

Appendix F: System of Records Notice (SORN)

DEPARTMENT OF AGRICULTURE

Office of the Secretary

Privacy Act: Revision of an Existing System of Records

AGENCY: Office of the Secretary, USDA.

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

SUMMARY: The U.S. Department of Agriculture is giving notice of a revision to its Privacy Act System of Records entitled Claims Against Food Stamp Recipients-USDA/FNS-3.

DATES: This revision will become effective on May 11, 1998, unless modified by a subsequent notice to incorporate comments received from the public. To be assured of consideration, comments must be received by the contact person listed below on or before April 27, 1998.

ADDRESSES: Comments should be addressed to James I. Porter, Assistant Branch Chief, State Administration Branch, Program Accountability Division, Food Stamp Program, 3101 Park Center Drive, Room 905, Alexandria, Virginia 22302.

FOR FURTHER INFORMATION CONTACT: Joseph M. Scordato, Food and Nutrition Service Privacy Act Officer, Room 308, 3101 Park Center Drive, Alexandria, Virginia 22302. Telephone (703) 305-2244.

SUPPLEMENTARY INFORMATION: The Privacy Act requires FNS to publish this Privacy Act Systems of Records Notice to inform the public that certain changes are being made to a system of records containing information on individuals against whom fiscal claims have been established under the Food Stamp Program and to request public comment.

Monetary claims are established against food stamp recipients and former recipients who owe debts due to certain errors or infractions of Food Stamp Program rules. State and Federal Government offices seek collections for these debts through recoupment of benefits for recipients still receiving benefits, direct billing to non-recipients and other means. Debt collection and tracking systems necessarily were established to accomplish these collections, and the establishment of and certain changes to such systems require notification to the public under the Privacy Act.

This notice announces changes to implement the Treasury Offset Program (TOP). TOP is a mandatory government-wide delinquent debt matching and payment offset system, centralized in the Department of Treasury. The Debt Collection Act of 1982, as amended, (Pub.L. 97-365) provides statutory authority for Federal agencies to collect debts through administrative offset. The Debt Collection Improvement Act of 1996 (Pub.L.104-134) expands the statutory authority for TOP by requiring agencies to transfer delinquent non-tax debt to Treasury for the purpose of offsetting Federal payments to collect delinquent debts

owed to the Federal Government. TOP operates in accordance with statutory and regulatory authorities, including those contained in 31 U.S.C. 3716 and 4 CFR part 102. Further, this notice announces our intent for the Department of Treasury and other debt collection centers designated as such by Treasury, to be among those with whom data may be shared.

FNS has been participating in the Federal Tax Refund Offset (FTROP) and Federal Salary Offset (FSOP) Programs. FNS published notices to test FTROP in 1991 and FSOP in 1994. Final regulations were published in 1995. Under these programs food stamp debts that occurred due to overissuance of program benefits, as a result of an intentional program violation or an inadvertent household error, are offset from Federal Tax Refunds and the salaries of Federal employees, respectively. The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 removed some limits on collection methods for State agency error claims. As a result the scope of referable debts was broadened to include State agency error claims.

This Notice modifies the system of records entitled, Claims against Food Stamp Recipients--USDA/FNS--3 so that FNS can fully comply with the Department of the Treasury (Treasury) requirements for various debt collection actions. This Notice modifies the systems of records as follows. The current routine use (1) was changed to list Treasury and its designated collection centers as the referral points and to include Federal administrative payments as an additional routine use and record source category. The current routine use (2) was modified to eliminate the requirement that Federal employee claims be deleted from the tax refund claims, as there is no longer a separate FTROP, since both are subsumed under TOP.

FNS has included some technical changes that do not affect the operation of the system. The notice is modified to reflect that the system manager and system location are now in the FNS Grants Management Division rather than

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in Accounting Division as a result of an internal reorganization.

The Privacy Act requires that any changes in the types of data entered into or extracted from systems of records, or changes in the entities with whom the data is shared be announced to the public in a notice. In this case, there are no changes in the types of data collected about individuals; however, more individuals will be affected by the notice with the addition of State agency error claims now being eligible for offset. Additional entities with whom the data may be shared are identified. The Department of the Treasury and other debt collection centers, as defined by Treasury are new entities with whom data will be shared.

