

**NOTICE OF PROPOSED TREASURY OFFSET AGAINST ALL PAYMENT STREAMS AUTHORIZED BY  
LAW, EITHER CURRENTLY OR IN THE FUTURE. THESE PAYMENT STREAMS MAY BE PAYMENTS TO  
WHICH YOU ARE ENTITLED TO RECEIVE EITHER NOW OR IN THE FUTURE**

**Your Student Loan Debt or Grant Claim**

The U.S. Department of Education (ED) holds one or more past due, legally enforceable, defaulted student loans or grant claims for which you are responsible. The Debt Statement accompanying this notice describes the debt(s) in detail. ED will refer your debt to the U.S. Department of the Treasury (Treasury), unless you pay this debt in full, make satisfactory arrangements to repay it, or make a timely, valid objection to enforcement of the debt. ED will request that Treasury deduct the amount of this debt, plus a servicing fee and accrued interest, from any payment streams authorized by law, either currently or in the future. These payment streams may be payments to which you are entitled to receive either now or in the future and include, but are not limited to, Federal and/or State income tax refunds, Social Security benefits, and/or Federal travel reimbursements. Treasury will continue to offset the debt until this debt is paid in full.

**Important: This notice explains how to avoid offset against current and future Federal and/or State tax refunds and other payments. Neither ED nor Treasury will provide an additional notice and opportunity to review records or to object to collection of this debt before a Treasury offset against future payments. ED may have already referred for offset some or all of the debts listed on the Debt Statement, as explained in prior notices.**

To pay your account in full, you must call the toll-free telephone number indicated on the Debt Statement accompanying this notice to obtain the total balance due and send a check or money order for that amount, together with the top portion of the Debt Statement, to the address listed on the upper portion of the Debt Statement.

You have the right to -

- \* Review ED documents regarding the student loan(s) or grant claim(s) described in the Debt Statement.
- \* Object to the amount or existence (collection) of this debt.
- \* Have ED review your objections.
- \* Enter into a repayment agreement satisfactory to ED in order to avoid collection of the debt through the Treasury Offset Program.
- \* Have a lawyer represent you in exercising these rights.

You must exercise these rights in accordance with ED rules:

**To Request Documents**

To receive documents regarding the debt(s), you must make a written request to the **CONTACT LISTED ON THE STATEMENT**. Your written request must include your **Social Security Number**. You must identify the debt(s) for which you want records, and include a reasonable description of the records you want to receive. Documents available may include the promissory note evidencing the loan, the loan application, records of payments made to ED, the document used by the school or lender to file a claim on the loan guarantee (in the case of a guaranteed student loan), or to assign the loan to the government (in the case of a National Direct/Defense Student Loan or Perkins Loan), and correspondence between you and the school or lender regarding the loan. Not all of these documents are available in every case.

**Objections You May Raise to Collection of the Debt**

You can object to Treasury offset on several grounds. ED will not use the Treasury Offset Program to collect all, or some part, of a student loan or grant claim to the extent that -

- \* The debt is not past due at this time because you have already repaid the debt, or you have made the required payments under the repayment agreement you reached with ED.
- \* The debt is not legally enforceable against you at this time because, for example, you have filed bankruptcy and your case is still pending; the debt was discharged in a past bankruptcy; the loan was canceled for the death or disability of the borrower; or the debt was canceled in part for qualifying military, teaching, volunteer, or public service.
- \* The school owed you a refund for the period for which the loan was made, but did not pay the refund, or paid only part of the refund.
- \* The school you attended closed during the period for which the loan was made, or you did not have a high school diploma or GED and the school improperly determined that you could benefit from its training.

**To Object in Writing to Collection of the Debt**

To have ED review your objections to the collection of the debt(s), you must make a written request for review, within 65 days of the date of the Debt Statement, to the **CONTACT LISTED ON THE STATEMENT**.

