

[CHAPTER 175—REPEALED]

[§§ 2901 to 2906. Repealed. Pub. L. 106-310, div. B, title XXXIV, § 3405(c)(1), Oct. 17, 2000, 114 Stat. 1221]

Section 2901, added Pub. L. 89-793, title I, § 101, Nov. 8, 1966, 80 Stat. 1438; amended Pub. L. 91-513, title III, § 1102(l), Oct. 27, 1970, 84 Stat. 1293; Pub. L. 92-420, § 2, Sept. 16, 1972, 86 Stat. 677; Pub. L. 98-473, title II, § 228(c), Oct. 12, 1984, 98 Stat. 2030, defined terms used in chapter.

Section 2902, added Pub. L. 89-793, title I, § 101, Nov. 8, 1966, 80 Stat. 1439, related to discretionary authority of court, examination, report, and determination by court, and termination of civil commitment.

Section 2903, added Pub. L. 89-793, title I, § 101, Nov. 8, 1966, 80 Stat. 1440, related to authority and responsibilities of the Surgeon General, institutional custody, aftercare, maximum period of civil commitment, and credit toward sentence.

Section 2904, added Pub. L. 89-793, title I, § 101, Nov. 8, 1966, 80 Stat. 1441, related to civil commitment not a conviction and use of test results.

Section 2905, added Pub. L. 89-793, title I, § 101, Nov. 8, 1966, 80 Stat. 1441, related to delegation of functions by Surgeon General and use of Federal, State, and private facilities.

Section 2906, added Pub. L. 89-793, title I, § 101, Nov. 8, 1966, 80 Stat. 1441, related to absence of offer by the court to a defendant of an election under section 2902(a) or any determination as to civil commitment not being reviewable on appeal or otherwise.

CHAPTER 176—FEDERAL DEBT COLLECTION PROCEDURE

Table with 2 columns: Subchapter and Sec. 1. Rows include A. Definitions and general provisions (3001), B. Prejudgment remedies (3101), C. Postjudgments 2 remedies (3201), D. Fraudulent transfers 2 (3301)

SUBCHAPTER A—DEFINITIONS AND GENERAL PROVISIONS

Table with 2 columns: Sec. and Description. Rows include 3001. Applicability of chapter, 3002. Definitions, 3003. Rules of construction, 3004. Service of process; enforcement; notice, 3005. Application of chapter to judgments, 3006. Affidavit requirements, 3007. Perishable personal property, 3008. Proceedings before United States magistrate judges, 3009. United States marshals' authority to designate keeper, 3010. Co-owned property, 3011. Assessment of surcharge on a debt, 3012. Joinder of additional defendant, 3013. Modification or protective order; supervision of enforcement, 3014. Exempt property, 3015. Discovery as to debtor's financial condition.

CHANGE OF NAME

"United States magistrate judges" substituted for "United States magistrates" in item 3008 pursuant to section 321 of Pub. L. 101-650, set out as a note under section 631 of this title.

§ 3001. Applicability of chapter

(a) IN GENERAL.—Except as provided in subsection (b), the 1 chapter provides the exclusive civil procedures for the United States—

1 Editorially supplied.

2 So in original. Does not conform to subchapter heading.

3 So in original. Probably should be "this".

(1) to recover a judgment on a debt; or (2) to obtain, before judgment on a claim for a debt, a remedy in connection with such claim.

(b) LIMITATION.—To the extent that another Federal law specifies procedures for recovering on a claim or a judgment for a debt arising under such law, those procedures shall apply to such claim or judgment to the extent those procedures are inconsistent with this chapter.

(c) AMOUNTS OWING OTHER THAN DEBTS.—This chapter shall not apply with respect to an amount owing that is not a debt or to a claim for an amount owing that is not a debt.

(Added Pub. L. 101-647, title XXXVI, § 3611, Nov. 29, 1990, 104 Stat. 4933.)

EFFECTIVE DATE

Section 3631 of title XXXVI of Pub. L. 101-647 provided that:

"(a) Except as provided in subsection (b), this Act [probably should be "title", meaning title XXXVI of Pub. L. 101-647, which enacted this chapter and section 2044 of this title, amended sections 550, 1962, 1963, and 2410 of this title, section 523 of Title 11, Bankruptcy, and sections 3142 and 3552 of Title 18, Crimes and Criminal Procedure, and enacted provisions set out as a note under section 1 of this title] and the amendments made by this Act [title] shall take effect 180 days after the date of the enactment of this Act [Nov. 29, 1990].

"(b)(1) The amendments made by title I of this Act [probably should be "subtitle A of this title", meaning subtitle A (§§ 3611, 3302 [3612]) of title XXXVI of Pub. L. 101-647, which enacted this chapter] shall apply with respect to actions pending on the effective date of this Act [probably should be title XXXVI of Pub. L. 101-647] in any court on—

"(A) a claim for a debt; or

"(B) a judgment for a debt.

"(2) All notices, writs, orders, and judgments in effect in such actions shall continue in effect until superseded or modified in an action under chapter 176 of title 28 of the United States Code, as added by title I of this Act [subtitle A of this title].

"(3) For purposes of this subsection—

"(A) the term 'court' means a Federal, State, or local court, and

"(B) the term 'debt' has the meaning given such term in section and [sic] 3002(3) of such chapter."

§ 3002. Definitions

As used in this chapter:

(1) "Counsel for the United States" means—

(A) a United States attorney, an assistant United States attorney designated to act on behalf of the United States attorney, or an attorney with the United States Department of Justice or with a Federal agency who has litigation authority; and

(B) any private attorney authorized by contract made in accordance with section 3718 of title 31 to conduct litigation for collection of debts on behalf of the United States.

(2) "Court" means any court created by the Congress of the United States, excluding the United States Tax Court.

(3) "Debt" means—

(A) an amount that is owing to the United States on account of a direct loan, or loan insured or guaranteed, by the United States; or

(B) an amount that is owing to the United States on account of a fee, duty, lease, rent,