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EXECUTIVE SUMMARY

The Department of Justice (Department) collects on court-ordered judgments, contractual agreements and settlement agreements, on behalf of the Department of the Treasury and other Federal agencies, and is responsible for collecting from debtors who have defaulted on their responsibility to repay their debts, as well as ensuring the timely collection of current judgments and settlements. Such debts arise from the numerous Federal programs where Federal agencies loan money directly, or guarantee or ensure loans from private financial institutions. The Department also collects amounts due to the United States from fees, leases, services, overpayments, civil penalties, and other similar sources. In addition, the Department must enforce the financial judgments entered by the courts as the result of criminal litigation. The Department’s efforts are conducted by the U.S. Attorneys’ Offices, including Private Counsel firms (Private Counsel or PC) and the Department’s litigating divisions. The management, accounting, disbursement and reporting of these debts is the responsibility of the Justice Management Division’s Debt Collection Management Staff.

In 1986, the Federal Debt Recovery Act (FDRA) provided the Attorney General with the authority to retain at least four Private Counsel to represent the Department in its efforts to collect from federal debtors in each of up to ten Federal judicial districts as a pilot program to run for three years. The Debt Collection Improvement Act of 1996 expanded the use of Private Counsel by stating the Attorney General has permanent authority to contract with as few or as many Private Counsel in as many judicial districts as he deems appropriate. As of the end of Fiscal Year (FY) 2019, Private Counsel were retained by the Private Counsel Program in 20 Federal judicial districts with 33 Private Counsel Offices participating.

This report provides information on civil debt collection activity by the Department for FY 2019. Included is information on new debts referred to the Department during the fiscal year, collections made on existing debts, debts closed during the fiscal year, and the balance of outstanding civil debts as of the end of the fiscal year. Information is provided, broken out by the agencies that referred the debt to the Department, and is shown for overall debts handled by the Department and debts assigned to Private Counsel. Agency specific details can be found in the appendix at the back of the report.
STATUTORY REQUIREMENTS

As Required by
31 United States Code Section 3718(6)(c)
and Amended in the Debt Collection Improvement Act, 1996

The requirement for this annual report originated in 31 U.S.C. § 3718, Contracts for collection services, which focuses on the use of contracts in retaining Private Counsel to provide legal services, including representation in negotiation, compromise, settlement, and litigation, in the case of any claim of indebtedness owed the United States. This was amended in 1996 by the Debt Collection Improvement Act (PL 104-134).

Reporting Requirement

The Attorney General shall transmit to the Congress an annual report on the activities of the Department of Justice to recover indebtedness owed the United States which was referred to the Department for collection. Each such report shall include a list, by agency, of—

(1) the total number and amounts of claims which were referred for legal services to the Department and to Private Counsel under subsection (b) during the 1-year period covered by the report;
(2) the total number and amount of those claims referred for legal services to the Department which were collected or were not collected or otherwise resolved during the 1-year period covered by the report; and
(3) the total number and amount of those claims referred for legal services to Private Counsel under subsection (b)—
   (A) which were collected or were not collected or otherwise resolved during the 1-year period covered by the report;
   (B) which were not collected or otherwise resolved under a contract terminated by the Attorney General during the 1-year period covered by the report; and
   (C) on which the Attorney General terminated the Private Counsel’s representation during the 1-year period covered by the report without terminating the contract with the Private Counsel under which the claims were referred.

This Annual Civil Debt Collection Activity Report to Congress (Annual Report to Congress) fulfills the statutory requirement.
INSIDE THE NUMBERS

The FY 2019 Annual Report to Congress was redesigned to provide a more useful, accurate, and detailed breakout of Department civil debt collection information. Key changes include:

• Revised methodologies for all data categories in the Annual Report to Congress to provide information that is more accurate and transparent. For example, debts subsequently closed as “opened in error” are excluded. Debt balances and counts include corrective adjustments. Additional system enhancements have also contributed to improved data quality.

