Financial Policy

Volume XII
Debt Management

Chapter 1F
Administrative Wage Garnishment

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VA Financial Policies and Procedures
Administrative Wage Garnishment

CHAPTER 1F

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0101 OVERVIEW

This chapter establishes the Department of Veterans Affairs (VA) financial policies and procedures relating to initiating administrative wage garnishment (AWG) from an employee’s disposable pay through a non-Federal employer for delinquent non-tax debts owed to VA. VA retains the final authority to resolve disputes, compromise debts, suspend or terminate collection action and refer accounts to the Department of Justice (DOJ) for litigation.

010101 AUTHORITY FOR AWG. VA may garnish wages from a non-Federal employee’s disposable pay, as authorized by 31 U.S.C. 3720(d), the Department of the Treasury (Treasury) Regulation 31 C.F.R. 285.11 and VA Regulation 38 C.F.R. 1.923.

010102 ACTIONS FOR AWG. In accordance with 31 C.F.R. 285.12, VA may pursue wage garnishment independently. However, in most cases, VA will rely on garnishment through Treasury’s cross-servicing procedures for aggressive collection action in accordance with 38 C.F.R. 1.910. VA will forward all eligible delinquent debts over 120 days to Treasury for collection action. Refer to Volume XII Chapter 1 “VA Debt Collection Standards” for detailed information relating to the due process rights available to debtors and the actions leading up to AWG.

0102 POLICIES

010201 AUTHORITY FOR AWG.

VA will take the appropriate action to garnish wages from a non-Federal employee’s disposable pay for delinquent non-tax debts, as authorized by 31 U.S.C. 3720(d), either directly or through Treasury when other collection methods are not advantageous or have been exhausted.

010202 ACTIONS FOR AWG.

A. VA will refer eligible delinquent debts over 120 days to Treasury to initiate aggressive collection action through cross-servicing procedures to pursue debt collection on behalf of VA. AWG is an integral part of the cross-servicing program. To maximize the collection potential of AWG, a delinquent debt should be referred to Treasury at the earliest possible date.

B. Once delinquent debts are referred to Treasury and AWG is deemed the preferred method for collection, Treasury will notify the debtor in writing of its intent to use AWG to recover the debt. The notice will be sent at least 30 days prior to initiating any garnishment proceedings and will include information about the facts surrounding the debt, along with advice on the debtor’s due process rights, including the right to a hearing to dispute the debt or repayment conditions.
C. VA/Treasury will provide the debtor with the hearing before any wage garnishment order is issued, provided the debtor’s hearing request is received on or before the 15th business day following the mailing of the notice in “B” above. VA will conduct a hearing on the validity of the debt and Treasury will provide a hearing on the amount of the offset if hardship is claimed. See Appendix A for the Veterans Benefits Administration (VBA) and Veterans Health Administration (VHA) hearing procedures for AWG.

D. After the time limit expires for the debtor to request a hearing, or after the hearing is completed and AWG action is authorized, Treasury will send the Wage Garnishment Order to the debtor’s employer. Multiple garnishment orders may be issued to the same debtor, but the total may not exceed 15 percent of the debtor’s disposable pay. Multiple garnishments from all sources against one debtor’s wages may not exceed 25 percent of disposable pay of an individual (See 010502D4b).

E. Treasury will ensure employers adhere to the terms and conditions of wage garnishment orders. Employers may be sued by Treasury if they fail to comply with the approved garnishment order to withhold money from the debtor’s disposable pay. Such a suit is possible if Treasury anticipates an applicable statute of limitations may expire.

F. Treasury will perform annual reviews of its debtors’ accounts to ensure wage garnishment procedures are discontinued for debts paid in full and employers are so notified. If wage garnishment activity was in error, VA will refund any erroneous amount collected from the debtor.

G. Treasury will review all debtor requests claiming financial hardship and will decide on the merits of each case as to the need to continue wage garnishment action.

0103 AUTHORITY AND REFERENCES

010301 31 U.S.C. 3720(d), Garnishment


010303 38 C.F.R. 1.923, Administrative Wage Garnishment


010306 U.S. Department of the Treasury, Debt Management Services – Administrative Wage Garnishment Guide
0104 ROLES AND RESPONSIBILITIES

010401 The Assistant Secretary for Management/Chief Financial Officer (CFO) oversees all financial management activities relating to the Department’s programs and operations, as required by the Chief Financial Officers Act of 1990 and 38 U.S.C. 309. Specific responsibilities include the direction, management and provision of policy guidance and oversight of VA’s financial management personnel, activities and operations. The CFO establishes financial policy, systems and operating procedures for all VA financial entities and provides guidance on all aspects of financial management.

010402 Under Secretaries, Assistant Secretaries, Chief Financial Officers, Fiscal Officers, Chief Accountants and other key officials are responsible for ensuring compliance with the policies and procedures set forth in this chapter.

010403 The Chief of the respective finance activity and the Director of the Debt Management Center (DMC) must ensure that the policies and procedures contained in this chapter are followed for implementing AWG.

0105 PROCEDURES

010501 AUTHORITY FOR AWG.

A. Treasury will initiate collection action, using wage garnishment procedures, to recover debts owed to VA from non-Federal employees. Garnishment orders will be issued to their employers to collect debts from the employees’ disposable pay.

B. Treasury will not resort to wage garnishment in the following circumstances:

1. The debtor earns less than 30 times the Federal minimum wage per week (See 010502D4);

2. The debtor has identified that he/she is ineligible for wage garnishment because he/she has not been working in his or her current job for at least 12 months and was involuntarily separated from his or her prior job.
010502 ACTIONS FOR AWG.¹

A. VA will forward all eligible delinquent debts over 120 days to Treasury for collection. As part of VA’s aggressive collection action, Treasury’s cross-servicing program includes the initiation of AWG as necessary in order to proceed with debt collection. Treasury’s cross-servicing program also includes the use of contracted private collection agents (PCAs) to assist in identifying debtors eligible for AWG and in performing the following activities:

1. Verifying that the debtor has been employed for at least 12 months and issuing a notice letter on behalf of the Federal agency before garnishing the debtor’s wages.

