

(except that UP remained obligated to respond to the Board's subpoena authority); (4) continued to hold these proceedings in abeyance; and (5) directed the Government to file quarterly reports on the progress of future settlement negotiations with the remaining Railroad Defendants.

Movants jointly request that the Board approve the proposed agreement they have negotiated (the BNSF Agreement) to settle these rate reasonableness complaints as between them only and that the requested approval be without prejudice to the Governments' complaints and other actions insofar as they apply to the remaining Railroad Defendants involved in these proceedings. The UP Agreement, according to Movants, served as a model for their Agreement.

The BNSF Agreement, which Movants describe as flexible, comprehensive, long-term, and system-wide:

(1) Provides for a term of 25 years commencing on the effective date of the Board's approval of the BNSF Agreement and continues in effect for additional 5-year periods, subject to a 1-year termination notice requirement;

(2) Applies broadly to the nationwide movement on BNSF's rail lines of irradiated spent fuel, parts, and constituents; spent fuel moving from foreign countries to the United States for disposal; empty casks; radioactive wastes; and buffer and escort cars. Excluded from the BNSF Agreement are local movements originating and terminating in the East, which are covered by the rate basis prescribed in *Trainload Rates on Radioactive Materials, E. Railroads*, 362 I.C.C. 756 (1980) and 364 I.C.C. 981 (1981) (*Eastern Prescription*);<sup>1</sup>

(3) Establishes that the movement of these commodities constitutes common carrier service; addresses the elements of service required of BNSF; adopts guidelines for safe handling and security; obligates BNSF to provide, as needed, "extra services" as described in the BNSF Agreement, at the rates agreed upon;

(4) Adopts a rate methodology to:

(a) apply to all future movements of these radioactive materials in common carrier service. The methodology adopts maximum R/VC markups (not to exceed to 1.80, 2.50, or 3.51 times the shipment

cost, depending on commodity type) of BNSF's most current system-average variable unit costs computed under the Board's Uniform Rail Costing System. Movants state that the proposed rate methodology is consistent with, but broadens, the rate prescription adopted in *Eastern Prescription*; and

(b) compensate BNSF for "extra services" and dedicated train service, when requested by the Government, and procedures to calculate "equitable compensation" for emergency related costs that BNSF may incur.

(5) Adopts a procedure to update rates and "extra services" annually to reflect changes in BNSF's system-average unit costs;

(6) Extinguishes BNSF's liability (and that of its predecessors and subsidiaries) for reparations in all matters arising out of these proceedings; and

(7) Adopts Alternative Dispute Resolution procedures with final recourse to the Board and mechanisms to renegotiate portions of the BNSF Agreement in a limited number of circumstances or if changed circumstances make further adherence to the terms of the BNSF Agreement "grossly inequitable" to either party.

Movants request that the Board: (1) Prescribe the rate methodology and maximum R/VC ratios that have been agreed to for the radioactive materials and rail services that are the subject of the BNSF Agreement; (2) dismiss BNSF as a defendant in these proceedings, preserve the liability of connecting carriers for reparations as to their portion of the charges assessed on through routes that include(d) BNSF, and not require BNSF to participate in rate proceedings initiated by the Government against remaining Railroad Defendants (except that BNSF will remain obligated to respond to the Board's subpoena authority); (3) retain jurisdiction over these proceedings and continue to hold them in abeyance pending further settlement negotiations; and (4) publish notice of their motion and the proposed BNSF Agreement in the **Federal Register** and adopt a procedural schedule for the filing of comments and replies.

The Board is granting Movants' request in part. Notice of their motion and the proposed BNSF Agreement is being published in the **Federal Register** and a procedural schedule is being adopted for the filing of comments and replies responsive to Movant's remaining requests.

Decided: October 10, 2012.

By the Board, Rachel D. Campbell, Director, Office of Proceedings.

**Jeffrey Herzig,**  
*Clearance Clerk.*

[FR Doc. 2012-25275 Filed 10-12-12; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF THE TREASURY

### Fiscal Service

#### Privacy Act of 1974, as Amended; System of Records Notice

**AGENCY:** Financial Management Service, Fiscal Service, Treasury.

**ACTION:** Notice of systems of records.

**SUMMARY:** In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, Financial Management Service is publishing its inventory of Privacy Act systems of records.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Privacy Act of 1974 (5 U.S.C. 552a) and the Office of Management and Budget Circular No. A-130, Financial Management Service (FMS) has completed a review of its Privacy Act systems of records notices to identify minor changes to those notices. The systems of records were last published in their entirety on May 15, 2009, at 74 FR 23006-23021.

The following system of records was added to FMS's inventory of Privacy Act notices since May 9, 2000:

FMS .008—Mailing List Records—Treasury/FMS, published on December 16, 2010, at 75 FR 78802.

On August 17, 2011, FMS published a notice in the **Federal Register** that amended the scope of the categories of individuals covered by the system and the categories of records in the system. 76 FR 51123.

On July 19, 2011, FMS published a notice in the **Federal Register** that amended system of record FMS .006 (Direct Deposit Enrollment Records) to modify the scope of the categories of records in the system, update one routine use and update the record source categories. 76 FR 42765. On February 15, 2012, FMS published a notice in the **Federal Register** that: (a) Combined two pre-existing systems of records (FMS .002—Payment Issue Records for Regular Recurring Benefit Payments and FMS .016—Payment Records for Other Than Regular Recurring Benefit Payments) into one system of record. The resulting system of record is FMS .002 (Payment Records—Financial Management Service). 77 FR 8947. The same **Federal Register** notice also modified routine

<sup>1</sup> Maximum R/VC ratios were prescribed on a commodity-by-commodity basis at various minimum weights as local and proportional rate factors. The prescription was applicable within the East, but primarily was to be used for through movements destined beyond the lines of the rail carriers covered by the prescription. The ICC's 1980 decision, 362 I.C.C. 756, was affirmed in *Consolidated Rail Corp. v. ICC*, 646 F.2d 642 (D.C. Cir. 1981), cert. denied, 454 U.S. 1047 (1981).

use FMS .014 (Debt Collection Operations System) to reflect updated sources of information, routine uses and other matters.

The systems notices are reprinted in their entirety following the Table of Contents.

#### Systems Covered by This Notice

This notice covers all systems of records adopted by the FMS as of [enter date of FR publication]. The systems notices are reprinted in their entirety following the Table of Contents.

Dated: October 9, 2012.

**Melissa Hartman,**

*Deputy Assistant Secretary for Privacy, Transparency, and Records, Financial Management Service (FMS).*

#### Table of Contents

FMS .001—Administrative Records.  
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#### TREASURY/FMS .001

##### SYSTEM NAME:

Administrative Records—Treasury/  
FMS.

##### SYSTEM LOCATION:

FMS, U.S. Department of the  
Treasury, Prince George's Metro Center  
II, 3700 East-West Highway, Room 144,  
Hyattsville, MD 20782. Also, please see  
Appendix I.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

FMS personnel.

##### CATEGORIES OF RECORDS IN THE SYSTEM:

(1) Motor Vehicle Accident Reports.  
(2) Parking Permits. (3) Distribution lists  
of individuals requesting various  
Treasury publications. (4) Treasury  
Credentials.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301.

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

These records may be used to:  
(1) Disclose to GSA for driver's  
permits, parking permits, accident  
reports, and credentials;  
(2) Disclose to GPO or FMS  
contractors for servicing the public on  
Treasury publications and managing  
subscriptions to the appropriate  
publications;  
(3) Disclose to appropriate agencies,  
entities, and persons when (a) the  
Department suspects or has confirmed  
that the security or confidentiality of  
information in the system of records has  
been compromised; (b) the Department  
has determined that as a result of the  
suspected or confirmed compromise  
there is a risk of harm to economic or  
property interests, identity theft or  
fraud, or harm to the security or  
integrity of this system or other systems  
or programs (whether maintained by the  
Department or another agency or entity)  
that rely upon the compromised  
information; and (c) the disclosure made  
to such agencies, entities, and persons is  
reasonably necessary to assist in  
connection with the Department's  
efforts to respond to the suspected or  
confirmed compromise and prevent,  
minimize, or remedy such harm.

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

##### STORAGE:

Records in this system are stored  
electronically or on paper in secure  
facilities in a locked drawer behind a  
locked door.

##### RETRIEVABILITY:

Records may be retrieved by name  
and Treasury publication.

##### SAFEGUARDS:

Locked containers.  
Administrative Procedure—names are  
only given to those who control the  
listing.

##### RETENTION AND DISPOSAL:

(1) Distribution List [printed  
materials]—destroyed after appropriate  
revision of mailing list or after three  
months, whichever is sooner.  
(2) Motor Vehicle Accident Reports—  
destroyed six years after the end of the  
fiscal year during which the records  
were created.  
(3) Treasury Credentials—destroyed  
in accordance with National Archives  
and Records Administration (NARA)  
General Records Schedule 11, item 4.  
(4) Parking Permits—destroyed two  
years after the end of the fiscal year  
during which the records were created.

