

Account/Case Number

Social Security Number

RE: Amount of past due debt owed to Agency: \$

Dear

You have not paid the amount you owe to the Department of Human Services (DHS). You owe this debt because

If you do not pay your debt or take other action described below before 60 days from the date of this letter, DHS will submit your debt to the U.S. Department of the Treasury (Treasury) for collection. Pursuant to the Debt Collection Act of 1982 (DCA), as amended by the Debt Collection Improvement Act 1996 (DCIA), and appropriate Supplemental Nutrition Assistance Program regulations, we are authorized to add penalties, fees, and other costs to your unpaid debt. Please note that the amount stated above is in addition to any other amount that may have been previously submitted by us to Treasury. DHS previously mailed or otherwise delivered a notice notifying you about the claim, including the right to a hearing on the claim, and has made any other required collection efforts. In addition to you having had an opportunity to request a hearing on the claim, the claim is:

- Equal to or exceeds the minimum amount established by Treasury;
- Not included under an automatic stay due to bankruptcy;
- Not currently under litigation; and
- Not currently being collected through allotment reduction or under a repayment plan that is currently approved by us.

Treasury collection: Once your debt is submitted, Treasury will reduce or withhold any of your eligible federal payments by the amount of your debt and may refer your debt to private collection contractors, the Department of Justice, or seek voluntary repayment. Collection of debts by Treasury is authorized by the DCA and DCIA. You may not receive another notice before your payment is offset. Federal payments eligible for offset include:

- Your income tax refunds, including any earned income tax credit payment you may be due (see attachment A for additional information);
- Up to 15% of federal salary pay, including military pay (See attachment A for additional information including how to request a waiver of this type of offset);
- Up to 25% of your federal retirement;
- Your military retirement pay;
- Your contractor/vendor payments;
- Other federal payments, including certain loans to you, that are not exempt from offset.

If you receive monthly federal payments, you should also know that the law allows Treasury to withhold a limited amount of certain monthly federal benefits, such as Social Security Retirement, Survivors and Disability benefits, Railroad Retirement (other than tier 2) benefits, and Black Lung Part B benefits, to pay back your debt. You would be entitled to keep at least \$750 per month or \$9,000 per year of your federal payments. Treasury policies finalized September 1998 limit withholding to an amount that is up to 15% of your benefit payment. If you receive Supplemental Security income disability benefits (SSI) from the Social Security Administration, those benefits will not be withheld to pay back your debt.

Before we submit your debt to Treasury, we are required to tell you that you may

In addition, the attachment to this letter provides important information if you and your spouse file a joint income tax return.

To avoid having your debt referred to Treasury you must do one of the following before 60 days from the date your notice has expired:

- **Repay your debt:** To repay your debt, send a check or money order, payable to the Department of Human Services for the full amount that you owe to: Iowa Department of Human Services, Cashiers Office, Rm 14, 1305 E Walnut Street, Des Moines, IA 50319-0114. Please include a statement with your payment that the payment is being made to avoid having your payment referred to the Department of Treasury for Food Assistance offset.
- **Agree to a repayment plan:** If you are unable to pay your debt in full, you must contact Overpayment Recovery, 1-888-462-2152, agree to a repayment plan acceptable to us, and make payments in the repayment plan.
- **Bankruptcy:** If you filed for bankruptcy and the automatic stay is in effect, you are not subject to offset or other collection actions while the stay is in effect. Please notify us of the stay by sending evidence concerning the bankruptcy to: Iowa Department of Inspections and Appeals, Division of Investigations, Lucas State Office Building, 321 E 12th Street, Des Moines, IA 50319-0083.

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 under 18 U.S.C 286,287,1001, and 1002, or other applicable statutes.

Unless prohibited by law or contract, we will promptly refund to you any amounts paid by you or deducted from your payment for your debt which are later waived or found not owed to the United States.

If you have any questions about this letter or your rights you should contact Public Assistance Debt Recovery Unit, 1-888-462-2152 immediately.

ATTACHMENT A

If you file a joint income tax return:

If you file a joint income tax return and your spouse was not a member of the Food Assistance household at the time the overpayment occurred, you should contact the Internal Revenue Service before filing your return regarding the steps to take to protect the share of the income tax refund which may be payable to your spouse, who is not the delinquent debtor to the U.S. Government.

If you are a federal employee:

Your current net disposable pay is subject to offset if you do not pay your debt or take other action described above. Under the Treasury Offset Program (TOP), Treasury will deduct up to 15% of your disposable net pay beginning in the pay period that your debt is submitted for federal salary and wage offset and continuing every pay period until your debt plus fees, penalties, or other charges is paid in full.

When you are identified through TOP as receiving a federal salary or wage, you will be entitled to a hearing to dispute the existence or amount of the debt, or the amount of the payroll deduction. You will be provided information on where to file a written request for a hearing when you have been identified through TOP as receiving a federal salary or wage.

The timely filing of a petition for hearing will stay the commencement of offset proceedings for federal salary and wage offset; however, it will not stop offset of other types of federal payments. A final decision on the hearing (if one is requested) will be issued no later than 60 days after the filing of a petition requesting the hearing (unless extended by the hearing official).

As a federal employee, if you make or provide any knowingly false or frivolous statements, representations, or evidence, in addition to other penalties, you may be subject to disciplinary action.