2. Forwarding any request for a hearing by a debtor to Treasury.

3. Monitoring collections under the AWG Order to ensure employer compliance.

B. Treasury will send a 30-day written notice by first class mail to the debtor’s last known address as the initial step in implementing a garnishment process for debt collection. The notice will advise the debtor of the ensuing process, whereby the debtor’s non-Federal employer will garnish wages via payroll deductions to satisfy the debt owed VA. The written notice informs the debtor of the following:

1. The nature and amount of the debt;

2. The intention to initiate proceedings to collect the debt through deductions from the debtor’s pay until the debt and all accumulated interest and other late payment charges are paid in full;

3. An explanation of the debtor’s due process rights; and

4. The opportunity to inspect and copy VA records pertaining to the debt, to enter into a written repayment agreement with VA/Treasury under terms agreeable to VA/Treasury, and to request a hearing concerning the existence or amount of the debt or the terms of the proposed repayment schedule under the garnishment order².

C. The debtor has the right to request a hearing concerning the existence or amount of the debt or the terms of the proposed repayment schedule under a wage garnishment order. The hearing is not required to be a formal, evidentiary-type hearing, but during oral hearings, witnesses will testify under oath or affirmation. Any hearing conducted as part of the AWG process will be conducted by a designated hearing official as described in 31 C.F.R. 285.11(f) and 38 C.F.R. 1.923(c). See Appendix A for the Veterans

¹Refer to Volume XII Chapter 1, “VA Debt Collection Standards” for detailed information relating to the due process rights available to debtors and the actions leading up to AWG.

² The debtor is not entitled to a hearing concerning the terms of the proposed repayment schedule if these terms have been established by written agreement between the debtor and VA/Treasury.
Benefits Administration (VBA) and Veterans Health Administration (VHA) hearing procedures for AWG.

1. If the debtor’s written request for a hearing is received by Treasury within 15 business days following the mailing of the written notice, Treasury will not issue a wage garnishment order until the completion of the hearing and a decision has been rendered.

2. If a written request for a hearing is received after 15 business days following the date of the original notice, a hearing will still be conducted; however, the wage garnishment order may be issued before the hearing is concluded, unless the hearing official determines the delay in filing was caused by factors beyond the debtor’s control or the hearing official receives information that justifies a delay or cancellation of the withholding order.

3. The hearing may be oral or written as determined by the hearing official. The hearing official will provide the debtor with a reasonable opportunity for an oral hearing when the hearing official determines that the issue in dispute cannot be resolved by review of documentary evidence. At the debtor’s option, an oral hearing may be conducted either in person or by telephone conference call. In the absence of good cause, a debtor who fails to appear at a hearing will be deemed as not having timely filed a request for a hearing.

   a. The hearing official will notify the debtor of the date and time of a telephone conference hearing; the date, time and place for an in-person oral hearing; or the deadline for the submission of evidence for a written hearing.

   b. If the debtor challenges the existence, enforceability, or the amount of the debt, VA has the initial burden to prove the existence or amount of the debt. Thereafter, the debtor must present by a preponderance of the evidence that no debt exists or that the amount of the debt is incorrect. In addition, the debtor may present evidence that the 15 percent proposed garnishment would cause a financial hardship, or that collection of the debt may not be pursued due to an existing law.

   c. If the hearing official determines an oral hearing is not necessary, the debtor will be afforded a “paper hearing” and the hearing official will notify the debtor that the issues in dispute will be decided based upon a review of the written record. The hearing official shall notify the debtor of the deadline for the submission of evidence for a written hearing.

4. Even if a debtor has had a prior hearing with VA, the debtor will be given an opportunity for an additional hearing. The hearing may be by telephone, in-person oral hearing, or a written hearing.

5. The hearing official will issue a final written decision as soon as practicable, but not later than 60 days after the date on which the request for such hearing was received by
Treasury. If a wage garnishment order has been issued and a final decision has not been issued by the 60th day, then the withholding order will be suspended beginning on the 61st day. The suspension will not be lifted nor will the withholding order be reinstated until the hearing is completed and the hearing official has rendered a final decision. The decision, when rendered, will be the final action for the purposes of judicial review under the Administrative Procedures Act (5 U.S.C. 701 et seq.). The decision will include:

- A summary of the facts presented;
- The hearing official’s findings, analysis and conclusions; and
- The terms of the repayment schedule, if applicable.

6. The hearing official will maintain a summary record of the proceedings, even though it is not necessary to produce a transcript of the hearing.

D. Treasury will send a wage garnishment order and the certification form by first class mail to the debtor’s employer within 30 days after the debtor fails to make a timely request for a hearing.

1. Treasury Form SF-329, “Administrative Wage Garnishment,”3 will be used to issue withholding orders. For guidance on completing the form, link to the form’s step-by-step instructions (see footnote 3 below).

2. The form consists of the following four parts:

a. Letter to Employer and Important Notice to Employer (SF-329A), which is sent to the employer with the garnishment order to explain why a garnishment order is being issued.

b. Wage Garnishment Order (SF-329B), which describes the terms of the garnishment and the amount the employer is required to garnish.

c. Wage Garnishment Worksheet (SF-329C), which assists the employer in calculating the amount to be garnished.

d. Employer Certification (SF-329D), which is completed and returned by the employer with information related to the garnishment and within the timeframe prescribed in the instructions to the form. The certification will address matters such as information about the debtor’s employment status, disposable pay available for withholding, and information as to where payments should be sent.

3. The wage garnishment order will contain only the information necessary for the employer to comply with the withholding order and will be signed by the Treasury designated official, whose name and title are printed or typed on the order.

3 The form may be obtained through Treasury’s web site at www.fms.treas.gov/debt.
a. A copy of a certification must indicate the date of mailing to a Treasury official for cases referred to Treasury. The certification may be retained electronically so long as the manner of retention is sufficient for evidentiary purposes.

b. All four parts of the SF-329 will be sent to the debtor’s employer.

c. Treasury will not garnish wages of a debtor who is known to have been involuntarily separated from employment until the debtor has been reemployed continuously for at least 12 months. The debtor is responsible for informing Treasury of the circumstances surrounding an involuntary separation from employment.

