



THE ENFORCER

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UP THE CREEK WITHOUT A PASSPORT

Recently, the price of travel has risen for many unwary child support scofflaws. For expats and travelers who owe back child support, a trip abroad has become more expensive than anticipated. The Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), 42 USC 1305, creates a passport denial program to aid state and federal governments in child support enforcement. In addition to new passport requirements, a lower threshold for the amount of back child support has increased the effectiveness of the program.

The Passport Denial Program, which is part of the Federal Offset Program (FOP), is designed to help states enforce delinquent child support. Under the program, non-custodial parents with arrearages of \$2,500 or more are submitted by the Federal Office of Child Support Enforcement (OCSE) to the Department of State, which denies them a new or a renewed US passport.

When an individual applies for a passport, the State Department denies the application based on a child support arrearage of the applicant. When the State Department denies an application for a passport, a notice is sent to the non-custodial parent explaining that the passport application was denied because of delinquent child support. It advises the applicant to contact the appropriate state child support enforcement agency, listed on the notice, for further information.

In the first six months of 2007, about \$22.5 million in child support was collected nationwide through the federal Passport Denial Program. It took almost all of 2006 to collect about that much through the passport denials.

There are two major factors contributing to the big jump in collections: The threshold for reporting child support debts to the State Department has decreased from \$5,000 to \$2,500, resulting in 400,000 more cases being submitted. The lowered threshold of \$2,500 was implemented on October 1, 2006, as a result of the 2005 federal Deficit Reduction Act. In addition, new federal regulations require air travelers entering the US from Mexico, Canada, the Caribbean, and South America to have passports. While the

new rules were meant to tighten national security, they are also resulting in a big boost in child support collections.

The passport denial program is just one of several tools the government has to collect overdue child support. Overall collections totaled about \$24 billion last year.

The largest share by far — \$20.1 billion — came from withholding from a worker's paycheck. Unemployment insurance or state and federal income tax refunds can also be seized. States with lotteries also can deduct delinquent payments from winnings. Some states submit the names of those behind on their payments to credit reporting agencies.

Payments generated through the new passport requirements are an important sliver of what states collect each year on behalf of about 17 million children, said Margot Bean, commissioner for the federal Office of Child Support Enforcement.

"We often get payments of over \$100,000," Bean said. "For whatever reason, this was the only way we could get the money."

For some families, the payments can mean the difference between having to rely on the government for assistance or not relying on it, Bean said. In cases where families have needed cash assistance through the Temporary Assistance for Needy Families Program, a portion of the payments received through the passport program is used to reimburse the government.

Another jump in collections from the Passport Denial Program can be expected next year or in early 2009. That's when the new passport requirements will likely take effect for land and sea travelers too.

Don't think that state or federal governments are getting rich. The money collected is passed to the custodial parents to whom it is owed, even if in some cases its years after the children have grown. For some families, the payments can mean the difference between relying on government assistance or not, and for others, it could simply enable some parents to get out from years of debt created by their former spouses neglecting their obligations.

