

"Categories of records in the system" provision is revised to read as follows:

FMC-2

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CATEGORIES OF RECORDS IN THE SYSTEM:

Application forms containing descriptions of educational and professional experience and qualifications, taxpayer identification numbers (which may be the social security number), and letters of reference in relation to non-attorney practitioners.

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3. In the Commission's system of records designated FMC-7 Licensed Ocean Freight Forwarders File, the "Categories of records in the system" provision is revised to read as follows:

FMC-7

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CATEGORIES OF RECORDS IN THE SYSTEM:

The System contains freight forwarder names, addresses and taxpayer identification numbers (which may be the social security number), as well as the names and addresses of the stockholders, officers, and directors of individual freight forwarders; descriptions of the relationships the freight forwarder may have with other business entities; credit references; a record of the forwarder's past experience in forwarding; and any financial information and/or criminal convictions pertinent to the licensing of the forwarder.

4. In the Commission's system of records designated FMC-9 Training Program Records—FMC, the "System location" provision is revised to read as follows:

FMC-9

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SYSTEM LOCATION:

Bureau of Administration, Federal Maritime Commission, 800 N. Capitol Street, NW, Washington, DC 20573-0001.

5. In the Commission's system of records designated FMC-18 Travel Orders/Vouchers File—FMC, the reference in the "Routine Use" provision to "Federal Home Loan Bank Board" is amended to read "Office of Thrift Supervision," and in the "Retention and Disposal" provision the reference to "three years" is amended to read "six years."

6. In the Commission's system of records designated FMC-19 Statement of Employment and Financial Interests—FMC, the "System name" and

the "Note" provisions are revised to read as follows:

FMC-19

SYSTEM NAME:

Financial Disclosure Reports and Other Ethics Program Records.

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Note: This system is covered by the Office of Government Ethics' government-wide systems notices OGE/GOVT-1 and OGE/GOVT-2.

7. In the Commission's systems of records designated FMC-22 Investigatory Files-FMC, the "System location" provision is revised to read as follows:

FMC-22

SYSTEM LOCATION:

Bureau of Enforcement, Federal Maritime Commission, 800 N. Capitol Street, NW, Washington, DC 20573-0001.

8. In the Commission's system of records designated FMC-25 Inspector General File, in the "Retention and Disposal" provision the reference to "five years" is amended to read "ten years," and the reference to "ten years" is amended to read "fifteen years."

9. In the Commission's system of records designated FMC-28 Equal Employment Opportunity Complaint Files—FMC, the "System location" provision is revised to read as follows:

FMC-28

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SYSTEM LOCATION:

Office of General Counsel, Federal Maritime Commission, 800 N. Capitol Street, NW, Washington, DC 20573-0001

10. In the Commission's system of records designated FMC-30 Procurement Integrity, Certification Files, the "Categories of records in the system," "Authority for Maintenance of the system" and the "Retention and disposal" provisions are revised to read as follows:

FMC-30

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CATEGORIES OF RECORDS IN THE SYSTEM:

Records include certifications by individuals affected by the Office of Federal Procurement Policy Act Amendments of 1988, specifically section 27 dealing with Procurement Integrity; the non-disclosure provisions of the Federal Acquisition Regulations, and the contract for development of the Commission's Automated Tariff Filing and Information (ATFI) system. The

certificants attest they will not engage in activities prohibited by applicable statutes, regulations, and contracts. Records include information on individuals, including name and title. This system does not include official personnel files covered by the Office of Personnel Management's systems of records OPM/GOVT-1 through 10.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Office of Federal Procurement Policy Act Amendments of 1988 (Pub. L. 100-679), (41 U.S.C. 423); and the Federal Acquisition Regulations.

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RETENTION AND DISPOSAL:

Records are maintained until 6 months after the date on which the contracting officer received evidence of physical completion of the contract, after which they are shredded. See Federal Acquisition Regulations § 4.804-1(2) and General Records Schedule 3, item 3(c).

Interested parties may participate by filing with the Secretary, Federal Maritime Commission, an original and 15 copies of their views and comments pertaining to this notice. All suggestions for changes in the text should be accompanied by drafts of the language thought necessary to accomplish the desired changes and should be accompanied by supportive statements and arguments.

By the Commission.

Joseph C. Polking,

Secretary.

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FEDERAL MARITIME COMMISSION

Privacy Act of 1974; Proposed New System of Records

AGENCY: Federal Maritime Commission.

ACTION: Notice of proposed new system of records.

SUMMARY: This Notice proposes the addition of a new system of records to be maintained by the Commission. The new system will contain information regarding the Commission's efforts to collect debts from individuals arising out of administrative or program activities or services administered by the Commission.

DATES: Comments must be submitted on or before October 15, 1997. The new system will be effective on October 27, 1997, unless comments are received that would result in a contrary determination.