You can use the enclosed Request for Review form to state your objections. If you requested documents within 20 days of the date of the Debt Statement, from the CONTACT LISTED ON THE STATEMENT, you will have 15 days after the date the documents were mailed to request a review, even if that would take your request outside the 65 day period. You must include in your request your name, your Social Security Number, the debt(s) about which you raise objections, a statement of the objections you have to collection of the debt(s) through Treasury offset, and copies of any documents you want ED to consider to support your objections.

#### **To Request an In-Person or Telephone Hearing**

If you want to present your objections in person or in a telephone hearing, complete the enclosed Request for Review form. If you do not use the enclosed Request for Review form, you must explain in a written request for review, the facts that you want to present orally that would show that the debt(s) is not enforceable, and why you believe that ED cannot adequately consider your objections by reviewing ED's records of the debt and any other records, including any written statement that you now provide.

If ED decides to grant an in-person or telephone hearing, you will be contacted to schedule the time and place. If ED decides not to grant an in-person or telephone hearing, ED will contact you to advise you that no in-person or telephone hearing will be held and whether ED accepts your written objections.

#### **To Enter Into a Repayment Agreement**

If you want to enter into a repayment agreement, you must call or write to the CONTACT LISTED ON THE DEBT STATEMENT. To avoid a Treasury offset of Federal and/or State tax refunds and other payments to which you may be entitled, you must agree to pay the debt under terms acceptable by ED, and must actually make the first payment under the agreement within 65 days of the date of the Debt Statement and continue to make timely payments. If you made a request for documents within 20 days of the date of the Debt Statement, you have 15 days from the date the documents were mailed to you to work out an installment agreement and make the first payment. If you objected to the debt within the deadlines explained in this Notice, and ED denies your objections, you will have 7 days from the date the decision is mailed to you to work out the agreement and make the first payment.

#### **Your Rights if ED Denies Your Objections and Treasury Offsets Your Federal and/or State Tax Refund or Other Payment**

If you present objections to collection, ED will send you a written decision explaining whether ED will collect the debt in whole or in part, the reasons why, and the amount to be collected. If you disagree with this decision and your Federal and/or State tax refund or other payment is offset, you may have this decision reviewed by bringing a lawsuit in Federal district court.

#### **If You Miss a Deadline for Exercising Your Rights**

You may obtain documents, a review, or a hearing, or enter into a repayment agreement, even if you miss the deadlines in this Notice. However, if ED has already requested Treasury to offset your Federal and/or State tax refunds and other payments, ED will not withdraw the request until you prove that the debt is not legally enforceable or not past-due. Therefore, your Federal and/or State tax refund and/or other payments may be offset if, after the deadlines here, you request a review and prove that the debt was not enforceable by offset, or you reach an agreement to repay and make payments required under that agreement.

If you later prove that the debt was not enforceable by offset, ED will return to you the amount collected that exceeded the proper amount. If you later enter into a repayment agreement and make the payments required under that agreement, ED will take steps to suspend further offset action.

#### **Taxpayers Who File Joint Tax Returns**

If you file a joint Federal income tax return, you should obtain IRS Form 8379, Injured Spouse Claim and Allocation, before filing your return. The instructions will explain the steps your spouse may take to obtain his or her share of your joint income tax refund. Borrowers filing joint state tax returns should check with their State Department of Taxation to determine if similar relief is available for state refunds.

**Federal Employees:** In addition to offset against Federal and/or State tax refunds and other payments, this debt may be collected by offset of up to 15% of your current disposable pay. ED must give specific notice and appeal opportunity, other than this Treasury Offset Notice, to a Federal employee before requesting another Federal agency to offset pay to satisfy a debt. ED has already given this notice to those individuals whom ED has identified as Federal employees among the debtors that ED proposes to refer to Treasury for offset. If you are a Federal employee and you believe that ED has not already provided you a separate, specific notice of its intention to collect this debt by salary offset, identify yourself as a Federal employee in your Request for Review, and ED will provide the required notice and appeal procedure for Federal employees before ED refers your debt for salary offset. In the future, ED will provide this notice and appeal opportunity promptly, and arrange for suspension of salary offset, to any individual who shows that an offset of that individual's Federal salary commenced before ED provided this notice and appeal opportunity.