

SUMMARY OF MAJOR CHANGES TO DOD 7000.14-R, VOLUME 5, CHAPTER 28 “GENERAL PROVISIONS ON INDEBTEDNESS”		
Substantive revisions are denoted by a ★ preceding the section, paragraph, table, or figure that includes the revision		
PARA	EXPLANATION OF CHANGE/REVISION	PURPOSE
2801	Introduces the chapter revision and establishes a general overview of the recovery, collection, and disposition processes and requirements for individual debts owed to or collected by the Department of Defense (DoD) and the federal government.	Updates the chapter coverage
2802	Introduces key debt collection legislation and regulations that serve as baseline authorities for debt collection. Implements the revised “Federal Claims Collection Standards” regulation codified in Title 31, Code of Federal Regulations, parts 900-904.	Revises policy and updates policy consistent with the revised “Federal Claims Collection Standards” regulation
2803	Requires that Components establish and maintain a debt management program to identify, recover, and collect debts owed to the United States. Addresses the need for the prevention of indebtedness, the need for continuous communication and follow-up among personnel involved in the debt management and recovery processes. References Volume 4, Chapter 3 , “Receivables,” for guidance on accounting and reporting of debts, particularly procedures for preparing of the “Treasury Report on Receivables” report.	Establishes new guidance and updates current policy in accordance with the “Federal Claims Collection Standards” regulation
2804	Identifies the range of debt recovery and collection tools available through the Debt Collection Improvement Act and the “Federal Claims Collection Standards” regulation.	Adds new guidance
2805	Implements the “Federal Claims Collection Standards” regulation requirement for a single demand letter, instead of the 3 letters previously recommended. Clarifies that the interest rate charged shall be based on the current value of funds (CVF) rate prescribed by the Department of the Treasury and allows the assessment, on an exception basis, of alternative late penalty charges.	Establishes new guidance and updates current policy in accordance with the “Federal Claims Collection Standards” regulation

**SUMMARY OF MAJOR CHANGES TO
DOD 7000.14-R, VOLUME 5, CHAPTER 28
“GENERAL PROVISIONS ON INDEBTEDNESS”**

Substantive revisions are denoted by a ★ preceding
the section, paragraph, table, or figure that includes the revision

PARA	EXPLANATION OF CHANGE/REVISION	PURPOSE
2806	Implements the “Federal Claims Collection Standards” requirement to evaluate the cost effectiveness to pursue the recovery of debts of different types and dollar ranges. An annual review is required.	Establishes new guidance and updates current policy in accordance with the “Federal Claims Collection Standards” regulation
Table 28-1	Adds a new table showing the key volumes and Chapters on debt collection found in this Regulation.	Adds new guidance
Table 28-2	Adds the range of legal authorities applicable to the Department of the Treasury Offset Program.	Adds new guidance

TABLE OF CONTENTS

GENERAL PROVISIONS ON INDIVIDUAL INDEBTEDNESS

- ★2801 Applicability
- ★2802 Primary Debt Collection Legislation and Regulations for Individual Delinquent Debts
- ★2803 Overview of the Debt Recovery and Disposition Process
- ★2804 Debt Collection and Recovery Tools
- ★2805 Debt Collection Requirements
- ★2806 Analysis of Costs
- ★2807 Reporting Debts
- ★Table 28-1 DoD Financial Management Regulation Volumes/Chapters on Debt Collection
- ★Table 28-2 Legal Authorities Applicable to the Department of the Treasury Offset Program

CHAPTER 28

GENERAL PROVISIONS ON INDIVIDUAL INDEBTEDNESS2801 APPLICABILITY

★ 280101. General. This chapter provides an overview of the debt recovery, collection, and disposition processes and requirements for individual delinquent debts within the Department of Defense (DoD).

A. DoD Components shall take prompt and aggressive action to recover and collect debts owed to the Department and to the United States, and shall pursue continuing follow-up actions, as necessary, to ensure that debts owed to the Department and to the United States are collected.