ADDRESSES: Comments may be submitted to: Joseph C. Polking, Secretary, Federal Maritime Commission, 800 N. Capitol Street, NW, Washington, DC 20573-0001, (202) 523-5725.

FOR FURTHER INFORMATION CONTACT: Joseph C. Polking, (202) 523-5725.

SUPPLEMENTARY INFORMATION: The Commission is proposing to establish a new Privacy Act system of records related to debt collection activity it will be engaged in when implementing the Debt Collection Act of 1982, as amended by the Debt Collection Improvement Act of 1996 ("Act"), 31 U.S.C. 3701 et seq. Utilization by the Commission of the collection tools provided by the Act will help maximize collection of delinquent debts owed to the Government.

Notice is hereby given that, pursuant to the Privacy Act of 1974, 5 U.S.C. 552a, the Commission proposes to establish a new system of records reading as follows:

FMC—31

SYSTEM NAME:

Debt Collection Files.

SECURITY CLASSIFICATION:

Unclassified.

SYSTEM LOCATION:

Records are located in the Office of Budget and Financial Management, Federal Maritime Commission, 800 North Capitol Street, NW, Washington, DC 20573.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who are indebted to FMC.

CATEGORIES OF RECORDS IN THE SYSTEM:

The Debt Collection Officer's file will contain copies of debt collection letters, bills for collection, and correspondence to and from the debtor relating to the debt. The file will include such information as the name and address of the debtor, taxpayer's identification number (which may be the social security number); amount of debt or delinquent amount; basis of debt; date debt arose; office/bureau referring debt to the Debt Collection Officer; record of each collection made; credit report; financial statement reflecting the net worth of the debtor; date by which debt must be referred to the Department of the Treasury for further collection action; and citation or basis on which debt was terminated or compromised.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 3701 et seq., Debt Collection Act of 1982 (Pub. L. 97-365, 96 Stat.

1749) as amended by the Debt Collection Improvement Act of 1996 (Pub. L. 104-134, 101 Stat. 1321-358).

PURPOSE(S):

Information is used for the purpose of collecting monies owed FMC arising out of any administrative or program activities or services administered by FMC. The Debt Collection Officer's file represents the basis for the debt and amount of debt and actions taken by FMC to collect the monies owed under the debt. The credit report or financial statement provides an understanding of the individual's financial condition with respect to requests for deferment of payment.

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

When debts are uncollectible, copies of the FMC Debt Collection Officer's file regarding the debt and actions taken to attempt to collect the monies are forwarded to the Department of Treasury for further collection action. FMC may also provide Treasury with copies of the debt collection letter, bill for collection, and FMC correspondence to the debtor.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Disclosure pursuant to 5 U.S.C. 552a(b)(12): 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 (31 U.S.C. 3701(a)(3)).

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

STORAGE:

Records are maintained in notebooks, file folders, on lists and forms, and in computer processible storage media.

RETRIEVABILITY:

The system files are filed by bill for collection number, name, or taxpayer's identification number (which may be the social security number).

SAFEGUARDS:

Personnel screening, hardware, and software computer security measures; paper records are maintained in locked containers and/or room. All records are maintained in areas that are secured by building guards during non-business hours. Records are retained in areas accessible only to authorized personnel.

RETENTION AND DISPOSAL:

Records are covered by General Records Schedule 6. The file on each

debt on which administrative collection action has been completed shall be retained by Debt Collection Officer not less than one year after the applicable statute of limitation has run out. The file is then transferred to the National Archives and Records Administration for a period of six years and three months after the end of the fiscal year in which the debt was closed out by means of the debt being paid, terminated, compromised, or the statute of limitations had run out.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Office of Budget and Financial Management, Federal Maritime Commission, 800 North Capitol Street, NW, Washington, DC 20573.

NOTIFICATION PROCEDURES:

Individuals wishing to inquire whether this system of records contains information about themselves should contact the system manager identified above. Written requests should be clearly marked "Privacy Act Request" on the envelope and letter. Requests should include full name of the individual, some type of appropriate personal identification, and current address.

For personal visits, the individuals should be able to provide some acceptable identification—that is, driver's license, employing organization identification card, or other picture identification card.

RECORD ACCESS PROCEDURES:

Same as Notification procedures above.

CONTESTING RECORD PROCEDURES:

Same as Notification procedures above. The letter should state clearly and concisely what information is being contested, the reason for contesting it, and the proposed amendment to the information sought.

FMC Privacy Act Regulations are promulgated in 46 CFR part 503.

RECORD SOURCE CATEGORIES:

Directly from the debtor, the initial application, credit report from the commercial credit bureau, administrative or program offices within FMC.

By the Commission.

Joseph C. Polking,
Secretary.

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