

## RESOLUTION

WHEREAS, the Federal Claims Collection Act of 1966, as amended by the Debt Collection Act of 1982 and by the Debt Collection Improvement Act of 1996 (DCIA), 31 U.S.C. §§ 3701 *et seq.*, requires federal agencies to promulgate regulations specifying procedures for the collection of delinquent debts by means of administrative offset, salary offset, administrative wage garnishment, and tax refund offset;

WHEREAS, the Federal Deposit Insurance Corporation (FDIC) has determined that it is a federal agency for purposes of the DCIA;

WHEREAS, to implement the DCIA, the Board of Directors (Board), effective August 24, 2002, adopted a final rule pursuant to Resolution Number 070986 adding a new Part 313 to Title 12 of the Code of Federal Regulations, Chapter III, Subchapter A, entitled “Procedures for Corporate Debt Collection;”

WHEREAS, the staff has recommended that the Board of Directors (Board) adopt amendments to Part 313 to add new procedures to enable the FDIC to refer delinquent criminal restitution debt for collection to the Treasury Offset Program administered by the Financial Management Service (FMS) of the Department of the Treasury; and

WHEREAS, the proposed amendments relate solely to agency procedure and practice and therefore may be published in the Federal Register as a final rule effective upon publication without prior notice or an opportunity for public comment;

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby adopts the attached Federal Register document amending 12 C.F.R. Part 313 of the FDIC's rules and regulations to authorize the FDIC to refer delinquent criminal restitution debt for collection to FMS and

authorizes its publication in the Federal Register;

BE IT FURTHER RESOLVED, that these amendments to Part 313 shall become effective upon publication in the Federal Register; and

BE IT FURTHER RESOLVED, that the Board hereby delegates authority to the Executive Secretary, or his designee, and to the General Counsel, or his designee, to make technical, non-substantive, or conforming changes to the text of the attached Federal Register document to ensure that the FDIC may publish this document in the Federal Register and to take such other action and issue such other documents related to the foregoing as they deem necessary or appropriate to fulfill the Board's objectives in connection with this matter.