B. Where a specific statutory authority applies to the collection of a particular category of debt, the provisions of the applicable statute and implementing regulation(s) shall determine the appropriate debt recovery and collection procedures that shall be used in each case. In this regard, debts owed by current or retired members of the military to the DoD or to other federal agencies that can be collected through salary offset shall be collected as provided in [Volume 7A, Chapter 50](#), and [Volume 7B, Chapter 28](#), respectively. Debts owed by current or retired civilian employees to the DoD or to other federal agencies that can be collected through salary or retired pay offset shall be collected as provided in [Volume 8, Chapter 8](#). Debts determined to be owed to the United States that must be collected administratively other than through offset shall be collected under the authority of 31 U.S.C. 3716; and the “Federal Claims Collection Standards,” Title 31, Code of Federal Regulations, Parts 900-904, applying the procedures of [Volume 5](#), Chapters 28 through 32.

C. Nothing in this Regulation shall impair the Department’s ability to collect debts under the common law within the statutory period allowed.

D. Debts may be paid in the form of money or, when a contractual basis exists, demand may be made for the return of specific property or the performance of specific services. Debts otherwise may be resolved by law, regulation, contract or agreement.

★ 280102. Coverage. Policies and procedures in this chapter, and in Chapters 29 through 32 of this volume, apply to administrative actions associated with the collection and disposition of individual debts owed to the United States or collected by the Department of Defense.

A. [Chapter 29](#) covers services provided by the Defense Finance and Accounting Service, Denver Debt Management Office (DFAS-PO/DE) (DMO) for the collection of out-of-service (OOS) debts that are owed to DoD Components, including but not limited to the Defense Intelligence Agency, National Imagery and Mapping Agency, and nonappropriated fund instrumentalities. Debts normally are transferred to the DMO by financial service offices,

Defense accounting offices, Component operating sites, military pay offices, Joint Personal Property Shipping Offices, military hospitals, installation housing offices, DoD contractor-operated military banking facilities, civilian pay offices, transportation, and education offices.

B. [Chapters 30, 31, and 32](#) of this volume provide a general overview of procedures and minimum requirements for the recovery, compromise, referral and disposition of debts in accordance with applicable statutes, regulations, and the “Federal Claims Collection Standards” regulation.

C. An overview of the categories of debtors and associated volumes and chapters of this Regulation is found in Table 28-1 of this chapter.

★ 280103. Exclusions. Policies and procedures in this chapter, and in Chapters 29 through 32 of this volume, relating to compromise, suspension, and termination of collection activity do not apply to antitrust, fraud, tax, and interagency claims.

★2802 PRIMARY INDIVIDUAL DEBT COLLECTION LEGISLATION AND REGULATIONS (FOR INDIVIDUAL DELINQUENT DEBTS)

The “Federal Claims Collection Act of 1966” gave agencies certain authorities to collect delinquent debts. The “Debt Collection Act of 1982” expanded agencies’ authority to use such tools as credit bureau reporting and private debt collection agencies. In 1984, the Congress added tax refund offset as a new collection tool available to agencies with the passage of the Deficit Reduction Act. The “Federal Claims Collection Standards” regulation prescribed standards for federal agencies’ use in the administrative collection, offset, compromise, and the suspension or termination of collection activity for civil claims for money, funds, or property, except as otherwise provided for by specific federal agency statutes or regulations, or by Title 11 of the United States Code, when the claims involve bankruptcy. The “Federal Claims Collection Standards” regulation also prescribes standards for referring debts to the Department of Justice for litigation. Rules governing the use of certain debt collection tools under the “Debt Collection Improvement Act of 1996,” such as administrative wage garnishment, also are issued in Title 31, Code of Federal Regulations, part 285.

NOTE: Nothing in this Regulation requires the omission or duplication of administrative requirements associated with debt collection imposed by other laws or regulations. In accordance with Title 31, Code of Federal Regulations, part 900.8, the Department’s failure to comply with the “Federal Claims Collection Standards” regulation does not create any right or benefit, substantive or procedural, enforceable at law or in equity by a party against the United States, its agencies, its officers, or any other person.

