time frame for the increase in hours
above 32 hours per week; and

(3) The Program Coordinator will de-
cide if the request meets the intent of
the law and this agency’s policy.

§§ 1176.9–1176.99 [Reserved]

PART 1177—CLAIMS COLLECTION

Sec.
1177.1 Purpose and scope.
1177.2 Definitions.
1177.3 Other remedies.
1177.4 Claims involving criminal activity or
misconduct.
1177.5 Collection.
1177.6 Notice to debtor.
1177.7 Interest, penalties, and administra-
tive costs.
1177.8 Administrative offset.
1177.9 Use of credit reporting agencies.
1177.10 Collection services.
1177.11 Referral to the Department of Jus-
tice or the General Accounting Office.
1177.12 Compromise, suspension and termi-
nation.
1177.13 Omissions not a defense.
1177.14–1177.99 [Reserved]


SOURCE: 51 FR 20484, June 5, 1986, unless
otherwise noted.

§ 1177.1 Purpose and scope.

This part prescribes standards and
procedures for officers and employees
of the National Endowment for the Hu-
manities who are responsible for the
collection and disposition of debts
owed to the United States. The author-
ity for this part is the Federal Claims
Collection Act of 1966, as amended, 31
U.S.C. 3711 and 3716 through 3719; the
Federal Claims Collection Standards at
4 CFR parts 101 through 105, as amend-
ded by 49 FR 8889, 5 U.S.C. 552a, and Of-
cine of Management and Budget Cir-
cular A–129. The activities covered in-
clude: collecting claims in any amount;
compromising claims, or suspending or
terminating the collection of claims
that do not exceed $20,000 exclusive of
interest and charges, and referring
debs that cannot be disposed of by the
Endowment to the Department of Jus-
tice or to the General Accounting Of-
cine for further administrative action
or litigation.

§ 1177.2 Definitions.

For the purpose of this part the fol-
lowing definitions will apply:

(a) Claim or debt means an amount of
property owed to the United States.
These include but are not limited to:
Overpayments to program bene-
ficiaries; overpayments to contractors
and grantees, including overpayments
arising from audit disallowances; ex-
cessive cash advances to grantees and
contractors; and civil penalties and as-
sessions. A debt is overdue or delin-
quent if it is not paid by the due date
specified in the initial notice of the
debt (see § 1177.6 of this part) or if the
debtor fails to satisfy his or her obliga-
tion under a repayment agreement.

(b) Debtor means an individual, orga-
nization, group, association, partner-
ship, or corporation indebted to the
United States, or the person or entity
with legal responsibility for assuming
the debtor’s obligation.

(c) Endowment means the National
Endowment for the Humanities.

(d) Administrative offset means satis-
fying a debt by withholding money
payable by the United States to or held
by the United States for a debtor.

§ 1177.3 Other remedies.

The remedies and sanctions available
to the National Endowment for the Hu-
manities under this part are not in-
tended to be exclusive. The Chair-
person of the National Endowment for
the Humanities or his designee may
impose other appropriate sanctions
upon a debtor for prolonged or repeated
failure to pay a debt. For example, the
Chairperson or his designee may place
the debtor’s name on a list of debarred,
suspended, or ineligible grantees and
contractors, convert the method of
payment under a grant from an ad-
vance to a reimbursement method, or
revoke a grantee’s letter of credit. In
such cases the debtor will be advised of
the Endowment’s action.

§ 1177.4 Claims involving criminal ac-
tivity or misconduct.

(a) A debtor whose indebtedness in-
volves criminal activity such as fraud,
embezzlement, theft, or misuse of gov-
ernment funds or property is subject to
punishment by fine or imprisonment as
well as to a civil claim by the United