

Pt. 5

31 CFR Subtitle A (7-1-02 Edition)

32-13, "Policies and Procedures For Employees' Claim for Loss or Damage to Personal Property Incident to Service."

Subpart A—Administrative Collection, Compromise, Termination and Referral of Claims

PART 5—CLAIMS COLLECTION

AUTHORITY: 31 U.S.C. 3711.

SOURCE: 32 FR 452, Jan. 17, 1967, unless otherwise noted.

Subpart A—Administrative Collection, Compromise, Termination and Referral of Claims

§ 5.1 Authority.

- Sec.
- 5.1 Authority.
- 5.2 Incorporation by reference; scope.
- 5.3 Designation.
- 5.4 Application to other statutes.

The regulations of this part are issued under section 3 of the Federal Claims Collection Act of 1966, Pub. L. 89-508, 80 Stat. 308, 309, and in conformity with the Joint Regulations issued under that Act by the General Accounting Office and the Department of Justice prescribing standards for administrative collection, compromise, termination of agency collection action, and referral to the General Accounting Office and to the Department of Justice for litigation, of civil claims by the Government for money or property, 4 CFR Chapter II.

Subpart B—Salary Offset

§ 5.2 Incorporation by reference; scope.

- 5.5 Purpose.
- 5.6 Scope.
- 5.7 Designation.
- 5.8 Definitions.
- 5.9 Applicability of regulations.
- 5.10 Waiver requests and claims to the General Accounting Office.
- 5.11 Notice requirements before offset.
- 5.12 Hearing.
- 5.13 Certification.
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- 5.15 Special review.
- 5.16 Notice of salary offset.
- 5.17 Procedures for salary offset.
- 5.18 Coordinating salary offset with other agencies.
- 5.19 Interest, penalties and administrative costs.
- 5.20 Refunds.
- 5.21 Request for the services of a hearing official from the creditor agency.
- 5.22 Non-waiver of rights by payments.

The regulations of this part incorporate by this reference all provisions of the Joint Regulations of the General Accounting Office and the Department of Justice, and supplement those regulations by the prescription of procedures and directives necessary and appropriate for Treasury operations. The Joint Regulations and this part do not apply to tax claims nor to any claim as to which there is an indication of fraud or misrepresentation, as described in §101.3 of the Joint Regulations, unless returned by the Justice Department to the Treasury Department for handling.

Subpart C—Tax Refund Offset

§ 5.3 Designation.

- 5.23 Applicability and scope.
- 5.24 Designation.
- 5.25 Definitions.
- 5.26 Preconditions for Department participation.
- 5.27 Procedures.
- 5.28 Referral of debts for offset.
- 5.29 Notice requirements before offset.

The heads of bureaus and offices and their delegates are designated as designees of the Secretary of the Treasury authorized to perform all the duties for which the Secretary is responsible under the foregoing Act and Joint Regulations: *Provided, however,* That no compromise of a claim shall be effected or collection action terminated, except upon the recommendation of the General Counsel, the Chief Counsel of the bureau or office concerned, or the designee of either. Notwithstanding the

Subpart D—Administrative Offset

- 5.30 Scope of regulations.
- 5.31 Designation.
- 5.32 Definitions.
- 5.33 General.
- 5.34 Notification procedures.
- 5.35 Agency review.
- 5.36 Written agreement for repayment.
- 5.37 Administrative offset.
- 5.38 Jeopardy procedure.