4. Treasury will take whatever action is necessary to ensure the employer, after receipt of the garnishment order, withholds the amount of garnishment, as described in 31 CFR 285.11(i), from all disposable pay paid to the applicable debtor during each pay period. The amount of the garnishment, calculated by the employer, will be the lesser of (1) the amount indicated on the garnishment order up to 15 percent of the debtor’s disposable pay, or (2) the amount by which the debtor’s disposable pay exceeds the amount equivalent to thirty times the minimum wage\(^4\). Treasury will be responsible for calculating any garnishment amounts.

a. The debtor may give his/her written consent for the withholding of a greater amount.

b. If a debtor owes multiple debts and the debtor’s pay is already subject to other garnishments, the total amount garnished, including other garnishment orders, may not exceed 25 percent of the debtor’s disposable pay. For example, if the disposable pay of the debtor in the above example was subject to a prior withholding order of 15 percent, then the amount available for garnishment would be limited to $35.00 (10 percent of the debtor’s disposable pay).

c. If amounts are being withheld from a debtor’s pay pursuant to a withholding order served on an employer before a withholding order has been issued pursuant to this procedure, or if a withholding order for family support is served on an employer at any time, the amounts withheld will be the lesser of (1) the amount calculated in paragraph “a” above, or (2) an amount equal to 25 percent of the debtor’s disposable pay less the amount(s) withheld under the withholding order with priority. AWG withholding orders have priority over other withholding orders that are served later in time. However, withholding orders for family support will have priority over AWG withholding orders.

E. The employer shall promptly pay Treasury all amounts withheld in accordance with the withholding order, including the fees charged by the PCAs under the contract with Treasury.

1. An employer will not be required to vary its normal pay and disbursement cycles in order to comply with the withholding order.

\(^4\) Effective July 24, 2009, the Federal minimum wage is $7.25.
2. Any assignment or allotment by an employee of his or her earnings shall be void to the extent it interferes with or prohibits execution of the withholding order, except for any assignment or allotment made pursuant to a family support judgment or order. VA/Treasury will assign a higher priority to AWG withholding orders than to other subsequent withholding orders. However, withholding orders for family support will have priority over AWG withholding orders.

3. The employer shall withhold the appropriate amount from the debtor’s wages for each pay period until the employer receives notification from VA/Treasury to discontinue wage withholding.

4. The garnishment order shall indicate a reasonable period of time within which the employer is required to commence wage withholding.

5. The employer is liable to Treasury for non-compliance with the terms and conditions of wage garnishment orders and may be sued by Treasury to ensure compliance. Treasury may sue any employer for any amount the employer fails to withhold from wages owed and payable to an employee in accordance with this chapter. Termination of collection by the employer will have been deemed to have occurred if Treasury has not received any payments to satisfy the debt, in whole or in part, for a period of one year. Treasury may not file a suit before the termination of collection action involving a particular debtor, unless earlier filing is necessary to avoid expiration of any applicable statute of limitations period.

F. Treasury will review its debtors’ accounts, at least annually, to ensure garnishments have been discontinued for accounts that have been paid in full, including interest, penalties and administrative costs, or have otherwise been resolved through compromise or other agreement with the agency. Treasury may send a letter, or use Form 329E, Notice of Termination of Wage Garnishment Order, to inform the employer the garnishment is terminated and that all withholdings from the employee’s pay should cease. Agencies will use SF-329E when a debtor’s employer requests an Order of Termination signed by Treasury. Where garnishment resulted in erroneous deductions from an employee’s pay, refunds will be promptly made. Refunds shall not bear interest unless required by Federal law or contract.

G. Treasury will review the amount garnished if a request is made by the debtor on a claim of financial hardship due to materially changed circumstances (e.g., disability, divorce, or catastrophic illness), which may result in limiting the debtor’s ability to provide food, housing, clothing, transportation and medical care for himself or herself and his or her dependents. Treasury will notify the employer of any adjustments to the amounts to be withheld.
0106 DEFINITIONS

010601 Administrative Wage Garnishment (AWG). Withholding of wages of a delinquent debtor from a non-Federal employer without first obtaining a court order to collect delinquent non-tax debt. The AWG process is authorized by 31 U.S.C. 3720(d).

010602 Cross-servicing. Refers to an arrangement between two or more Federal agencies in which a function, such as debt collection, is performed by one agency in support of one or more agencies, and for which reimbursement is required from the agencies receiving the support. Cross-servicing most often refers to a Federal agency’s referral of a delinquent debt to Treasury for collection action.

010603 Debtor. Any person who owes a debt to VA. This includes individuals, corporations, partnerships, sole proprietorships, estates, trusts, other government agencies, and other legal entities against which VA has a claim.

010604 Delinquent Non-tax Debt. Any claim that has not been paid by the date specified in the agency’s bill of collection or demand letter for payment or which has not been satisfied in accordance with a repayment agreement (22 C.F.R 213.2, Chapter 625). For purposes of administrative wage garnishments, the terms “debt” and “claim” are synonymous and refer to delinquent non-tax debt.

010605 Disposable Pay. The part of the debtor's compensation (including, but not limited to, salary, bonuses, commissions and vacation pay) from an employer remaining after the deduction of health insurance premiums and any amounts required by law to be withheld. For purposes of administrative wage garnishments, “amounts required by law to be withheld” include amounts for deductions, such as social security taxes and withholding taxes, but do not include any amount withheld pursuant to a court order. “Disposable pay” is also described in the Wage Garnishment Worksheet (SF-329C).

010606 Employer. Person or entity who employs the services of others and pays their wages or salaries. The term employer includes, but is not limited to, state and local governments, but does not include an agency of the Federal government.

010607 Garnishment. The process of withholding amounts from an employee's disposable pay and the paying of those amounts to a creditor to satisfy a withholding order.

010608 Hearing Official. The hearing official may be any qualified person, as determined by VA, who will maintain an official summary record of the hearing. There is no requirement that the hearing official be an administrative law judge or someone outside of VA.

010609 Nontax Debt. Refers to a debt or claim, used interchangeably, to any amount of money, funds or property as determined by an appropriate official of the Federal
government to be owed to the United States by an individual, including debt administered by a third party as an agent for the Federal government.

010610 Private Collection Agency (PCA). A private sector company specializing in the collection of delinquent debt. A PCA will attempt to find and contact a debtor by searching various databases, making telephone calls and sending collection letters. Once the debtor is located and contacted, the PCA will encourage the debtor to satisfy the debt. Recently, AWG has been added to the list of debt collection tools and is available to those PCAs participating in the Treasury cross-serving program. Collection efforts by PCAs are governed by various Federal and State laws, including, but not limited to, the Fair Debt Collection Practices Act, the Federal Claims Collection Standards and the Privacy Act.

