

performed by SSA (e.g., disclosures of information), and contractor debts.

(b) *Notice to debtor.* Before we report any administrative debt to a credit reporting agency, we will send the debtor written notice of the following:

(1) We have determined that payment of the debt is overdue;

(2) We will refer the debt to a credit reporting agency within not less than 60 calendar days after the date of the notice unless, within that 60-day period, the debtor pays the full amount of the debt or takes either of the actions described in paragraphs (b)(6) or (b)(7) of this section;

(3) The specific information we will provide to the credit reporting agency, including information that identifies the debtor (e.g., name, address, social security number, and employer identification number) and the amount, status, and history of the debt.

(4) the debtor has the right to a complete explanation of the debt;

(5) the debtor may dispute the accuracy of the information to be provided to the credit reporting agency;

(6) the debtor may request a review of the debt by giving us evidence showing that he or she does not owe all or part of the amount of the debt or that we do not have the right to collect it; and

(7) the debtor may request an installment payment plan.

§ 422.310 Collection of overdue debts by administrative offset.

(a) *Referral to the Department of the Treasury for offset.* We will recover overdue debts by offsetting Federal payments due the debtor through the Treasury Offset Program (TOP). TOP is a Governmentwide delinquent debt matching and payment offset process operated by the Department of the Treasury, whereby debts owed to the Federal Government are collected by offsetting them against Federal payments owed the debtor.

(b) *Debts we will refer.* We will refer for administrative offset all overdue debts over \$25.

(c) *Notice to debtor.* Before we refer any debt for collection by administrative offset, we will send the debtor written notice that:

(1) We have determined that payment of the debt is overdue;

(2) We will refer the debt for administrative offset within not less than 60 calendar days after the date of the notice unless, within that 60-day period, the debtor pays the full amount of the debt or takes either of the actions described in paragraphs (c)(4) or (c)(5) of this section;

(3) The debtor may inspect or copy our records relating to the debt;

(4) The debtor may request a review of the debt by giving us evidence

showing that the debtor does not owe all or part of the amount of the debt or that we do not have the right to collect it; and

(5) The debtor may request an installment payment plan.

§ 422.315 Review of our records related to the debt.

(a) *Notification by the debtor.* The debtor may request to inspect or copy our records related to the debt.

(b) *Our response.* In response to a request from the debtor described in paragraph (a) of this section, we will notify the debtor of the location and time at which the debtor may inspect or copy our records related to the debt. We may also, at our discretion, mail to the debtor copies of the records relating to the debt.

§ 422.317 Review of the debt.

(a) *Notification and presentation of evidence by the debtor.* A debtor who receives a notice described in §§ 422.305(b), 422.306(b), or 422.310(c) has a right to have us review the debt. To exercise this right, within 60 calendar days from the date of our notice, the debtor must notify us and give us evidence that he or she does not owe all or part of the debt or that we do not have the right to collect it. If the debtor does not notify us and give us this evidence within the 60 calendar-day period, we may take the action described in our notice.

(b) *Review of the evidence.* If the debtor notifies us and presents evidence within the 60 calendar day period described in paragraph (a) of this section, we will not take the action described in our notice unless and until we consider all of the evidence and send the debtor our findings that all or part of the debt is overdue and legally enforceable.

(c) *Findings by SSA.* Following our review of all of the evidence presented, we will issue written findings, including the supporting rationale for the findings. Issuance of these findings will be the final Agency action on the debtor's request for review. If we find that the debt is not overdue or we do not have the right to collect it, we will not send information about the debt to consumer or other credit reporting agencies or refer the debt to the Department of the Treasury for administrative offset.

[FR Doc. 97-20742 Filed 8-6-97; 8:45 am]

BILLING CODE 4190-29-P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

31 CFR Part 1

Privacy Act of 1974, Proposed Rule Exempting System of Records From Certain Provisions

AGENCY: Internal Revenue Service, Treasury.

ACTION: Proposed rule.

SUMMARY: In accordance with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a, the Department of the Treasury gives notice of a proposed rule to exempt a new system of records entitled, "Customer Feedback System Treasury/IRS 00.003," from certain provisions of the Privacy Act. The exemption is intended to comply with legal prohibitions against the disclosure of certain kinds of information and to protect certain information on individuals maintained in this system of records.

DATES: Comments must be received no later than September 8, 1997.

ADDRESSES: Please submit comments to the National Director, Governmental Liaison and Disclosure Office, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC. 20224. Comments will be made available for inspection and copying at the Freedom of Information Reading Room upon request.

FOR FURTHER INFORMATION CONTACT: Michael Sincavage, 6103/Privacy Operations, Governmental Liaison and Disclosure, Internal Revenue Service at (202) 622-6240.

SUPPLEMENTARY INFORMATION: Pursuant to the Privacy Act of 1974, the Department of the Treasury is publishing separately the notice of a new Treasury/IRS system of records to be maintained by the IRS. The Department of the Treasury is hereby giving notice of a proposed rule to exempt the Customer Feedback System of records from certain provisions of the Privacy Act pursuant to 5 U.S.C. 552a (k)(4) and the authority vested in the Commissioner of Internal Revenue by 31 CFR 1.23(c).

Under 5 U.S.C. 552a, the head of any agency may promulgate rules to exempt any system of records within the agency from certain provisions of the Privacy Act of 1974, if the system is required by statute to be maintained and used solely as statistical records.

