

agency official. The applicant or recipient will be restored to such eligibility if it proves at such hearing that it satisfied the requirements of paragraph (g)(1) of this section. While proceedings under this paragraph (g) are pending, the sanctions imposed by the order issued under paragraph (f) of this section shall remain in effect.

[65 FR 52884, Aug. 30, 2000]

§ 28.630 Judicial review.

Action taken pursuant to 20 U.S.C. 1682 is subject to judicial review as provided in 20 U.S.C. 1683.

[65 FR 52885, Aug. 30, 2000]

§ 28.635 Forms and instructions; coordination.

(a) *Forms and instructions.* The designated agency official shall issue and promptly make available to interested persons forms and detailed instructions and procedures for effectuating these Title IX regulations.

(b) *Supervision and coordination.* The designated agency official may from time to time assign to officials of the Department, or to officials of other departments or agencies of the Government with the consent of such departments or agencies, responsibilities in connection with the effectuation of the purposes of Title IX and these Title IX regulations (other than responsibility for review as provided in § 28.625(e)), including the achievements of effective coordination and maximum uniformity within the Department and within the Executive Branch of the Government in the application of Title IX and these Title IX regulations to similar programs and in similar situations. Any action taken, determination made, or requirement imposed by an official of another department or agency acting pursuant to an assignment of responsibility under this section shall have the same effect as though such action had been taken by the designated official of this Department.

[65 FR 52885, Aug. 30, 2000]

PART 29—FEDERAL BENEFIT PAYMENTS UNDER CERTAIN DISTRICT OF COLUMBIA RETIREMENT PROGRAMS

Subpart A—General Provisions

Sec.

- 29.101 Purpose and scope.
- 29.102 Related regulations.
- 29.103 Definitions.
- 29.104 Schedule for Federal Benefit Payments.
- 29.105 Computation of time.
- 29.106 Representative payees.

Subpart B—Coordination With the District Government

- 29.201 Purpose and scope.
- 29.202 Definitions. [Reserved]
- 29.203 Service of Process.

APPENDIX A TO SUBPART B OF PART 29—ADDRESSES FOR SERVICE OF PROCESS UNDER § 29.203

Subpart C—Split Benefits

- 29.301 Purpose and scope.
- 29.302 Definitions.

GENERAL PRINCIPLES FOR DETERMINING SERVICE CREDIT TO CALCULATE FEDERAL BENEFIT PAYMENTS

- 29.311 Credit only for service performed on or before June 30, 1997.
- 29.312 All requirements for credit must be satisfied by June 30, 1997.
- 29.313 Federal Benefit Payments are computed based on retirement eligibility as of the separation date and service creditable as of June 30, 1997.

SERVICE PERFORMED AFTER JUNE 30, 1997

- 29.321 General principle.
- 29.322 Disability benefits.

ALL REQUIREMENTS FOR CREDIT MUST BE SATISFIED BY JUNE 30, 1997

- 29.331 General principle.
- 29.332 Unused sick leave.
- 29.333 Military service.
- 29.334 Deposit service.
- 29.335 Refunded service.

CALCULATION OF THE AMOUNT OF FEDERAL BENEFIT PAYMENTS

- 29.341 General principle.
- 29.342 Computed annuity exceeds the statutory maximum.
- 29.343 Disability benefits.
- 29.344 Survivor benefits.
- 29.345 Cost-of-living adjustments.
- 29.346 Reduction for survivor benefits.

§ 29.101

APPENDIX A TO SUBPART C OF PART 29—EX-AMPLES

Subpart D—Claims and Appeals Procedures

- 29.401 Purpose.
- 29.402 Definitions.
- 29.403 Applications filed with the Benefits Administrator.
- 29.404 Initial benefit determinations and reconsideration by the Benefits Administrator.
- 29.405 Appeals to the Department.
- 29.406 Judicial review.
- 29.407 Competing claimants.

Subpart E—Debt Collection and Waivers of Collection

- 29.501 Purpose; incorporation by reference; scope.
- 29.502 Definitions.
- 29.503 Prohibition against collection of debts.
- 29.504 Status of debts.
- 29.505 Compromise of claims; termination and suspension of collection actions.
- 29.506 Recovery of other debts owed to the United States.

COLLECTION OF OVERPAYMENTS

- 29.511 Demand letters.
- 29.512 Reconsideration by the Benefits Administrator.
- 29.513 Appeals to the Department.
- 29.514 Requests for waiver and/or compromise.
- 29.515 Judicial review.
- 29.516 Collection of overpayments.
- 29.517 Collection by offset.
- 29.518 Reporting delinquent debts to credit bureaus.
- 29.519 Referral to a collection agency.
- 29.520 Referral for litigation.

STANDARDS FOR WAIVER OF OVERPAYMENTS

- 29.521 Conditions for waiver and other adjustments.
- 29.522 Fault.
- 29.523 Equity and good conscience.
- 29.524 Financial hardship.
- 29.525 Ordinary and necessary living expenses.
- 29.526 Waiver precluded.

AUTHORITY: Sections 11083 and 11251(a) of Public Law 105-33, 111 Stat. 730 and 756, as amended by Public Law 105-277, 112 Stat. 2681-530 through 538, and as further amended by Public Law 106-554, 114 Stat. 2763; subpart D also issued under section 11022 of Public Law 105-33, 111 Stat. 730 and 756, as amended by Public Law 105-277, 112 Stat. 2681-530 through 538, and as further amended by Public Law 106-554, 114 Stat. 2763.

31 CFR Subtitle A (7-1-05 Edition)

SOURCE: 65 FR 77501, Dec. 12, 2000, unless otherwise noted.

Subpart A—General Provisions

§ 29.101 Purpose and scope.

(a) This part contains the Department's regulations implementing Title XI of the Balanced Budget Act of 1997, Public Law 105-33, 111 Stat. 251, enacted August 5, 1997, as amended.

(b) This subpart contains general information to assist in the use of this part including—

(1) Information about related regulations (§ 29.102),

(2) Definitions of terms used in more than one subpart of this part (§ 29.103), and

(3) The Department's general rules and procedures, applicable to the retirement plans for District of Columbia teachers, police and fire fighters, and judges that concern the administration of Federal Benefit Payments (§§ 29.104-29.106).

(c) This part applies to all Federal Benefit Payments made on or after October 1, 1997.

(d) This part does not apply to the program of annuities, other retirement benefits, or medical benefits for members and officers, retired members and officers, and survivors thereof, of the United States Park Police force, the United States Secret Service, or the United States Secret Service Uniformed Division.

§ 29.102 Related regulations.

(a) This part contains the following subparts:

- (1) General Provisions (Subpart A);
- (2) Coordination with the District Government (Subpart B);
- (3) Split Benefits (Subpart C);¹

(4) Claims and Appeals Procedures (Subpart D); and

(5) Debt Collection and Waivers of Collection (Subpart E).

(b) Part 581 of Title 5, Code of Federal Regulations, contains information about garnishment of certain Federal

¹The effective date for section 29.102(a)(3) and Subpart C, originally scheduled for March 31, 2001, has been postponed indefinitely.