010611 Termination of Collection Action. Refers to a decision made to cease active collection action on a debt, in accordance with criteria set out in the Federal Claims Collection Standards, because such action is not economically worthwhile or is otherwise inappropriate.

010612 Withholding Order. Any order for withholding or garnishment of pay issued by an agency, or judicial or administrative body. For purposes of this section, the terms “wage garnishment order” and “garnishment order” have the same meaning as “withholding order.”

0107 RESCISSIONS

010701 VA Volume XII Chapter 1F, Administrative Wage Garnishment, February 2010.

0108 QUESTIONS

Questions concerning these financial policies and procedures should be directed as shown below:

VHA VHA CFO Accounting Policy (10A3A) (Outlook)
VBA VAVBAWAS/CO/FINREP (Outlook)
All Others OFP Accounting Policy (Outlook)
## 0109 REVISIONS

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APPENDIX: ADMINISTRATIVE WAGE GARNISHMENT HEARING PROCESS

Wage garnishment is a traditional debt collection remedy that compels a third party who owes a debtor wages to pay the employee’s creditor instead of the employee/debtor. Traditionally, wage garnishment was available only by means of a court order, typically to enforce a court judgment. Non-judicial or administrative wage garnishment (AWG) authority, allows Federal agencies to garnish wages without resort to judicial power. In 1996, the Debt Collection Improvement Act of 1996 (codified at 31 U.S.C. 3720D) (DCIA) authorized all Federal agencies to order an employer to withhold 15 percent of a debtor’s disposable pay to satisfy any delinquent debt owed to the United States.

Prior to issuing an AWG order, debtors have the right for an opportunity for a hearing. Each hearing official needs to be aware of any special rights, privileges, or procedures that are contained in the agency’s own AWG regulations or policy guidance.

An AWG hearing is a procedure in which a hearing official “hears” and considers any argument and evidence regarding an objection by a debtor to enforcement by garnishment of a debt held by the agency. There are two types of hearings:

a. Written Records or “Paper” Hearing – A written records hearing is conducted by a review of written materials and other records and is often referred to informally as a “paper hearing.”

b. Telephone or In-Person Hearing – A telephone hearing is conducted by review of written materials, other records and testimony presented by telephone.

WHAT ARE THE GROUNDS FOR REQUESTING A HEARING?

Debtor may object to garnishment action on the following grounds:

1) Questioning the existence, validity, past-due status or amount of the debt
   a. Debt was previously paid or settled in full
   b. Debtor is in compliance with a current repay agreement
   c. Amount of debt is incorrect because not all payments have been credited

2) Questioning the enforceability of the debt through AWG
   a. Debt was discharged or is currently in active bankruptcy
   b. Debt is unenforceable by AWG due to involuntary separation from previous employment and employed less than twelve months

3) Financial hardship
   a. Garnishment of 15 percent of debtor’s disposable income will create a financial hardship on the debtor and/or his or her dependents
WHAT IF THE DEBTOR HAS ALREADY HAD A HEARING ON THE DEBT?

The debtor may have filed a dispute when first advised of the debt. If he/she filed a dispute with the DMC and an audit was provided explaining the debt, that is considered an administrative review and not a hearing. If the debtor never received a hearing, he/she has a right to request a hearing on AWG and the hearing official will consider the request and make an independent determination.

WHAT BURDEN OF PROOF DOES THE AGENCY AND THE DEBTOR EACH BEAR?

Agency’s Burden: If the debtor challenges the existence, enforceability, or the amount of the debt, the agency has the burden of proving that the debt exists, that it is enforceable (i.e. is delinquent), and the amount of the debt is correct. The agency must have enough evidence to show that a reasonable person would consider it more likely than not (referred to as preponderance of the evidence) that the debt exists in the amount stated.

Debtor’s Burden: The debtor has the burden of proving any facts that constitute a “defense” to the proposed AWG action. The debtor has the burden of proving by preponderance of the evidence, any fact that would prevent or reduce the garnishment action. The evidence must prove, more likely than not, that:

- the debt does not exist, is smaller than claimed, has been paid, is in a current repayment status, or is not legally enforceable
- AWG is not allowable to collect this debt because the debtor was involuntarily separated from his or her last job and has not been employed for 12 months, or because a bankruptcy stay is in effect
- that garnishment of 15 percent of the debtor’s disposable income would cause a financial hardship to the debtor or his or her dependents.

WHEN DOES THE AGENCY PROVIDE A HEARING?

VA will not initiate AWG. VA refers debts delinquent over 120 days to Treasury for further collection under its cross-servicing program. AWG is one of the collection tools used by Treasury to enforce collection. Treasury is responsible for notifying the debtor of the potential garnishment action and for providing the debtor with an opportunity to enter into a repayment agreement and/or request a hearing disputing the garnishment action.

Treasury’s AWG letter to the debtor provides a form to request a hearing. A hearing request is considered timely if the request is postmarked or received within 15 business days of the date of the AWG notice. Treasury will make that determination and forward the request to VA’s Debt Management Center if appropriate. Note (1): If the hearing request is timely, the garnishment action will not proceed until the hearing is completed.
and the debtor is notified of the decision. Note (2): If the debtor’s written request for a hearing is received after the 15th business day, the debtor is still entitled to a hearing. The failure to respond will not delay the withholding order unless there is a determination that the delay was caused by factors over which the debtor had no control, or information is received that justifies a delay or cancellation of a withholding order.

WHO CAN BE A HEARING OFFICIAL?

A hearing official must be a Federal employee (not contractor) who is authorized to receive and consider evidence, to make any findings of fact and conclusions of law needed to determine the validity of the objections raised by the debtor, and to issue a decision for the agency on the objections. The VA DMC will provide the hearing officials for hearings where the debtor is disputing the amount or the validity of the debt. Treasury will provide hearing officials when the debtor is questioning the validity of the AWG process or is claiming financial hardship due to the garnishment action. The hearing official should not be someone who is involved in the establishment of the receivable.

WHAT IS THE ROLE OF THE HEARING OFFICIAL?

