

**§ 33.10 Payments.**

The Office Director, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs, will pay the claimant the amount calculated under § 33.9. Payment will be made as promptly as practicable, but may be delayed pending the appropriation of sufficient funds, should fee collections not be adequate to sustain the operation of the Fund. The Director shall notify the claimant of the amount approved for payment as promptly as practicable and the same shall thereafter constitute a valid, but non-interest bearing obligation of the Government. Delays in payments are not a direct consequence of seizure and detention and cannot therefore be construed as increasing the compensable period for lost fishing time. If there is a question about distribution of the proceeds of the claim, the Director may request proof of interest from all parties, and will settle this issue.

**§ 33.11 Records.**

The Office Director, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs will have the right to inspect claimants' books and records as a precondition to approving claims. All claims must contain written authorization of the guaranteed party for any international, federal, state, or local governmental Agencies to provide the Office Director, Office of Marine Conservation, Bureau of Oceans and International Environmental and Scientific Affairs any data or information pertinent to a claim.

**§ 33.12 Penalties.**

Persons who willfully make any false or misleading statement or representation to obtain compensation from the Fund are subject to criminal prosecution under 22 U.S.C. 1980(g). This provides penalties up to \$25,000 or imprisonment for up to one year, or both. Any evidence of criminal conduct will be promptly forwarded to the United States Department of Justice for action. Additionally, misrepresentation, concealment, or fraud, or acts intentionally designed to result in seizure, may void the guaranty agreement.

**PART 34—DEBT COLLECTION**

**Subpart A—General Provision**

- Sec.
- 34.1 Purpose.
- 34.2 Scope.
- 34.3 Exceptions.
- 34.4 Definitions.
- 34.5 Other procedures or actions.
- 34.6 Interest, penalties, and administrative costs.
- 34.7 Collection in installments.

**Subpart B—Collection Actions**

- 34.8 Notice and demand for payment.
- 34.9 Request for internal administrative review.
- 34.10 Collection methods.

**Subpart C—Salary Offset**

- 34.11 Scope.
- 34.12 Coordinating offset with another Federal agency.
- 34.13 Notice requirements before offset.
- 34.14 Request for an outside hearing for certain debts.
- 34.15 Outside hearing.
- 34.16 Procedures for salary offset.
- 34.17 Non-waiver of rights by payment.

**Subpart D—Collection Adjustments**

- 34.18 Waivers of indebtedness.
- 34.19 Compromise.
- 34.20 Suspension.
- 34.21 Termination.
- 34.22 Discharge.
- 34.23 Bankruptcy.
- 34.24 Refunds.

AUTHORITY: 31 U.S.C. 3701-3719; 5 U.S.C. 5514; 31 C.F.R. part 285; 31 CFR parts 900-904; 5 CFR 550 subpart K.

SOURCE: 71 FR 16482, Apr. 3, 2006, unless otherwise noted.

**Subpart A—General Provisions**

**§ 34.1 Purpose.**

These regulations prescribe the procedures to be used by the United States Department of State (STATE) in the collection of debts owed to STATE and to the United States.

**§ 34.2 Scope.**

(a) Except as set forth in this part or otherwise provided by law, STATE will conduct administrative actions to collect debts (including offset, compromise, suspension, termination, disclosure and referral) in accordance