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DOCUMENT DATE: 04/11/1989

TITLE: PR-MISC. NOTICE - 54FR14401 - PRIVACY ACT OF 1974:
REPORT OF DISCLOSURES

CASE REFERENCE: PR-MISC. NOTICE
54FR14401

KEY WORD: RULEMAKING COMMENTS

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STATUS OF RULEMAKING

PROPOSED RULE: PR-MISC. NOTICE **OPEN ITEM (Y/N) N**

RULE NAME: PRIVACY ACT OF 1974: REPORT OF DISCLOSURES

PROPOSED RULE FED REG CITE: 54FR14401

PROPOSED RULE PUBLICATION DATE: 04/11/89 **NUMBER OF COMMENTS: 0**

ORIGINAL DATE FOR COMMENTS: 05/11/89 **EXTENSION DATE: / /**

FINAL RULE FED. REG. CITE: 54FR14401 **FINAL RULE PUBLICATION DATE: 04/11/89**

NOTES ON EDO SIGNED ITEM. FILE LOCATED ON P1.

**STATUS
OF RULE**

TO FIND THE STAFF CONTACT OR VIEW THE RULEMAKING HISTORY PRESS PAGE DOWN KEY

HISTORY OF THE RULE

PART AFFECTED: PR-MISC. NOTICE

RULE TITLE: PRIVACY ACT OF 1974: REPORT OF DISCLOSURES

PROPOSED RULE SECY PAPER:	PROPOSED RULE SRM DATE:	/ /	DATE PROPOSED RULE SIGNED BY SECRETARY:	04/05/89
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FINAL RULE SECY PAPER:	FINAL RULE SRM DATE:	/ /	DATE FINAL RULE SIGNED BY SECRETARY:	04/05/89
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STAFF CONTACTS ON THE RULE

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DOCKET NUMBER
PROPOSED RULE PR Misc.
(54 FR 14401)

7590-01

NUCLEAR REGULATORY COMMISSION

Privacy Act of 1974; Report of Disclosures

AGENCY: Nuclear Regulatory Commission.

ACTION: Notification of disclosures.



SUMMARY: The Nuclear Regulatory Commission (NRC) is proposing to amend two of its Systems of Records (NRC-20 and NRC-21) to reflect the Debt Collection Act of 1982 requirement that a notice under the Privacy Act be made indicating that information in a System of Records may be disclosed to a consumer reporting agency in order to enhance NRC's debt collection abilities. NRC-21 is also being revised to reflect the withholding and reporting of Thrift Savings Plan deductions to the Department of Agriculture's National Finance Center. Other minor amendments are also being made.

EFFECTIVE DATE: The proposed disclosures will take effect without further notice on (30 days from date of publication in the Federal Register) unless comments received on or before that date require a different decision. If, based on NRC's review of comments received, changes are made, NRC will publish a new notice.

*Published in the
Federal Register
on 4-11-89.*

U. S. NUCLEAR REGULATORY COMMISSION
DOCKETING & SERVICE SECTION
OFFICE OF THE SECRETARY
OF THE COMMISSION

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ADDRESSES: Send comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. Copies of comments may be examined at the NRC Public Document Room at 2120 L Street, NW, Washington, DC.

FOR FURTHER INFORMATION CONTACT: David L. Meyer, Chief, Regulatory Publications Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555; Telephone: 301-492-7086 or toll free 800-368-5642.

SUPPLEMENTARY INFORMATION: The Debt Collection Act of 1982 (Pub. L. 97-365), which was enacted on October 25, 1982, revised the Federal Claims Collection Act of 1966 (31 U.S.C. 3701 et seq.). The Act provides government agencies with additional procedures for the collection of debts owed to the United States. Among these procedures, the Act authorizes government agencies to make disclosures that would permit agencies to take advantage of debt collection services and techniques commonly available to the private sector such as turning delinquent debts over to collection agencies and charging interest for delinquent accounts.

The Act required the Department of Justice and the General Accounting Office to promulgate standards necessary to implement its provisions. On March 9, 1984 (49 FR 8889), the Department of Justice and the General Accounting Office jointly published a final rule amending the Federal Claims Collection Standards set out in 4 CFR Parts 101-105 to reflect the

requirements of the Act. The NRC published a proposed rule on October 7, 1988 (53 FR 39480) that would amend 10 CFR Part 15 to implement the provisions of the Debt Collection Act of 1982 and the Federal Claims Collection Standards.