The agency hearing official has two functions. They are the judge as to the evidence and arguments, and they also represent the agency by gathering or ensuring that evidence from the agency is included and considered to support the validity of the debt and to oppose hardship claims.

The hearing official ensures that the debtor has an adequate opportunity to request and receive copies of any documentation that was not already provided to the debtor, that the hearing official will consider in making a determination. If the debtor provides evidence not previously considered by the agency supporting his/her objection, the hearing official may obtain additional evidence related to that objection from other sources, i.e., agency records or records of any entity involved with the establishment of the debt.

WHAT AUTHORITY DOES THE HEARING OFFICIAL HAVE?

The hearing official is the final authority regarding decisions to garnish a debtor’s wages. The hearing official determines the validity of any objection to the garnishment and renders a decision based on all pertinent evidence submitted by the debtor. To ensure fairness to the debtor, the hearing official will notify the debtor when the official has added evidence to the record that the debtor has not had an opportunity to review.
PROCEDURES FOR WORKING HEARING REQUESTS

When a request for a hearing is received at the DMC, it will be entered into a control log, which will contain all the debtor information, i.e., debtor name, Social Security number or claim number, the date the request was received and the name of the hearing official to which the hearing request will be assigned. The hearing request will also include a hearing resolution form (example in Appendix C), which must be completed and returned to Treasury with a copy of the final decision and supporting documentation. All hearings conducted by the DMC will be “paper hearings.” If the hearing official determines that the issues in dispute cannot be resolved by review of the documentary evidence, the debtor will be provided with an opportunity for an oral hearing. For example, an oral hearing should be held if the veracity or credibility of any person involved is at issue.

** If an oral hearing is granted, prepare the documentation worksheet shown in Figure 1FA-1 of this document.

Step 1

The hearing official will review the hearing request and determine the basis of the debtor's objection. In AWG, the debtor has three legitimate objections:

- Challenges the validity or amount of the debt;
- Challenges that AWG is not an appropriate collection tool; and
- Challenges that garnishment would cause financial hardship.

In the case of the second and third objections, Treasury will make the determination regarding the appropriateness of using AWG and will process any hearings that deal with financial hardship. DMC hearing officials will only address the first objection where the debtor challenges the validity of the debt.

Step 2

Start creating the record of the hearing. The record must include all key documents and records regarding the hearing, including:

- the debtor's request for hearing, and any and all material (whether evidence or argument) submitted at any time during the course of the hearing by either the debtor or the agency;

- a summary of any (live) testimony presented by the debtor and his or her witnesses;

- notes of any events that may have affected the course of the hearing;
d. documentation of any request by the debtor for access to records and whether and when the agency gave access (or sent copies) to the debtor;

e. the agency's decision on any request for an oral hearing;

f. documentation of the agency’s attempt to contact the debtor to conduct a telephone hearing, the date or dates of the attempt, and the phone number used to make the attempt;

g. requests for extensions of time by the debtor, and the agency's response to those requests;

h. new evidence the agency may have secured that can be used to respond to evidence or argument from the debtor, when and how the agency provided that new evidence to the debtor, how the agency offered the debtor an opportunity to respond to that new evidence, and whether and how the debtor responded.

Step 3

Meeting the agency's burden of proof:

Make the the following records part of the hearing record.

a. A copy of the debt instrument (typically, the promissory note, for a loan obligation) or other acceptable proof of the existence of the debt to be enforced by AWG. An Indemnification Agreement is not proof of the debt.

b. Copies of pertinent agency records showing that the debt is held by the agency and remains unpaid, that the debt is past-due and that the debtor is not currently repaying the debt.

Step 4

Disclosure of Evidence:

Prior to issuing a decision, on request by the debtor, the debtor must be provided any evidence that will be used to make the decision. Review the evidence to prepare for the oral hearing.

a. Evidence must be listed in the decision with enough detail to permit the debtor and a third party (e.g., the Federal District Court that may review the decision) to know what exactly was considered in reaching the conclusion (statements that were reviewed; the “agency loan records” makes it impossible to determine what exactly was examined).
b. Attach copies of any evidence relied on in making the decision, and make sure that copies of the entire decision are retained in the agency records.

Step 5

If an oral hearing is granted, the hearing official should identify themselves to the debtor and the debtor’s representative, if any, and adhere to the following guidelines:

a. Explain your role and your responsibilities; use the opening statement on the hearing worksheet (example in Appendix A) or similar language to convey your independence.

b. Explain that the purpose of this hearing is to allow the debtor to present evidence, including the testimony of the debtor and his or her witnesses, as to why the debt should not be enforced through AWG.

c. Explain to the debtor that no decision will be rendered during the hearing.

d. State: “You have the right to counsel. Anything you say may be recorded and may be used against you to collect this debt. You have the right to call witnesses, to challenge the agency’s evidence, and to provide evidence for consideration by the hearing official. False testimony here is subject to criminal penalty: 18 U.S.C. 1001 provides that “whoever …knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any materially false, fictitious, or fraudulent statement or representation …shall be fined up to $10,000.00 or imprisoned up to five years, or both.”

5 Warning: Since this is not technically an “oath,” the witness is therefore not sworn, and the testimony is not given subject to penalty of perjury. However, the testimony is a statement subject to penalty of law.

e. Get an affirmation from witnesses: “Repeat after me:” “I (Debtor and Witness Name) declare under penalty of law that the testimony I give and any written statements I offer in this proceeding are to the best of my knowledge and belief true, correct and complete.”

f. Make Notes. Use the Telephone/In Person Hearing Documentation Worksheet in the Appendix.

g. Verify with the debtor that you have all of their issues identified and the information/statements clearly document the way they were stated.

h. Ask questions until you understand the debtor’s objections. If you don’t, keep asking the debtor questions about the objection until you do understand.
i. Rephrase the debtor’s objection(s), as you think you’ve heard it, back to the debtor to make sure the debtor agrees that you’ve captured the reasoning of the objection.

j. Ask the debtor, after the debtor closes his or her presentation, one final time whether he or she has submitted all the material he or she intends to have you consider.

k. Tell the debtor that he or she will receive your findings in writing.

Step 6

Prepare your response:

a. Review the information provided.

b. Prepare your response after careful analysis of all the material.

WHAT MUST BE INCLUDED IN THE HEARING OFFICIAL’S DECISION?