##### SYSTEM MANAGER(S) AND ADDRESS:

Director, Facilities Management  
Division, FMS, U.S. Department of the  
Treasury, Prince George's Metro Center  
II, 3700 East-West Highway, Room 144,  
Hyattsville, MD 20782.

##### NOTIFICATION PROCEDURE:

Inquiries under the Privacy Act of  
1974 shall be sent to the Disclosure  
Officer, FMS, U.S. Department of the  
Treasury, Liberty Center Building, 401  
14th Street SW., Washington, DC 20227.  
All individuals making inquiries should  
provide with their request as much  
descriptive matter as is possible to  
identify the particular record desired.  
The system manager will advise as to  
whether the Service maintains the  
record requested by the individual.

##### RECORD ACCESS PROCEDURES:

Individuals requesting information  
under the Privacy Act of 1974  
concerning procedures for gaining  
access or contesting records should  
write to the Disclosure Officer at the  
address shown above. All individuals  
are urged to examine the rules of the  
U.S. Department of the Treasury  
published in 31 CFR Part 1, subpart C  
concerning requirements of this  
Department with respect to the Privacy  
Act of 1974.

##### CONTESTING RECORD PROCEDURES:

See "Record Access Procedures"  
above.

##### RECORD SOURCE CATEGORIES:

Financial Management Service  
personnel.

##### EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

#### Appendix I to FMS .001

Motor Vehicle Accident Reports:  
Prince George's Metro Center II, 3700  
East-West Highway, Room 127,  
Hyattsville, MD 20782.

Parking Permits: 1. Prince George's  
Metro Center II, 3700 East-West  
Highway, Room 127, Hyattsville, MD  
20782.

2. Liberty Center Building, 401 14th  
Street SW., Room 118, Washington, DC  
20227. Distribution List: Prince George's  
Metro Center II, 3700 East-West  
Highway, Hyattsville, MD 20782.

Treasury Credentials: Prince George's  
Metro Center II, 3700 East-West  
Highway, Room 158—B, Hyattsville, MD  
20782.

#### TREASURY/FMS .002

##### SYSTEM NAME:

Payment Records—Treasury/FMS.

**SYSTEM LOCATION:**

The FMS, U.S. Department of the Treasury, Washington, DC 20227. Records are also located throughout the United States at FMS operations centers, Federal Records Centers, Federal Reserve Banks acting as Treasury's fiscal agents, and financial institutions acting as Treasury's financial agents. Additional addresses may be obtained from the system managers.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who are the intended or actual recipients of payments disbursed by the United States Government.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Payment records showing a payee's name; Social Security number, employer identification number, or other agency identification or account number; physical and/or electronic mailing address; telephone numbers; payment amount; date of issuance; trace number or other payment identification number, such as Treasury check number and symbol; financial institution information, including the routing number of his or her financial institution and the payee's account number at the financial institution; and vendor contract and/or purchase order number.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; 31 U.S.C. 3325, and 31 U.S.C. 3321 note; Executive Order 6166, dated June 10, 1933.

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

These records may be used to:

- (1) Disclose to the banking industry for payment verification;
- (2) Disclose to Federal investigative agencies, Departments and agencies for whom payments are made, and payees;
- (3) Disclose pertinent information to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;
- (4) Disclose information to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant or necessary to the requesting agency's or the bureau's hiring or retention of an individual, or

issuance of a security clearance, license, contract, grant, or other benefit;

(5) Disclose information to a court, magistrate, mediator, or administrative tribunal in the course of presenting evidence; to counsel, experts, or witnesses in the course of civil discovery, litigation, or settlement negotiations, in response to a subpoena, or in connection with criminal law proceedings;

(6) Disclose information to foreign governments in accordance with formal or informal international agreements;

(7) Provide information to a congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(8) Provide information to the news media in accordance with guidelines contained in 28 CFR 50.2 which relate to an agency's functions relating to civil and criminal proceedings;

(9) Provide information to unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. 7111 and 7114;

(10) Provide information to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation;

(11) Disclose information concerning delinquent debtors to Federal creditor agencies, their employees, or their agents for the purpose of facilitating or conducting Federal administrative offset, Federal tax refund offset, Federal salary offset, or for any other authorized debt collection purpose;

(12) Disclose information to any State, Territory or Commonwealth of the United States, or the District of Columbia to assist in the collection of State, Commonwealth, Territory or District of Columbia claims pursuant to a reciprocal agreement between FMS and the State, Commonwealth, Territory or the District of Columbia, or pursuant to Federal law that authorizes the offset of Federal payments to collect delinquent obligations owed to the State, Commonwealth, Territory, or the District of Columbia;

(13) Disclose to the Defense Manpower Data Center and the United States Postal Service and other Federal agencies through authorized computer matching programs for the purpose of identifying and locating individuals who are delinquent in their repayment of debts owed to the Department or other Federal agencies in order to collect those debts through salary offset and administrative offset, or by the use of other debt collection tools;

(14) Disclose information to a contractor of the FMS for the purpose of

performing routine payment processing services, subject to the same limitations applicable to FMS officers and employees under the Privacy Act;

(15) Disclose information to a fiscal or financial agent of the FMS, its employees, agents, and contractors, or to a contractor of the FMS, for the purpose of ensuring the efficient administration of payment processing services, subject to the same or equivalent limitations applicable to FMS officers and employees under the Privacy Act;

(16) Disclose information to appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm; and

(17) Disclose information to (a) a Federal or state agency, its employees, agents (including contractors of its agents) or contractors; or, (b) a fiscal or financial agent designated by the FMS or other Department of the Treasury bureau or office, including employees, agents or contractors of such agent; or, (c) a contractor of the FMS, for the purpose of identifying, preventing, or recouping improper payments to an applicant for, or recipient of, Federal funds, including funds disbursed by a state in a state-administered, Federally funded program; disclosure may be made to conduct computerized comparisons for this purpose.

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

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Records may be retrieved by name, social security number, employer identification number, agency-supplied identifier, date of payment, or trace

number or other payment identifying information, such as check number.

#### **SAFEGUARDS:**

All official access to the records is on a need-to-know basis, as authorized by a business line manager at FMS, or a fiscal or financial agent of the United States, consistent with agent authority granted by Treasury or FMS. Procedural and physical safeguards, such as personal accountability, audit logs, and specialized communications security, are utilized. Each user of computer systems containing records has individual passwords (as opposed to group passwords) or other unique, secure access authentication credentials for which he or she is responsible. Thus, a security manager can identify access to the records by user. Access to computerized records is limited, through use of access codes, encryption techniques, and/or other internal mechanisms, to those whose official duties require access. Storage facilities are secured by various means such as security guards, badge access, and locked doors with key entry.

#### **RETENTION AND DISPOSAL:**

FMS has submitted a records schedule to the NARA with a proposed retention period of seven years. Until NARA approves the proposed records schedule, disposal is not authorized.

#### **SYSTEM MANAGER(S) AND ADDRESS:**

Chief Disbursing Officer, FMS, 401 14th Street SW., Washington, DC 20227.

#### **NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974 shall be addressed to the Disclosure Officer, FMS, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether the FMS maintains the record requested by the individual.

#### **RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Disclosure Officer at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR, Part 1, subpart C concerning requirements of this Department with respect to the Privacy Act of 1974.

#### **CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

#### **RECORD SOURCE CATEGORIES:**

Information in this system is provided by Federal departments and agencies responsible for certifying, disbursing, and collecting Federal payments; Treasury or FMS-designated fiscal and financial agents of the United States that process payments and collections; and commercial database vendors. Each of these record sources may include information obtained from individuals.

#### **EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

#### **TREASURY/FMS .003**

#### **SYSTEM NAME:**

Claims and Inquiry Records on Treasury Checks, and International Claimants—Treasury/FMS.

#### **SYSTEM LOCATION:**

FMS, U.S. Department of the Treasury, Prince George's Metro Center II, 3700 East-West Highway, Room 727D, Hyattsville, MD 20782.

#### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

(1) Payees and holders of Treasury checks, (2) Claimants awarded benefits under the War Claims Act and the International Claims Settlement Act of 1949.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Treasury check claim file: Treasury check, claim of payee with name and address, settlement action taken.  
(2) Awards for claims for losses sustained by individuals.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; (1) For Treasury check claims—31 U.S.C. 71 with delegation of authority from Comptroller General of the United States; (2) International claims—50 U.S.C. 2012; 22 U.S.C. 1627, 1641, 1642.

