

**NATIONWIDE
CENTRAL INTAKE FACILITY
BRIEFING MATERIAL
FOR
FEDERAL AGENCIES**

**Department of Justice
Debt Collection Management Staff
Nationwide Central Intake Facility
2 Constitution Square
145 N Street, NE
Washington, DC 20530
(800) 683-6567
(202) 532-4343**

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NATIONWIDE CENTRAL INTAKE FACILITY (NCIF)

Beginning on October 1, 1990, all client agencies were instructed to refer their civil debts with a principal amount of \$500,000 or less to the NCIF instead of directly to one of the 94 USAOs for litigation. **(The amount increased to \$1,000,000.00 on April 6, 1995.)** The NCIF would pass them on to the appropriate USAO or private counsel.

Except where the debtors had already filed bankruptcy, all such referrals under the Federal Claims Collection Standards, 31 C.F.R. Part 904, were thereafter to be sent to the Department's NCIF.

The opening of the NCIF enabled the Department to accumulate a single, central, automated database of debts and demonstrate to Treasury and OMB better accuracy of the agency's data.

The NCIF has also enabled the Department to provide the referring agencies with reports on the debts referred, the litigating office handling the debt, and information on the disposition of closed debts.

As of October 1, 1991, referring agencies were to send bankruptcy referrals through the NCIF using the newly revised Claims Collection Litigation Report (CCLR).

TYPES OF CASES TO SEND TO THE NCIF

Agencies are to send the cases described below to the NCIF:

- Referrals for the litigation and collection of civil debts when the principal amount is \$1,000,000 or less, submitted according to Section 105.1(a) of the Federal Claims Collection Standards, 31 C.F.R., Chapter IX, Part 904 (Authority to litigate claims with a principal amount over \$1,000,000 is reserved for the Civil Division's Commercial Litigation Branch).
- Bankruptcy cases where agencies are asking for some action by the USAO, even just requesting that a Proof of Claim be filed on their behalf.

TYPES OF CASES NOT TO SEND TO THE NCIF

Agencies are not to send "exception" cases to the NCIF. These exceptions include:

- a) Antitrust Cases
- b) Environment and Natural Resources Cases

- c) Tax Cases
- d) Fraud Cases
- e) Interagency Claims
- f) Referrals for Renewal of Judgment Lien Only
- g) Referrals seeking only DOJ's concurrence of the agency's proposal to Suspend or Terminate action to collect the claim.

These "exception" cases will continue to be sent directly to the U.S. Attorney of jurisdiction, or to the proper litigating division at the Department. The data from these "exception" cases will not initially be entered into the CDCS system.

Any "exception" cases received through the NCIF will be forwarded to the appropriate division or returned to the referring agency.

THE NCIF PROCESS

SCREENING OF REFERRAL PACKAGES

NCIF Mailing Address: Department of Justice
Nationwide Central Intake Facility
P. O. Box 65720
Washington, DC 20035

- All incoming referral packages are date stamped immediately upon receipt.
- Based on the CCLR, the Zip Code of the debtor's address (or property address, if a foreclosure case) is used to verify the judicial district to which your agency directed the referral.
- The date provided for the statute of limitations is checked to ensure immediate processing when expiration is nearing.
- The initial quality control screening at the NCIF checks referrals for the following:
 - Must contain a completed CCLR.
 - Statute of Limitations date must be a future date.
 - Amount of **principal** referred must be greater than \$2500, unless:
 - a) A bankruptcy claim;
 - b) A "piggyback" claim (a claim that accompanies one or more other claims for the same debtor from the same agency);

- c) Other exception as noted on CCLR by the referring agency; or
- d) Referral to one of the 19 private counsel districts:

California Central (Los Angeles)	California Northern (San Francisco)
Connecticut (Foreclosures only)	District of Columbia
Florida Southern (Miami)	Florida Northern (Tampa)
Illinois Northern (Chicago)	Michigan Eastern (Detroit)
New Jersey (Newark)	New York Eastern (Brooklyn)
New York Northern (Syracuse)	New York Western (Buffalo)
Pennsylvania Eastern (Philadelphia)	Pennsylvania Middle (Scranton)
Pennsylvania Western (Pittsburgh)	Puerto Rico
South Carolina	Texas Southern (Houston)

- In most cases, must contain credit data on the debtor obtained within the past 6 months or evidence of verified employment or debtor asset information. (Please see the CCLR instructions for exceptions.)
- Certificates of Indebtedness must have original signatures. Referrals with principal amounts over \$1,000,000.00 should be mailed directly to the Civil Division.
- Requests for DOJ Concurrence on Compromise, Suspension or Termination for debts over \$100,000.00 should be mailed directly to the Civil Division.