The hearing decision must show that the official actually considered the evidence and argument presented by the debtor to support his or her objections. It must also explain why the hearing official accepted or rejected evidence and arguments presented by the debtor by means of a well-reasoned substantive response to each objection raised by the debtor.

Elements of the Written Decision:

1. Introduction - explains the purpose of the “letter” and the type of hearing conducted on the objections.

2. Summary of Procedures to Date - explains such background facts as whether an oral hearing was held, and if so, where and when that hearing was held; if not, why the oral hearing was changed to a paper hearing; whether or not the debtor sought additional time to submit further evidence, and whether additional evidence was in fact submitted.

3. Evidence Considered - lists the various types of evidence considered in sufficient detail to make relatively clear after the fact what kinds of records and documents were considered by the hearing official (statements that you reviewed the “agency loan records” makes it impossible to determine what exactly you looked at).

4. Analysis and Determinations Regarding Objections to Garnishment - describes each objection raised, the evidence presented relating to the
objection, the legal principles that apply to the objection, and the determination whether the particular objection is upheld, rejected, or upheld in part.

5. **Conclusion** - states the bottom line; the amount owed by the debtor on the debt or debts included in the notice as a result of all the agency decisions on the debtor’s objections to AWG, whether and to what extent the debtor has proven any hardship claim, and whether the debt is enforceable by garnishment at this time.

6. **Consequences of decision** - explains whether the agency is going to initiate or continue garnishment as stated in the Conclusion and, if so, at what rate or withholding amount, and what repayment options are available to this particular debtor.

7. **Reconsideration** - explains the debtor’s right to seek a change in the decision based on newly submitted evidence, and the right to later claim financial hardship. Also included here is a statement that the debtor may seek judicial review in Federal district court.

8. **Legal Protection** - explains that the law forbids employer retaliation against the debtor by reason of the garnishment.6

9. **Limitation of Scope of Decision** - explains that the determinations apply only to the debts listed in the notice and only debts held directly by the agency.

10. **Signature of the hearing official**

11. **Enclosures**. Copies of the request for hearing and evidence listed and considered by the hearing official.

*Samples of proposed language to be used in decisions can be found in Figure 1FA-2 of this document.

**WHAT ARE THE DEADLINES FOR REQUESTS FOR RECORDS AND SUBMISSION OF EVIDENCE?**

Since AWG regulations require a hearing to be completed within 60 days after a request for a hearing was received, requests for information from the debtor must be responded to within a 10-day timeframe from the date the DMC receives the request from the debtor. The DMC should always allow the debtor access to their records, no matter

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6 It should be noted that the creditor agency has no enforcement mechanism against an employer who fires an employee in violation of 31 U.S.C. 3720D. The employee must bring action against the employer if this occurs.
what stage of collection the debt is in. Debtors are entitled to copies of their records under the Privacy Act of 1974 as amended.

The debtor must present whatever he or she wants considered before the hearing official “closes the record” and makes a decision on the objections raised and the evidence already submitted by the debtor. After any deadlines, the hearing official decides the case, and the debtor must request records in time to submit anything he or she wants considered from those records by these decision deadlines. The hearing official may allow extensions of these deadlines if the debtor requests. However, all evidence must be submitted in a timeframe that will allow the hearing official to render a decision within the 60 days allowed for a hearing.

1. If the debtor requests only a written records hearing, the debtor must submit both objections and evidence in or with the request for a hearing. Thus, the deadline is the request for hearing deadline.

2. If the debtor requests a written records hearing and also requests records within 15 business days of the notice date, the DMC will notify the debtor of how many days the debtor has to submit objections and evidence based on those records.

3. If the debtor receives an oral hearing, the DMC will advise the debtor to present objections and evidence no later than the date of the oral hearing.

4. If the debtor requests an oral hearing, but does not show up or call in for the scheduled hearing, the DMC will consider the debtor to have withdrawn the request.

5. If the debtor timely requests copies of debt records, and the hearing official obtains evidence they want to consider, but that was not in the debtor’s file and has not been provided to the debtor, the DMC will notify the debtor of the evidence (or more simply send a copy of the evidence to the debtor).

New Objections and Evidence - Sometimes in the middle of an oral hearing, the debtor presents an objection or evidence that needs further development to properly address. The hearing official can adjourn (suspend) the hearing to seek additional evidence that may bear on the merit of the objection.

Giving the Debtor a Chance to Respond - If the hearing official finds relevant evidence (evidence that relates to a disputed fact and tends to make the claim more likely to be either true or false), the hearing official must consider that evidence in making the decision, and must notify the debtor of the new evidence, provide a copy of the evidence to the debtor, and allow the debtor to respond with his or her own additional evidence, or even a new objection. The hearing official must then resume the hearing.
**Resuming the Hearing** - The debtor should be in agreement on how the hearing should continue. If the hearing was an oral one, the debtor may insist on resuming an oral hearing. On the other hand, the debtor may be satisfied at that point to have the hearing continue only on the written record, supplemented by whatever added evidence and argument he or she adds after getting the agency’s new evidence, or the debtor may insist that the oral hearing be reconvened, at which time the debtor could present additional evidence and arguments.

**OTHER HEARING ISSUES**

**No-Shows And Repayment Negotiations** - If the debtor does not appear for an in-person hearing, or call in to a scheduled telephone hearing, the debtor is considered to have withdrawn the request for an oral hearing, and the hearing is conducted as a “paper hearing.”

**Repayment Terms** - The hearing official does not negotiate payment terms. If the debtor's Request for Hearing is timely filed, he or she can still negotiate a voluntary agreement with the PCA or Treasury FMS. However, if the request for hearing was untimely filed, the debtor cannot ordinarily negotiate installment repayment terms, and withholding will be ordered at the amount determined strictly by the hearing official.

**Can the Debtor Pay a Compromise to Resolve the Debt after the AWG Order has been Issued?** - Debtors can and quite often do negotiate lump sum payoffs of a debt after garnishment has started. However, garnishment does not stop until the debt has been paid in full. Any overpayments of the compromise amount resulting from a garnishment payment will be returned to the debtor.

