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[Notices]

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SMALL BUSINESS ADMINISTRATION

Privacy Act of 1974: Revision of Privacy Act System of Records

AGENCY: Small Business Administration (SBA).

ACTION: Notice of Revision of Privacy Act Systems of Records.

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SUMMARY: SBA is updating the Privacy Act Systems of Records for (i) the

Loan System, SBA 21 (``SOR 21'') and (ii) the Suspension and Debarment

Files, SBA 36 (``SOR 36'') to incorporate a comment received in

response to the March 16, 2012 notice published in the Federal

Register, and is updating both SORs to provide for a successor system

to GSA's Excluded Parties List System referenced in the SORs. SBA is

also revising the Privacy Act System for SOR 21 to add two new routine

uses. This notice is in accordance with the Privacy Act requirement

that agencies publish their amended Systems of Records in the Federal

Register when there is a revision, change or addition to the systems.

DATES: Written comments on the revisions to the SBA's SOR 21 and SOR 36

Systems of Records are due November 8, 2012. The changes to these

Systems of Records are effective without further notice on November 23,

2012 unless comments are received that result in further revision.

Based on SBA's review of comments received, if any, SBA will publish a

notice if it determines to make changes to the system notices.

ADDRESSES: Written comments on the revisions to the SBA's SOR 21 and

SOR 36 Systems of Records should be directed to Ingrid Ripley, Program

Analyst, U.S. Small Business Administration, 409 3rd Street SW.,

Washington, DC 20416. When submitting comments please identify whether

comments are related to SOR 21 or SOR 36.

FOR FURTHER INFORMATION CONTACT: Ingrid Ripley, Program Analyst, (202)

205-7538.

SUPPLEMENTARY INFORMATION: SBA is amending its Privacy Act System of

Records, notice of which was previously published at 74 FR 14890 (April

1, 2009) and 77 FR 15835-01 (March 16, 2012), to update System 21 (Loan

System) and System 36 (Suspension and Debarment Files) to incorporate a

comment received from the public, to update a GSA system referenced

within the notice, and to add two new routine uses to SOR 21.

System 21--Loan System

SBA is updating the routine use provisions of its Privacy Act

Systems of Records, Loan System, SBA 21 (``SOR 21'') to incorporate a

comment received in response to the March 16, 2012 notice published in

the Federal Register. In the March notice SBA added paragraphs ``l,''

``m,'' and ``n'' to include Loan Agent review processes and additional

regulatory processes, among other changes. SBA received one public

comment regarding paragraph ``m'' and is revising SOR 21 to incorporate

that comment. Specifically, SBA will revise paragraph ``m'' to provide

that SBA may publish Loan Agent suspensions, revocations and exclusions

under 13 CFR Part 103 not only in the Excluded Parties List System

(``EPLS''), but also on SBA's Web site. In addition, SBA is updating

paragraph ``m'' to refer to a ``successor system'' to the EPLS.

SBA is also revising SOR 21 to add a new routine use paragraph

``o'' to provide for the transfer of delinquent debt information for

publication in a government-wide computer information system(s). SBA

and its authorized lending institutions would be able to search this

system to prescreen applicants for loans or loans guaranteed by the

Federal government to ascertain if the applicant is delinquent in

paying a debt owed to or guaranteed by the Government. This information

will allow participating Federal agencies and approved private lenders

acting on the Government's behalf to better monitor their credit

programs and to reduce the credit extended to individuals with

outstanding delinquencies on debts owed to SBA and other Federal

agencies.

Finally, SBA is revising SOR 21 to add a new routine use paragraph

``p'' to allow transfer of loan information to Federal or state

agencies 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. Government agencies, including but not limited to SBA,

would be able to search this system. This transfer of information is

authorized pursuant to the Improper Payments Elimination and Recovery

Act of 2010, Executive Order 13520, and Executive Memorandum dated June

18, 2010, which required agencies to review existing databases known

collectively as the ``Do Not Pay List'' before the release of any

Federal funds. The purpose of the ``Do Not Pay List'' is to help

prevent, reduce and stop improper payments from being made, and to

identify and mitigate, fraud, waste and abuse.

SBA System 36--Suspension and Debarment Files

SBA is updating the System of Records for Suspension and Debarment

Files, SBA 36, (``SOR 36''), to incorporate a comment received in

response to the March 16, 2012 notice published in the Federal

Register. In the March notice, SBA added paragraph ``o'' to provide for

publication of enforcement actions and exclusions in the GSA EPLS. SBA

received a public comment regarding paragraph ``o'' and is revising SOR

36 to incorporate that comment. Specifically, the update to paragraph

``o'' in SOR 36 will allow SBA to publish suspension, debarments, other

enforcement actions, and exclusions by SBA not only in the EPLS but

also on SBA's Web site. In addition, SBA is updating paragraph ``o'' to

refer to a ``successor system'' to the EPLS.

SYSTEM NAME:

Loan System--SBA 21

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ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES

OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in the records may be used,

disclosed, or referred:

``m--To GSA and the public for publication of Loan Agent

suspensions, revocations and exclusions under 13 CFR Part 103 in the

Excluded Parties List System (or successor system) and on the SBA Web

site consistent with Executive Order 12549 and other applicable law.''

``o--To the Department of Housing and Urban Development or other

Federal agency for publication of delinquent debt information of

persons delinquent in paying a debt owed to or guaranteed by the SBA on

a system to allow searches by participating Government agencies and

approved private lenders, consistent with applicable law.''

``p--to (a) a Federal or state agency, its employees, agents

(including contractors of its agents), approved private lenders acting

on the Government's behalf, or contractors, or (b) a fiscal or

financial agent designated by the Department of the Treasury, including

employees, agents or contractors of such agent, 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.''

SYSTEM NAME:

--Suspension and Debarment Files--SBA 36

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES

OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in the records may be used, disclosed

or referred:

``o. To GSA and the public for publication of suspensions,

debarments, other enforcement actions, and exclusions by SBA in the

Excluded Parties List System (or successor system) and on the SBA Web

site pursuant to Executive Order 12549 and other applicable law.''

Dated: September 27, 2012.

Gene Stewman,

Acting Director, Office Financial Assistance.

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