Civil Division Address:

U. S. Department of Justice
 Civil Division
 Office of Commercial Litigation
 P. O. Box 875
 Ben Franklin Station
 Washington, DC 20044

WHAT TO EXPECT AFTER FILING A CLAIM

- Referral packages are sent to the new claims entry processing section where claim information is entered into the Consolidated Debt Collection System (CDCS).
- Referrals that do not comply with the screening criteria are entered into the database as declinations. "Client Agency Declination" letters are generated and returned to the referring agency with the referral package.
- Referrals that comply with the NCIF screening criteria are entered into CDCS.
 - a) "Client Agency Acknowledgment" letters are generated for each claim. These letters acknowledge receipt of the claim by the NCIF, and report the date referred and the judicial district to which the claim was referred.
 - b) The entire package is then mailed to the Financial Litigation Unit in the USAO of jurisdiction or to a Private Counsel Office litigating on behalf of the Justice Department.
 - c) Referrals that comply with the NCIF screening criteria may be subject to immediate declination after review by the USAO. *(The USAO returns declined claims directly to the referring agency and notifies the NCIF of the declination.)*

CASES ASSIGNED TO SPECIAL ASSISTANT U.-S. ATTORNEYS

- The NCIF is designed to track ALL cases that are being litigated by the Department of Justice's USAOs. This INCLUDES cases assigned to Special Assistant U. S. Attorneys (SAUSAs).
- DOJ's Debt Collection Management Staff has advised agencies that they must send the NCIF a "copy" of the CCLR when referrals will be assigned to a Special Assistant U.S. Attorney (SAUSA) so that the NCIF can enter the claim into CDCS. In such cases, we ask you to indicate on the CCLR that the claim is assigned to a Special Assistant U.S. Attorney.
- Once the NCIF enters these cases, the NCIF "Client Agency Acknowledgment" letters are generated for each claim and mailed to the referring agency office.

This procedure alerts the U.S. Attorneys to cases that are being litigated on their behalf by SAUSAs.

WHAT AGENCIES CAN DO TO HELP

- Always use the most recent [CCLR](#), and follow the [CCLR Instructions](#).
- Avoid sending duplicate referrals to the USAO and the NCIF unless a time problem is involved.
- When phone calls are received from debtors whose debts have been referred to DOJ, direct them to the USAO to which the case was referred, **NOT** to the NCIF.
- Once a case has been referred through the NCIF, forward any follow up documents or information directly to the responsible USAO, **NOT** to the NCIF.
- Refer to the new Federal Claims Collection Standards, 31 CFR, Chap IX, Part 904, Referrals to Department of Justice. You can download this document at http://www.access.gpo.gov/nara/cfr/waisidx_02/31cfr904_02.html.

Note: *Once you refer a debt to the Department of Justice, you must immediately terminate the use of any administrative collection activities, refrain from having any contact with the debtor, and direct all debtor inquiries concerning the debt to the Department of Justice. You should also inform DOJ of any payments credited to the debtor's account after referral to DOJ.*

- When you want to renew a Judgment Lien already referred to DOJ, contact the U. S. Attorney directly, **NOT** the NCIF.

BANKRUPTCY REFERRAL PROCEDURES

- If your agency files a Proof of Claim (POC), DOJ does not need to be notified.
- If your agency requests that the USAO file **only** a Proof of Claim on your behalf, you **MUST** complete and submit the following information to the NCIF:
 - a) Complete only the first page of the CCLR (Claim at a Glance page) noting the pertinent bankruptcy information in Blocks 1-11. In addition, you should note "**POC only**" in the blank space found in Block 8-b.
 - b) In Block 9-a (Amount of Claim) complete all applicable spaces. This information should represent the amount(s) found on the Proof of Claim; or an estimate of the amount owed. **DO NOT** modify Item 9-a, the financial components directly relate to fixed fields in a computer database.
 - c) Attach a copy of the Proof of Claim.
- When your agency requests that the USAO do **more** than just file the Proof of Claim, you **MUST** submit information to the NCIF as follows:
 - a) Complete **all** applicable portions of the **ENTIRE** CCLR.
 - b) Attach a copy of the Proof of Claim and other pertinent documents.

IMPORTANT NOTE: If the filing deadline is within thirty (30) days, you should send the original information directly to the USAO.

- When your agency receives notice of a bankruptcy filing on a case already referred through the NCIF, notify the USAO directly in order to avoid duplication in counting cases.

BENEFITS TO CLIENT AGENCIES

The NCIF provides:

- A single, central location for processing and forwarding of civil referrals.
- A single contact point for dealing with misdirected or problem referrals.
- Consistency in requirements for preparing acceptable referral packages for DOJ.
- The ability to obtain reports by client agency department, division or location for use in verifying referral data and reconciling data discrepancies.
- Consolidated data and accountability of debt collection actions and transactions in the CDCS database.

DEBARMENT PROVISION OF THE FEDERAL DEBT COLLECTION PROCEDURES ACT (FDCPA)

- A debarment provision within the Federal Debt Collection Procedures Act of 1990 (FDCPA) 28 U.S.C. § 3201(e), provides that people who have defaulted on their obligations to repay previous federal financial assistance, and against whom the DOJ has secured a judgment for their federal debt, may not be eligible for certain further federal financial benefits, until the judgments outstanding against them are paid in full or otherwise satisfied.