

Reclamation Manual

Directives and Standards

SAMPLE LETTER NOTICE OF INTENT TO OFFSET

(Date letter mailed)

(Name of debtor)

(Address of debtor)

RE: Debt Due the Bureau of Reclamation in the amount of \$ _____
Bill No. _____, Due (date past due)

Dear _____:

You have not paid the amount you owe to the Bureau of Reclamation. (Explain nature of debt). If you do not pay your debt or take other action described below before (Date - 60 days from the date of the letter), the Bureau of Reclamation will submit your debt to the Treasury Offset Program. We will continue to add interest, penalties, and other charges to your unpaid debt. (If not previously provided, explain agency policy on IPA).

TREASURY OFFSET PROGRAM (TOP): Once your debt is submitted to the TOP, the Department of Treasury will reduce or withhold any of your eligible Federal payments by the amount of your debt. This process is authorized by the Debt Collection Improvement Act of 1996. Treasury is not required to send you notice before your payment is offset. Federal payments eligible for offset include:

- Your income tax refunds (joint or individual);
- Your Federal salary pay, including military payment;
- Your Federal retirement, including military retirement pay;
- Your contractor/vendor payments;
- Certain Federal benefit payments, such as Social Security and Railroad Retirement;
- Other Federal payments, including certain loans that are not exempt from offset.

Before we submit your debt to the TOP, we are required to tell you that you may (1) inspect and copy our records related to your debt; (2) request a review of our determination that you owe this debt, (if allowed) request a waiver of all or a part of the debt; (3) be entitled to a hearing if we determine that a hearing is required; and (4) enter into an acceptable written repayment agreement.

To avoid being referred to Treasury, you must do one of the following within 30 days:

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- **Repay your debt:** Send full amount in the enclosed envelope, or provide credit card information (MasterCard/Visa).
- **Agree to a Repayment Plan:** If you are unable to pay amount in full, contact _____, to arrange an acceptable repayment plan.
- **Request a review if you believe the debt is not owed:** If you believe that all or part of the debt is not past due or legally enforceable, you must send evidence to support your position to _____. We will inform you of our decision about your debt.

If you make or provide any knowingly false or frivolous statements, representations, or evidence, you may be liable for penalties under the False Claims Act (31 U.S.C. 3729-3731), or other applicable statutes, and/or criminal penalties (18 U.S.C. 286 and 287), or other applicable statutes.

If you have any questions about this letter or your rights, you should contact _____.

Sincerely,

Agency