

**§ 2506.6 What notice will I be provided if I owe a debt to the Corporation?**

(a) When the Chief Executive Officer determines that you owe a debt to the Corporation, he or she will send you a written notice. The notice will be hand-delivered or sent to you by certified mail, return receipt requested at the most current address known to the Corporation. The notice will inform you of the following:

(1) The amount, nature, and basis of the debt, and that a designated Corporation official has reviewed the claim and has determined that the debt is valid;

(2) That payment of your debt is due as of the date of the notice, and that the debt will be considered delinquent if you do not pay it within 30 days of the date the notice is mailed or hand-delivered;

(3) The Corporation's policy concerning interest, penalties, and administrative costs, including a statement that such assessments must be made against you unless excused in accordance with the Federal Claims Collection Standards and this part;

(4) That you have the right to inspect and copy Corporation records pertaining to your debt, or to receive copies of those records if personal inspection is impractical;

(5) That you have the opportunity to enter into an agreement, in writing and signed by both you and the Chief Executive Officer, for voluntary repayment of the debt; and

(6) The address, telephone number, and name of the Corporation official available to discuss the debt.

(b) *Notice of possible collection actions.* The notice provided by the Chief Executive Officer under paragraph (a) of this section will also advise you that, if your debt (including any interest, penalties and administrative costs) is not paid within 60 days of the date of the notice, or you do not enter into a voluntary repayment agreement within 60 days of the date of the notice, the Corporation may enforce the collection of the debt by any or all of the following methods:

(1) Referral to a credit reporting agency (See §2506.10), a collection agency (See §2506.11), or the DOJ (See §2506.12);

(2) If you are a Corporation employee, by deducting money from your disposable pay account (in the amount and with the frequency, approximate beginning date and duration specified by the Corporation) until the debt (and all accumulated interest, penalties, and administrative costs) is paid in full, and that such proceedings with respect to the debt are governed by 5 U.S.C. 5514;

(3) If you are an employee of a federal agency other than the Corporation, by initiating certification procedures to implement a salary offset by the federal agency, as appropriate (which may not exceed 15 percent of the employee's disposable pay), and that such proceedings with respect to the debt are governed by 5 U.S.C. 5514;

(4) By referring the debt to the U.S. Department of the Treasury (Treasury) for offset against any refund of overpayment of tax (see Subpart C of this part); or

(5) By administrative offset (see Subpart D of this part).

(c) *Notice of opportunity for review.* The notice provided by the Chief Executive Officer under paragraph (a) of this section will also advise you of the opportunity to obtain a review within the Corporation concerning the existence or amount of the debt, the proposed schedule for offset of federal employee salary payments, or whether the debt is past due or legally enforceable. The notice shall also advise you:

(1) Of the name, address, and telephone number of an officer or employee of the Corporation who may be contacted concerning procedures for requesting a review;

(2) Of the method and time period for requesting a review;

(3) That the timely filing of a request for a review on or before the 60th calendar day following the date of the notice to the debtor will stay the commencement of collection proceedings;

(4) Of the name and address of the officer or employee of the Corporation to whom you should send the request for a review;

(5) That a final decision on the review (if one is requested) will be issued at the earliest practical date, but not later than 60 days after the receipt of

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the request for a review, unless you request, and the review official grants, a delay in the proceedings;

(6) That any knowingly false or frivolous statements, representations, or evidence may subject you to:

(i) Disciplinary procedures appropriate under 5 U.S.C. chapter 75, 5 CFR part 752, or any other applicable statute or regulations;

(ii) Penalties under the False Claims Act, 31 U.S.C. 3729-3733, or any other applicable statutory authority; and

(iii) Criminal penalties under 18 U.S.C. 286, 287, 1001, and 102, or any other applicable statutory authority;

(7) Of any other rights available to you to dispute the validity of the debt or to have recovery of the debt waived, or remedies available to you under statutes or regulations governing the program for which the collection is being made; and

(8) That unless there are applicable contractual or statutory provisions to the contrary, amounts paid on or deducted for the debt which are later waived or found not owed will be promptly refunded to you.

(d) The Corporation will respond promptly to communications from you.

### **§ 2506.7 What interest, penalty, and administrative costs will I have to pay on a debt owed to the Corporation?**

(a) *Interest.* (1) The Corporation will assess interest on all delinquent debts unless prohibited by statute, regulation, or contract.

(2) Interest begins to accrue on all debts from the date that the debt becomes delinquent. The Corporation will not recover interest if you pay the debt within 30 days of the date on which interest begins to accrue. Unless otherwise established in a contract, repayment agreement, or by statute, the Corporation shall assess interest at the rate established annually by the Secretary of the Treasury under 31 U.S.C. 3717, unless a different rate is necessary to protect the interests of the Corporation. The Corporation will notify you of the basis for its finding when a different rate is necessary to protect the Corporation's interests.

(3) The Chief Executive Officer may extend the 30-day period for payment without interest where he or she deter-

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mines that such action is in the best interest of the Corporation. A decision to extend or not to extend the payment period is final and is not subject to further review.

(b) *Penalty.* The Corporation will assess a penalty charge, not to exceed six percent a year, on any portion of a debt that is delinquent for more than 90 days.

(c) *Administrative costs.* The Corporation will assess charges to cover administrative costs incurred as a result of your failure to pay a debt before it becomes delinquent. Administrative costs include the additional costs incurred in processing and handling the debt because it became delinquent, such as costs incurred in obtaining a credit report, or in using a private collection contractor, or service fees charged by a Federal agency for collection activities undertaken on behalf of the Corporation.

(d) *Allocation of payments.* A partial payment by a debtor will be applied first to outstanding administrative costs, second to penalty assessments, third to accrued interest, and then to the outstanding debt principal.

(e) *Waiver.* (1) The Chief Executive Officer may (without regard to the amount of the debt) waive collection of all or part of accrued interest, penalty, or administrative costs, if he or she determines that collection of these charges would be against equity and good conscience or not in the best interest of the Corporation.

(2) A decision to waive interest, penalty charges, or administrative costs may be made at any time before a debt is paid. However, where these charges have been collected before the waiver decision, they will not be refunded. The Chief Executive Officer's decision to waive or not waive collection of these charges is final and is not subject to further review.

### **§ 2506.8 What opportunity do I have to obtain a review of my debt within the Corporation.**

(a) *Request for review.* If you desire a review within the Corporation concerning the existence or amount of the debt, the proposed schedule for offset of federal employee salary payments, or whether the debt is past due or legally