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## 28 U.S. Code § 3002 - Definitions

U.S. Code      Notes

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, service, sale of real or personal property, overpayment, fine, assessment, penalty, restitution, damages, interest, tax, bail bond forfeiture, reimbursement, recovery of a cost incurred by the United States, or other source of indebtedness to the United States, but that is not owing under the terms of a contract originally entered into by only persons other than the United States;



there is a claim for a debt.

**(5)** "Disposable earnings" means that part of earnings remaining after all deductions required by law have been withheld.

**(6)** "Earnings" means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonus, or otherwise, and includes periodic payments pursuant to a pension or retirement program.

**(7)** "Garnishee" means a person (other than the debtor) who has, or is reasonably thought to have, possession, custody, or control of any property in which the debtor has a substantial nonexempt interest, including any obligation due the debtor or to become due the debtor, and against whom a garnishment under section 3104 or 3205 is issued by a court.

**(8)** "Judgment" means a judgment, order, or decree entered in favor of the United States in a court and arising from a civil or criminal proceeding regarding a debt.

**(9)** "Nonexempt disposable earnings" means 25 percent of disposable earnings, subject to section 303 of the Consumer Credit Protection Act.

**(10)** "Person" includes a natural person (including an individual Indian), a corporation, a partnership, an unincorporated association, a trust, or an estate, or any other public or private entity, including a State or local government or an Indian tribe.

**(11)** "Prejudgment remedy" means the remedy of attachment, receivership, garnishment, or sequestration authorized by this chapter to be granted before judgment on the merits of a claim for a debt.

**(12)** "Property" includes any present or future interest, whether legal or equitable, in real, personal (including choses in action), or mixed property, tangible or intangible, vested or contingent, wherever located and however held (including community property and property held in trust (including spendthrift and pension trusts)), but excludes—

**(13)** "Security agreement" means an agreement that creates or provides for a lien.

**(14)** "State" means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Marianas, or any territory or possession of the United States.

**(15)** "United States" means—

**(A)** a Federal corporation;

**(B)** an agency, department, commission, board, or other entity of the United States; or

**(C)** an instrumentality of the United States.

**(16)** "United States marshal" means a United States marshal, a deputy marshal, or an official of the United States Marshals Service designated under section 564.

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

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