

## § 1011.2

Treasury and Justice and codified at 31 CFR parts 900-904.

*FMS* means the Financial Management Service, a bureau of the Treasury Department, which is responsible for the centralized collection of delinquent debts through the offset of Federal payments and other means.

*IRS* means the Internal Revenue Service.

*Paying agency* means any agency that is making payments of any kind to a debtor. In some cases, the Presidio Trust may be both the paying agency and the creditor agency.

*Person* means an individual, corporation, partnership, association, organization, state or local government, or any other type of entity other than a Federal agency.

*Private collection contractor* means a private debt collector under contract with an agency to collect a non-tax debt owed to the Presidio Trust.

*Salary offset* means a type of administrative offset to collect a debt owed by a Federal employee from the current pay account of the employee.

*Tax refund offset* means the reduction of a tax refund by the amount of a delinquent debt owed to the Presidio Trust.

*Treasury Department* means the United States Department of the Treasury.

*Treasury Offset Program* means the Treasury Department's program for withholding funds payable by the United States to a person to satisfy a debt owed by the person utilizing the Financial Management Service's system that compares information about payments with information about debts.

### § 1011.2 Why is the Presidio Trust issuing these regulations and what do they cover?

(a) *Scope.* The Presidio Trust is issuing these regulations to provide procedures for the collection of debts owed to the Presidio Trust. This part also provides procedures for collection of other debts owed to the United States when a request for offset of a Treasury payment is received by the Treasury Department from another agency (for example, when a Presidio Trust employee owes a debt to the

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United States Department of Education).

(b) *Applicability.* (1) This part applies to the Presidio Trust when collecting a debt and to persons who owe a debt to the Presidio Trust, or to Federal agencies requesting offset of a payment issued by the Presidio Trust as a paying agency (including salary payments to Presidio Trust employees).

(2) This part does not apply to tax debts.

(3) Nothing in this part precludes collection or disposition of any debt under statutes and regulations other than those described in this part.

(c) *Additional policies, guidelines and procedures.* The Presidio Trust may adopt additional policies, guidelines and procedures consistent with this part and other applicable law.

(d) *Duplication not required.* Nothing in this part requires the Presidio Trust to duplicate notices or administrative proceedings required by contract, this part or other laws or regulations.

(e) *Use of multiple collection remedies allowed.* The Presidio Trust may simultaneously use multiple collection remedies to collect a debt, except as prohibited by law. This part is intended to promote aggressive debt collection, using for each debt all available collection remedies. These remedies are not listed in any prescribed order to provide the Presidio Trust with flexibility in determining which remedies will be most efficient in collecting the particular debt.

(f) *Cross-servicing with the Treasury Department.* These regulations authorize the Presidio Trust to enter a cross-servicing agreement with the Treasury Department under which the Treasury Department will take authorized action to collect debts owed to the Presidio Trust.

### § 1011.3 Do these regulations adopt the Federal Claims Collections Standards?

This part adopts and incorporates all provisions of the FCCS. This part also supplements the FCCS by prescribing procedures consistent with the FCCS, as necessary and appropriate for Presidio Trust operations.