**Can the Hearing Official Negotiate Repayment Options?** - No. Hearing officials do not negotiate repayment options, and do not offer terms in their decisions. The hearing official must not only be objective and impartial in fact, but must maintain the appearance of total neutrality and objectivity. Any participation in, or suggestion of payment terms, may give the impression that the hearing official is not impartial, or worse, that the hearing official promotes a compromise in order to avoid completing a thorough and careful analysis of the objections. Hearing officials must refer debtors who indicate a desire to negotiate repayment terms to Treasury FMS.

**THINGS TO REMEMBER**

- The debtor can submit evidence and argument, and raise objections during the oral hearing, regardless of whether those points were raised in the debtor’s request for hearing.

- The hearing official can obtain (new) evidence as well, but if the debtor has requested copies of his or her records, notice and description or copies of this
new evidence must be given to the debtor, and the debtor should be given an opportunity to respond to this new evidence.

- The debtor can respond to new agency evidence by submitting his or her own additional evidence, or making argument about the new agency evidence, or even raising new objections (the new evidence may disclose grounds for objection that the debtor could not, and did not, know about earlier).

- The simplest way to handle newly-acquired agency evidence is to send the debtor copies of the new evidence, rather than send a notice and wait for a request.

- If a debtor challenges the application of AWG funds to interest, penalties, costs and principal, agencies should consult the Federal Claims Collection Standards to determine if funds have been applied correctly.

**HOW DO WE RECEIVE HEARING REQUESTS AND WHAT IS THE NOTIFICATION PROCESS WHEN A DECISION IS FINALIZED?**

If Treasury or a private collection agency acting on its behalf receives a request for a hearing, they will forward the request to Treasury's Birmingham office. That office will enter the hearing request into its FEDDEBT system and will fax a copy of the hearing request with an AWG Hearing Resolution Form to the DMC at 612-970-5687. When a final decision is rendered, the DMC will mail a copy of the decision and any supporting documentation directly to the individual. A copy of the hearing resolution form (example in Appendix C), the decision and supporting documentation should be e-mailed to the Department of the Treasury at AWGhearingresolutions@fms.treas.gov. The current Treasury AWG points of contact are Suzanne Renda and Colette Green. Their contact information is as follows:

Suzanne Renda  Suzanne.Renda@fms.treas.gov  (205-912-6331)  
Colette Green  Colette.green@fms.treas.gov  (205-912-6326)  

Fax Number for AWG Hearing Responses (205-912-6363)
Figure 1FA-1:

Telephone / In-person Hearing Documentation Worksheet
(If used, should be included with the hearing record)

HEARING OFFICIAL: __________________________ DATE: ______ TIME: ______
DEBTOR'S NAME: ___________________________ SSN: ______________
PARTICIPANT(S): ____________________________

OPENING STATEMENT: My name is ____________________________, and I am the hearing official assigned to consider your objection(s) to garnishment to collect the debt held against you by the U.S. Department of Veterans Affairs that was described in the Notice of Proposed Garnishment sent to you. I am an employee of the Department of Veterans Affairs. I am responsible for conducting hearings on objections to garnishment, and am part of a unit of the Department that is responsible for conducting hearings and deciding objections. I have no responsibility for collecting this debt, and I have no responsibility for negotiating repayment terms if you were to desire to repay voluntarily either in the course of this hearing or later. During this hearing, you will be permitted to present oral testimony and written documentation and to present argument to support your belief that the Department should not garnish your wages to collect this debt. Furthermore, you will be granted an additional 10 working days after we finish this oral hearing to submit any additional evidence before a decision is rendered in this matter.

(Ask this Question): Do you have any question(s) and are you prepared to present your case? Yes: ______ No: ______

If they are not prepared to proceed, stop the hearing and reschedule at a more appropriate time (reach agreement right then, when the hearings will be held and document the reason for the delay). If they are ready to proceed, begin the hearing and ask the debtor questions for clarity of any statements.

Debtor Objection (s) and Pertinent Testimony: Did the hearing official commit to providing records or evidence to the debtor after the hearing was finished? Yes____ No ______

If so, describe the records to be provided________________________________________

Date hearing official sent records to debtor: ______ Hearing official initials: ______

Does the debtor request extension to submit additional evidence? Yes____ No ______

If so, what deadline was set for that submission? The date the debtor submitted additional evidence, if any:
Date ________ Hearing official initials ________

Hearing Official signature: __________________________ Date: __________________
Debtor's Name
ADDRESS
CITY, STATE ZIP

Re: [Debt Information, Account #, etc.)

GARNISHMENT HEARING DECISION

This letter presents the findings and conclusions reached after the recent [IN-PERSON/TELEPHONE/WRITTEN RECORDS] hearing you requested regarding an objection to collection of a delinquent debt owed to [AGENCY] through wage garnishment action. This decision was rendered after careful review of your arguments and accessible and available pertinent material records related to your account, including those submitted by you and those held by [AGENCY].

We state here the Department's decision with regard to the objections you raised to garnishment to collect the debts listed in the notice. The description of the procedures, the evidence considered, and the conclusion refer to the objection(s) you raised. We state here the consequences of our determination, including the amount the Department determines to be enforceable by garnishment, and we explain your rights with respect to this decision.

SUMMARY OF PROCEDURES TO DATE

Telephone or in person hearing only

Your hearing was held on <DATE, TIME>, EST. You presented testimony to the undersigned who served as the agency’s Hearing Official.

If debtor testified that no added evidence was to be submitted: At the hearing, you stated that you had submitted all the written statements and documents you had intended to submit.

If debtor requested time to submit added evidence, but did not do so: You were granted an extension ending <DATE> to submit additional evidence in support of your objection. However, we have received nothing further, and this review is based on your original submission and the testimony presented at the hearing and Department records regarding the debt.

If debtor submitted additional evidence: Your additional submission has been received and was considered in this review.
For Written Records Hearing for Debtor who Requested Oral Hearing

A. Debtor failed to attend scheduled in-person or telephone hearing. You requested an oral hearing, and on <DATE>, a notice was mailed to your last known address and your attorney advising you that your in-person/telephone hearing had been scheduled for <DATE> at <TIME>. You did not, either on or prior to the hearing date, request that the hearing be rescheduled. We therefore conducted this hearing as a written records hearing.

Add one of the following, as appropriate:

A-1. For telephone hearings: We were not able to reach you by telephone at the scheduled time, and you did not telephone the agency for your hearing as scheduled.
A-2. For in-person hearings: You failed to attend the scheduled hearing.