• Refined the Annual Report to Congress by breaking out referral data into two groups, “Referred,” and “Opened.” In previous Annual Reports to Congress, the “Referred” data point only included cases “Opened” by the Department. Due to varying case processing times, there is often a delay between the time a case is “Referred” from an agency and “Opened” by the Department.

  o Referred cases are cases referred to the Department from another agency during the fiscal year.*
  o Opened cases are cases opened by the Department during the fiscal year. This can include cases referred in previous fiscal years, but not opened until the current fiscal year.*

• Expanded Private Counsel data analyses, to include trend charts and additional highlights.

• Created a new section highlighting the top eight agencies relative to the amount of money collected from those debts.

  o This section maps the identifying the geographic disbursement of active cases related to a particular agency; highlights changes in debt collection numbers from the previous year; identifies the number and types of cases opened; and breaks out active case totals to show overall Department cases and those sent to Private Counsel firms.

• Consolidated appendices placing all data into two, easier to read tables for all department wide civil debt collection activities and for Private Counsel activities.
Fiscal Year Summary

$10.07 billion was collected department wide. $23.78 million was collected by Private Counsel firms.

4,982 debts were opened, totaling $14.68 billion. Of those, 414 debts, totaling $32.8 million were assigned to Private Counsel firms.

9,654 cases were closed department wide. 4,252 cases were closed by Private Counsels.

There are currently 39,604 active cases, totaling $26.89 billion. Of those, 20,846 debts, totaling $503.7 million are assigned to Private Counsel firms.

5,762 debts were referred for collection.

Note: No Private Counsel terminations occurred during this time-period.
Number of Civil Debt Referrals by Fiscal Year

The FY 2019 decrease in referrals and debts opened is due to the steep decline of Department of Education (ED) cases referred to the Department for collection. ED referrals overall decreased by 94% from FY18 to FY19, with a 99% decrease in student loan cases.

Balance of Civil Debts Opened by Fiscal Year

The balance of debts opened has remained steady despite the decrease in volume from ED. This is primarily because the Department opened more cases with high balances, which offset the overall decrease in volume.
The amount of collections decreased by 26% from FY 2018 to 2019. Collections were down due to the receipt and subsequent collections from fewer high dollar cases than in previous years.

Closures have been on an upward trend annually since 2016 due to improved efforts between the Department and referring agencies, as well as improved internal processes. The dramatic increase in 2018 closures (up 38% from prior year), was due in part to efforts implemented by the Department’s Private Counsel Program, in conjunction with the Executive Office of the United States Attorneys that identified likely uncollectable cases, and returned those cases to the referring agency for continued surveillance and monitoring.
The number of active civil debts continues to decrease each year. The number of debts decreased by 11% between FY 2018-2019. This is a direct result of fewer referrals and improved collection practices resulting in an increased number of closures.

The balance of active civil debts has increased over the past several years. The increase from FY 2018-19 was due in part to the opening of a large dollar case during the fiscal year.
Top Eight Agencies by Number of Referrals

- Internal Revenue Service: 1,515
- Department of Health and Human Services: 1,325
- Department of Agriculture: 807
- Department of the Treasury: 537
- Department of Justice: 370
- Environmental Protection Agency: 292
- Department of Housing and Urban Development: 287
- Department of Defense: 119
Top Eight Agencies by Number of Cases Closed

- Department of Education: 4,518
- Department of Health and Human Services: 1,511
- Internal Revenue Service: 1,024
- Department of Agriculture: 688
- Department of Justice: 508
- Department of the Treasury: 313
- Department of Housing and Urban Development: 311
- Department of Veterans Affairs: 123

Top Eight Agencies by Amount Collected

- Department of Health and Human Services: $3,245,004,033
- Department of Justice: $2,631,811,489
- Department of the Treasury: $1,511,178,338
- Environmental Protection Agency: $518,903,300
- Department of Interior: $507,777,558
- Department of Defense: $390,382,309
- Internal Revenue Service: $185,753,296
- Department of Housing and Urban Development: $124,891,737
Top Eight Agencies by Balance of Active Cases