The reason for exempting the above-named system of records is that disclosure of statistical records (including release of any accounting for disclosure) would be of no benefit to a particular individual since the records

do not have a direct effect on a given individual, and the record may contain personal information about third parties.

The provisions of the Privacy Act of 1974 from which exemption for only those records required to be maintained by statute is claimed under 5 U.S.C. 552a(k)(4) are as follows: 5 U.S.C. 552a(c)(3); (d)(1), (2), (3) and (4); (e)(1), (e)(4)(G), (H), and (I); and (f).

As required by Executive Order 12866, it has been determined that this proposed rule is not a significant regulatory action and, therefore, does not require a regulatory impact analysis.

Pursuant to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601–612, it is hereby certified that these regulations will not have a significant economic impact on a substantial number of small entities. The proposed rule imposes no duties or obligations on small entities.

In accordance with the provisions of the Paperwork Reduction Act of 1980, the Department of the Treasury has determined that this proposed rule would not impose on the public new record keeping, application, reporting or other types of information collection requirements.

List of Subjects in 31 CFR Part 1

Privacy.

Part 1 of title 31 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 1 continues to read as follows:

Authority: 5 U.S.C. 301 and 31 U.S.C. 321. Subpart A also issued under 5 U.S.C. 552 as amended. Subpart C also issued under 5 U.S.C. 552a.

§ 1.36 [Amended]

2. Section 1.36 of subpart C is amended by revising paragraph (d) under the heading THE INTERNAL REVENUE SERVICE to read as follows:

* * * * *

(d) *Exemption under 5 U.S.C. 552a(k)(4).* (1) This paragraph applies to the following systems of records maintained by the Internal Revenue Service, for which exemption is claimed under 5 U.S.C. 552a (k)(4):

Name of System	No.
Customer Feedback System	00.003
Statistics of Income-Individual Tax Returns	70.001

(2) Under 5 U.S.C. 552a (k)(4), the head of any agency may promulgate rules to exempt any system of records within the agency from certain

provisions of the Privacy Act of 1974, if the system is required by statute to be maintained and used solely as statistical records.

(3) The Statistics of Income—Individual Tax Returns is maintained under § 6108 of the Internal Revenue Code, which provides that “the Secretary or his delegate shall prepare and publish annually statistics reasonably available with respect to the operation of the income tax laws, including classification of taxpayers and of income, the amounts allowed as deductions, exemptions, and credits, and any other facts deemed pertinent and valuable.”

(4) The Customer Feedback System is maintained under § 6108 of the Internal Revenue Code, and § 1211 of Pub. L. 104–168, the Taxpayers Bill of Rights 2 (TBOR 2), which provides that the Secretary of the Treasury shall submit a report to Congress on the misconduct of IRS employees. The Department is prohibited from using these records for any purpose involving the making of a determination about the individual to whom they pertain.

(5) The reason for exempting the above-named systems of records is that disclosure of statistical records (including release of accounting for disclosures) would in most cases be of no benefit to a particular individual since the records do not have a direct effect on a given individual.

(6) The provisions of the Privacy Act of 1974 from which exemption is claimed under 5 U.S.C. 552a (k)(4) are as follows:

5 U.S.C. 552a (c)(3)
5 U.S.C. 552a (d)(1), (2), (3), and (4)
5 U.S.C. 552a (e)(1)
5 U.S.C. 552a (e)(4)(G), (H), and (I)
5 U.S.C. 552a (f)

* * * * *

Dated: July 10, 1997.

Alex Rodriguez,

Deputy Assistant Secretary (Administration).

[FR Doc. 97–20817 Filed 8–6–97; 8:45 am]

BILLING CODE: 4810–30–F

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101–16

RIN 3090–AF95

Governmentwide Real Property Policy

AGENCY: Office of Governmentwide Policy, General Services Administration.

ACTION: Proposed rule.

SUMMARY: The proposed rule describes the current real property policies applicable to GSA and Federal agencies to whom GSA real property operations have been delegated. The policies contained in this proposed rule have been separated from their procedural components and reflect the way that real property operations are currently conducted. This regulation, once finalized, will be located in the Federal Property Management Regulations (FPMR), Part 101–16, entitled “Governmentwide Real Property Policy.”

DATES: Comments must be received on or before October 6, 1997.

ADDRESSES: Written comments should be sent to the General Services Administration, Office of Governmentwide Policy, Office of Real Property, Real Property Policy Division (MPR), Washington, DC 20405.

FOR FURTHER INFORMATION CONTACT: Stanley C. Langfeld, Director, Real Property Policy Division, at (202) 501–1737.

SUPPLEMENTARY INFORMATION: The General Services Administration (GSA) has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866.

This rule is not required to be published in the **Federal Register** for notice and comment. Therefore, the Regulatory Flexibility Act does not apply.

The Paperwork Reduction Act does not apply to this action because the proposed changes to the Federal Property Management Regulations do not impose reporting, recordkeeping or information collection requirements which require the approval of the Office of Management and Budget pursuant to 44 U.S.C. §§ 3501 *et seq.*

List of Subjects in 41 CFR Part 101–16

Federal buildings and facilities, Government real property management.

Therefore, it is proposed that 41 CFR Part 101–16 be added to read as follows:

PART 101–16—GOVERNMENTWIDE REAL PROPERTY POLICY

Sec.

Subpart 101–16.1—General

101–16.100 Philosophy and scope of part.
101–16.101 Definitions.
101–16.102 Applicability.
101–16.103 Basic authority.
101–16.104 Legislative and executive impacts.
101–16.105 Policy implementation.