The Debt Collection Act of 1982 also amended the Privacy Act of 1974 to provide a new general disclosure authority that permits agencies to disclose information from certain of their Systems of Records concerning individuals who are in default. This amendment of the Privacy Act would permit the disclosure of information to both debt collection agencies and credit reporting agencies. Before these disclosures can be made, agencies are required to go through certain due process steps that ensure the valid nature of the claim and give the individual the opportunity to resolve the claim.

Before the NRC can take advantage of the additional options afforded by the Debt Collection Act of 1982, and before NRC can issue the amendments to 10 CFR Part 15 in final form, the NRC must update the uses of its Systems of Records to comply with the amended provisions of the Privacy Act. This notice indicates the Systems of Records from which the NRC intends to disclose debtor information.

Under the NRC's Systems of Records, NRC-20, Official Travel Records, and NRC-21, Payroll Accounting Records, are being revised to provide for the reporting of delinquent debts to consumer reporting agencies, notifying debtors of these actions, reporting debt status changes to debtors, and limiting the information which the NRC may provide to consumer reporting agencies. Disclosure of

information to a consumer reporting agency is not considered a routine use of records. Disclosures may be made to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C 3701(a)(3)). NRC-21 is also being revised to reflect the withholding and reporting of Thrift Savings Plan deductions to the Department of Agriculture's National Finance Center. Other minor revisions dealing with office name and location changes are also being made.

A report for each System of Records, required by 5 U.S.C. 552a(o), as implemented by OMB Circular A-130, was sent to the Committee on Government Operations of the United States House of Representatives, Committee on Governmental Affairs of the United States Senate, and the Office of Management and Budget on February 14, 1989.

In response to a letter from Bob Wise, Chairman, Subcommittee on Government Information, Justice, and Agriculture, Committee on Government Operations, the notice was changed to reflect revisions made in the routine use section concerning consumer reporting notices.

1. NRC-20, Official Travel Records--NRC, is being revised to read as follows:

NRC-20

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SYSTEM LOCATION:

Primary system--Division of Accounting and Finance, Office of the Controller, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

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ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES: INFORMATION IN THESE RECORDS MAY BE USED:

- a. For transmittal to the U.S. Treasury for payment;
- b. For transmittal to the Department of State or an embassy for passports or visas;
- c. For any of the routine uses specified in the Prefatory Statement.

DISCLOSURES TO A CONSUMER REPORTING AGENCY:

Disclosures pursuant to 5 U.S.C. 552a(b)(12)

Disclosure of information to a consumer reporting agency is not a routine use of records. Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966, as amended (31 U.S.C 3701(a)(3)).

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SYSTEM MANAGER(S) AND ADDRESS:

Director, Division of Accounting and Finance, Office of the Controller, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

NOTIFICATION PROCEDURES:

Director, Division of Freedom of Information and Publications Services,
Office of Administration, U.S. Nuclear Regulatory Commission, Washington,
DC 20555.

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2. NRC-21, Payroll Accounting Records--NRC, is being revised to read as follows:

NRC-21

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SYSTEM LOCATION:

Primary system--Division of Accounting and Finance, Office of
the Controller, NRC, 7735 Old Georgetown Road, Bethesda, Maryland.

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

* * * * *

b. For reporting tax withholding to Internal Revenue Service and appropriate State and local taxing authorities;

* * * * *

k. For withholding and reporting of Thrift Savings Plan deductions to the Department of Agriculture's National Finance Center;

l. For any of the routine uses specified in the Prefatory Statement.

DISCLOSURES TO A CONSUMER REPORTING AGENCY:

Disclosures pursuant to 5 U.S.C. 552a(b)(12)

Disclosure of information to a consumer reporting agency is not considered a routine use of records. Disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S. C. 1681a(f)) or the Federal Claims Collection Act of 1966, as amended (31 U.S.C 3701(a)(3)).

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SYSTEMS MANAGER(S) AND ADDRESS:

Director, Division of Accounting and Finance, Office of the Controller,
U.S. Nuclear Regulatory Commission, Washington, DC 20555.

NOTIFICATION PROCEDURES:

Director, Division of Freedom of Information and Publications Services,
Office of Administration, U.S. Nuclear Regulatory Commission, Washington,
DC 20555.

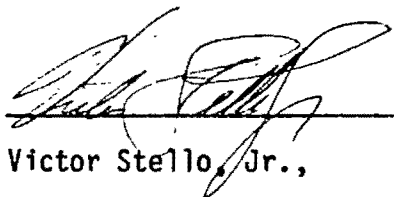
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RECORD SOURCE CATEGORIES:

Information is provided by individual and the Office of Personnel.

Dated at Rockville, Maryland, this *5th* day of *April* 1989.

For the Nuclear Regulatory Commission.



Victor Stello, Jr.,

Executive Director for Operations.