- Department of Interior: $6,039,604,191
- Department of Justice: $5,828,580,942
- Internal Revenue Service: $4,197,616,118
- Department of Education: $2,326,340,569
- Department of Health and Human Services: $615,021,810
- Department of the Treasury: $566,711,343
- Department of Transportation: $552,074,608
- Department of Agriculture: $329,453,203

Top Eight Agencies by Number of Active Cases

- Department of Education: 27,487
- Internal Revenue Service: 3,172
- Department of Health and Human Services: 3,137
- Department of Agriculture: 1,142
- Department of the Treasury: 1,107
- Social Security Administration: 419
- Department of Housing and Urban Development: 345
Private Counsel Civil Debt Collections by Fiscal Year

<table>
<thead>
<tr>
<th>Year</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>2015</td>
<td>$26.32M</td>
</tr>
<tr>
<td>2016</td>
<td>$24.72M</td>
</tr>
<tr>
<td>2017</td>
<td>$22.93M</td>
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<td>2018</td>
<td>$25.26M</td>
</tr>
<tr>
<td>2019</td>
<td>$23.78M</td>
</tr>
</tbody>
</table>

Private Counsel collections have remained consistent over the past five fiscal years. The five year PC collections average is $24.60 million.

In FY19, the number of referrals from ED decreased to one (down 99.1% from FY18). Private Counsel ED case closures slightly decreased to 3,659 closures in FY19 (down 19% from FY18). Department of Agriculture referrals also dropped from 382 in FY18 to 144 in FY19. The number of Department of the Treasury referrals assigned to PCs increased to 231 in FY19 up from 14 in FY18.

Private Counsel Top Opened/Closed Case Ratio Changes

Private Counsel Number of Active Civil Debts by Fiscal Year

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<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>42.46K</td>
</tr>
<tr>
<td>2016</td>
<td>40.50K</td>
</tr>
<tr>
<td>2017</td>
<td>32.38K</td>
</tr>
<tr>
<td>2018</td>
<td>29.90K</td>
</tr>
<tr>
<td>2019</td>
<td>20.85K</td>
</tr>
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</table>

As a result of PC collections, dispositioning of debts, and the steady decrease in referrals, the number of active debts assigned to PCs has decreased. In FY19, the active debt count dropped by 30.28% from FY18. However, active cases assigned to PCs still make up 53% of all active civil debts.
DEBT COLLECTION MANAGEMENT

$390,382,309
Total Collected

Active Cases by Collection District

Fiscal Year Stats

119 Debts Referred
FY Change: ▲60.81%

119 Debts Opened
FY Change: ▲65.3%

104 Debts Closed
FY Change: ▼-1.887%

249 Debts Active
FY Change: ▲6.410%

Top Debt Types Opened

Active Balance

$99,208,699
Active Balance

Private Counsel:
$787,354

Department:
$98,421,345
**ANNUAL REPORT TO CONGRESS FY 2019**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

$3,245,004,033  
Total Collected

**Active Cases by Collection District**

<table>
<thead>
<tr>
<th>Low</th>
<th>High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Active PC Cases</td>
<td></td>
</tr>
</tbody>
</table>

**Fiscal Year Stats**

- **1,325** Debts Referred  
  *FY Change: ▼ 9.122%*

- **1,328** Debts Opened  
  *FY Change: ▼ 9.1%*

- **1,511** Debts Closed  
  *FY Change: ▼ 5.503%*

- **3,137** Debts Active  
  *FY Change: ▼ 5.512%*

**Top Debt Types Opened**

<table>
<thead>
<tr>
<th>Type</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Tort</td>
<td>Medicare Fraud</td>
</tr>
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</table>

