

Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Privacy Act of 1974; Revision of System of Records

AGENCY: Office of the Secretary, USDA.

ACTION: Notice of revision of an existing Privacy Act system of records.

SUMMARY: Notice is hereby given that USDA proposes to redesignate its Privacy Act system of records, USDA/OFM-3, entitled "Administrative Billings and Collections, USDA/OFM" to USDA/OCFO-3, "Administrative Billings and Collections, USDA/OCFO" to reflect reorganization in the USDA; and to add a new routine use to the system.

EFFECTIVE DATE: This notice will be adopted without further publication in the **Federal Register** on November 10, 1997, unless modified by a subsequent notice to incorporate comments received from the public. Comments must be received by the contact person listed below on or before October 10, 1997.

FOR FURTHER INFORMATION CONTACT: John W. Hall, Director, National Finance Center, OCFO, USDA, New Orleans, Louisiana 70160.

SUPPLEMENTARY INFORMATION: Pursuant to the Privacy Act, 5 U.S.C. 552a, USDA is redesignating this system as USDAS/OCFO-3, "Administrative Billings and Collections, USDA/OCFO" and adding a new routine use implementing the Treasury Offset provisions of the Debt Collection Improvements Act of 1996 ("DCIA"), Public Law No. 104-134. The DCIA requires Federal agencies to forward debts over 180 days delinquent to the Secretary of the Treasury or to other Federal agencies designated by the Secretary of the Treasury for the purpose of offsetting Federal payments to collect delinquent debts owed to the Federal Government. This system of records is maintained by the National

Finance Center (NFC). The purpose of this notice is to announce the creation and character of this new routine use of records maintained by the NFC. The system contains data on debtor's name, address, Social Security Number or assigned vendor number, amount of indebtedness, amount of current collection, and amount of total billing. Eventually, these records are transferred to a history file for inquiry use.

A "Report on New System," required by 5 U.S.C. 552a(o), as implemented by Transmittal Memoranda 1 and 3 to OMB Circular A-108, was sent to the Chairman, Committee on Governmental Affairs, United States Senate, the Chairman, Committee on Government Reform and Oversight, House of Representatives, and the Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget on August 29, 1997.

Signed at Washington, DC, on August 29, 1997.

Dan Glickman,
Secretary of Agriculture.

USDA/OCFO-3

SYSTEM NAME:

Billings and Collections Systems, USDA/OCFO.

SYSTEM LOCATION:

National Finance Center, OCFO, USDA, New Orleans, Louisiana 70160.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are indebted to the Federal Government and whose debts are serviced by the National Finance Center.

CATEGORIES OF RECORDS IN THE SYSTEM:

This automated system established a master file containing the debtor's name, address, Social Security Number or assigned vendor number, amount of indebtedness, amount of current collection, and amount of total billing. Eventually, these records are transferred to a history file for inquiry use. Information regarding debts subject to IRS offset, claims on travel advances, and delinquent debtor names and Social Security Numbers used in computer matches with the Department of Defense and the United States Postal Service are kept separate from the administrative billings and collections data base in a manually updated claims data base.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 3711 through 3719.
The records in this system are used to issue bills and collect funds due to the Government in compliance with the Debt Collection Act of 1982, Public Law 97-365, 96 Stat. 1749, as amended by Public Law 98-167, 97 Stat. 1104, and the Debt Collection Improvements Act of 1996, Public Law 104-134, 110 Stat. 1321.

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

(1) Referral to the appropriate agency, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting a violation of law, or of enforcing or implementing a statute, rule, regulation, or order issued pursuant thereto, of any record within this system when information available indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation or order issued pursuant thereto.

(2) Referral to the Department of Justice when (a) the agency, or any component, thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d) the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(3) Disclosure in a proceeding before a court or adjudicative body before which the agency is authorized to appear, when (a) the agency, or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee; or (d)

the United States, where the agency determines that litigation is likely to affect the agency or any of its components, is a party to the litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation, providing, however, that in each case, the agency determines that disclosure of the records to the Department of Justice is a use of the information that is compatible with the purpose for which the records were collected.

(4) Disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made on behalf of the individual.

(5) Information will be forwarded to another Federal agency when a Federal employee accepts employment with another Federal agency.

