

# DEBT COLLECTION IMPROVEMENT ACT

31 CFR 208

## Waivers – Section 208.4

Payment by electronic funds transfer is not required in the following circumstances:

- (a) Where an individual determines, in his or her sole discretion, that payment by electronic funds transfer would impose a hardship due to a physical or mental disability or a geographic, language, or literacy barrier, or would impose a financial hardship. In addition, the requirement to receive payment by electronic funds transfer is automatically waived for all individuals who do not have an account with a financial institution and who are eligible to open an ETA (SM) under Sec. 208.5, until such date as the Secretary determines that the ETA (SM) is available;
- (b) Where the political, financial, or communications infrastructure in a foreign country does not support payment by electronic funds transfer;
- (c) Where the payment is to a recipient within an area designated by the President or an authorized agency administrator as a disaster area. This waiver is limited to payments made within 120 days after the disaster is declared;
- (d) Where either:
  - (1) A military operation is designated by the Secretary of Defense in which uniformed services undertake military actions against an enemy, or
  - (2) A call or order to, or retention on, active duty of members of the uniformed services is made during a war or national emergency declared by the President or Congress;
- (e) Where a threat may be posed to national security, the life or physical safety of any individual may be endangered, or a law enforcement action may be compromised;
- (f) Where the agency does not expect to make more than one payment to the same recipient within a one-year period, i.e., the payment is non-recurring, and the cost of making the payment via electronic funds transfer exceeds the cost of making the payment by check; and
- (g) Where an agency's need for goods and services is of such unusual and compelling urgency that the Government would be seriously injured unless payment is made by a method other than electronic funds transfer; or, where there is only one source for goods or services and the Government would be seriously injured unless payment is made by a method other than electronic funds transfer.