

§ 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 (7-1-10 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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