**Active Balance**

- **$2,326,340,569** Active Balance

- **Department:** $2,248,305,689

Private Counsel: $78,034,880

© 2020 Mapbox © OpenStreetMap
$124,891,737
Total Collected

Active Cases by Collection District

Fiscal Year Stats

287
Debts Referred
FY Change: ▼ -9.748%

280
Debts Opened
FY Change: ▲ 26.1%

311
Debts Closed
FY Change: ▲ 48.10%

345
Debts Active
FY Change: ▼ -8.245%

Top Debt Types Opened

Active Balance

Department: $167,563,874
Private Counsel: $10,109,024

$177,672,898
Active Balance
$507,777,558
Total Collected

Active Cases by Collection District

Fiscal Year Stats

46 Debts Referred
FY Change: ▲12.20%

18 Debts Opened
FY Change: ▼-45.5%

21 Debts Closed
FY Change: ▼-56.25%

49 Debts Active
FY Change: ▼-5.769%

Top Debt Types Opened

Bankruptcy

Debts Referred

Debts Opened

Debts Closed

Debts Active

Active Balance

$6,039,604,191
Active Balance

Private Counsel: $0

Department:
$6,039,604,191
DEBT COLLECTION MANAGEMENT

ANNUAL REPORT TO CONGRESS FY 2019

DEPARTMENT OF JUSTICE

$2,631,811,489
Total Collected

Active Cases by Collection District

Fiscal Year Stats

370
Debts Referred
FY Change: ▼ -6.329%

385
Debts Opened
FY Change: ▼ -3.3%

508
Debts Closed
FY Change: ▲ 54.88%

1,006
Debts Active
FY Change: ▼ -10.89%

Top Debt Types Opened

Debt Surcharge
Civil Penalty

Active Balance

$5,828,580,942
Active Balance

Department: $5,828,034,936

Pennsylvania

Referrals and Recoveries

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Private Counsel:
$546,006
DEPARTMENT OF THE TREASURY

$1,511,178,338
Total Collected

Active Cases by Collection District

Fiscal Year Stats

537
Debts Referred
FY Change: ▲113.9%

536
Debts Opened
FY Change: ▲113.5%

313
Debts Closed
FY Change: ▲14.65%

1,107
Debts Active
FY Change: ▲25.23%

Top Debt Types Opened

Other Claims Related to Federal Assistance Programs
Civil Penalty

Active Balance

$566,711,343
Active Balance

Department: $541,812,430

Private Counsel: $24,898,913
ENVIRONMENTAL PROTECTION AGENCY

$518,903,300
Total Collected

Active Cases by Collection District

Fiscal Year Stats

292
Debts Referred
FY Change: ▲18.70%

103
Debts Opened
FY Change: ▼-4.6%

234
Debts Active
FY Change: ▼-5.645%

Top Debt Types Opened

Environmental
Bankruptcy

Active Balance

$245,356,892
Active Balance

Department:
$245,356,892

Private Counsel:
$0
ANNUAL REPORT TO CONGRESS FY 2019

INTERNAL REVENUE SERVICE

$185,753,296
Total Collected

Active Cases by Collection District

Fiscal Year Stats

1,515
Debts Referred
FY Change: ▼ -5.372%

1,244
Debts Opened
FY Change: ▼ -2.1%

1,024
Debts Closed
FY Change: ▼ -17.95%

3,172
Debts Active
FY Change: ▲ 7.453%

Top Debt Types Opened

Tax

Active Balance

$4,197,616,118
Active Balance

Private Counsel:
$0

Department:
$4,197,616,118

U.S. DEPARTMENT OF JUSTICE • justice.gov/jmd/debt-collection-management-staff
<table>
<thead>
<tr>
<th>Agency</th>
<th>Collections</th>
<th>Debts Closed</th>
<th>Referrals</th>
<th>Debts Opened</th>
<th>Opened Balance</th>
<th>Active</th>
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<td>All Other Independent Agencies</td>
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<td>370</td>
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<td>536</td>
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### Appendix A: Departmentwide Stats

<table>
<thead>
<tr>
<th>Agency</th>
<th>Collections</th>
<th>Debts Closed</th>
<th>Referrals</th>
<th>Debts Opened</th>
<th>Opened Balance</th>
<th>Active</th>
<th>Active Balance</th>
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<td><strong>Federal Housing Finance Agency</strong></td>
<td>$8,568,000</td>
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<td>4</td>
<td>$8,568,000</td>
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<td>$31,194</td>
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<td>1</td>
<td>$10,000,000</td>
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<td><strong>Federal Trade Commission</strong></td>
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<td>5</td>
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# Appendix B: Private Counsel Stats

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