★2803 OVERVIEW OF THE DEBT RECOVERY AND DISPOSITION PROCESS

Components shall establish and maintain a debt management program to identify, recover and collect debts owed by individuals to the United States, as appropriate. The recovery of debts shall be undertaken promptly, using a strategy that is determined to result in maximum recovery of debt within statutory time limits and within acceptable costs. Debtors shall be afforded appropriate due process in accordance with this and applicable regulations and Title 31, Code of Federal Regulations, section 901.3(b)(4). Components shall clearly designate the official(s) responsible for the recovery and collection of individual debts within the Component. Guidance shall be established that clearly assigns responsibilities for processing, monitoring, reporting and closing out individual delinquent debts throughout the entire debt collection process through closeout of the debt. Refer to [Chapter 31](#) of this volume for additional information and guidance concerning the compromise and remission of certain individual delinquent debts.

★ 280301. Prevention of Indebtedness. DoD Components shall institute procedures and assign responsibility to designated personnel as necessary to ensure that all appropriate personnel and organizations (e.g., personnel, entitlement, payroll, finance and accounting, disbursing, legal, offices) promptly are notified and kept apprised of any activities that potentially could give rise to indebtedness by any member, employee, contractor, or other personnel based on employment or other financial or contractual relationship between the Department and the indebted individual(s). DoD Components shall maintain continuous communication and followup to prevent inadvertent indebtedness to the Department to remain unresolved for an extended period.

★ 280302. DoD Debtor Information Exchange and Debt Collection Partnership Programs. DoD Components shall participate in sharing information concerning delinquent debtors. Components shall cooperate with each other and with other federal agencies, including private debt collection agencies and credit bureaus, to facilitate the collection of delinquent debts owed by current and former civilian employees and military members employed by the Department. Refer requests from external federal agencies for salary and administrative offsets of payments issued by the Department to the DFAS Cleveland/AADC, 1240 East 9th Street, Cleveland, OH 44199-8002 for appropriate debt processing and referral.

★ 280303. Debt Recovery and Collection. The Department's debt collection strategy is specified in various volumes of this Regulation, based on the type of debt or category of debtor involved. Section 2804 of this chapter includes a partial list of debt collection recovery tools that are available to the Department.

★2804 DEBT RECOVERY AND COLLECTION TOOLS FOR DELINQUENT DEBTS

Cited below are debt collection remedies and procedures, including those specified in the "Debt Collection Improvement Act" and the "Federal Claims Collection Standards" regulation. Nothing contained in this chapter, however, precludes the use of any other administrative remedies that may be available under other statutes, regulations, or the Department's common law rights for the collection or disposition of delinquent debts. These remedies generally do not apply to debts arising under, or payments made under, the "Internal Revenue Code of 1986," the

“Social Security Act” (except to the extent provided under Title 42, United States Code, section 404, and Title 31, United States Code, section 3716(c)), or tariff laws of the United States. Refer to Table 28-1 for the applicable volume and chapter of this Regulation that includes the detailed requirements concerning the various recovery and collection tools available for use in the Department.

★ 280401. Disbursing Official Offset (by the Department of Defense and/or the Department of the Treasury Offset Program)

- A. Salary offset and allotments (voluntary or involuntary).
- B. Administrative offset of federal payments.

★ 280402. Authorities Other than Offset

A. A detailed discussion on the waiver of interest and administrative charges is found in [Chapter 31](#) of this volume.

B. Suspension or revocation of eligibility for loans and loan guarantees, licenses, permits, or privileges (except for disaster loans, and where exempted by the Under Secretary of Defense (Comptroller) or his designee, the Deputy Chief Financial Officer, DoD).

- C. Liquidation of collateral.
- D. Collection in installments.
- E. Administrative wage garnishment.
- F. Credit bureau reporting.
- G. Contracting with collection agencies.

H. Litigation. (See [Chapter 32](#) for a detailed explanation of referral to the Department of Justice.)

★ 280403. Alternative Administrative Remedies

A. If a debtor is employed by another DoD Component or another federal agency, then the debtor’s employing office may be contacted to arrange for payment by allotment or other methods through the exercise of section 901.1 of the “Federal Claims Collection Standards.”

