

---

## 42 C.F.R. § 21.75

---

### Procedures.

---

- (a) *Service of notice.* (1) An authorized person shall serve on the designated official of the Department a signed notice including:
- (i) Full name of the officer;
  - (ii) Social security number of the officer;
  - (iii) Duty station location of the officer, if known;
  - (iv) A statement that support payments are delinquent by an amount at least equal to the amount of support payable for two months;
  - (v) A photocopy, along with any modifications, of the underlying support order;
  - (vi) A statement of the amount of arrearages provided for in the court order and the amount which is to be applied each month toward liquidation of the arrearages, if applicable;
  - (vii) The full name and address of the payee to whom the allotment will be payable;
  - (viii) Any limitations on the duration of the support allotment.
- (2) The service of notice shall be accomplished by certified or registered mail, return receipt requested, or by personal service, upon the appropriate designated official of the Department. The designated official shall note the date and time of receipt on the notice.
- (3) Valid service is not accomplished until the notice is received in the office of the designated official.
- (4) If the order of a court or duly authorized administrative agency seeks collection of arrearages, the notice must state that the support allotment qualifies for the additional 5 percent in excess of the maximum percentage limitations found in 15 U.S.C. 1673. Supporting evidence must be submitted to the Department establishing that the support order is 12 or more weeks in arrears.
- (5) When the information submitted is not sufficient to identify the officer the notice shall be returned directly to the authorized person with an explanation of the deficiency. However, before returning the notice, an attempt should be made to inform the authorized person who caused the notice to be served that it will not be honored unless adequate information is supplied.
- (6) Upon proper service of notice of delinquent support payments and together with all required supplementary documents and information, the Service shall identify the officer from whom moneys are due and payable. The pay of the officer shall be reduced by the amount necessary to comply with the support order and liquidate arrearages if any, if provided by order of a court or duly authorized administrative agency. The maximum amount
-

to be allotted under the provision together with any other moneys withheld from the officer for support pursuant to a court order may not exceed:

This document is only available to subscribers. Please log in or purchase access.

[Purchase Login](#)