(6) Referral of information regarding indebtedness to the Defense Manpower Data Center, Department of Defense, and the United States Postal Service for the purpose of conducting computer matching programs to identify and locate individuals receiving Federal salary or benefit payments and who are delinquent in their payments of debts owed to the U.S. Government in order to collect debts by voluntary repayment, administrative, or salary offset procedures under the provisions of 5 U.S.C. 5514 or through collection agencies under the provisions of 31 U.S.C. 3718.

(7) Information contained in this system of records may be disclosed to a debt collection agency when USDA determines such referral is appropriate for collecting the debtor's account as provided for in U.S. Government contracts with collection agencies executed pursuant to 31 U.S.C. 3718.

(8) Where prior collection efforts have failed, the USDA will refer to the Department of the Treasury information from this system of records concerning past-due legally enforceable debts for offset against tax refunds that may become due the debtors for the tax year in which referral is made in accordance with IRS regulation at 26 CFR 301.6402-6T, offset of Past-due Legally Enforceable Debt Against Overpayment, and under the authority contained in 31 U.S.C. 3720A.

(9) Information contained in this system of records may be disclosed to a consumer reporting agency in accordance with 31 U.S.C. 3711(f).

(10) Information contained in this system of records, related to non-tax debts or claims that are delinquent for 180 days, will be sent to the Secretary

of the Treasury or to other Federal agencies designated by the Secretary of the Treasury for the purpose of offsetting Federal payments to collect delinquent debts, owed to the Federal Government. Records will be matched by Taxpayer Identification Number (TIN) and name. For an individual, the TIN is the Social Security Number. For a business, the TIN is the Employer Identification Number. The release of this information is in accordance with 31 U.S.C. 3716 and 4 CFR part 102.

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

STORAGE:

Records are maintained on magnetic tape files, disk files, and in folders at the National Finance Center.

RETRIEVABILITY:

Records in the administrative billings and collections data base are retrieved by Social Security Number and by name of individual or equivalent identifying number. Records in the claims data base are retrieved by the claim number, by Social Security Number and name of individual, or by equivalent identifying number.

SAFEGUARDS:

Magnetic tape files and disk files are kept in a locked computer room and tape library which can be accessed by authorized personnel only. File folders are maintained in secured areas with access by authorized personnel only. Disk files are password protected to limit access to authorized personnel only. Online access by National Finance Center and other agency personnel is password protected.

RETENTION AND DISPOSAL:

Master history magnetic tapes are retained in accordance with a tape library management schedule. Manual records are transferred to the Federal Records Center for storage and disposition in accordance with General Services Administration regulations.

SYSTEM MANAGER(S) AND ADDRESS:

Director, National Finance Center, OCFO, USDA, PO Box 60000, New Orleans, Louisiana 70160.

NOTIFICATION PROCEDURE:

Any individual may request information regarding this system of records or information as to whether the system contains records pertaining to him/her from the System Manager. A request for information pertaining to an individual should be in writing and should contain: name, address, Social Security Number, and particulars

involved (i.e., dates of claims, copies of correspondence, etc.).

RECORD ACCESS PROCEDURES:

Any individual may obtain information as to the procedures for gaining access to a record in the system which pertains to him/her by submitting a written request to the System Manager.

CONTESTING RECORD PROCEDURES:

Any individual may obtain information as to the procedures for contesting a record in the system which pertain to him/her by submitting a written request to the System Manager.

RECORD SOURCE CATEGORIES:

Information in this system comes primarily from USDA employees, former USDA employees, non-USDA employees, agency claimants, and USDA or other investigative personnel.

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DEPARTMENT OF AGRICULTURE

Rural Housing Service

Notice of Extension for Availability of Funding and Requests for Proposals for the Section 538 Rural Rental Housing Guaranteed Loan Demonstration Program

AGENCY: Rural Housing Service, USDA.

ACTION: Notice.

SUMMARY: The Rural Housing Service (RHS) announces the extension of the application deadline to September 22, 1997. Applications for the program will be processed as they are received, until the funds are exhausted.

RHS previously announced the availability of the section 538 Rural Rental Housing Guaranteed Loan program on a demonstration basis on July 2, 1997, 62 FR 35782. The application closing date is extended from August 18, 1997, to September 22, 1997.

DATES: The deadline for receipt of applications is 4:00 p.m., Eastern Daylight Savings Time on September 22, 1997. Applications received after such date and time will be returned. Lenders are encouraged to submit applications prior to September 22, 1997, as applications will be reviewed as they are received. If there are differences between any previously distributed guidelines and this notice, the requirements of this notice shall prevail. If RHS is unable to obligate section 538 funds for guaranteed loans by