

Reclamation Manual

Directives and Standards

SAMPLE CERTIFICATION - DEBT COLLECTION

With respect to the debts attached or transmitted with this certification. I certify the following:

Valid Debts. The debts are delinquent, valid and legally enforceable in the amounts stated.

No Bar to Collection. The debts are not subject to any circumstances that legally preclude or bar collection, including collection by offset. There are no foreclosures pending with respect to any collateral securing a debt. The Agency's records do not show that any debtor owing a debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.

Administrative Offset. The Agency has complied with all of the provisions of 31 U.S.C. 3716 and 4 CFR Part 102, as well as other statutes, regulations, and policies applicable to collection by administrative offset by the Agency. The Agency has provided each debtor with:

- Written notification of the nature and the amount of the debt, the intention of the Agency to collect the debt through administrative offset, and an explanation of the rights of the debtor;
- An opportunity to inspect and copy the records of the Agency with respect to the debt;
- An opportunity to review within the Agency of the determination of the Agency with respect to the debt; and
- An opportunity to enter into a written repayment agreement with Agency.

Consumer Reporting Agencies. The Agency has complied with all of the provisions of 31 U.S.C. 3711(f) and 4 CFR Part 102, as well as other statutes, regulations, and policies applicable to the Agency's reporting of delinquent debts to consumer reporting agencies. The Agency has:

- Determined that the debts are valid and overdue;
- Notified the debtor, more than 60 days prior to the date of this certification: (a) that the debt is overdue, (b) that the Agency intends to disclose to a consumer reporting agency that the debtor is responsible for the debt, (c) of the specific information to be disclosed to the consumer reporting agency, and (d) of the debtor's rights to an explanation of the claim, to dispute the information in the Agency's records about the claim, and to request an administrative repeal or review of the claim; and
- Upon the request of a debtor, provided for a review of any debtor's claim, including an opportunity for reconsideration of the initial decision on the claim.

In addition, no debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.

Interest and Penalties. The agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

CERTIFICATION: Pursuant to 28 U.S.C. 1746, I certify under penalty of perjury that the foregoing is true and correct.

Date

Signature of Regional Finance Officer

Print Name: _____

Title: _____

Agency: Bureau of Reclamation