

**§ 105-55.033**

lien only, renew judgment lien and enforce collection, program enforcement, foreclosure only, and foreclosure and deficiency judgment.

(c) GSA also will use the CCLR to refer claims to DOJ to obtain approval of any proposals to compromise the claims or to suspend or terminate Agency collection activity.

**§ 105-55.033 Preservation of evidence.**

The General Services Administration (GSA) will take care to preserve all files and records that may be needed by the Department of Justice (DOJ) to prove their claims in court. GSA ordinarily will include certified copies of the documents that form the basis for the claim in the packages referring their claims to DOJ for litigation. GSA will provide originals of such documents immediately upon request by DOJ.

**§ 105-55.034 Minimum amount of referrals to the Department of Justice.**

(a) The General Services Administration (GSA) will not refer for litigation claims of less than \$2,500, exclusive of interest, penalties, and administrative costs, or such other amount as the Attorney General shall from time to time prescribe. The Department of Justice (DOJ) will notify GSA if the Attorney General changes this minimum amount.

(b) GSA will not refer claims of less than the minimum amount unless—

(1) Litigation to collect such smaller claims is important to ensure compliance with the Agency's policies or programs;

(2) The claim is being referred solely for the purpose of securing a judgment against the debtor, which will be filed as a lien against the debtor's property pursuant to 28 U.S.C. 3201 and returned to GSA for enforcement; or

(3) The debtor has the clear ability to pay the claim and the Government effectively can enforce payment, with due regard for the exemptions available to the debtor under State and Federal law and the judicial remedies available to the Government.

(c) GSA will consult with the Financial Litigation Staff of the Executive Office for United States Attorneys in

**41 CFR Ch. 105 (7-1-05 Edition)**

DOJ prior to referring claims valued at less than the minimum amount.

**PART 105-56—SALARY OFFSET FOR INDEBTEDNESS OF FEDERAL EMPLOYEES TO THE UNITED STATES**

**Subpart A—Salary Offset of General Services Administration Employees**

Sec.	
105-56.001	Scope.
105-56.002	Excluded debts or claims.
105-56.003	Definitions.
105-56.004	Pre-offset notice.
105-56.005	Employee response.
105-56.006	Petition for pre-offset hearing.
105-56.007	Pre-offset oral hearing.
105-56.008	Pre-offset paper hearing.
105-56.009	Written decision.
105-56.010	Deductions.
105-56.011	Non-waiver of rights.
105-56.012	Refunds.
105-56.013	Coordinating offset with another Federal agency.

**Subpart B—Centralized Salary Offset (CSO) Procedures—GSA as Creditor Agency**

105-56.014	Purpose and scope.
105-56.015	Definitions.
105-56.016	GSA participation.
105-56.017	Centralized salary offset computer match.
105-56.018	Salary offset.
105-56.019	Offset amount.
105-56.020	Priorities.
105-56.021	Notice.
105-56.022	Fees.
105-56.023	Disposition of amounts collected.

**Subpart C—Centralized Salary Offset (CSO) Procedures—GSA as Paying Agency**

105-56.024	Purpose and scope.
105-56.025	Definitions.
105-56.026	GSA participation.
105-56.027	Centralized salary offset computer match.
105-56.028	Salary offset.
105-56.029	Offset amount.
105-56.030	Priorities.
105-56.031	Notice.
105-56.032	Fees.
105-56.033	Disposition of amounts collected.

AUTHORITY: 5 U.S.C. 5514; 31 U.S.C. 3711; 31 U.S.C. 3716; 5 CFR part 550, subpart K; 31 CFR part 5; 31 CFR 285.7; 31 CFR parts 900-904.

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