



Janet Skeen/WO/USDAFS

05/02/2006 07:00 PM

To: steven.bott@usda.gov

cc: Terry Cooper/R8/USDAFS@FSNOTES, Jerome
Thomas/R8/USDAFS@FSNOTES, JaSal
Morris/R8/USDAFS@FSNOTES, Stephen E
Wells/R8/USDAFS@FSNOTES, Lynn
Mighton/R9/USDAFS@FSNOTES, Janet
Skeen/WO/USDAFS@FSNOTES, Michael
Clonts/WO/USDAFS@FSNOTES, Jack
Gregory/R8/USDAFS@FSNOTES

bcc

Subject: Henry Brown Case Referral to OGC

(S)(S)
Steve: The Henry Brown trespass fire collection case is being finalized for mailing to the OGC in Atlanta. It's addressed to the Regional Attorney and will go out tomorrow.

[REDACTED] Copies of the transmittal letter will be sent to JaSal, Terry, and Lynn.

I'm preparing reports for you from our Claims Information System (CIS) database, to show our open (and closed this FY) fire trespass claims for the Government. I hope to get these sent to you this week. There will be three reports. One for the Francis Marion and Sumter NFs, one for Region 8, and one for all units of the Forest Service. I'll send a copy of the Forest report to JaSal, and a copy of the Regional report to Terry.

I understand the Forest is preparing some background information for you. Please keep me informed regarding information they provide.

Please let me know whether you need additional information, and please keep me informed regarding the status of this case. Thank you.

Janet E. Skeen
Albuquerque Service Center - Claims Branch Chief
USDA Forest Service
Phone: 505-563-7310
Cell: 505-239-6177
FAX: 866-341-1541

Telephone: (803) 561-4081
Confidential Fax: (803) 561-4082

Rick Anderson/WO/USDAFS



Rick Anderson /WO/USDAFS

03/12/2008 05:32 PM

To Jerome Thomas/R8/USDAFS@FSNOTES, JaSal
Morris/R8/USDAFS@FSNOTES, Terry
Cooper/R8/USDAFS@FSNOTES
cc Janet Skeen/WO/USDAFS@FSNOTES

Subject Henry Brown Demand Letter

Attached please find a demand letter and bill for collection that has been sent today to Henry Brown. This is for recovery of fire suppression costs from an escaped burn that took place on March 5, 2004. If you have any questions please contact me.

Rick Anderson
Field Operations Manager
ASC Claims
101B Sun Ave. NE
Albuquerque, NM 87109
505.563.7321
Fax: 505-563-7986



BROWN HENRY.pdf



United States
Department of
Agriculture

Forest
Service

Albuquerque Service Center
Claims Management

101 B Sun Avenue NE
Albuquerque, NM 87109
1-877-372-7248

File Code: 6570

Date: MAR 12 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Henry Brown

[REDACTED]
Hanahan, SC 29406

(b)(6)

7006 3450 0002 4590 9798

Re: Notice of Indebtedness to the USDA Forest Service

Dear Mr. Brown:

On March 5, 2004, you ignited a prescribed burn on your private property adjacent to the Francis Marion and Sumter National Forests. Our investigation disclosed that, due to your negligence, the fire escaped and burned approximately 20 acres of National Forest System land. As a result, the Forest Service incurred suppression costs in the amount of \$4,747.18 for which you are liable.

Documentation supporting the costs incurred by the Forest Service is enclosed.

The United States Department of Agriculture, Forest Service (FS) sent you a letter and Bill for Collection for the fire suppression costs on January 28, 2005. Enclosed are two copies of the Bill for \$4,747.18 plus accrued interest, penalty and administrative costs, for a total of \$5,773.03. Payment in full, via check or money order, must be made within 30 days of the date of this letter to:

USDA Forest Service, Albuquerque Service Center
Attn: Unit Collection Officer
101B Sun Avenue NE
Albuquerque, NM 87109

Please return one copy of the bill with your payment. The second copy is for your records.

Interest, Penalties, and Administrative Costs

Pursuant to 31 U.S.C. 3717(b), 31 CFR 901.9, and 7 CFR 3.17, this debt is subject to interest, penalties, and administrative costs because it was not paid in full by the due date.

As a result, you are charged interest on the unpaid principal at the rate of 1 percent, which was the interest rate for delinquent debts owed the United States when you were initially billed in



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2005. Because this debt was not paid in full within 90 days of the due date, you are also charged a penalty of 6 percent per annum on the amount overdue. Interest and penalty charges are calculated from the date the bill was issued, and will continue to accrue until it is paid in full. Additionally, you are being charged applicable administrative costs to cover processing and handling of the overdue debt.

Reporting Requirement

Pursuant to 7 CFR 3.12, this debt may be reported to credit bureaus if it is over 60 days delinquent.