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

(1) Information is routinely disclosed to endorser concerning checks for which there is liability, Federal agencies, State and local law enforcement agencies, General Accountability Office, Congressional offices and media assistance offices on behalf of payee claimants.  
(2) International Claims—Information in files is used by claimants (awardees) and their representatives, Foreign Claims Settlement Commission, and

Congressmen. These records and information in the records may be used to:

(a) Disclose pertinent information to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;

(b) Disclose information to a Federal, State, or local agency, maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant to or necessary to the requesting agency's or the bureau's hiring or retention of an individual, or issuance of a security clearance, license, contract, grant, or other benefit;

(3) Disclose information to a court, magistrate, or administrative tribunal of competent jurisdiction;

(4) Disclose information to foreign governments in accordance with formal or informal international agreements;

(5) Provide information to a congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(6) Provide information to the news media in accordance with guidelines contained in 28 CFR 50.2 which relate to an agency's functions relating to civil and criminal proceedings;

(7) Provide information to unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. 7111 and 7114;

(8) Provide information to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation;

(9) Disclose information to the public when attempts by FMS to locate the claimant have been unsuccessful. This information is limited to the claimant's name and city and state of last known address, and the amount owed to the claimant. (This routine use does not apply to the Iran Claims Program or the Holocaust Survivors Claims Program or other claims programs that statutorily prohibit disclosure of claimant information); and

(10) Disclose information to appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the

suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

**STORAGE:**

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Records may be retrieved by:

- (1) Name of payee and check number and symbol;
- (2) Alpha cross-reference to case number; and
- (3) Name of claimant or alpha reference to claim number.

**SAFEGUARDS:**

- (1) Secured building.
- (2) Secured files in secured building.

**RETENTION AND DISPOSAL:**

Disposal of electronic Treasury check claims records is not authorized at this time.<sup>1</sup> Hardcopy international claims records are scheduled to be destroyed 10 years after the end of the fiscal year in which the case was closed.

**SYSTEM MANAGER(S) AND ADDRESS:**

Category 1: Director, Financial Processing Division, Prince George's Metro Center II, 3700 East-West Highway, Room 727D, Hyattsville, MD 20782. Category 2: Director, Funds Management Division, Prince George's Metro Center II, 3700 East-West Highway, Room 620D, Hyattsville, MD 20782.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974 shall be addressed to the Disclosure Officer, Financial Management Service, 401 14th Street SW., Washington, DC 20227. All

individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system managers will advise as to whether FMS maintains the record requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to: Disclosure Officer, Financial Management Service, U.S. Department of the Treasury, 401 14th Street SW., Washington, DC 20227.

All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C concerning requirements of this Department with respect to the Privacy Act of 1974.

**CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

**RECORD SOURCE CATEGORIES:**

- (1) Individual payees of Treasury checks, endorers of Treasury checks, investigative agencies, contesting claimants.
- (2) Awards certified to Treasury for payment by Foreign Claims Settlement Commission.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .004**

**SYSTEM NAME:**

Education and Training Records—Treasury/FMS.

**SYSTEM LOCATION:**

Washington, DC 20227; Financial Management Service, U.S. Department of the Treasury, 1990 K Street NW., Suite 300, Washington, DC 20006.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

All Government employees (including separated employees, in certain cases) and other individuals who access and apply for FMS training services.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

- (1) Personal Profile—Account Record;
- (2) Transcript Record;
- (3) Enrollment Status Record;
- (4) Job Skills Record;
- (5) Individual Development Plan Record;
- (6) Assessment Performance Results Record;
- (7) Managerial Approval/Disapproval Status Record;
- (8) Class Roster Record;

(9) Certificate—Training Program Status Record;

(10) Class Evaluation Record;

(11) Payment Record;

(12) Statistical Reports—retrievable by names: (a) Personnel Transcript Report, (b) Class Enrollment Report, (c) Class Payment/Billing Report, (d) Status of Training Report, (e) Ad hoc Training Report, and (f) Other similar files or registers.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; 31 U.S.C. 321; 31 U.S.C. chapter 33; 31 U.S.C. 3720.

**PURPOSE(S):**

The purpose of this system is to maintain records about Government employees and other individuals who participate in FMS' education and training program. The information contained in the records will assist FMS in properly tracking individual training and accurately account for training revenue and expenditures generated through the FMS' training programs (for example, Learning Management System (LMS)). For FMS personnel, the records contained in FMS' training records will also assist managers' active participation in their employees' learning plans. FMS maintains the information necessary to ensure that FMS keeps accurate records related to classes, including a training participant's training and enrollment status, class completion information, transcripts and certificates of accomplishment. FMS also maintains the records to ensure that financial records pertaining to a training participant's payment for training fees are maintained accurately. FMS' training records will serve to report receipts to the appropriate Federal agency (currently the Treasury Department's Bureau of Public Debt) responsible for maintaining FMS' financial records for training. Finally, the information contained in the covered records will be used for collateral purposes related to the training processes, such as the collection of statistical information on training programs, development of computer systems, investigation of unauthorized or fraudulent activity related to submission of information to FMS for training program purposes and the collection of debts arising out of such activity.

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

These records may be used to disclose information to:

- (1) Appropriate Federal, State, local or foreign agencies responsible for

<sup>1</sup> FMS has submitted a records schedule to the NARA with a proposed retention period of seven years for most electronic Treasury check claims records, and a proposed retention period of 20 years for certain trust-fund-related records. Until NARA approves the proposed records schedule, disposal is not authorized.

investigating or prosecuting the violation of, or for enforcing or implementing, a statute, rule, regulation, order, or license;

(2) A court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel or witnesses, for the purpose of civil discovery, litigation, or settlement negotiations or in response to a subpoena, where relevant or potentially relevant to a proceeding, or in connection with criminal law proceedings;

(3) A congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(4) Federal agencies, financial institutions, and contractors for the purpose of performing financial management services, including, but not limited to, processing payments, investigating and rectifying possible erroneous reporting information, testing and enhancing related computer systems, creating and reviewing statistics to improve the quality of services provided, or conducting debt collection services;

(5) Federal agencies, their agents and contractors for the purposes of facilitating the collection of receipts, determining the acceptable method of collection, the accounting of such receipts, and the implementation of programs related to the receipts being collected as well as status of their personnel training, statistical training information;

(6) Financial institutions, including banks and credit unions, and credit card companies for the purpose of collections and/or investigating the accuracy of information required to complete transactions using electronic methods and for administrative purposes, such as resolving questions about a transaction;

(7) Unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. 7111 and 7114;

(8) Foreign governments in accordance with formal or informal international agreements and if they maintain proper administrative or financial controls related to the training activity;

(9) Third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation;

(10) Federal agencies, their agents and contractors, credit bureaus, and employers of individuals who owe delinquent debt when the debt arises from the unauthorized use of electronic payment methods. The information will be used for the purpose of collecting

such debt through offset, administrative wage garnishment, referral to private collection agencies, litigation, reporting the debt to credit bureaus, or for any other authorized debt collection purpose;

(11) Representatives of the NARA who are conducting records management inspections under authority of 44 U.S.C. 2904 and 2906; and

(12) Appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

**STORAGE:**

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Electronic training data can be retrieved by Class Name and/or Organization Name and Participant Name. Electronic financial data can be retrieved by Name, Organization and payment information (Credit Card, Form 182, DD Form 1556, for example).

**SAFEGUARDS:**

All hardcopy records are maintained in a secured building, secured room, and locked cabinets. FMS personnel access to training data is primarily for the purpose of using the training services or administering the LMS. For technical and administrative purposes, non-FMS personnel access is limited to contractors who are maintaining the LMS system in the normal performance of their duties and have completed non-disclosure statements and undergone security background checks consistent with their access in accordance with the existing contract.

**RETENTION AND DISPOSAL:**

Retention periods vary by record type, up to a maximum of 7 years after last training activity.

**SYSTEM MANAGER AND ADDRESS:**

Assistant Commissioner, Management, Human Resources Division, FMS, U.S. Department of the Treasury, Prince George's Metro Center II, 3700 East-West Highway, Hyattsville, MD 20782.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974 shall be addressed to the Disclosure Officer, FMS, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether the Service maintains the record requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974, as amended, concerning procedures for gaining access to or contesting records should write to the Disclosure Officer. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C, and appendix G, concerning requirements of this Department with respect to the Privacy Act of 1974.

**CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

**RECORD SOURCE CATEGORIES:**

Information in this system is provided by: The individual on whom the record is maintained; the individual's employer, other governmental agency or educational institutions.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .005**

**SYSTEM NAME:**

FMS Personnel Records—Treasury/FMS.

