

113TH CONGRESS
2D SESSION

H. R. 4764

To require Federal agencies to provide notice and consideration of evidence before submitting debts to the Secretary of the Treasury for collection through reduction of tax refunds, and to restore the 10-year statute of limitations applicable to collection of debt by administrative offset.

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 2014

Mr. FINCHER introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require Federal agencies to provide notice and consideration of evidence before submitting debts to the Secretary of the Treasury for collection through reduction of tax refunds, and to restore the 10-year statute of limitations applicable to collection of debt by administrative offset.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Verify It Act”.

1 **SEC. 2. REQUIREMENT THAT FEDERAL AGENCIES PROVIDE**
2 **NOTICE AND CONSIDERATION OF EVIDENCE**
3 **BEFORE SUBMITTING DEBTS TO THE SEC-**
4 **RETARY OF THE TREASURY FOR COLLEC-**
5 **TION THROUGH REDUCTION OF TAX RE-**
6 **FUNDS.**

7 (a) IN GENERAL.—Section 6402(d) of the Internal
8 Revenue Code of 1986 is amended by adding at the end
9 the following new paragraph:

10 “(4) NOTICE; CONSIDERATION OF EVIDENCE.—

11 A Federal agency may not notify the Secretary
12 under this subsection of any past-due legally en-
13 forceable debt until such Federal agency—

14 “(A) notifies by certified mail with return
15 receipt the person owing the past-due legally
16 enforceable debt that the Federal agency pro-
17 poses to take action pursuant to this sub-
18 section;

19 “(B) gives such person at least 60 days to
20 present evidence that all or part of such liability
21 is not past-due or not legally enforceable;

22 “(C) considers any evidence presented by
23 such person and determines that an amount of
24 such debt is past-due and legally enforceable;
25 and

1 “(D) satisfies such other conditions as the
2 Secretary may prescribe to ensure that the de-
3 termination made under subparagraph (C) is
4 valid and that the Federal agency has made
5 reasonable efforts to obtain payment of such
6 debt.”.

7 (b) EFFECTIVE DATE.—The amendment made by
8 this section shall take effect on the date of the enactment
9 of this Act.

10 **SEC. 3. RESTORATION OF STATUTE OF LIMITATIONS.**

11 (a) IN GENERAL.—Section 3716(e) of title 31,
12 United States Code, is amended to read as follows:

13 “(e) This section does not apply—

14 “(1) to a claim under this subchapter that has
15 been outstanding for more than 10 years; or

16 “(2) when a statute explicitly prohibits using
17 administrative offset or setoff to collect the claim or
18 type of claim involved.”.

19 (b) RETROACTIVITY.—In the administration of sec-
20 tion 3716(e) of title 31, United States Code, the following
21 provisions of law shall be treated as if they had never been
22 enacted:

23 (1) Section 14219 of the Food, Conservation,
24 and Energy Act of 2008 (Public Law 110–234; 122
25 Stat. 1483), repealed as duplicative enactment by

1 section 4 of Public Law 110–246 (7 U.S.C. 8701
2 note).

3 (2) Section 14219 of the Food, Conservation,
4 and Energy Act of 2008 (Public Law 110–246; 122
5 Stat. 2245).

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