

connection with any transaction or business relating to the compromise, adjustment, or cancellation of indebtedness under the act.

§ 3.9 Indebtedness referred to the Comptroller General or the Attorney General.

No settlement shall be effected under this part if the indebtedness is pending before the Comptroller General for compromise, or the Attorney General for collection.

[10 FR 807, Jan. 23, 1945. Redesignated at 13 FR 6903, Nov. 24, 1948, and amended at 55 FR 38662, Sept. 20, 1990]

§ 3.10 Scope of the act.

The authorities prescribed in this part are applicable to indebtedness arising from loans or payments made or credit extended pursuant to the following acts and programs:

1. Act of July 1, 1918 (40 Stat. 635), Loans for seed.
2. Act of March 3, 1921 (41 Stat. 1347), Loans for seed.
3. Act of March 20, 1922 (42 Stat. 467), Loans for seed.
4. Act of April 26, 1924 (43 Stat. 110), Loans for seed and feed.
5. Act of February 25, 1927 (44 Stat. 1245), Loans for seed, feed and fertilizer.
6. Act of February 28, 1927 (44 Stat. 1251), Hurricane damage loans.
7. Act of February 25, 1929 (45 Stat. 1306), as amended May 17, 1929 (46 Stat. 3), Loans for seed, feed and fertilizer and to vegetable and fruit growers.
8. Act of March 3, 1930 (46 Stat. 78-79), as amended April 24, 1930 (46 Stat. 254). Loans for seed, feed, fertilizer, fuel and oil.
9. Act of December 20, 1930 (46 Stat. 1032), as amended February 14, 1931 (46 Stat. 1160). Loans for seed, feed, fertilizer, fuel and oil and crop production, and for assisting in forming local agricultural credit corporations, livestock loan companies, or like organizations.
10. Act of February 23, 1931 (46 Stat. 1276), Loans for seed, feed, fertilizer, fuel and oil.
11. Act of January 22, 1932 (47 Stat. 5), Loans for crop production.
12. Act of March 3, 1932 (47 Stat. 60), Loans for agricultural credit corporations, livestock loan companies, or like organizations.
13. Act of February 4, 1933 (47 Stat. 795), Loans for crop production and harvesting.
14. Act of February 23, 1934 (48 Stat. 354), Loans for crop production and harvesting.
15. Act of June 19, 1934 (48 Stat. 1056), Loans for emergency relief and for seed, feed,

freight, summer fallowing and similar purposes.

16. Act of February 20, 1935 (49 Stat. 28), Loans for crop production and harvesting.

17. Act of March 21, 1935 (49 Stat. 50), appropriation to effectuate Act of February 20, 1935.

18. Act of April 8, 1935 (49 Stat. 115), E. O. 7305, Loans for crop production and harvesting.

19. Act of January 29, 1937 (50 Stat. 5), Loans for crop production and harvesting.

20. Act of February 4, 1938 (52 Stat. 27), Loans for crop production and harvesting.

21. Agricultural Adjustment Act (of 1933), as heretofore amended.

22. Bankhead Cotton Act of April 21, 1934, as heretofore amended, on account of the several cotton tax-exemption certificate pools.

23. Jones-Connally Cattle Act of April 7, 1934, as heretofore amended.

24. Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934 (48 Stat. 1056), as heretofore amended, (amendment to Agricultural Adjustment Act of 1933, relating to cotton option contracts.)

25. Kerr Tobacco Act of June 28, 1934 and Public Resolution No. 76 of March 14, 1936, as heretofore amended.

26. Section 32 of the Act of August 24, 1935 and related legislation, as heretofore amended.

27. Supplemental Appropriation Act, fiscal year 1936, as heretofore amended, (rental and benefit payments and cotton price adjustment payments).

28. Sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as heretofore amended.

29. Sugar Act of 1937, as heretofore amended.

30. Sections 303 and 381(a) of the Agricultural Adjustment Act of 1938 and related or subsequent legislation, as heretofore amended, authorizing parity or adjustment payments.

31. Title IV and Title V of the Agricultural Adjustment Act of 1938 and related legislation, as heretofore amended, (Cotton Pool Participation Trust Certificates (Title IV), and crop insurance (Title V)).

32. Any other Act of Congress heretofore enacted authorizing payments to farmers under programs administered through the Agricultural Adjustment Agency.