B. Security or collateral may be liquidated by the Component through a power of sale or nonjudicial foreclosure if debtors fail to pay debts within a reasonable time after issuance of a demand letter if such action is in the best interests of the government. Give consideration to security or collateral disposition costs as compared to amounts that might be

received from such a sale. After the Component liquidates the security or collateral to satisfy a debt, that Component shall give the debtor a written notice of sale and an accounting of surplus proceeds in accordance with applicable law or regulation. The servicing general counsel should be contacted if there is a bankruptcy filed, which is possible if there is a liquidation of security or collateral.

C. Collection from other sources, including liquidation of collateral or security, is not a prerequisite to requiring payment by a surety or insurance concern unless expressly required by law.

★2805 DEBT COLLECTION PROCESSING REQUIREMENTS

★ 280501. Initiating Delinquent Debt Recovery and Collection Actions

A. General Requirements for Debt Notification and Demand for Payment. The “Federal Claims Collection Standards” regulation requires the issuance of a minimum of one demand letter unless issuance of the letter is not feasible. That requirement may be a single, all-inclusive demand letter or several successive and progressively stronger demand letters depending on the type and amount of the debt and the debtor’s response to collection efforts. Use demand letters to expedite the resolution and collection of debts or arrive at the earliest practicable decision on the final disposition or referral of debts to the Department of Justice for litigation. Although there is no prescribed format required for demand letters, include the information described below. In determining the timing of the demand for payment, give consideration to the need to refer delinquent debts promptly to the Department of Justice for litigation.

B. Demand Letters. Components promptly shall issue demand letter(s) following confirmation of the status of the debt, the basis of indebtedness, and the amount of the debt. DoD Components shall exercise care to ensure that demand letters are mailed or hand-delivered on the same day that they are dated. When a debtor is given time limits in which to reply, allow 15 additional days for a reply if the correspondence must be handled by a letter delivery system that is outside the continental United States (OCONUS). Demand letters will inform the debtor of the following information and requirements:

1. The basis for the indebtedness (i.e., 31 U.S.C. 3717), and the rights, if any, that the debtor may have to seek review within the Component (or DoD Debt Management Office (DMO)).

2. The applicable standards (e.g., Title 31, Code of Federal Regulations, part 901.9) upon which any interest, penalties, or administrative costs are based.

3. The date by which payment must be made in order for the debtor to avoid late charges and enforced collection (that date generally will not be more than 30 days from the date that the demand letter is mailed or hand-delivered).

4. The name, address, and telephone number of a point of contact or office that the debtor may speak with or write to regarding the demand for payment of the debt.

5. Remedies that the Department will use to enforce payment of debts. These may include:

a. Federal salary offset, including routine pay adjustments and recoupments, or salary offsets according to the policies and procedures specified in Volumes 7A, 7B, 7C, 8, 9, or other provisions of this Regulation, as appropriate.

b. Assessment of interest, administrative costs, and penalties.

c. Allotments.

d. Collection of collateral and collection from other sources.

e. Tax refund and administrative offset (through the Department of the Treasury Offset Program).

f. Credit bureau reporting.

g. Collection agencies.

h. Administrative wage garnishment.

i. Litigation.

6. Other appropriate information, if applicable, including the Component's willingness to discuss alternative methods of payment, any rights to a hearing and any opportunity to seek a waiver or remission of the debt.

C. DoD Components shall respond promptly to communications from debtors, normally not later than 30 days from the date of receipt of the debtor's correspondence. Components shall advise debtors who dispute debts to furnish available evidence to support their position. When it becomes necessary to extend the 30-day notice/written demand period, creditor Components shall act promptly to facilitate the referral/request for debt litigation from the Department of Justice within 1 year of the most recent debt delinquency event.

D. Components may, when necessary, collect the money before giving due process. For example, appropriate collection actions(s) may precede written demands for payment when necessary to protect the DoD Component's interests and to prevent the 6-year statute of limitations from expiring.

E. Before a delinquent debt can be referred to the Department of Justice, DoD Components shall notify the debtor that litigation may be initiated if the debt cannot be collected using administrative procedures. This notification can be issued either as part of the demand described in subparagraph 280501.B, above, or in a separate notice. When referring a debt for litigation, give evidence to the Department of Justice that this notification has been provided to the debtor.