Data will continue to be shared with the following entities: the Department of Defense (DOD); the United States Postal Service (USPS); other Federal agencies that employ debtors; State agencies for such purposes as updating claims files, collecting claims, and fiscal reporting; and Congressional offices in response to an inquiry from the Congressional office made at the request of the individual against whom the claim has been established.

Dated: March 20, 1998.

Signed at Washington, DC.
Dan Glickman,
Secretary of Agriculture.
USDA/FNS-3

SYSTEM NAME:

Claims Against Food Stamp Recipients--USDA/FNS-3.

SYSTEM LOCATION:

Grants Management Division, Food and Nutrition Service (FNS), United States Department of Agriculture, 3101 Park Center Drive, Room 415, Alexandria, Virginia 22302, and FNS Regional Offices located in: Atlanta, Georgia, which covers the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee; Boston, Massachusetts, which covers the States of Connecticut, Massachusetts, Maine, New Hampshire, New York, Rhode Island, and Vermont; Chicago, Illinois, which covers the States of Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin; Dallas, Texas, which covers the States of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas; Denver, Colorado, which covers the States of Colorado, Iowa, Kansas, Missouri, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming; Trenton, New Jersey, which covers the State of Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Puerto Rico, Virginia, Virgin Islands, and West Virginia; and San Francisco, California, which covers the State of Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, American Samoa, Trust Territories of the Pacific, and Washington. The address of each regional office is listed in the telephone directory of the respective cities listed above under the heading of "United States Government, Department of Agriculture, Food and Nutrition Service."

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who have received food stamp benefits to which they are not entitled.

CATEGORIES OF RECORDS IN THE SYSTEM:

The information in the system consists of individuals' names, addresses, Social Security Numbers and amounts of claims and amounts of any collections. The information in the system also includes identification of individuals' Federal and/or United States Postal Service (USPS) employing agencies and other sources of Federal payments, if any. The system also may include limited information about claims such as age, reasons for the overissuance of benefits, and State agency collection efforts.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

7 U.S.C. 2011-2031.

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

(1) Referral to the Department of Treasury (Treasury) or other designated debt collection centers for debt collection actions including administrative offset. (2) Referral to the Department of Defense (DOD) and the USPS to identify Federal and USPS employees owing claims. (3) Referral may be made to State agencies for such purposes as updating claims files, collecting claims, and for fiscal reporting.

Referral may also be made to Federal agencies and the USPS for additional collection action. (4) Disclosure may be made to a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the written request of the individual.

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

STORAGE:

Records are maintained by automated data storage methods such as magnetic tape and disk. Some records may also be maintained on paper.

RETRIEVABILITY:

Records are retrievable by name and Social Security Number.

SAFEGUARDS:

Access to records is limited to those persons who process the records for the specific routine uses stated above. Records in such forms as magnetic tape are kept in physically secured rooms and/or cabinets. Various methods of computer security limit access to records in automated databases. Paper records will be segregated and physically secured in locked cabinets.

RETENTION AND DISPOSAL:

The Food and Nutrition Service retains records for no longer than two years. All records are either returned to State agencies or destroyed.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Grants Management Division, Food and Nutrition Service, United States Department of Agriculture, 3101 Park Center Drive, Room 415, Alexandria, Virginia 22302.

NOTIFICATION PROCEDURE:

Individuals may request from the system manager identified in the preceding paragraph information regarding this system of records or whether the system contains records pertaining to them. Individuals requesting such information must provide their name, address and Social Security Number.

RECORD ACCESS PROCEDURES:

Individuals may obtain information about records in the system which pertain to them by written or oral requests to the system manager. To assure confidentiality and prompt routing, written requests should be marked "Privacy Act Request."

CONTESTING RECORD PROCEDURES:

Individuals desiring to contest or amend information maintained in the system should direct requests to the system manager, state the reasons for contesting the information and provide any available documentation to support the requested action.

RECORD SOURCE CATEGORIES:

Information in this system comes from State agency files concerning food stamp recipient claims, from IRS files of addresses of individuals who have filed income tax returns, Information in this system also

comes from DoD and USPS files of individuals who are currently employed by or who are receiving pensions and other payments from Federal agencies and the USPS, and

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from all other sources of Federal payments.

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