

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 285

[Docket No. Fiscal–2021–0007]

RIN 1530–AA21

Debt Collection Authorities Under the Debt Collection Improvement Act of 1996; Correction

AGENCY: Bureau of the Fiscal Service, Fiscal Service, Treasury.

ACTION: Final rule; correction.

SUMMARY: The Department of the Treasury (“Treasury”), Bureau of the Fiscal Service (“Fiscal Service”) is correction a final rule that appeared in the **Federal Register** on August 16, 2022. The document amends the regulations of the Treasury, Fiscal Service, regarding the Treasury Offset Program (“TOP”) and the Cross-Servicing program. The primary reason for amending the regulation is to inform the public about how Fiscal Service will use Social Security numbers in mailings, as required by the Social Security Number Fraud Prevention Act of 2017, which requires Fiscal Service to have final regulations in place by September 15, 2022.

DATES: This correction is effective September 15, 2022.

FOR FURTHER INFORMATION CONTACT: Tawanna Edmonds, Director, Receivables Management & Debt Services Division, Debt Management Services, Bureau of the Fiscal Service at (202) 874–6810.

SUPPLEMENTARY INFORMATION: In FR Doc. 2022–17117 appearing on page 52046 in the **Federal Register** of Tuesday, August 16, 2022, the following correction is made:

§ 285.12 [Corrected]

■ 1. On page 50249, in the first column, the first line of instruction 7, “Section 285.12(a) is amended by:”, is corrected to read “Section 285.12 is amended by:”

Dated: August 17, 2022.

Lela Anderson,
Attorney-Advisor.

[FR Doc. 2022–18076 Filed 8–22–22; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 310

[Docket ID: DoD–2021–OS–0048]

RIN 0790–AL13

Privacy Act of 1974; Implementation

AGENCY: Office of the Secretary of Defense (OSD), Department of Defense (DoD).

ACTION: Final rule.

SUMMARY: The Department of Defense (Department or DoD) is issuing a final rule to amend its regulations to exempt portions of the system of records titled DoD–0008, “Freedom of Information Act and Privacy Act Records,” from certain provisions of the Privacy Act of 1974.

DATES: This rule is effective September 22, 2022.

FOR FURTHER INFORMATION CONTACT: Ms. Rahwa Keleta, Privacy and Civil Liberties Division, Directorate for Privacy, Civil Liberties and Freedom of Information, Office of the Assistant to the Secretary of Defense for Privacy, Civil Liberties, and Transparency, Department of Defense, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350–1700; *OSD.DPCLTD@mail.mil*; (703) 571–0070.

SUPPLEMENTARY INFORMATION:**Discussion of Comments and Changes**

The proposed rule published in the **Federal Register** (86 FR 72536–72540) on December 22, 2021. Comments were accepted for 60 days until February 22, 2022. A total of two comments regarding the proposed rule were received. Please see a summary of the comments and the Department’s response below:

DoD received one substantive comment and one non-substantive comment on the NPRM. The substantive comment expressed a concern that the application of exemptions to this system of records would globally shield all FOIA case processing records from disclosure. This rulemaking would not globally or improperly shield a requester’s ability to seek access to the case processing of records of a FOIA or Privacy Act case. The Privacy Act (5 U.S.C. 552a) generally provides that any person has a right (enforceable in court) of access to federal agency records about themselves, except to the extent that the information is *protected from disclosure* by one of ten exemptions. To the extent that the case processing records are “records” as defined in the Privacy Act

to which an individual has a Privacy Act right of access, this rule will deny the individual access to those records only to the extent a claimed exemption applies. In addition, records in the DoD–0008 Freedom of Information Act and Privacy Act Records system of records are only exempt from the Privacy Act to the extent the purposes underlying the exemption pertain to the record. Applying Privacy Act exemptions allows agencies to withhold records from access for particular reasons as articulated by the exemption rule. Having considered the public comment, the Department will implement the rulemaking as proposed.

I. Background

In finalizing this rule, DoD is seeking to exempt portions of this system of records titled, DoD–0008 Freedom of Information Act and Privacy Act Records, from certain provisions of the Privacy Act. This system of records covers DoD’s maintenance of records about individuals who submit access requests and administrative appeals under the Freedom of Information Act, and who submit access and amendment requests and administrative appeals under the Privacy Act. This system of records data includes information regarding the individual requesters and their attorneys or representatives, the original request for access and any administrative appeal, and other supporting documentation to include related memoranda, correspondence, notes, and, in some instances, copies of requested records and records under administrative appeal.

II. Privacy Exemption

The Privacy Act permits Federal agencies to exempt eligible records in a system of records from certain provisions of the Act, including the provisions providing individuals with a right to request access to and amendment of their own records and accountings of disclosures of such records. If an agency intends to exempt a particular system of records, it must first go through the rulemaking process to provide public notice and an opportunity to comment on the proposed exemption. The OSD is amending 32 CFR part 310 to add a new Privacy Act exemption rule for this system of records. The DoD is adding an exemption for this system of records because some of its records may contain investigatory material compiled for law enforcement purposes, classified national security information, protective services information pursuant to 18 U.S.C. 3056, and testing or examination information pursuant to 5 U.S.C.