★ 280502. Lump-Sum Collection. DoD Components shall demand payment of debts, along with penalties, administrative costs, and interest in one lump-sum amount for delinquent debts, whenever possible. Lump-sum collection is the preferred collection method regardless of the source of funds, such as voluntary payment or administrative offset. Lump-sum collections by offset from current pay or salary, unless voluntary, cannot exceed the percentages specified in Volumes 7A, 7B, 7C, 8, or 9 of this Regulation and other applicable regulations (e.g., Title 5, Code of Federal Regulations, part 285, and Title 31, Code of Federal Regulations, Chapter 9). Do not subdivide debts to avoid monetary ceilings for debt compromise or suspension or termination of collection.

★ 280503. Installment Collections or Allotments

A. Installment Criteria. If a debtor represents to the DoD Component (or designated DMO) that financial constraints prevent payment of a debt in one lump sum, then payments may be accepted in regularly scheduled installments. Base a decision to accept installment repayment of a debt on a review of the debtor's financial statement(s) or independent verification of the debtor's reported financial position. If the debtor submits financial statements, make those documents a part of the debtor's permanent debt file.

B. Installment Timing and Amount. Debtors generally shall make installment payments on a monthly basis. Installment payments shall bear a reasonable relationship to the size of the debt and the debtor's ability to pay. Except when a debtor can prove financial hardship or another reasonable cause exists, installment payments shall be at least \$50 each month and shall be sufficient to liquidate a debt within 3 years or less. Installment payments from current pay or salary, unless voluntary, shall not exceed the offset percentages established in Volumes 7A, 7B, 7C, 8, or 9 of this Regulation.

C. Installment Payment Agreement. DoD Components (or designated DMOs) that agree to accept installment payments shall obtain signed, legally enforceable repayment agreements from the debtor. Such agreements shall specify the terms agreed upon by the parties, include a provision accelerating the debt, and requiring that the remaining debt balance shall be due and payable immediately upon the debtor's default on the agreement. As part of the agreement, require the debtor to submit financial statements annually, as necessary,

whenever the repayment period exceeds 3 years. Components shall accept installment payments, notwithstanding a debtor's refusal to execute a written agreement or to provide security. Debts in an active repayment status (according to an installment payment agreement) are not considered delinquent.

D. Installment Payment Application to Multiple Debts. DoD Components (and designated DMOs) accepting installment payments for multiple debts of a debtor shall apply the payments to the various debts owed to the Department according to the best interests of the Department and in accordance with the "Federal Claims Collection Standards" regulation for debts owed to other federal and state agencies. Components (and DMOs) shall give careful attention to applicable statutes of limitation to ensure that the Department recovers all monies within the allowable debt recovery period.

E. Installment Payment Application to Late Payment Charges and Debt Principal. Installment payments shall be applied in the following descending order of priority.

1. Penalty charges.
2. Administrative costs.
3. Accrued interest.
4. Debt principal balance.

F. Installment Payment Review. DoD Components (and designated DMOs) that collect debts by installment shall review the debtor's annual financial statements and determine whether to collect the balance due in a lump-sum or continue the installment payment agreement at the same or increased amounts. Smaller installment payments may be accepted at the request of a debtor, on an exception basis, when a request is supported by financial data confirming the debtor's inability to pay the full amount of the agreed upon installment payment. Components (and DMOs) normally shall not reduce installment payments if a determination is made that the debtor could have controlled the financial condition that reduced the debtor's ability to meet existing installment payment requirements.

★ 280504. Interest, Penalty, and Administrative Costs

A. General. Title 31, United States Code, section 3717 and the "Federal Claims Collection Standards" regulation authorize the assessment of interest, penalty, and administrative costs on delinquent debts. Except as otherwise specifically provided by law or regulation, DoD Components (and designated DMOs) shall assess and promptly collect late payment charges consisting of interest, penalties, and administrative costs on delinquent debts. DoD Components (and DMOs) shall mail or hand-deliver a written notice to the debtor, using the debtor's most recent address, to explain the requirements concerning these charges. This

separate notice is not necessary if the requirements for late payment charges are included in a demand letter or contractual or installment repayment agreement. These charges shall continue to accrue until the debt is paid in full or otherwise resolved through compromise, termination, or waiver of the charges.