**SYSTEM LOCATION:**

FMS, U.S. Department of the Treasury, 401 14th Street SW., Washington, DC 20227; FMS, U.S. Department of the Treasury, Prince George's Metro Center II, 3700 East-West Highway, Hyattsville, MD 20782.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

All Government employees (including separated employees, in certain cases) and applicants.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

- (1) Locator Cards.
- (2) Incentive Awards Record.
- (3) Official Personnel Folder.
- (4) Personnel Roster.
- (5) Logs of SF-52's.
- (6) Correspondence File.
- (7) Position Listings.
- (8) Position Descriptions with Evaluation Statements.
- (9) Personnel Management Evaluation Survey Reports.
- (10) Request for Certification File.
- (11) Merit Promotion File.
- (12) Exit Interview File.
- (13) Performance File.
- (14) Statistical Reports—retrievable by names: (a) Personnel Status Report, (b) Ad Hoc Retiree Report, (c) Monthly EEO report, (d) Direct Hire Authority Report, (e) Registers Worked File, (f) Statements of Employment and Financial Interest, and (g) Other similar files or registers.
- (15) Training Course Nominations.
- (16) Evaluation of Training Program.
- (17) Tuition Assistance Files.
- (18) Senior Executive Service Development File.
- (19) Management Development File.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Executive Order 10561, dated September 13, 1954, Federal Personnel Manual, and Title 5 of U.S.C. Code.

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

These records may be used to:

- (1) Disclose pertinent information to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;
- (2) Disclose information to a Federal, State, or local agency, maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant to or necessary to the requesting agency's or the bureau's hiring or retention of an individual, or issuance of a security clearance, license, contract, grant, or other benefit;
- (3) Disclose information to a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations, in response to a subpoena, or in connection with criminal law proceedings;

(4) Disclose information to foreign governments in accordance with formal or informal international agreements;

(5) Provide information to a congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(6) Provide information to the news media in accordance with guidelines contained in 28 CFR 50.2 which relate to an agency's functions relating to civil and criminal proceedings;

(7) Provide information to unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. 7111 and 7114;

(8) Provide information to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation; and

(9) Disclose information to appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

Hardcopy/Electronic.

**RETRIEVABILITY:**

Alphabetically by name; also in some instances by organization, then Social Security number.

**SAFEGUARDS:**

Secured building, secured room, and locked cabinets. Non-FMS access is limited to investigators from OPM, etc., members of Fair Employment staff and Union officials.

**RETENTION AND DISPOSAL:**

Delete/destroy in accordance with NARA General Records Schedule 1.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Personnel Management Division, FMS, U.S. Department of the Treasury, Prince George's Metro Center II, 3700 East-West Highway, Room 115-F, Hyattsville, MD 20782.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974 shall be addressed to the Disclosure Officer, FMS, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether the Service maintains the record requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Disclosure Officer at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C concerning requirements of this Department with respect to the Privacy Act of 1974.

**CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

**RECORD SOURCE CATEGORIES:**

Applicant Personnel Action Forms (SF-50), SF-171 (completed by applicant), Payroll Actions References, Educational Institutions, etc.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .006****SYSTEM NAME:**

Direct Deposit Enrollment Records—Treasury/FMS.

**SYSTEM LOCATION:**

Records are located at the Federal Reserve Bank, acting in its capacity as Treasury's fiscal agent, 2200 North Pearl Street, Dallas, TX 75201.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who enroll with the FMS to receive Federal payments from the Federal Government via an electronic funds transfer program known as "Direct Deposit."

**CATEGORIES OF RECORDS IN THE SYSTEM:**

The records may contain identifying information, such as an individual's name(s), social security number, home

address, home and work telephone number, and personal email address (home and work), and date of birth; about an individual's bank account(s) and other types of accounts to which payments are made, such as the individual's bank account number and the financial institution routing and transit number; information about an individual's payments received from the United States, including the type of payment received and the Federal agency responsible for authorizing the payment; information related to the cancellation or suspension of an individual's Direct Express(R) debit card<sup>2</sup> by FMS's financial agent; and information provided by an individual regarding a hardship due to a remote geographic location or about his or her inability to manage a bank account or prepaid debit card due to mental impairment.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; 31 U.S.C. 321; 31 U.S.C. chapter 33; 31 U.S.C. 3332.

**PURPOSE(S):**

The purpose of this system is to maintain records about individuals who wish to enroll in the Direct Deposit program in order to receive Federal payments directly to a bank account or other similar type of account via electronic funds transfer, rather than by paper check. The records are used to process Direct Deposit enrollment applications that may be received directly by FMS, its fiscal agents, and/or contractors. The records are collected and maintained to guarantee that Direct Deposit enrollment applications are processed properly to ensure that a recipient's Federal payment will be disbursed to the correct account. Without the appropriate information, FMS, its fiscal agents and contractors, would not be able to process the Direct Deposit enrollment application as requested by the individual authorizing the Direct Deposit. The information will also be used for collateral purposes related to the processing of Direct Deposit enrollments, such as collection of statistical information on operations, development of computer systems, investigation of unauthorized or fraudulent activity, and the collection of debts arising out of such activity.

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

These records may be used to disclose information to:

(1) Appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violation of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of a potential violation of civil or criminal law or regulation;

(2) A court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel or witnesses, for the purpose of civil discovery, litigation, or settlement negotiations or in response to a subpoena, where relevant or potentially relevant to a proceeding, or in connection with criminal law proceedings;

(3) A congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(4) Fiscal agents, financial agents, financial institutions, and contractors for the purposes of (a) Processing Direct Deposit enrollment applications, including, but not limited to, processing Direct Deposit enrollment forms and implementing programs related to Direct Deposit; investigating and rectifying possible erroneous information; creating and reviewing statistics to improve the quality of services provided; conducting debt collection services for debts arising from Direct Deposit activities; or developing, testing and enhancing computer systems; and (b) processing waivers from the requirement to receive payments electronically, including, but not limited to, processing automatic waivers and applications for waivers, as well as implementing the waivers; investigating and rectifying possible erroneous information or fraud; creating and reviewing statistics to improve the quality of services provided; or developing, testing and enhancing computer systems.

(5) Federal agencies, their agents and contractors for the purposes of facilitating the processing of Direct Deposit enrollment applications and the implementation of programs related to Direct Deposit;

(6) Federal agencies, their agents and contractors, credit bureaus, and employers of individuals who owe delinquent debt for the purpose of garnishing wages, only when the debt arises from the unauthorized or improper use of the Direct Deposit program. The information will be used for the purpose of collecting such debt

through offset, administrative wage garnishment, referral to private collection agencies, litigation, reporting the debt to credit bureaus, or for any other authorized debt collection purpose;

(7) Financial institutions, including banks and credit unions, for the purpose of disbursing payments and/or investigating the accuracy of information required to complete transactions using Direct Deposit and for administrative purposes, such as resolving questions about a transaction;

(8) Representatives of the NARA who are conducting records management inspections under authority of 44 U.S.C. 2904 and 2906; and

(9) Appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Debt information concerning a government claim against a debtor when the debt arises from the unauthorized use of Direct Deposit is also furnished, in accordance with 5 U.S.C. 552a(b)(12) and 31 U.S.C. 3711(e), to consumer reporting agencies, as defined by the Fair Credit Reporting Act, 5 U.S.C. 1681(f), to encourage repayment of a delinquent debt.

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

**STORAGE:**

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Records are retrieved by name, social security number, telephone number, transaction identification number, or other alpha/numeric identifying information.

<sup>2</sup> Direct Express(R) is a registered service mark of the FMS, U.S. Department of the Treasury. The Direct Express(R) debit card is issued by FMS's financial agent, Comerica Bank.

**SAFEGUARDS:**

All official access to the system of records is on a need-to-know basis only, as authorized by a business line manager at FMS or FMS's fiscal agent. Procedural and physical safeguards, such as personal accountability, audit logs, and specialized communications security, are utilized. Each user of computer systems containing records has individual passwords (as opposed to group passwords) for which he or she is responsible. Thus, a security manager can identify access to the records by user. Access to computerized records is limited, through use of access codes, encryption techniques, and/or other internal mechanisms, to those whose official duties require access. Storage facilities are secured by various means such as security guards, badge access, and locked doors with key entry.

**RETENTION AND DISPOSAL:**

Electronic and paper records for enrollments and associated transactions will be retained for six (6) months or as otherwise required by statute or court order. Records in electronic media are electronically erased using industry-accepted techniques, and in accordance with applicable FMS policies regarding the retention and disposal of fiscal agency records. Paper records are destroyed in accordance with fiscal agency archive and disposal procedures and applicable FMS policies regarding the retention and disposal of fiscal agency records.

**SYSTEM MANAGER(S) AND ADDRESS:**

Assistant Commissioner, Payment Management, EFT Strategy Division, Financial Management Service, 401 14th Street SW., Washington, DC 20227.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974, as amended, shall be addressed to the Disclosure Officer, Financial Management Service, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether FMS maintains the records requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974, as amended, concerning procedures for gaining access to or contesting records should write to the Disclosure Officer. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1,

subpart C, and appendix G, concerning requirements of this Department with respect to the Privacy Act of 1974, as amended.

**CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

**RECORD SOURCE CATEGORIES:**

Information in this system is provided by the individual on whom the record is maintained (or by his or her authorized representative), other persons who electronically authorize payments from the Federal government, Federal agencies responsible for authorizing payments, Federal agencies responsible for disbursing payments, Treasury financial agents, and Treasury fiscal agents that process Direct Deposit enrollment applications, and contractors.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .007****SYSTEM NAME:**

Payroll and Pay Administration—Treasury/FMS.

**SYSTEM LOCATION:**

FMS, U.S. Department of the Treasury, Prince George's Metro Center II, 3700 East-West Highway, Room 133 and 101A, Hyattsville, MD 20782; and Room 120, Liberty Center Building, Washington, DC 20227.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

All employees of the Service and separated employees.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

(1) Official Payroll Folder (a) Levy and Garnishment Records. (b) SF-1192—Savings Bond Authorization. (c) SF-1199A—Allotment of Pay to Savings Account. (d) Copies of SF-50—Notification of Personnel Action. (e) Withholding Tax Exemptions. (f) Copy of Health Benefit Designation. (g) Copy of Life Insurance Forms. (h) Payroll Change Slips. (i) Combined Federal Campaign Designations. (j) Copy of SF-1150. (2) Time and Attendance Reports (a) SF-71 Request for Leave. (b) Court Leave Documents. (c) Request for Advancement of Leave. (3) Payroll Comprehensive Listing (a) Current Payment Information. (b) Record of Leave Earned and Used. (c) All Deductions from Pay. (d) Personnel Information such as Grade, Step, Salary, Title, Date of Birth, Social Security Number, Veterans Preference, Tenure, etc. (4) Payroll Control Registers.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Title 5—Pay, Leave and Allowances.

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

These records may be used to disclose information:

- (1) To Federal Agencies and to State and Local Agencies for tax purposes; and
- (2) To appropriate agencies, entities, and persons when (1) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door. The records are stored on magnetic disc, tape, digital media, and CD-ROM.

**RETRIEVABILITY:**

Records may be retrieved by Social Security Number.

**SAFEGUARDS:**

Records in this system are safeguarded in a secured building, secured room and locked cabinets.

**RETENTION AND DISPOSAL:**

Dispose of in accordance with NARA General Records Schedule 2.

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Personnel Management Division, FMS, Prince George's Metro Center II, 3700 East-West Highway, Room 115-F, Hyattsville, MD 20782.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974 shall be addressed to the Disclosure Officer, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with

their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether FMS maintains the record requested by the individual.

#### **RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Disclosure Officer at the address shown above. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C concerning requirements of this Department with respect to the Privacy Act of 1974.

#### **CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

#### **RECORD SOURCE CATEGORIES:**

From individual Service employees.

#### **EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

#### **Treasury/FMS .008**

#### **SYSTEM NAME:**

Mailing List Records—Treasury/FMS.

#### **SYSTEM LOCATION:**

Records are located at the offices of FMS, 401 14th Street SW., Washington, DC 20227, or its fiscal or financial agents at various locations. The addresses of the fiscal or financial agents may be obtained by contacting the System Manager below.

#### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Low- to moderate-income individuals, who are more likely to be unbanked or underbanked, who could potentially receive Federal tax refund payments, and whose names and addresses are included on mailing lists purchased from commercial providers.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

The records may contain identifying information, such as an individual's name(s) and address.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; 31 U.S.C. 321; 31 U.S.C. chapter 33; 31 U.S.C. 3332; Title XII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub. L. 111–203, Jul. 21, 2010).

#### **PURPOSE(S):**

The purpose of this system is to maintain limited records (names and addresses) about low to moderate income individuals, who are more likely

to be unbanked or under-banked, and who could potentially receive Federal tax refund payments. The records are used to send letters to individuals informing them of the benefits of electronic payments and Treasury-recommended account options for receiving payments electronically. Without the information, FMS, its fiscal or financial agents and contractors, would not be able to directly notify prospective payment recipients about the benefits of electronic payments and the Treasury-recommended account options for the receipt of Federal payments electronically.

The information will also be used to study the effectiveness of offering account options to individuals for the purpose of receiving Federal payments. To study program efficacy, FMS may use its mailing list records to collect aggregate statistical information on the success and benefits of direct mail and the use of commercial database providers.

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

These records may be used to disclose information to:

(1) The U.S. Department of Justice ("DOJ") for its use in providing legal advice to the Department or in representing the Department in a proceeding before a court, adjudicative body, or other administrative body before which the Department is authorized to appear, where the use of such information by the DOJ is deemed by the Department to be relevant and necessary to the litigation, and such proceeding names as a party or interests: (a) The Department or any component thereof; (b) Any employee of the Department in his or her official capacity; (c) Any employee of the Department in his or her individual capacity where DOJ has agreed to represent the employee; or (d) The United States, where the Department determines that litigation is likely to affect the Department or any of its components.

(2) A congressional office in response to an inquiry made at the request of the individual to whom the record pertains.

(3) Fiscal agents, financial agents, and contractors for the purpose of mailing information to individuals about the benefits of electronic Federal payments and Treasury-recommended account options for receipt of federal payments electronically, including, but not limited to, processing direct mail or performing other marketing functions; and creating and reviewing statistics to

improve the quality of services provided.

(4) Federal agencies, their agents and contractors for the purposes of implementing and studying options for encouraging current and prospective Federal payment recipients to receive their Federal payments electronically.

(5) Representatives of the NARA who are conducting records management inspections under authority of 44 U.S.C. 2904 and 2906.

(6) Appropriate agencies, entities, and persons when: (a) FMS suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) FMS has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by FMS or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with FMS's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

##### **STORAGE:**

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door. The records are store on magnetic disc, tape, digital media, and CD-ROM.

##### **RETRIEVABILITY:**

Records are retrieved by name, address, or other alpha/numeric identifying information.

##### **SAFEGUARDS:**

All official access to the system of records is on a need-to-know basis only, as authorized by a business line manager at FMS or FMS's fiscal or financial agent. Procedural and physical safeguards, such as personal accountability, audit logs, and specialized communications security, are utilized. Each user of computer systems containing records has individual passwords (as opposed to group passwords) for which he or she is responsible. Thus, a security manager can identify access to the records by user. Access to computerized records is limited, through use of access codes, encryption techniques, and/or other

internal mechanisms, to those whose official duties require access. Storage facilities are secured by various means such as security guards, badge access, and locked doors with key entry.

#### RETENTION AND DISPOSAL:

Electronic and paper records for mail operations based on the use of the mailing list records will be retained in accordance with FMS's record retention requirements or as otherwise required by statute or court order. FMS disposes, or arranges for the disposal of records in electronic media using industry-accepted techniques, and in accordance with applicable FMS policies regarding the retention and disposal of fiscal or financial agency records. Paper records are destroyed in accordance with fiscal or financial agency archive and disposal procedures and applicable FMS policies regarding the retention and disposal of fiscal agency records.

#### SYSTEM MANAGER(S) AND ADDRESS:

Agency Enterprise Solutions Division, Payment Management, FMS, 401 14th Street SW., Washington, DC 20227.

#### NOTIFICATION PROCEDURE:

Inquiries under the Privacy Act of 1974, as amended, shall be addressed to the Disclosure Officer, Financial Management Service, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether FMS maintains the records requested by the individual.

#### RECORD ACCESS PROCEDURES:

Individuals requesting information under the Privacy Act of 1974, as amended, concerning procedures for gaining access to or contesting records should write to the Disclosure Officer. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C, and appendix G, concerning requirements of this Department with respect to the Privacy Act of 1974, as amended.

#### CONTESTING RECORD PROCEDURES:

See "Record Access Procedures" above.

#### RECORD SOURCE CATEGORIES:

Information in this system is provided by commercial database providers based on publicly available information.

#### EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

### TREASURY/FMS .010

#### SYSTEM NAME:

Delegations and Designations of Authority for Disbursing Functions—Treasury/FMS.

#### SYSTEM LOCATION:

Kansas City Regional Financial Center (KFC), FMS, Department of the Treasury, 4241 NE 34th Street, Kansas City, MO 64117.

#### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Heads of Agencies, Certifying Officers, Designated Agents, and other Federal employees designated to perform specific disbursement-related functions.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Records are maintained on the designation or removal of individuals to act in a specified capacity pursuant to a proper authorization.

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301; Executive Order 6166, dated June 10, 1933.

