

with the procedures set forth in 38 CFR parts 19 and 20 and will contain the determination and information required by § 1.983(b)(1) through (5), (7), (9), (10), and (12) through (14). The notice will also state that the offset schedule under the procedures set forth in § 1.984 and such a request will stay the commencement of salary offset.

(c) * * *

(3) That the employee may request a waiver of the debt pursuant to 38 CFR 1.911(c)(2) subject to the time limits of 38 U.S.C. 5302.

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51. Section 1.983 is amended by revising paragraphs (b)(8) and (b)(13) to read as follows:

§ 1.983 Notice requirements before salary offsets of debts not involving benefits under laws administered by VA.

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(b) * * *

(8) The VA employee's right to request an oral or paper hearing on the Secretary or appropriate designee's determination of the existence or amount of the debt, or the percentage of disposable pay to be deducted each pay period, so long as a request is filed by the employee as prescribed by the Secretary. A VA Board of Contract Appeals Administrative Judge or Hearing Examiner shall conduct such a hearing for all VA employees. A VA Board of Contract Appeals Administrative Judge or Hearing Examiner, or any other VA hearing official, may also conduct an oral or paper hearing at the request of a non-VA employee on the determination by an appropriately designated official of the employing agency of the existence or amount of the debt, or the percentage of disposable pay to be deducted each pay period, so long as a hearing request is filed by the non-VA employee as prescribed by the employing agency.

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(13) The employee's right, if applicable, to request waiver under 5 U.S.C. 5584 and 38 CFR 1.963a and any other rights and remedies available to the employee under statutes or regulations governing the program for which the collection is being made; and

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§ 1.984 [Amended]

52. Section 1.984 is amended by:

A. In paragraph (a), removing "20 calendar days" and adding, in its place, "30 calendar days".

B. In paragraph (b), removing "20 day period" and adding, in its place, "30-day period".

§ 1.989 [Amended]

53. In § 1.989 paragraph (a) is amended by removing "20 calendar days" and adding, in its place, "30 calendar days".

§ 1.990 [Amended]

54. In § 1.990, paragraph (a) is amended by removing "20 calendar days" and adding, in its place, "30 calendar days".

55. Section 1.991 is amended by revising paragraph (d) to read as follows:

§ 1.991 Procedures for salary offset: when deductions may begin.

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(d) If an employee retires, resigns, or his or her employment ends before collection of the amount of the indebtedness is completed, the remaining indebtedness will be collected according to procedures for administrative offset (*see* 31 CFR 901.3, 38 CFR 1.912, and 5 CFR 831.1801 through 831.1808).

56. Section 1.992 is amended by revising paragraph (c) to read as follows:

§ 1.992 Procedures for salary offset.

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(c) *Imposition of interest, penalties, and administrative costs.* Interest, penalties, and administrative costs shall be charged in accordance with 31 CFR 901.9 and 38 CFR 1.915.

57. Section 1.995 is added to read as follows:

§ 1.995 Requesting recovery through centralized administrative offset.

(a) Under 31 U.S.C. 3716, VA and other creditor agencies must notify Treasury of all debts over 180 days delinquent so that recovery of such debts may be made by centralized administrative offset. This includes those debts that VA and other agencies seek from the pay account of an employee of another Federal agency via salary offset. Treasury and other disbursing officials will match payments, including Federal salary payments, against these debts. Where a match occurs, and all the requirements for offset have been met, the payment will be offset to satisfy the debt in whole or part.

(b) Prior to submitting a debt to Treasury for the purpose of collection by offset, including salary offset, VA shall provide written certification to Treasury that:

(1) The debt is past due and legally enforceable in the amount submitted to Treasury and that VA will ensure that any subsequent collections are credited to the debt and that Treasury shall be notified of such;

(2) Except in the case of a judgment debt or as otherwise allowed by law, the debt is referred to Treasury for offset within 10 years after VA's right of action accrues;

(3) VA has complied with the provisions of 31 U.S.C. 3716 and 38 CFR 1.912 and 1.912a including, but not limited to, those provisions requiring that VA provide the debtor with applicable notices and opportunities for a review of the debt; and

(4) VA has complied with the provisions of 5 U.S.C. 5514 (salary offset) and 38 CFR 1.980 through 1.994 including, but not limited to, those provisions requiring that VA provide the debtor with applicable notices and opportunities for a hearing.

(c) Specific procedures for notifying Treasury of debts for purposes of collection by centralized administrative offset are contained in the 31 CFR 285.7. VA and other creditor agencies may notify Treasury of debts that have been delinquent for 180 days or less, including debts that VA and other creditor agencies seek to recover from the pay of an employee via salary offset.

PART 2—DELEGATIONS OF AUTHORITY

1. The authority citation for part 2 continues to read as follows:

Authority: 5 U.S.C. 302, 552a; 38 U.S.C. 501, 512, 515, 1729, 1729A, 5711; 44 U.S.C. 3702, unless otherwise noted.

2. Section 2.6 is amended by:

A. Revising the heading of paragraph (c).

B. In paragraph (c)(1), removing the "Assistant Secretary for Finance and Information Resources Management" and adding, in its place, "Assistant Secretary for Management".

C. In paragraph (c)(2), removing the "Assistant Secretary for Finance and Information Resources Management" each time it appears and adding, in its place, "Assistant Secretary for Management".

D. Revising paragraph (d).

The revisions read as follows:

§ 2.6 Secretary's delegations of authority to certain officials (38 U.S.C. 512).

* * * * *

(c) *Office of Management.*

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(d) The Assistant Secretary for Management (Chief Financial Officer) is delegated authority to take appropriate action (other than provided for in paragraph (e)(3) and (e)(4) of this section) in connection with the collection of civil claims by VA for money or property, as authorized in § 1.900 *et seq.* The Assistant Secretary