B. Interest Charges. The intent of interest is to stimulate prompt payment of debts and recover the cost to the Department of the Treasury for borrowing funds as necessitated by delinquent debts owed to the United States. Unless otherwise stated in this or another applicable regulation or statute, interest shall accrue from the date of the delinquency.

C. Interest Rate. DoD Components (and designated DMOs) shall assess an interest rate that is equal to the current value of funds (CVF) rate as prescribed by the Department of the Treasury in the current “Federal Register” and “Treasury Financial Manual” bulletin. Assess a different rate if a statute or regulation explicitly fixes the rate of interest for a particular type of debt. An initial interest rate shall remain fixed for the duration of that debt. When a debtor defaults on an interest bearing installment payment agreement, and providing there would be a substantial financial impact, establish a new installment payment agreement using the current CVF rate which may be higher or lower than the interest rate charged in the original payment agreement).

D. Interest Computation. Compute interest charges using the formula, “ $I=DNF$ ” where “I” is the computed interest charge; “D” is the debt principal balance; “N” is the number of days in the computation period; and “F” is the daily annual interest rate. The daily annual interest rate shall be based on a 360-day year.

E. Interest Compounding. Generally, DoD Components (and designated DMOs) do not assess interest on interest, penalties, or administrative costs. If a debtor defaults on an installment payment agreement, however, and providing there would be a substantial financial impact, then any penalties and administrative costs assessed, but not collected prior to the date of default, may be added to the outstanding debt principal to determine a new debt principal balance for collection under the new installment-payment agreement. In this manner, interest would be computed on penalties, and administrative costs previously assessed. Also, interest may be compounded if authorized by statute or regulation.

F. Penalty Charges. Assess a penalty charge of 6 percent per annum on any debt principal delinquent for more than 90 days. Penalty charges shall accrue from the date the principal amount became delinquent.

G. Administrative Costs. Assess administrative costs as addressed herein, when incurred in the processing and handling of delinquent debts. Base administrative costs on the actual costs incurred, including the costs of obtaining credit reports and the use of private collection agencies, to the extent these costs are attributable to the collection of delinquent debts. When proof of actual costs incurred to process debts are unavailable, base administrative costs on an analysis of average costs incurred in processing and handling of all indebtedness in similar stages of delinquency.

H. Alternative Late Payment Charges. On an exception basis (e.g., when the calculation of interest and penalties on a debt would be extremely difficult based on the age of a debt), Components may increase an “administrative debt” by the cost of living adjustment (COLA) in lieu of charging interest and penalties under section 901.9 of the “Federal Claims Collection Standards” regulation. Use this alternative only when there is a legitimate reason to do so, such as when calculating interest and penalties on a debt would be extremely difficult because of the age of the debt. Administrative debts are those arising from fines, penalties, and overpayments, but do not include debts based on extension of government credit. Increases to such administrative debts shall be computed on an annual basis. Components shall establish procedures for the approval and processing of debt collection activities using alternative late payment charges. For debts collected or recovered by the Defense Finance and Accounting Service (DFAS), the DFAS Director for Finance shall approve the use of alternative late payment charges in advance of the assessment of such charges in accordance with terms of agreement between the DFAS and the Component.

★ 280505. Accounting Entries. Procedures for recording individual debt collection and associated transactions are included in Volumes 7A, 7B, 7C, 8, and 9 of this Regulation. Refer to www.fms.treas.gov/ussgl/ for additional guidance.

★2806 ANALYSIS OF COSTS

DoD Components annually shall evaluate the amount of costs incurred and amounts collected. Use these data on costs and corresponding recovery rates for debts of different types and in various dollar ranges to:

- A. Compare the cost effectiveness of alternative collection techniques.
- B. Establish guidelines with respect to points at which costs of further collection efforts are likely to exceed recoveries.
- C. Evaluate offers in compromise.
- D. Establish minimum debt amounts below which collection efforts need not be taken.

★2807 REPORTING DEBTS

Component DMOs shall develop and implement procedures for reporting delinquent debts to credit bureaus and other automated databases. DMOs also shall develop procedures to report nondelinquent debts to credit bureaus. Procedures shall comply with the “Bankruptcy Code” and the “Privacy Act of 1974” (Title 5, United States Code, section 552a), as amended. Provisions of the “Privacy Act” do not apply to credit bureaus. Consumer debt reporting shall be consistent with due process and other requirements in Title 31, United States Code, section 3711(e).