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

These records may be used to:

(1) Disclose to banking institutions, Federal Reserve Banks, and Government agencies for verification of information on authority of individuals to determine propriety of actions taken by such individuals;

(2) Disclose pertinent information to appropriate Federal, State, local or foreign agencies responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation;

(3) Disclose information to a Federal, State, or local agency, maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant to or necessary to the requesting agency's or the bureau's hiring or retention of an individual, or issuance of a security clearance, license, contract, grant, or other benefit;

(4) Disclose information to a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations, in response to a subpoena, or in connection with criminal law proceedings;

(5) Disclose information to foreign governments in accordance with formal or informal international agreements;

(6) Provide information to a congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(7) Provide information to the news media in accordance with guidelines contained in 28 CFR 50.2 which relate to an agency's functions relating to civil and criminal proceedings;

(8) Provide information to unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. 7111 and 7114;

(9) Provide information to third parties during the course of an investigation to the extent necessary to obtain information pertinent to the investigation; and

(10) Disclose information to appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

##### STORAGE:

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door.

##### RETRIEVABILITY:

Records may be retrieved by name.

##### SAFEGUARDS:

Access to computerized records is limited through use of access codes, encryption techniques, and/or other internal mechanisms, to those whose official duties require access. Storage facilities are secured by various means such as security guards, badge access, locked doors and locked cabinets.

**RETENTION AND DISPOSAL:**

Hardcopy records—destroy three years after authority is revoked. Electronic records—disposal is not authorized at this time.<sup>3</sup>

**SYSTEM MANAGER(S) AND ADDRESS:**

Director, Kansas City Regional Financial Center (KFC), FMS, Department of the Treasury, 4241 NE 34th Street, Kansas City, MO 64117.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974 shall be addressed to the Disclosure Officer, FMS, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system managers will advise as to whether the Service maintains the record requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Disclosure Officer. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C concerning requirements of this Department with respect to the Privacy Act of 1974.

**CONTESTING RECORD PROCEDURES:**

See “Record Access Procedures” above.

**RECORD SOURCE CATEGORIES:**

Government Departments and Agencies requiring services of Treasury Department for issuance and payment of Treasury checks.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .012****SYSTEM NAME:**

Pre-complaint Counseling and Complaint Activities—Treasury/FMS.

**SYSTEM LOCATION:**

Financial Management Service, U.S. Treasury Department, Prince George’s Metro Center II, 3700 East-West Highway, Room 132, Hyattsville, MD 20782.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Employees seeking services of EEO Counselors.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Monthly pre-complaint activity reports from seven Financial Centers and Headquarters.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 7154; 42 U.S.C. 200e–16; Executive Order 11478; and 5 CFR Part 713.

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

These records may be used to:

- (1) Keep records on EEO Counseling activities for annual submission to Treasury; and
- (2) Disclose information to appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department’s efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

Records in this system are stored on paper in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Records may be retrieved by station and date of receipt.

**SAFEGUARDS:**

Staff supervision is maintained during the day. Records are kept locked in the files.

**RETENTION AND DISPOSAL:**

Destroy EEO case files 4 years after final adjustment. Destroy pre-complaint counseling reports after 1 year.

**SYSTEM MANAGER(S) AND ADDRESS:**

EEO Officer, FMS, Prince George’s Metro Center II, 3700 East-West Highway, Room 132, Hyattsville, MD 20782.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974 shall be addressed to the Disclosure Officer, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether FMS maintains the record requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974 concerning procedures for gaining access or contesting records should write to the Disclosure Officer. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C concerning requirements of this Department with respect to the Privacy Act of 1974.

**CONTESTING RECORD PROCEDURES:**

See “Record Access Procedures” above.

**RECORD SOURCE CATEGORIES:**

Monthly submissions by Financial Centers and Headquarters.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .013****SYSTEM NAME:**

Gifts to the United States—Treasury/FMS.

**SYSTEM LOCATION:**

FMS, U.S. Department of the Treasury, Prince George’s Metro Center II, 3700 East-West Highway, Hyattsville, MD 20782.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Donors of intervivos and testamentary gifts to the United States.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Correspondence, copies of wills and court proceedings, and other material related to gifts to the United States.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

31 U.S.C. 3113.

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

The records may be used to disclose information to appropriate agencies, entities, and persons when (1) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (2) the Department

<sup>3</sup> FMS must submit a records schedule to NARA. Until NARA approves the proposed records schedule, disposal is not authorized.

has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

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

**STORAGE:**

Records in this system are stored on paper in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Records may be retrieved by name of donor.

**SAFEGUARDS:**

Access is limited to persons on official business.

**RETENTION AND DISPOSAL:**

Permanent retention.

**SYSTEM MANAGER(S) AND ADDRESS:**

Financial Information Management, Directorate, FMS, Prince George's Metro Center II, 3700 East-West Highway, Hyattsville, MD 20782.

**NOTIFICATION PROCEDURE:**

Individuals wishing to be notified if they are named in this system of records, or gain access to records maintained in this system must submit a written request containing the following elements:

- (1) Identify the record system;
- (2) Identify the category and type of records sought; and
- (3) Provide at least two items of secondary identification (date of birth, employee identification number, dates of employment or similar information). Address inquiries to Disclosure Officer (See "Record Access Procedures" below).

**RECORD ACCESS PROCEDURES:**

Disclosure Officer, Financial Management Service, U.S. Department of the Treasury, Liberty Center Building, 401 14th Street SW., Washington, DC 20227.

**CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

**RECORD SOURCE CATEGORIES:**

Individuals, executors, administrators and other involved persons.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .014**

**SYSTEM NAME:**

Debt Collection Operations System—Treasury/FMS.

**SYSTEM LOCATION:**

Records are also located throughout the United States at FMS operations centers, Federal Records Centers, Federal Reserve Banks acting as Treasury's fiscal agents, and financial institutions acting as Treasury's financial agents. Additional addresses may be obtained from the system managers.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who owe debts to: (a) The United States, through one or more of its departments and agencies; and/or (b) States, territories and commonwealths of the United States, and the District of Columbia (hereinafter collectively referred to as "States").

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Debt records containing information about the debtor(s), the type of debt, the governmental entity to which the debt is owed, and the debt collection tools utilized to collect the debt. The records may contain identifying information, such as name(s) and taxpayer identifying number (i.e., Social Security Number or employer identification number); debtor contact information, such as work and home address, and work and home telephone numbers; information concerning the financial status of the debtor and his/her household, including income, assets, liabilities or other financial burdens, and any other resources from which the debt may be recovered; and name of employer and employer address. Debts include unpaid taxes, loans, assessments, fines, fees, penalties, overpayments, advances, extensions of credit from sales of goods or services, and other amounts of money or property owed to, or collected by, the Federal Government or a State, including past due support which is being enforced by a State. The records also may contain information about: (a) The debt, such as the original amount of the debt, the debt account number, the date the debt originated, the amount of the delinquency or default, the date of delinquency or default, basis for the debt, amounts accrued for interest,

penalties, and administrative costs, and payments on the account; (b) Actions taken to collect or resolve the debt, such as copies of demand letters or invoices, documents or information required for the referral of accounts to collection agencies or for litigation, and collectors' notes regarding telephone or other communications related to the collection or resolution of the debt; and (c) The referring or governmental agency that is collecting or owed the debt, such as name, telephone number, and address of the agency contact.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Federal Claims Collection Act of 1966 (Pub. L. 89–508), as amended by the Debt Collection Act of 1982 (Pub. L. 97–365, as amended); Deficit Reduction Act of 1984 (Pub. L. 98–369, as amended); Debt Collection Improvement Act of 1996 (Pub. L. 104–134, sec. 31001); Taxpayer Relief Act of 1997 (Pub. L. 105–34); Internal Revenue Service Restructuring and Reform Act of 1998 (Pub. L. 105–206); 26 U.S.C. 6402; 26 U.S.C. 6331; 31 U.S.C. Chapter 37 (Claims), Subchapter I (General) and Subchapter II (Claims of the U.S. Government); 31 U.S.C. 3321 note.

**PURPOSE(S):**

The purpose of this system is to maintain records about individuals who owe debt(s) to the United States, through one or more of its departments and agencies, and/or to States, including past due support enforced by States. The information contained in the records is maintained for the purpose of taking action to facilitate the collection and resolution of the debt(s) using various collection methods, including, but not limited to, requesting repayment of the debt by telephone or in writing, offset, levy, administrative wage garnishment, referral to collection agencies or for litigation, and other collection or resolution methods authorized or required by law. The information also is maintained for the purpose of providing collection information about the debt to the agency collecting the debt, to provide statistical information on debt collection operations, and for the purpose of testing and developing enhancements to the computer systems which contain the records. The information also is maintained for the purpose of resolving delinquent debts owed by debtors who are ineligible for Federally funded programs until the delinquency is resolved, and for identifying, preventing, or recouping improper payments to individuals who owe delinquent obligations to Federal and/or state agencies.

