

UNITED STATES DEPARTMENT OF AGRICULTURE
BEFORE THE SECRETARY OF AGRICULTURE

Docket No. 11-0054

In re: Linda L. Hartman, Petitioner

DECISION AND ORDER

1. The telephone hearing was held on December 6, 2010, as scheduled. Linda L. Hartman, Petitioner (Petitioner Hartman), participated, as did her husband, Noel Hartman. The Respondent is the United States Department of Agriculture, Farm Service Agency (USDA-FSA), which participated through Scott Nielsen.
2. The debt was established, as follows: Petitioner Hartman owes to USDA-FSA the amount of \$73,356.17 principal as of October 29, 2010, plus \$11,465.26 accrued interest as of October 29, 2010.
3. ***Salary offset*** is **not** authorized in any amount through **December 2012**, due to the extreme financial hardship to Petitioner Hartman that would result from ***salary offset*** in any amount (15% of Petitioner Hartman's disposable pay or any lesser amount). *See, for example, 7 C.F.R. §§ 3.62(g)(2)(ii) and 3.78.* [Petitioner Hartman's travel reimbursement, for travel required by her job, is being intercepted and applied to the debt. I would find extreme financial hardship to Petitioner Hartman from any amount of ***salary offset*** even if this were not so.] After December 2012, Petitioner Hartman's financial circumstances may be reviewed to determine her ability to repay all or part of the debt through ***salary offset*** without financial hardship.

4. This Decision does not prevent repayment of the debt through *offset* of Petitioner Hartman's **income tax refunds** or other **Federal monies** payable to the order of Petitioner Hartman.

Copies of this Decision shall be served by the Hearing Clerk upon each of the parties.

Done at Washington, D.C.

this 7th day of December 2010

s/ Jill S. Clifton

Jill S. Clifton
Administrative Law Judge

Hearing Clerk's Office
U.S. Department of Agriculture
South Building Room 1031
1400 Independence Avenue, SW
Washington DC 20250-9203
202-720-4443
Fax: 202-720-9776