**DOD FINANCIAL MANAGEMENT REGULATION
VOLUMES AND CHAPTERS ON
DEBT COLLECTION**

Category of Debtor (Not including foreign debtors)	Volume and Chapter of this Regulation
Military Member (Active or Reserve) to include Retired and Out-of-Service	<p>Volume 5, Chapters 28 through 32</p> <p>Volume 7A, Chapter 50</p> <p>Volume 7B, Chapter 28</p> <p>Volume 7C, Chapters 1 and 5</p> <p>Volume 9, Chapter 8</p> <p>Volume 13, Chapter 8, and Appendices</p>
Civilian Employee (paid from appropriated funds)	<p>Volume 5, Chapters 28 through 32</p> <p>Volume 8, Chapters 4 and 8</p> <p>Volume 9, Chapter 8</p>
Civilian Employee (paid from nonappropriated funds)	Volume 13, Chapter 8 , and Appendices
Contractor or vendor	Volume 10, Chapters 3 and 18
Foreign indebtedness	Volume 15, Chapters 3, 5, 8 and Appendix A

Table 28-1

**LEGAL AUTHORITIES APPLICABLE TO THE
DEPARTMENT OF THE TREASURY OFFSET PROGRAM**

Type of Payment Offset (or Levy)	Type of Debt Collected	Statutory Authority	Regulatory Authority	Amount Deducted (Amounts may vary)
Federal Tax Refund	Federal nontax debts	26 U.S.C. 6402(d) 31 U.S.C. 3720A	31 CFR 285.2 Creditor agency regulations (e.g., "DoDFMR")	100%
Federal Tax Refund	Child support debts	26 U.S.C. 6402(c) 42 U.S.C. 664	31 CFR 285.3 45 CFR 303.72 HHS procedures	100%
Federal Tax Refund	State income tax debts	26 U.S.C. 6402(e)	31 CFR 285.8	100%
Social Security, Black Lung, & Railroad Retirement (benefit payments)	Federal nontax debts	31 U.S.C. 3701 31 U.S.C. 3716	31 CFR 285.4	Lesser of 15%, or amount over \$750
Federal Salary Payments	Federal nontax debts	5 U.S.C. 5514 31 U.S.C. 3701 31 U.S.C. 3716 42 U.S.C. 404(f) (for Social Security debts)	5 CFR 550.1101 31 CFR 285.7 Creditor agency regulations (e.g., "DoDFMR")	15%
Federal Salary Payments	Child support debts	5 U.S.C. 5514 15 U.S.C. 1673(b)(2) 31 U.S.C. 3701 31 U.S.C. 3716	5 CFR 550.1101 31 CFR 285.7 Creditor agency regulations (e.g., "DoDFMR")	50%-65%
Federal Salary Payments	State nontax debts	31 U.S.C. 3701 31 U.S.C. 3716	31 CFR 285.7 Creditor agency regulations (e.g., "DoDFMR")	15%
Federal non-tax, nonsalary, nonbenefit	Federal nontax debts	31 U.S.C. 3701 31 U.S.C. 3716 42 U.S.C. 404(f) (for Social Security debts)	"Federal Claims Collection Standards" (31 CFR parts 900- 904) Creditor agency regulations (e.g., "DoDFMR")	100%, except as otherwise provided by law
Federal non-tax, nonsalary, non-benefit	Child support debts	31 U.S.C. 3701 31 U.S.C. 3716(h)	31 CFR 285.1 HHS procedures Exec. Order 13019	100%, except as otherwise provided by law
Federal nontax, nonsalary, nonbenefit	State nontax debts	31 U.S.C. 3701 31 U.S.C. 3716(h)	FMS regulations to be published	100%, except as otherwise provided by law
Tax levy of non-tax Federal payments	Federal tax debts	26 U.S.C. 6331(h) 26 U.S.C. 6103(k)(8)	26 CFR 6331-1 et seq.	15%

Table 28-2