B. Unable to contact debtor to schedule hearing: You requested an oral hearing, and on <DATE> a notice was mailed to your last known address advising you to contact this office to schedule a hearing. You did not contact this office to schedule your hearing and we were unable to reach you by telephone to schedule your hearing. We therefore conducted this hearing as a written records hearing.

C. No reason, or inadequate reason, given for requested oral hearing: You requested a telephone or in-person hearing, but you failed to show a good reason to conclude that we cannot resolve the issues in dispute by review of the documentary evidence or by demonstrating that the validity of the claim depends on the credibility or veracity of witness testimony. We therefore conducted this review as a written records hearing.

D. Debtor provided sufficient evidence to support objection: You requested an oral hearing, but we conducted this review as a written records hearing because you provided sufficient documentation and evidence to establish the facts on which you wished to present testimony, and we accept those facts as proven.

E. Debtor requested the oral hearing be cancelled: You requested an oral hearing, but cancelled that request. This hearing is therefore conducted as a written records hearing.

F. Debtor contacted the agency to schedule/reschedule hearing but the agency was unable to contact debtor: You requested an oral hearing. On <DATE> you or your attorney contacted the agency to schedule/reschedule an in-person/oral hearing. We attempted to contact you/your attorney on <DATE>, but were unable to reach you/him/her. We therefore conducted this review as a written records hearing.

G. Debtor said they would call back to schedule a hearing but did not do so. You requested an oral hearing. On <DATE>, we contacted you/your attorney and were informed that you/your attorney would call us back to schedule a hearing. We did not
receive a subsequent call to schedule a hearing. We therefore conducted this review as a written records hearing.

H. The following applies to any hearing where the borrower was sent a letter for more information, and debtor was given an extension to submit added evidence:

1. If debtor failed to submit added evidence: You were granted an extension ending <DATE> to submit additional evidence in support of your objection(s). We have not received any further information, and this review is based on your original submission and Department records regarding the debt.

2. If debtor submitted additional evidence: You were granted an extension ending <DATE> to submit additional evidence in support of your objection(s). Your additional submission has been received and was considered in this review. EVIDENCE CONSIDERED: [Describe records, e.g., from the agency’s computer database or other records]:

Describe any additional information submitted by the borrower. If an oral hearing, add: Testimony of [name of any individual who provided testimony]; Your oral testimony, etc.

Determinations Regarding the Existence, Amount, or Validity of the Debt for Written Records Hearings

A. Debtor Raised No Objections to the Existence, Amount or Validity of the Debt

Use Statement II-A-1 when VA only has computer records, particularly in hardship cases where the promissory note was not requested.

II-A-1 Computer Records Only: You did not object that the debt(s) described in the notice (was/were) not owed and enforceable in the amount stated. The agency records, including the enclosed copies of the agency’s electronic records, are presented to establish the existence, amount, and past-due status of the debt. We therefore conclude that the debt or debts listed are past due and enforceable in the amounts stated.

Use Statement II-A-2 when sending both the physical documents (promissory notes, citations for penalties, court judgments, etc.) and computer records to the borrower.

II-A-2 Computer Records and Physical Documents: You did not object that the debt(s) described in the notice (was/were) not owed and enforceable in the amount stated there. The agency records, including the enclosed copies of the agency’s electronic records and promissory notes, are presented to establish the existence, amount, and past-due status of the debt. We therefore conclude that the debt or debts listed in the notice are past due and enforceable in the amount stated.
Figure 1FA-3:

Administrative Wage Garnishment Hearing Resolution Form
(Sample)

<table>
<thead>
<tr>
<th>Administrative Wage Garnishment (AWG) - Agency Hearing Request Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td>DMS Request Date:</td>
</tr>
<tr>
<td>FedDebt Case ID:</td>
</tr>
<tr>
<td>Creditor Agency Debt ID:</td>
</tr>
<tr>
<td>Deboth:</td>
</tr>
<tr>
<td>AWG IL Program:</td>
</tr>
<tr>
<td>AWG Contact Name:</td>
</tr>
<tr>
<td>AWG Contact Address:</td>
</tr>
<tr>
<td>AWG Contact Phone Number:</td>
</tr>
<tr>
<td>AWG Facsimile Number:</td>
</tr>
</tbody>
</table>

Creditor Agency Must Respond to Hearing Request via facsimile (205) 912-6363 by:

Creditor Agency (CA) - Administration Wage Garnishment Hearing Resolution Section:
Please indicate a response by checking one of the following reasons. Please attach supporting documentation.

<table>
<thead>
<tr>
<th>Proceed/Continue AWG</th>
<th>Valid Case</th>
<th>Valid Case Amount</th>
<th>Hearing Withdrawn</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other (Comment required)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Proceed/Continue AWG with Modifications</th>
<th>Reduced Case Amount</th>
<th>Modified Terms</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other (Comment required)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Terminate AWG and Continue Collection</th>
<th>Payment agreement negotiated with CA</th>
<th>AWG not appropriate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other (Comment required)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Terminate AWG and Route for Recall (Timely or Late Hearings)</th>
<th>Not a valid debt</th>
<th>Wrong debtor</th>
<th>Debt forgiven by CA</th>
<th>Debt already paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other (Comment required)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Financial Adjustment Information (To Be Completed By Creditor Agency):

<table>
<thead>
<tr>
<th>Principal Amount</th>
<th>$</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest Amount</td>
<td>$</td>
</tr>
<tr>
<td>Penalty Amount</td>
<td>$</td>
</tr>
<tr>
<td>Admin Cost Amount</td>
<td>$</td>
</tr>
<tr>
<td>Total Balance Owed</td>
<td>$</td>
</tr>
</tbody>
</table>

Please check one of the following:

Adjustment reflects the total balance currently owed by the debtor, and has been made by our Agency.
Adjustment has not been made in FedDebt by the Agency, and should be made by DMS.

Creditor Agency Response Date: _ Creditor Agency Response Contact: ____________________________

Additional Comments By Creditor Agency: ____________________________________________________________

AWGAHRR136_ 6d+1 000000027201128626A AHRR080000278015 125

AWGAHRR136_ 6d+1 000000027201128626A AHRR080000278015 125