In the section, the word "claim" is substituted for "debts" for consistency. The word "due" is omitted as unnecessary.

In subsection (a)(1), before clause (A), the word "paid" is substituted for "satisfied" for consistency. In clause (A)(i), the words "and the priority established shall extend as well to cases in which" are omitted because of the restatement. In clause (A)(ii), the word "property" is substituted for "estate and effects" to eliminate unnecessary words. The words "absconding, concealed, or" and "by process of law" are omitted as surplus.

In subsection (a)(2), the words "The priority established under . . . however" are omitted as surplus.

In subsection (b), the words "A representative of a person or an estate" are substituted for "executor, administrator, or assignee, or other" for clarity and to eliminate unnecessary words. The words "for whom or for which he acts", "satisfies and", and "from such person or estate" are omitted as surplus. The word "liable" is substituted for "answerable in his own person and estate" for consistency.

§ 3714. Keeping money due States in default

The Secretary of the Treasury shall keep the necessary amount of money the United States Government owes a State when the State defaults in paying principal or interest on investments in stocks or bonds the State issues or guarantees and that the Government holds in trust. The money shall be used to pay the principal or interest or reimburse, with interest, money the Government advanced for interest due on the stocks or bonds.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 972.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3714	31:207.	R.S. § 3481.

The word "amount" is substituted for "whole, or so much thereof" for clarity. The word "owes" is substituted for "due on any account from the . . . to" to eliminate unnecessary words. The words "or either" and "thereon" are omitted as surplus.

§ 3715. Buying real property of a debtor

The head of an agency for whom a civil action is brought against a debtor of the United States Government may buy real property of the debtor at a sale on execution of the real property of the debtor resulting from the action. The head of the agency may not bid more for the property than the amount of the judgment for which the property is being sold, and costs. The marshal of the district in which the sale is held shall transfer the property to the Government.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 972.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
3715	31:195.	R.S. § 3470; June 2, 1965, Pub. L. 89–30, § 5, 79 Stat. 119.

The words "by such agent as . . . shall appoint" are omitted as unnecessary. The word "agency" is substituted for "department or independent agency" because of the restatement. The words "for whom a civil action is brought" are substituted for "at whose instance suit was instituted" for consistency. The words "real property" are substituted for "lands or tene-ments" for clarity and consistency. The words "in behalf of the United States" are omitted as surplus. The words "for the property" are added for clarity. The word "property" is substituted for "such estate" for consistency in the section. The words "Whenever such purchase is made" are omitted as surplus. The words "transfer the property" are substituted for "make all needful conveyances, assignments, or transfers" to eliminate unnecessary words and for clarity.

§ 3716. Administrative offset

(a) After trying to collect a claim from a person under section 3711(a) of this title, the head of an executive, judicial, or legislative agency may collect the claim by administrative offset. The head of the agency may collect by administrative offset only after giving the debtor—

(1) written notice of the type and amount of the claim, the intention of the head of the agency to collect the claim by administrative offset, and an explanation of the rights of the debtor under this section;

(2) an opportunity to inspect and copy the records of the agency related to the claim;

(3) an opportunity for a review within the agency of the decision of the agency related to the claim; and

(4) an opportunity to make a written agreement with the head of the agency to repay the amount of the claim.

(b) Before collecting a claim by administrative offset, the head of an executive, judicial, or legislative agency must either—

(1) adopt, without change, regulations on collecting by administrative offset promulgated by the Department of Justice, the Government Accountability Office, or the Department of the Treasury; or

(2) prescribe regulations on collecting by administrative offset consistent with the regulations referred to in paragraph (1).

(c)(1)(A) Except as otherwise provided in this subsection, a disbursing official of the Department of the Treasury, the Department of Defense, the United States Postal Service, the Department of Health and Human Services, or any other government corporation, or any disbursing official of the United States designated by the Secretary of the Treasury, shall offset at least annually the amount of a payment which a payment certifying agency has certified to the disbursing official for disbursement, by an amount equal to the amount of a claim which a creditor agency has certified to the Secretary of the Treasury pursuant to this subsection.

(B) An agency that designates disbursing officials pursuant to section 3321(c) of this title is not required to certify claims arising out of its operations to the Secretary of the Treasury before such agency's disbursing officials offset such claims.

(C) Payments certified by the Department of Education under a program administered by the Secretary of Education under title IV of the Higher Education Act of 1965 shall not be subject to administrative offset under this subsection.

(2) Neither the disbursing official nor the payment certifying agency shall be liable—

(A) for the amount of the administrative offset on the basis that the underlying obligation, represented by the payment before the