



NATIONAL GUARD BUREAU
US PROPERTY AND FISCAL OFFICE FOR CALIFORNIA
10620 MATHER BLVD.
MATHER, CA 95655

NGCA-PFO

JAN 04 2013

MEMORANDUM FOR: HALEY SUSAN ELIZABETH XXX-XX-~~XXXX~~

SUBJECT: Incentive Notice of Indebtedness (NOI), Ref TL#20123333RC

1. The NGCA Incentives Task Force (ITF) has found you to be indebted to the U.S. Government as follows:

Incentive type: REB

Reason for ineligibility: SM was eligible to contract for REB however is not eligible to retain all bonus disbursements. SM received (3)- payments in FY 06, (1)- payment in FY07 and (1) payment in FY09, to total \$45,000.00 in REB bonus. SM ISTed to TXARNG on 20080708.

Amount: \$22,500.00 ^{\$37,500.}
~~\$22,500.00~~

2. Under the authority of United States Code, Title 37, Section 1007 (37 U.S.C. § 1007), the United States Property and Fiscal Officer (USPFO) for California has taken action to collect this debt through salary deductions in accordance with the Department of Defense Financial Management Regulation (DODFMR) Volume 7A, Military Pay Policy and Procedures.

3. If you have any pertinent supporting documentation that could negate all or part of this debt, your response form and return envelope are enclosed. Please send responses to ngcaitf@ng.army.mil, Fax (916) 843-3968, or mail to:

California Army National Guard
ATTN: Incentives Task Force (ITF)
9800 Goethe Road, Box #65
Sacramento, CA 95826

4. The maximum allowable rates of salary deduction of disposable pay for overpayments are:

- 67% of disposable pay if determined cause was the fault of the member.
- 20% of disposable pay if determined cause was not the fault of the member.

5. You may also repay this debt by check or money order made payable to the USPFO for California. Send checks/money orders directly to:

USPFO for California
ATTN: Comptroller, Check Control Officer
2303 Napa Avenue
San Luis Obispo, CA 93405-7609

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6. You may request that payments be prorated over a reasonable period in the event that the payment methods described above would create a financial hardship. The maximum repayment period allowed may be affected by your remaining time in service. Proration requests must be accompanied by a memorandum (signed by you and your unit commander) describing the financial hardship and the amount you can reasonably afford. Send your proration request to ngcaidl@ng.army.mil.

7. Any portion of your debt remaining uncollected at the time of your separation from the California National Guard shall be collected from your final pay and allowances.

8. In accordance with 31 U.S.C. § 3717, interest shall accrue on this debt from the date of this notice. The interest rate will be equal to the average investment rate for the Treasury tax and loan accounts for the 12-month period ending on September 30 of each year, rounded to the nearest whole percentage point. Interest will not be charged if the amount due is paid in full within 30 days of the date of this notice.

9. You have the following rights:

a. You have the right to receive a copy of government records related to the debt. Request a copy through the ITF Settlement Team at ngcaitf@ng.army.mil or call (855) 751-4087.

b. You have the right to appeal the validity, the amount, or the liability for the debt. Appeals can be initiated by a memorandum to the Incentives Task Force outlined in paragraph 3.

c. You may request a correction of your records through the Army Board for Correction of Military Records (ABCMR). Additional guidance with regard to the ABCMR can be found in AR 15-185.

d. You have the right under 32 U.S.C. § 716 to seek waiver of the debt if there is no evidence of fraud, misrepresentation, fault, or lack of good faith. However, no one is entitled to unearned compensation, and only in very unusual circumstances would equity and good conscience suggest that an individual should keep an overpayment. Before a debt can be waived, the facts must clearly establish that collection would not serve the best interests of the United States of America. Guidance with regard to applying for debt waivers can be found in AR 37-104-4.

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e. You have the right under 10 U.S.C. § 4837 to seek remission of the debt, if the debt was incurred while on active duty or on active status and if otherwise appropriate. Additional guidance with regard to remission can be found in AR 600-4.

10. The California Army National Guard Legal Assistance Office is available to advise and assist current members in exercising the rights noted above. The Legal Assistance Office can refer non-current members to other sources of legal assistance. The Legal Assistance Office may be contacted at <http://www.calguard.ca.gov/sja/LA/Pages/itfi.aspx> or 310-478-5798.

11. Additional debt information is available through Defense Finance and Accounting Service (DFAS): <http://www.dfas.mil/dfas/debtandclaims.html>.

12. Questions regarding this notification of indebtedness, payment options, appeals or your rights regarding this debt may be addressed either to the California National Guard's Incentives Task Force (ITF) at (855) 751-4087 or the USPFO for California's Incentive Debt Liaison (IDL) at ngususpfoidl@ng.army.mil or (916) 369-4989.



TERENCE P. SULLIVAN
Colonel, NGB
USPFO for California