

Department of the Interior Departmental Manual

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Part 205: General Delegations

Chapter 7: Claims by the United States for Money or Property

Originating Office: Office of Financial Management

205 DM 7

7.1 Suspension or Termination of Collection Activity. Assistant Secretaries and the Solicitor are delegated authority pursuant to the provisions of 31 U.S.C. 3711 and 31 CFR Part 903, to suspend or terminate collection activity with respect to claims of the United States for money or property arising out of activities under their jurisdiction prior to the referral to the Department of Justice for litigation. Except as otherwise specifically provided, this authority can be redelegated no lower than the Bureau Chief Financial Officer. Bureaus may suspend or terminate collection activity when the suspension or termination meets the requirements established by the Federal Debt Collection Standards of 31 CFR Part 903.

A. Bureaus may suspend or terminate collection on a debt within their jurisdiction when the principal balance of the debt does not exceed \$100,000.

B. Bureaus must refer a debt that exceeds \$100,000, unless otherwise provided by law or authorized by the U.S. Attorney General, to the Office of the Solicitor for referral to the Department of Justice. The authority to suspend or terminate debt that exceeds \$100,000 rests with the Department of Justice (31 CFR Part 903). All requests to the Solicitor for referral to the Department of Justice must be accompanied by a Claims Collection Litigation Report prepared in accordance with 31 CFR 904.2. This requirement does not apply to termination of collection of amounts owed that are determined or adjudicated through established administrative appeal procedures.

7.2 Compromise of Claims. Assistant Secretaries and the Solicitor are delegated authority pursuant to the provisions of 31 U.S.C. 3711 and 31 CFR Part 902, to compromise collection action with respect to claims of the United States for money or property arising out of activities under their jurisdiction prior to the referral to the Department of Justice for litigation. Except as otherwise specifically provided, this authority can be redelegated no lower than the Bureau Chief Financial Officer. Bureaus may compromise collection action when the compromise meets the requirements established by the Federal Debt Collection Standards of 31 CFR Part 902.

A. Bureaus may compromise a debt within their jurisdiction when the principal balance of the debt does not exceed \$100,000 or any higher amount authorized by the Attorney General.

B. Bureaus must refer a debt that exceeds \$100,000, unless otherwise provided by law or any higher amount authorized by the U.S. Attorney General, to the Office of the Solicitor for referral to the Department of Justice. The authority to compromise a debt that exceeds \$100,000 rests with the Department of Justice (31 CFR Part 902). All requests to the Solicitor for referral to the Department of Justice must be accompanied by a Claims Collection Litigation Report prepared in accordance with 31 CFR 904.2. This requirement does not apply to compromising a debt of amounts owed that are determined or adjudicated through established administrative appeal procedures.

7.3 Exception for Debts Under Indian Financing Act of 1974. The Indian Financing Act of 1974 (IFA) authorizes the issuances of loans, guarantees, and loan insurance for the benefit of Indian tribes, businesses, and individuals. In cases of debt owed to the Federal Government as a consequence of such loans, guarantees or insurance, the IFA provides the Secretary plenary authority to cancel, compromise, or otherwise modify the debt. Under the IFA, there is no requirement to submit a proposed debt cancellation, compromise or modification to any other Federal agency or department including the Department of Justice, for approval or concurrence. Such debts will be processed in accordance with internal Department procedures and delegations of authority.

7.4 Amendment Authority. This chapter does not limit the authority delegated to the Assistant Secretary - Policy, Management and Budget and Departmental Chief Financial Officer by 209 DM 4. The Assistant Secretary - Policy, Management and Budget is authorized to amend, limit, suspend, or revoke any authority granted by or pursuant to the chapter. This authority may not be redelegated.