

## Federal Emergency Management Agency, DHS

## § 11.11

to take immediate action with significant environmental impact. The Regional Administrator shall notify the Environmental Officer of the emergency action at the earliest possible time so that the Environmental Officer may consult with the Council on Environmental Quality. In no event shall any Regional Administrator delay an emergency action necessary to the preservation of human life for the purpose of complying with the provision of this directive or the CEQ regulations.

[45 FR 41142, June 18, 1980, as amended at 47 FR 13149, Mar. 29, 1982]

### § 10.14 Flood plains and wetlands.

For any action taken by FEMA in a flood plain or wetland, the provisions of this part are supplemental to, and not instead of, the provisions of the FEMA regulation implementing Executive Order 11988, Flood Plain Management, and Executive Order 11990, Protection of Wetlands (44 CFR part 9).

## PART 11—CLAIMS

### Subpart A—General

Sec.

- 11.1 General collection standards.
- 11.2 Delegations of authority.

### Subpart B—Administrative Claims Under Federal Tort Claims Act

- 11.10 Scope of regulation.
- 11.11 Administrative claim; when presented; appropriate FEMA office.
- 11.12 Administrative claim; who may file.
- 11.13 Investigations.
- 11.14 Administrative claim; evidence and information to be submitted.
- 11.15 Authority to adjust, determine, compromise and settle.
- 11.16 Limitations on authority.
- 11.17 Referral to Department of Justice.
- 11.18 Final denial of claim.
- 11.19 Action on approved claim.

### Subpart C [Reserved]

### Subpart D—Personnel Claims Regulations

- 11.70 Scope and purpose.
- 11.71 Claimants.
- 11.72 Time limitations.
- 11.73 Allowable claims.
- 11.74 Claims not allowed.
- 11.75 Claims involving carriers and insurers.
- 11.76 Claims procedures.
- 11.77 Settlement of claims.

- 11.78 Computation of amount of award.
- 11.79 Attorney's fees.

AUTHORITY: 31 U.S.C. 3701 *et seq.*

SOURCE: 45 FR 15930, Mar. 12, 1980, unless otherwise noted.

## Subpart A—General

### § 11.1 General collection standards.

The general standards and procedures governing the collection, compromise, termination and referral to the Department of Justice of claims for money and property that are prescribed in the regulations issued jointly by the Government Accountability Office and the Department of Justice pursuant to the Federal Claims Collection Act of 1966 (4 CFR part 101 *et seq.*), apply to the administrative claim collection activities of the Federal Emergency Management Agency (FEMA).

### § 11.2 Delegations of authority.

Any and all claims that arise under subchapter III of chapter 83, chapter 87 and chapter 88 of title 5, the United States Code, the Retired Federal Employees Health Benefits Act (74 Stat. 849), the Panama Canal Construction Annuity Act (58 Stat. 257), and the Lighthouse Service Widow's Annuity Act (64 Stat. 465) shall be referred to the Director of the Bureau of Retirement and Insurance, Office of Personnel Management, for handling. The Chief Counsel, FEMA shall act on all other claims against FEMA for money and property.

### Subpart B—Administrative Claims Under Federal Tort Claims Act

#### § 11.10 Scope of regulation.

This regulation applies to claims asserted under the Federal Tort Claims Act against the Federal Emergency Management Agency (FEMA). It does not include any contractor with FEMA.

#### § 11.11 Administrative claim; when presented; appropriate FEMA office.

(a) For the purpose of this part, and the provisions of the Federal Tort Claims Act a claim is deemed to have been presented when FEMA receives, at