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

These records may be used to disclose information to:

(1) Appropriate Federal, State, local or foreign agencies responsible for investigating or implementing, a statute, rule, regulation, order, or license;

(2) A court, magistrate, mediator, or administrative tribunal in the course of presenting evidence; counsel, experts, or witnesses in the course of civil discovery, litigation, or settlement negotiations, in response to a subpoena, or in connection with criminal law proceedings;

(3) A congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(4) Any Federal agency, State or local agency, U.S. territory or commonwealth, or the District of Columbia, or their agents or contractors, including private collection agencies (consumer and commercial):

a. To facilitate the collection of debts through the use of any combination of various debt collection methods required or authorized by law, including, but not limited to;

(i) Request for repayment by telephone or in writing;

(ii) Negotiation of voluntary repayment or compromise agreements;

(iii) Offset of Federal payments, which may include the disclosure of information contained in the records for the purpose of providing the debtor with appropriate pre-offset notice and to otherwise comply with offset prerequisites, to facilitate voluntary repayment in lieu of offset, and to otherwise effectuate the offset process;

(iv) Referral of debts to private collection agencies, to Treasury-designated debt collection centers, or for litigation;

(v) Administrative and court-ordered wage garnishment;

(vi) Debt sales;

(vii) Publication of names and identities of delinquent debtors in the media or other appropriate places; and

(viii) Any other debt collection method authorized by law;

b. To conduct computerized comparisons to locate Federal payments to be made to debtors;

c. To conduct computerized comparisons to locate employers of, or obtain taxpayer identifying numbers or other information about, an individual for debt collection purposes;

d. To collect a debt owed to the United States through the offset of payments made by States, territories, commonwealths, or the District of Columbia;

e. To account or report on the status of debts for which such entity has a financial or other legitimate need for the information in the performance of official duties;

f. For the purpose of denying Federal financial assistance in the form of a loan or loan guaranty to an individual who owes delinquent debt to the United States or who owes delinquent child support that has been referred to FMS for collection by administrative offset;

g. To develop, enhance and/or test database, matching, communications, or other computerized systems which facilitate debt collection processes; or

h. For any other appropriate debt collection purpose.

(5) The Department of Defense, the U.S. Postal Service, or other Federal agency for the purpose of conducting an authorized computer matching program in compliance with the Privacy Act of 1974, as amended, to identify and locate individuals receiving Federal payments including, but not limited to, salaries, wages, and benefits, which may include the disclosure of information contained in the records for the purpose of requesting voluntary repayment or implementing Federal employee salary offset or other offset procedures;

(6) The Department of Justice or other Federal agency:

a. when requested in connection with a legal proceeding, or

b. to obtain concurrence in a decision to compromise, suspend, or terminate collection action on a debt;

(7) Any individual or other entity who receives Federal payments as a joint payee with a debtor for the purpose of providing notice of, and information about, offsets from such Federal payments; and

(8) Any individual or entity:

a. To facilitate the collection of debts through the use of any combination of various debt collection methods required or authorized by law, including, but not limited to:

(i) Administrative and court-ordered wage garnishment;

(ii) Report information to commercial credit bureaus;

(iii) Conduct asset searches or locate debtors;

(iv) Publish names and identities of delinquent debtors in the media or other appropriate places; or

(v) Debt sales;

b. For the purpose of denying Federal financial assistance in the form of a loan or loan guaranty to an individual who owes delinquent debt to the United States or who owes delinquent child support that has been referred to FMS for collection by administrative offset; or

c. For any other appropriate debt collection purpose. Disclosure to consumer reporting agencies including for the provision of routine debt collection services by an FMS contractor subject to the same limitations applicable to FMS officers and employees under the Privacy Act; and

(9) Appropriate agencies, entities, and persons when (A) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (B) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (C) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

(10) (a) A Federal or state agency, its employees, agents (including contractors of its agents) or contractors; or, (b) a fiscal or financial agent designated by the FMS or other Department of the Treasury bureau or office, including employees, agents or contractors of such agent; or, (c) a contractor of the FMS, for the purpose of identifying, preventing, or recouping improper payments to an applicant for, or recipient of, Federal funds, including funds disbursed by a state in a state-administered, Federally funded program; disclosure may be made to conduct computerized comparisons for this purpose.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Debt information concerning a government claim against a debtor is also furnished, in accordance with 5 U.S.C. 552a(b)(12) and 31 U.S.C. 3711(e), to consumer reporting agencies, as defined by the Fair Credit Reporting Act, 5 U.S.C. 1681(f), to encourage repayment of a delinquent debt.

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

**STORAGE:**

Records in this system are stored electronically or on paper in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Records may be retrieved by various combinations of name, taxpayer identifying number (i.e., social security number) or employer identification number), or debt account number.

**SAFEGUARDS:**

All officials access the system of records on a need-to-know basis only, as authorized by the system manager. Procedural and physical safeguards are utilized, such as accountability, receipt records, and specialized communications security. Access to computerized records is limited, through use of access codes, entry logs, and other internal mechanisms, to those whose official duties require access. Hard-copy records are held in steel cabinets, with access limited by visual controls and/or lock systems. During normal working hours, files are attended by responsible officials; files are locked up during non-working hours. The building is patrolled by uniformed security guards.

**RETENTION AND DISPOSAL:**

Retention periods vary by record type, up to a maximum of seven years after the end of the fiscal year in which a debt is resolved or returned to the agency as uncollectible.

**SYSTEM MANAGER(S) AND ADDRESS:**

System Manager, Debt Management Services, FMS, 401 14th Street SW., Washington, DC 20227.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974, as amended, shall be addressed to the Disclosure Officer, FMS, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether FMS maintains the records requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974, as amended, concerning procedures for gaining access or contesting records should write to the Disclosure Officer. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C, and appendix G, concerning requirements of this Department with respect to the Privacy Act of 1974, as amended.

**CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

**RECORD SOURCE CATEGORIES:**

Information in this system is provided by the individual on whom the record is maintained; Federal and State agencies to which the debt is owed; Federal agencies and other entities that employ the individual or have information concerning the individual's employment or financial resources; Federal and State agencies issuing payments; collection agencies; locator and asset search companies, credit bureaus, and other database vendors; Federal, State or local agencies furnishing identifying information and/or debtor address information; and/or public documents.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

**TREASURY/FMS .017****SYSTEM NAME:**

Collections Records—Treasury/FMS.

**SYSTEM LOCATION:**

Records are located at the FMS, U.S. Department of the Treasury, Liberty Center Building (Headquarters), 401 14th Street SW., Washington, DC 20227. Records are also located throughout the United States at various Federal Reserve Banks and financial institutions, which act as Treasury's fiscal and financial agents. The address(es) of the fiscal and financial agents may be obtained from the system manager below.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who electronically authorize payments to the Federal government through the use of communication networks, such as the Internet, via means such as Automated Clearing House (ACH), check conversion, credit card, and/or stored value card.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Collections records containing information about individuals who electronically authorize payments to the Federal government to the extent such records are covered by the Privacy Act of 1974. The records may contain identifying information, such as an individual's name(s), taxpayer identifying number (i.e., Social Security Number or employer identification number), home address, home telephone number, and personal email address (home and work); an individual's employer's name, address, telephone number, and email address; an individual's date of birth and driver's license number; information about an individual's bank account(s) and other types of accounts from which payments

are made, such as financial institution routing and account number; credit card numbers; information about an individual's payments made to or from the United States (or to other entities such as private contractors for the Federal government), including the amount, date, status of payments, payment settlement history, and tracking numbers used to locate payment information; user name and password assigned to an individual; other information used to identify and/or authenticate the user of an electronic system to authorize and make payments, such as a unique question and answer chosen by an individual; information concerning the authority of an individual to use an electronic system (access status) and the individual's historical use of the electronic system. The records also may contain information about the governmental agency to which payment is made and information required by such agency as authorized or required by law. The information contained in the records covered by FMS's system of records is necessary to process financial transactions while protecting the government and the public from financial risks that could be associated with electronic transactions. It is noted that the system covers records obtained in connection with various mechanisms that are either used currently or may be used in the future for electronic financial transactions. Not every transaction will require the maintenance of all of the information listed in this section. The categories of records cover the broad spectrum of information that might be connected to various types of transactions.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 301; 31 U.S.C. 321; 31 U.S.C. chapter 33; 31 U.S.C. 3720

**PURPOSE(S):**

The purpose of this system is to maintain records about individuals who electronically authorize payments to the Federal government. The information contained in the records is maintained for the purpose of facilitating the collection and reporting of receipts from the public to the Federal government and to minimize the financial risk to the Government and the public of unauthorized use of electronic payment methods. Examples of payment mechanisms authorized electronically include ACH, check conversion, credit card, or stored value cards. Individuals may authorize payments using paper check conversion or Internet-based systems through programs such as "Pay.gov" and "Electronic Federal

Taxpayer Payment System (EFTPS)."

The information also is maintained to:

(a) Provide collections information to the Federal agency collecting the public receipts;

(b) Authenticate the identity of individuals who electronically authorize payments to the Federal government;

(c) Verify the payment history and eligibility of individuals to electronically authorize payments to the Federal government;

(d) Provide statistical information on collections operations;

(e) Test and develop enhancements to the computer systems that contain the records; and

(f) Collect debts owed to the Federal government from individuals when the debt arises from the unauthorized use of electronic payment methods.

