining to IHS Scholarship, Loan Repayment and grant program databases are to be enforced by the current Security Guidelines provided by HHS/IHS. All automated and non-automated documents are protected during lunch hours and nonworking hours in locked file cabinets or locked storage areas. The Automated Data Processing remote stations are locked during non-standard working hours. Twenty-four hour, 7-day security guards perform random checks on the physical security of the data and the storage areas. Backup files are maintained in an off-site facility with controlled entrances and exits.

3. *Procedural safeguards:* All IHS personnel who make use of records contained in this system are made aware of their responsibilities under the provisions of the Privacy Act and are required to maintain Privacy Act safeguards with respect to such records. The records storage areas are not left

unattended during office hours, including lunch hours. Records are not removed from these areas in which they are maintained in the absence of proper charge-out procedures. Twenty-four hour, seven-day security guards perform random checks on the physical security of all records storage areas. A data set name controls the release of data to only authorized users. When copying records for authorized purposes, care is taken to ensure that any imperfect pages are not left in the reproduction room where they can be read, but are destroyed or obliterated.

RETENTION AND DISPOSAL:

1. Scholarship applications of individuals not selected for participation in the program are retained for 1 full year, and then destroyed by shredding. Applications, contracts, and other records of IHS scholarship recipients are retained through the completion or other disposition of the scholarship service obligation, then sent to the Federal Records Center (FRC) for an additional 15-year retention period and destroyed in accordance with FRC disposal standards. Automated historical tapes are sent to a FRC and the initial records are destroyed in accordance with IHS Records Control Schedule.

The records for the scholarship applicants, who are not obligated to the IHS, are destroyed 6 years and 3 months after final payment, or upon resolution of any adverse audit findings, whichever is later.

2. Loan repayment applications of individuals not selected for participation in the program are retained until the end of the fiscal year. Loan repayment applications, upon notification, are applied to the loan repayment cycle of the following fiscal year. The records for the loan repayment participants are destroyed 6 to 10 years after the final payment, or upon resolution of any adverse audit findings, whichever is later.

Records are transferred to the FRC 2 years after final repayment or when closed, for 4 years, and are then subsequently disposed of in accordance with the IHS Records Disposition Schedule. The IHS Records Disposition Schedule regulations for these records may be obtained by writing to the System Manager(s) at the address listed below.

3. Applications, contracts, and other records of IHS grant recipients are retained through the completion or other disposition of the service obligation, then sent to the Federal Records Center (FRC) for an additional 15-year retention period and destroyed

in accordance with FRC disposal standards. Automated historical tapes are sent to a FRC and the initial records are destroyed in accordance with IHS Records Control Schedule.

SYSTEM MANAGER(S) AND ADDRESS:

POLICY COORDINATING OFFICIAL(S):

Director, Division of Health Professions Support, Office of Public Health Support, Indian Health Service, 12300 Twinbrook Parkway, Suite 450A, Rockville, Maryland 20852.

Director, Division of Grants Operations, Office of Management Services, Indian Health Service, 12300 Twinbrook Parkway, Suite 360, Rockville, Maryland 20852.

Chief, Scholarship Branch, Division of Health Professions Support, Office of Public Health Support, Indian Health Service, 12300 Twinbrook Parkway, Suite 450A, Rockville, Maryland 20852.

Chief, Loan Repayment Branch, Division of Health Professions Support, Office of Public Health Support, Indian Health Service, 12300 Twinbrook Parkway, Suite 450A, Rockville, Maryland 20852.

NOTIFICATION PROCEDURES:

Requests in person: A subject individual who appears in person at a specific location seeking access to or disclosure of records relating to him or her shall provide his or her name, current address, Grant Identification Number, last four digits of their SSN or other identification numbers, dates of enrollment in the IHS scholarship, loan repayment or grant program, and at least one piece of tangible identification such as driver's license, passport, or voter registration card. Identification papers with current photographs are preferred, but not required. If a subject individual has no identification, but is personally known to an agency employee, such employee shall make a written record verifying the subject individual's identity. Where the subject individual has no identification papers, the responsible agency official shall require that the subject individual certify in writing that he or she is the individual who he or she claims to be and that he or she understands that the knowing and willful request or acquisition of a record concerning an individual under false pretenses is a criminal offense subject to a 5,000 dollar fine.

Requests by mail: A written request must contain the name and address of the requestor, last 4 digits of their respective SSN and/or signature which is either notarized to verify his or her identity or includes a written certification that the requestor is the person he or she claims to be and that

he or she understands that the knowing and willful request or acquisition of records pertaining to an individual under false pretenses is a criminal offense subject to a 5,000 dollar fine. In addition, the following information is needed: Dates of enrollment in the IHS scholarship program, IHS Loan Repayment program, or grant program and current enrollment status, such as pending application approval, deferment or service obligation, or shortage area placement.

