



28 U.S. Code § 3002 - Definitions

U.S. Code Notes

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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](#);

and [includes](#) any amount owing to the [United States](#) for the benefit of an Indian tribe or individual Indian, but excludes any amount to which the [United States](#) is entitled under section 3011(a).

(4) “[Debtor](#)” means a [person](#) who is liable for a [debt](#) or against whom 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—

(A) [property](#) held in trust by the [United States](#) for the benefit of an Indian tribe or individual Indian; and

(B) Indian lands subject to restrictions against alienation imposed by the [United States](#).

(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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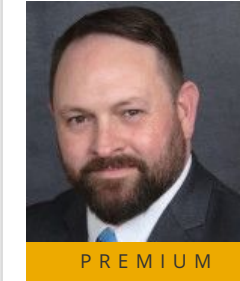
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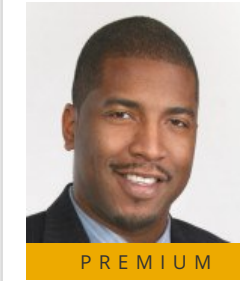
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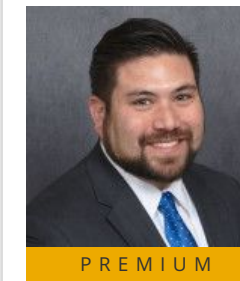
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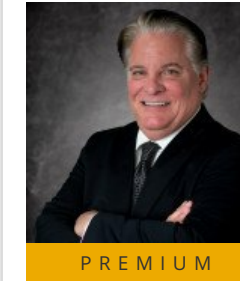
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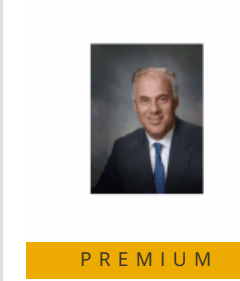
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