33. Act of April 8, 1935 (49 Stat. 115), Loan for rural rehabilitation and relief.

34. Act of June 22, 1936 (49 Stat. 1608), Loan for rural rehabilitation and relief.

35. Act of February 9, 1937 (50 Stat. 8), Loans for rural rehabilitation and relief.

36. Act of June 29, 1937 (50 Stat. 352), Loans for rural rehabilitation and relief.

37. The Bankhead-Jones Farm Tenant Act (50 Stat. 522 *et seq.*).

38. The Water Facilities Act of August 28, 1937 (50 Stat. 869 *et seq.*).

39. Act of March 2, 1938 (52 Stat. 83, Pub. Res. 80), Loans for rural rehabilitation and relief.

40. Act of June 21, 1938 (52 Stat. 809), Loans for rural rehabilitation and relief.

41. Act of June 30, 1939 (53 Stat. 927), Loans for rural rehabilitation and relief.

42. Act of June 26, 1940 (54 Stat. 611), Loans for rural rehabilitation and relief.

43. Act of July 1, 1941 (55 Stat. 408), Loans for rural rehabilitation.

44. Act of July 22, 1942 (56 Stat. 664), Loans for rural rehabilitation.

45. Act of July 12, 1943 (57 Stat. 392), Loans for rural rehabilitation.

46. Act of June 28, 1944 (58 Stat. 425), Loans for rural rehabilitation.

47. Flood restoration loans, Second Deficiency Appropriation Act, 1943 (57 Stat. 537, 542)

48. Subsequent legislation appropriating or making available funds for such loans as those listed under numbers 33 through 47, made by or through Resettlement Administration or the Farm Security Administration.

49. Crop-insurance programs formulated pursuant to Title V of the Agricultural Adjustment Act of 1938 (the Federal Crop Insurance Act), and any amendment or supplement thereto heretofore or hereafter enacted.

50. Any indebtedness of farmers evidenced by notes or accounts receivable, title to which has been acquired in the liquidation of loans to cooperative associations made under the provisions of the Act of June 15, 1929 (46 Stat. 11).

51. Any indebtedness of food stamp recipients and retailers/wholesalers. Food Stamp Act.

(Sec. 2, 58 Stat. 836; 12 U.S.C. 1150a)

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Subpart B—Debt Collection

AUTHORITY: 31 U.S.C. 3701, 3711, 3716–3719, 3728; 4 CFR part 102; 4 CFR 105.4.

SOURCE: 50 FR 7722, Feb. 26, 1985, unless otherwise noted.

§ 3.21 Debt collection standards.

(a) The regulations in this subpart are issued under the Federal Claims Collection Act of 1966, as amended by the Debt Collection Act of 1982 (31 U.S.C. 3701, 3711, 3716–3719), and the Joint Regulations issued under the Act

by the Attorney General and the Comptroller General (4 CFR parts 101–105), prescribing Government-wide standards for administrative collection, compromise, suspension or termination of agency collection action, disclosure of debt information to consumer reporting agencies, referral of claims to private collection contractors for resolution, 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.

(b) The head of each agency of the Department may carry out the duties and exercise the authority of the Secretary under 31 U.S.C. 3701, 3711, 3716–3719, 3728, the Joint Regulations of the Attorney General and the Comptroller General, and the regulations in this part, with respect to the claims of the agency. An agency head may adopt regulations, in accordance with the Debt Collection Act and the Joint Regulations, setting out agency procedures for the collection by administrative offset of such claims and debts. If the head of an agency of the Department adopts regulations separate from this subpart, the procedures thereby established, rather than those set out in this part, shall be followed for the collection of the claims and debts to which the separate regulations apply. If an agency does not adopt separate regulations, the Director of the Office of Finance and Management may carry out the duties and exercise the authority of the Secretary on behalf of agency heads.

(c) Except where administrative offset is explicitly prohibited by statute or where other procedures are explicitly provided for by statute, all contracts and other written agreements which are executed after the effective date of these regulations between an agency and any person or entity must include the following or substantially similar language:

Any monies that are payable or may become payable from the United States under this agreement to any person or legal entity not an agency or subdivision of a State or local government may be subject to administrative offset for the collection of a delinquent debt the person or legal entity owes to the United States, under the Federal Claims Collection Act of 1966, as amended by the Debt