Additional Collection Measures

If this debt is not paid in full by the due date, pursuant to the Debt Collection Improvement Act of 1996, 31 CFR 285.5 and 285.12, and 7 CFR Part 3, Subpart C, the FS will refer the debt to the United States Department of the Treasury (Treasury), Financial Management Service (FMS), for appropriate collection action. Appropriate collection action may include:

- Offsetting federal payments due to you (such as federal tax refunds, federal salary, federal retirement pay, and social security benefits);
- Offsetting state payments due to you (such as state tax refunds and vendor payments);
- Referring the debt to private collection agencies;
- Administrative wage garnishment; and
- Referring the debt to the United States Department of Justice.

Debts referred to FMS for collection are subject to an additional fee, currently 28 to 30 percent of the debt, to cover the cost of collection.

If you do not take one of the four actions described below within 30 days from the date of this notice, the FS will refer your debt to FMS for further collection action.

Action Necessary to Avoid Late Charges, Reporting to Credit Bureaus, and Enforced Collection

To avoid assessment of interest, penalties, and administrative costs; reporting to credit bureaus; and enforced collection as described above, you must do one of the following within 30 days of the date of this letter:

1. Pay your debt in full, as provided above.
2. Agree to a payment plan. If you are unable to pay your debt in full, you must contact Rick Anderson at the address above or by telephone at 505-563-7321, sign a payment plan agreement with the FS, and make payments as required in the agreement.
3. Document an automatic stay in a bankruptcy proceeding. If you have filed for bankruptcy and an automatic stay is in effect, please provide a copy of the bankruptcy

petition containing the stamp of the clerk of the bankruptcy court to Rick Anderson at the address above.

4. Petition for administrative review. Pursuant to 7 CFR 3.62, you may petition for administrative review of the FS's determination that the debt exists and the propriety of administrative offset. The petition for administrative review must be received within 60 days of the date of this notice to avoid administrative offset.

The petition must provide a sufficient rationale and sufficient evidence of why you believe all or part of the debt is not owed. The petition must include your name, address, telephone number, and signature. The petition should be sent to Rick Anderson at the address above.

The FS will respond to you in writing regarding your petition. If, after administrative review, it is determined that the debt is still past due and legally enforceable and you do not take any of the other three actions above regarding your debt within 30 days of that determination, the FS will refer your debt to FMS for further collection action.

Pursuant to 18 U.S.C. 1001, it is a federal criminal offense to make false statements or representations or to utilize false documents in a petition for administrative review or during administrative review regarding this debt.

You have a right to inspect and copy the FS records related to this debt. You must pay for copying costs.

If you have insurance, you may want to consider referring this debt to your insurance carrier.

If you have any questions about this notice, please contact Rick Anderson at 505-563-7321.


JANET E. SKEEN
Branch Chief, Claims/Claims Officer

Enclosures



Steve Hart/VO/USDAFS
03/18/2008 02:28 PM

To linda.strachan@usda.gov, lowell.randel@usda.gov,
andrew.vlasaty@usda.gov
cc dcrandall@fs.fed.us, lweldon@fs.fed.us,
dwhittekiend@fs.fed.us, snjohnson
bcc

Subject Fw: Henry Brown Demand Letter

Linda, Lowell, & Andrew

The Forest Service has sent a demand letter and bill for collection to Rep. Henry Brown (R-SC) for recovery of fire suppression costs from a fire that took place on March 5, 2004. Rep. Brown was determined to be responsible for a fire that escaped from his property onto a national forest and to be liable for the cost of suppressing the fire.

Some days it never seems to let up, much less stop.

W. Stephen Hart
Deputy Director
Legislative Affairs Staff
US Forest Service
(Office) 202/205-1637
(Cell) 202/380-6814
(Fax) 202/205-1225
e-mail: shart@fs.fed.us

----- Forwarded by Steve Hart/VO/USDAFS on 03/18/2008 02:21 PM -----

Stephanie N
Johnson/R8/USDAFS
03/18/2008 09:50 AM

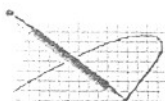
To shart@fs.fed.us, Doug Crandall/VO/USDAFS@FSNOTES,
David Whittekiend/VO/USDAFS@FSNOTES
cc tpeterson01@fs.fed.us, Jane L
Cottrell/R1/USDAFS@FSNOTES, Steven M
Bekkerus/R8/USDAFS@FSNOTES
Subject Fw: Henry Brown Demand Letter

fyi-

Stephanie Neal Johnson
Public Affairs Director
US Forest Service - Southern Region (R8)
1720 Peachtree Road NW
Room 763 South
Atlanta, GA 30309

Phone: (404) 347-7226
Cell: (404) 895-1709
Fax: (404) 347-1781
Email: snjohnson@fs.fed.us

----- Forwarded by Stephanie N Johnson/R8/USDAFS on 03/18/2008 09:45 AM -----



Jerome Thomas/R8/USDAFS
03/17/2008 03:47 PM

To JaSal Morris/R8/USDAFS@FSNOTES, Terry
Cooper/R8/USDAFS@FSNOTES,