

TITLE 31 - MONEY AND FINANCE
SUBTITLE V - GENERAL ASSISTANCE ADMINISTRATION
CHAPTER 77 - ACCESS TO INFORMATION FOR DEBT COLLECTION

§ 7701. Taxpayer identifying number

- (a) In this section—
- (1) “included Federal loan program” has the same meaning given that term in section 6103(l)(3)(C) of the Internal Revenue Code of 1986 (26 U.S.C. 6103 (l)(3)(C)).
 - (2) “taxpayer identifying number” means the identifying number required under section 6109 of the Internal Revenue Code of 1986 (26 U.S.C. 6109).
- (b) The head of an agency administering an included Federal loan program shall require a person applying for a loan under the program to provide that person’s taxpayer identifying number.
- (c) (1) The head of each Federal agency shall require each person doing business with that agency to furnish to that agency such person’s taxpayer identifying number.
- (2) For purposes of this subsection, a person shall be considered to be doing business with a Federal agency if the person is—
- (A) a lender or servicer in a Federal guaranteed or insured loan program administered by the agency;
 - (B) an applicant for, or recipient of, a Federal license, permit, right-of-way, grant, or benefit payment administered by the agency or insurance administered by the agency;
 - (C) a contractor of the agency;
 - (D) assessed a fine, fee, royalty or penalty by the agency; and
 - (E) in a relationship with the agency that may give rise to a receivable due to that agency, such as a partner of a borrower in or a guarantor of a Federal direct or insured loan administered by the agency.
- (3) Each agency shall disclose to a person required to furnish a taxpayer identifying number under this subsection its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such person’s relationship with the Government.
- (4) For purposes of this subsection, a person shall not be treated as doing business with a Federal agency solely by reason of being a debtor under third party claims of the United States. The preceding sentence shall not apply to a debtor owing claims resulting from petroleum pricing violations or owing claims resulting from Federal loan or loan guarantee/insurance programs.
- (d) Notwithstanding section 552a (b) of title 5, United States Code, creditor agencies to which a delinquent claim is owed, and their agents, may match their debtor records with Department of Health and Human Services, and Department of Labor records to obtain names (including names of employees), name controls, names of employers, taxpayer identifying numbers, addresses (including addresses of employers), and dates of birth. The preceding sentence shall apply to the disclosure of taxpayer identifying numbers only if such disclosure is not otherwise prohibited by section 6103 of the Internal Revenue Code of 1986. The Department of Health and Human Services, and the Department of Labor shall release that information to creditor agencies and may charge reasonable fees sufficient to pay the costs associated with that release.

(Added Pub. L. 103–272, § 4(f)(1)(Y)(i), July 5, 1994, 108 Stat. 1363; amended Pub. L. 104–134, title III, § 31001(i)(1), Apr. 26, 1996, 110 Stat. 1321–364.)

References in Text

Section 6103 of the Internal Revenue Code of 1986, referred to in subsecs. (a)(1) and (d), is classified to section 6103 of Title 26, Internal Revenue Code.

NB: This unofficial compilation of the U.S. Code is current as of Jan. 5, 2009 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

Amendments

1996—Subsecs. (c), (d). Pub. L. 104–134 added subsecs. (c) and (d).