Requests by facsimile: A written request must contain the name and address of the requestor, last 4 digits of their respective SSN and/or signature. In addition, the following information is needed: Dates of enrollment in the IHS Scholarship Program, IHS Loan Repayment Program, or grant program and current enrollment status, such as pending application approval, deferment or service obligation, or shortage area placement. The IHS Scholarship, Loan Repayment or grant program will authorize transmission and reception of all faxed information only if the fax coversheets contain the following Confidentiality Statement or a similar standard procedural statement for liability purposes:

THIS FAX IS INTENDED ONLY FOR THE USE OF THE PERSON OR OFFICE TO WHOM IT IS ADDRESSED, AND CONTAINS PRIVILEGED OR CONFIDENTIAL INFORMATION PROTECTED BY LAW. ALL RECIPIENTS ARE HEREBY NOTIFIED THAT INADVERTENT OR UNAUTHORIZED RECEIPT DOES NOT WAIVE SUCH PRIVILEGE, AND THAT UNAUTHORIZED DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE DESTROY THE ATTACHED DOCUMENT(S) AND NOTIFY THE SENDER OF THE ERROR BY CALLING.

Requests by telephone: Since positive identification of the caller cannot be established, telephone requests are not honored; the caller is asked to submit his or her request in writing.

Requests by electronic mail: Since positive identification of the requestor cannot be established, and the electronic transmission of personal identifiers is not encrypted, the security safeguards is not guaranteed from an unauthorized disclosure, so electronic mail requests are not honored and will be deleted from the IHS e-mail system; the computer user is asked to submit his or her request in writing and/or by facsimile transmission.

Record access procedures: Same as notification procedures. Requesters should also provide a reasonable description of the record being sought.

Requesters may also request an accounting of disclosures that have been made of their record, if any.

Contesting record procedures: Contact the Policy Coordinating Official(s), provide a reasonable description of the record, and specify the information being contested, the corrective action sought, and the reasons for requesting the correction, along with supporting information to show how the record is inaccurate, incomplete, untimely, or irrelevant.

Record source categories: Information will be collected from the following sources: Educational institutions attended; internship and/or residency training progress reports; IHS site selection questionnaires; IHS Scholarship, Loan Repayment or grant applicants; Indian health programs human resources department; financial institutions from which these applicants have obtained educational loans; Bureau of Health Professions Area Resources File tapes; health professional associations; HHS contractors/subcontractors; consumer reporting agencies/credit bureaus; lending institutions; PHS Commissioned Personnel Operations Division and U.S. Office of Personnel Operations Division and U.S. Office of Personnel Management personnel records; other Federal agencies, including but not limited to the Department of Treasury, the IRS, and the U.S. Postal Service; State or local government medical licensing boards and/or the Federation of State Medical Boards or a similar non-government entity; and third parties who provide references concerning the subject individual.

Systems exempted from certain provisions of the Act: None.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Resources and Services Administration

Statement of Organization, Functions and Delegations of Authority

This notice amends Part R of the Statement of Organization, Functions and Delegations of Authority of the Department of Health and Human Services (HHS), Health Resources and Services Administration (HRSA) (60 FR 56605, as amended November 6, 1995; 67 FR 46519, as last amended Wednesday, June 11, 2008; 73 FR 33099). This Order of Succession supersedes the Order of Succession for

the Administrator, HRSA, published at FR 73 33099, June 11, 2008.

This notice deletes the Chief Financial Officer from the order of succession and adds the Chief Operating Officer to HRSA's hierarchy affecting the order of succession; this notice also changes the name of the Office of Performance Review to the Office of Regional Operations.

Section R-30, Order of Succession

During the absence or disability of the Administrator, or in the event of a vacancy in the office, the officials designated below shall act as Administrator in the order in which they are listed:

1. Deputy Administrator;
2. Senior Advisor to the Administrator;
3. Chief Operating Officer;
4. Associate Administrator, Bureau of Primary Health Care;
5. Associate Administrator, Bureau of Health Professions;
6. Associate Administrator, HIV/AIDS Bureau;
7. Associate Administrator, Maternal and Child Health Bureau;
8. Associate Administrator, Bureau of Clinician Recruitment and Service;
9. Associate Administrator, Healthcare Systems Bureau;
10. Associate Administrator, Office of Regional Operations; and
11. HRSA Regional Division Directors in the order in which they have received their permanent appointment as such.

Exceptions

(a) No official listed in this section who is serving in acting or temporary capacity shall, by virtue of so serving, act as Administrator pursuant to this section.

(b) Notwithstanding the provisions of this section, during a planned period of absence, the Administrator retains the discretion to specify a different order of succession.

Section R-40, Delegations of Authority

All delegations of authority and re-delegations of authority made to HRSA officials that were in effect immediately prior to this action, and that are consistent with this action, shall continue in effect pending further re-delegation, provided they are consistent with this action.

This document is effective upon date of signature.

Dated: September 24, 2009.

Mary K. Wakefield,
Administrator.

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