

137-055-4540**Passport Denial and Release**

- (1) When the administrator submits delinquent child support accounts for administrative offset pursuant to OAR 137-055-4340, the federal Office of Child Support Services (OCSS) will select individual obligors with a total delinquency in excess of \$2,500 for passport denial.
- (2) Passport denial means that, pursuant to 42 U.S. Code 652(k), the United States Secretary of State will refuse to issue a passport and may revoke, restrict, or limit a passport which was previously issued.
- (3) The obligor will receive notice of passport denial, including notice of their right to an administrative review, when their total delinquency exceeds \$2,500.
- (4) An obligor whose passport has been denied may request an administrative review. The administrator will conduct a review and notify the parties of the decision. The only issues that may be considered in the review are whether:
 - (a) The administrator erroneously submitted the obligor to OCSS for passport denial due to reasons such as a mistake in identity or an error in recordkeeping or accounting;
 - (b) The obligor has provided documentation of a life-or-death situation involving an immediate family member, as defined by OCSS; or
 - (c) The obligor has paid as ordered but the arrears balance exceeds \$2,500 because of one or more orders for past support or upward modifications filed in court within one year of the administrator's receipt of the request for review.
- (5) If at any time the administrator finds that the obligor qualifies for passport release under one or more of the criteria in subsections (4)(a) through (4)(c), the administrator will notify OCSS to release the passport.
- (6) Notwithstanding an ongoing arrears balance in excess of \$2,500, a passport released pursuant to subsection (4)(c) will not be submitted for denial again until one year has passed from the date of release or the obligor fails to pay as ordered, whichever occurs first.
- (7) Passport denial will continue until the delinquency is paid in full, unless the administrator determines the obligor qualifies for passport release under this rule.
- (8) Where a passport has been denied and the obligor has paid the arrears balance in full, the administrator will notify OCSS to release the passport. The notice will be by the process specified by OCSS.

Stat. Auth.: ORS 25.625 and 180.345

Stats. Implemented: ORS 25.625
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