

§ 11.31

ability to pay a significant sum thereon or that the cost of collecting such debt is likely to exceed the amount of the recovery.

(b) *Definitions.* For purposes of this subpart, the following definitions apply:

- (1) *Office* means any of the following:
 - (i) United States Fire Administration.
 - (ii) Federal Insurance Administration.
 - (iii) National Preparedness Directorate.
 - (iv) State & Local Programs & Support Directorate.
 - (v) U.S. Fire Academy/National Emergency Training Center.
 - (vi) Office of Financial Management, which for purposes of this subpart shall include all FEMA Headquarters elements not included in paragraphs (b)(1)(ii) through (b)(1)(iv) of this section.
 - (vii) FEMA Special Facility.

(2) *Employee* means those persons defined in 5 U.S.C. 2104, members of and retirees from the uniformed services of the United States and employees of and retirees from the United States Postal Service and the Postal Rate Commission.

[57 FR 54714, Nov. 20, 1992]

§ 11.31 Adoption of joint standards.

All administrative actions to collect debts arising out of activities of the Agency shall be performed in accordance with the applicable standards prescribed either in 4 CFR parts 101 through 105 or any standards promulgated jointly by the Attorney General and the Comptroller General. Such standards are adopted as a part of this subpart and are supplemented in this subpart. Additional guidance will be found in the GAO Policy and Procedures Manual for Guidance of Federal Agencies and in the Treasury Fiscal Requirements Manual.

§ 11.32 Subdivision and joining of debts.

(a) A debtor's liability arising from a particular transaction or contract shall be considered as a single debt in determining whether the debt is one not exceeding \$100,000 or such higher limit prescribed by the Attorney Gen-

44 CFR Ch. I (10-1-03 Edition)

eral in accordance with 31 U.S.C. 3711(a)(2) exclusive of interest for the purpose of compromise or termination of collection action. Such a debt may not be subdivided to avoid the monetary ceiling established by the Act.

(b) Joining of two or more single debts in a demand upon a particular debtor for payment totaling more than \$100,000 or such higher limit prescribed by the Attorney General in accordance with 31 U.S.C. 3711(a)(2) does not preclude compromise or termination of collection action with respect to any one of such debts that do not exceed \$100,000 or such higher limit prescribed by the Attorney General in accordance with 31 U.S.C. 3711(a)(2) exclusive of interest.

[49 FR 38267, Sept. 28, 1984, as amended at 57 FR 54714, Nov. 20, 1992]

§ 11.33 Authority of offices to attempt collection of debts.

The head of each office and each regional director shall designate a debt collections officer (DCO) who shall attempt to collect in full all debts of the Agency for money or property arising out of the activities of such office. Each DCO shall establish and currently maintain a file with regard to each debt for which collection activities are undertaken. Insofar as it is feasible, debt collection personnel shall have personal interviews or telephone contact with the debtor.

§ 11.34 Referral of debts to the Chief Financial Officer, Federal Emergency Management Agency.

(a) Authority of the Chief Financial Officer (CFO), Federal Emergency Management Agency.

(1) The Chief Financial Officer, Federal Emergency Management Agency, is designated as the Agency Collections Officer (ACO). In this capacity he or she shall exercise such powers and perform duties of the Director in collecting debts owed FEMA. In this regard, the ACO may, after consultation with the Office of the General Counsel, compromise, suspend or terminate collection action on the debts owed the Agency, not exceeding \$100,000, or such higher limit prescribed by the Attorney General in accordance with 31 U.S.C. 3711(a)(2), exclusive of interest,