FMS's use of the information contained in the records is necessary to process financial transactions while protecting the government and the public from financial risks that could be associated with electronic transactions. The records are collected and maintained for three primary reasons. First, in order to process a payment electronically, a payor needs to submit his or her name and bank account or credit card account information. Without such information, FMS would not be able to process the payment as requested by the individual authorizing the payment. Second, to authenticate the identity of the person initiating the electronic transaction, FMS may, in some instances, require some or all of the information described in "Categories of records in the system," above, depending upon the level of risk associated with a particular type of transaction. Third, to verify the financial and other information provided by the person initiating the electronic transaction and to evaluate the payor's ability to make the payment authorized, FMS may compare information submitted with information available in FMS's electronic transaction historical database or commercial databases used for verification purposes, much like a store clerk determines whether someone paying by paper check has a history of writing bad checks. The ability to research historical transaction information will help eliminate the risk of fraudulent activity, such as the purchase of government products using an account with insufficient funds or using a stolen identity. By collecting and maintaining a certain amount of unique personal information about an individual who purchases goods from the government, FMS can help ensure

that the individual's sensitive financial information will not be fraudulently accessed or used by anyone other than the individual.

In addition, the information contained in the covered records will be used for collateral purposes related to the processing of financial transactions, such as collection of statistical information on operations, development of computer systems, investigation of unauthorized or fraudulent activity related to electronic transactions, and the collection of debts arising out of such activity.

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

These records may be used to disclose information to:

(1) Appropriate Federal, state, local or foreign agencies responsible for investigating or prosecuting the violation of, or for enforcing or implementing, a statute, rule, regulation, order, or license, but only if the investigation, prosecution, enforcement or implementation concerns a transaction(s) or other event(s) that involved (or contemplates involvement of), in whole or part, an electronic method of collecting receipts for the Federal government. The records and information may also be disclosed to commercial database vendors to the extent necessary to obtain information pertinent to such an investigation, prosecution, enforcement or implementation;

(2) Commercial database vendors for the purposes of authenticating the identity of individuals who electronically authorize payments to the Federal government, to obtain information on such individuals' payment or check writing history, and for administrative purposes, such as resolving a question about a transaction. For purposes of this notice, the term "commercial database vendors" means vendors who maintain and disclose information from consumer credit, check verification, and address databases;

(3) A court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel or witnesses, for the purpose of civil discovery, litigation, or settlement negotiations or in response to a subpoena, where arguably relevant to the litigation, or in connection with criminal law proceedings;

(4) A congressional office in response to an inquiry made at the request of the individual to whom the record pertains;

(5) Fiscal agents, financial agents, financial institutions, and contractors for the purpose of performing financial management services, including, but not limited to, processing payments, investigating and rectifying possible erroneous reporting information, creating and reviewing statistics to improve the quality of services provided, conducting debt collection services, or developing, testing and enhancing computer systems;

(6) Federal agencies, their agents and contractors for the purposes of facilitating the collection of receipts, determining the acceptable method of collection, the accounting of such receipts, and the implementation of programs related to the receipts being collected;

(7) Federal agencies, their agents and contractors, credit bureaus, and employers of individuals who owe delinquent debt for the purpose of garnishing wages only when the debt arises from the unauthorized use of electronic payment methods. The information will be used for the purpose of collecting such debt through offset, administrative wage garnishment, referral to private collection agencies, litigation, reporting the debt to credit bureaus, or for any other authorized debt collection purpose;

(8) Financial institutions, including banks and credit unions, and credit card companies for the purpose of collections and/or investigating the accuracy of information required to complete transactions using electronic methods and for administrative purposes, such as resolving questions about a transaction; and

(9) Appropriate agencies, entities, and persons when (a) the Department suspects or has confirmed that the security or confidentiality of information in the system of records has been compromised; (b) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

Debt information concerning a government claim against a debtor when the debt arises from the unauthorized use of electronic payment methods is also furnished, in accordance with 5 U.S.C. 552a(b)(12) and 31 U.S.C. 3711(e), to consumer reporting agencies, as defined by the Fair Credit Reporting Act, 5 U.S.C. 1681(f), to encourage repayment of a delinquent debt.

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

Records in this system are stored electronically in secure facilities in a locked drawer behind a locked door.

**RETRIEVABILITY:**

Records may be retrieved by account number (such as financial institution account number or credit card account number), name (including an authentication credential, e.g., a user name), social security number, transaction identification number, or other alpha/numeric identifying information.

**SAFEGUARDS:**

All officials access the system of records on a need-to-know basis only, as authorized by the system manager after security background checks. Procedural and physical safeguards, such as personal accountability, audit logs, and specialized communications security, are utilized. Accountability and audit logs allow systems managers to track the actions of every user of the system. Each user has an individual password (as opposed to a group password) for which he or she is responsible. Thus, a system manager can identify access to the records by user. Access to computerized records is limited, through use of encryption, access codes, and other internal mechanisms, to those whose official duties require access. Storage facilities are secured by various means such as security guards, locked doors with key entry, and limited virtual access requiring a physical token.

**RETENTION AND DISPOSAL:**

Disposal is not authorized at this time.<sup>4</sup>

<sup>4</sup> FMS is updating its records schedules for these records to provide for a retention period of seven years for most collections records, and a retention period of 20 years for certain trust-fund-related records. FMS must submit the record schedules to NARA. Until NARA approves the updated records schedules, disposal is not authorized.

**SYSTEM MANAGER(S) AND ADDRESS:**

Assistant Commissioner, Federal Finance, FMS, 401 14th Street SW., Washington, DC 20227.

**NOTIFICATION PROCEDURE:**

Inquiries under the Privacy Act of 1974, as amended, shall be addressed to the Disclosure Officer, FMS, 401 14th Street SW., Washington, DC 20227. All individuals making inquiries should provide with their request as much descriptive matter as is possible to identify the particular record desired. The system manager will advise as to whether FMS maintains the records requested by the individual.

**RECORD ACCESS PROCEDURES:**

Individuals requesting information under the Privacy Act of 1974, as amended, concerning procedures for gaining access to or contesting records should write to the Disclosure Officer. All individuals are urged to examine the rules of the U.S. Department of the Treasury published in 31 CFR Part 1, subpart C, and appendix G, concerning requirements of this Department with respect to the Privacy Act of 1974, as amended.

**CONTESTING RECORD PROCEDURES:**

See "Record Access Procedures" above.

**RECORD SOURCE CATEGORIES:**

Information in this system is provided by the individual on whom the record is maintained (or by his or her authorized representative), other persons who electronically authorize payments to the Federal government, Federal agencies responsible for collecting receipts, Federal agencies responsible for disbursing and issuing Federal payments, Treasury fiscal and financial agents that process collections, and commercial database vendors.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

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**DEPARTMENT OF THE TREASURY****Office of Foreign Assets Control**

**Designation of Two (2) Entities Pursuant to Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism"**

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Treasury Department's Office of Foreign Assets Control ("OFAC") is publishing the names of two (2) entities whose property and interests in property are blocked pursuant to Executive Order 13224 of September 23, 2001, "Blocking Property and Prohibiting Transactions With Persons Who Commit, Threaten To Commit, or Support Terrorism."

**DATES:** The designations by the Director of OFAC of the two (2) entities in this notice, pursuant to Executive Order 13224, are effective on October 4, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Assistant Director, Compliance Outreach & Implementation, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220, tel.: 202/622-2490.

**SUPPLEMENTARY INFORMATION:****Electronic and Facsimile Availability**

This document and additional information concerning OFAC are available from OFAC's Web site ([www.treas.gov/ofac](http://www.treas.gov/ofac)) or via facsimile through a 24-hour fax-on-demand service, tel.: 202/622-0077.

**Background**

On September 23, 2001, the President issued Executive Order 13224 (the "Order") pursuant to the International Emergency Economic Powers Act, 50 U.S.C. 1701-1706, and the United Nations Participation Act of 1945, 22 U.S.C. 287c. In the Order, the President declared a national emergency to address grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the September 11, 2001 terrorist attacks in New York, Pennsylvania, and at the Pentagon. The Order imposes economic sanctions on persons who have committed, pose a significant risk of committing, or support acts of terrorism. The President identified in the Annex to the Order, as amended by Executive Order 13268 of July 2, 2002, 13 individuals and 16 entities as subject to the economic sanctions. The Order was further amended by Executive Order 13284 of January 23, 2003, to reflect the creation of the Department of Homeland Security.

Section 1 of the Order blocks, with certain exceptions, all property and interests in property that are in or hereafter come within the United States or the possession or control of United States persons, of: (1) Foreign persons listed in the Annex to the Order; (2) foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of the Department of