



## Ohio Administrative Code

### Rule 5101:12-50-34 Passport denial and reinstatement.

Effective: January 1, 2015

---

(A) The federal office of child support enforcement (OCSE) will refer an obligor who has been submitted for federal income tax refund offset to the United States department of state (DoS) for passport denial when the arrears of the obligor equal or exceed twenty-five hundred dollars in accordance with the Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120, Sta. 4 (2005), 42 U.S.C. 652, February 6, 2006.

(B) Upon receipt of a passport application from an obligor who has been referred to DoS for a passport denial, DoS will take the following actions, as appropriate:

(1) Issue a passport denial notice to the obligor; or

(2) Refuse to issue a passport to the obligor.

(C) A child support enforcement agency (CSEA) shall only request the release of the passport of an obligor that has been denied by DoS under any of the following criteria:

(1) There is a case of mistaken identity and the CSEA has verified this information.

(2) For leisure travel, the obligor has paid the arrears in full.

(3) For employment or business travel:

(a) The obligor is required to provide:

(i) Documentation on company letterhead of current or prospective employment information, or

(ii) Information about funds on deposit in a financial institution for withholding purposes.



(b) In addition to the monthly support obligation, the obligor must pay a lump sum payment that either:

(i) Pays off all the arrears;

(ii) Pays the arrears so that the balance falls below the passport submission criteria, and the lump sum payment must be equal to at least one month's obligation; or

(iii) Pays an amount that is acceptable by the CSEA but at least equal to one month's obligation.

(4) For the following extenuating circumstances, the CSEA may collect a lump sum payment as described in paragraph (C)(3)(b) of this rule. In addition, the office of child support (OCS) within the Ohio department of job and family services may request a copy of the documentation:

(a) The reason for travel is a family emergency (i.e. sickness, life or death circumstances) with supporting documentation that is accepted by the CSEA; or

(b) The obligor is a member of the military services whose passport is being issued by a special issuance agency of DoS and the obligor is required to travel with the military. The military member or the authorized representative must provide military travel papers or military orders.

(D) When the CSEA accepts the request from an obligor to reverse the passport denial, the CSEA shall take the following action(s):

(1) When the obligor requests the release of the passport for the reason listed in paragraph (C)(2) of this rule:

(a) The CSEA shall take the appropriate action in the support enforcement tracking system (SETS) to reverse the passport denial;

(b) The normal time frame for the release of the passport by DoS under this circumstance is approximately six to eight weeks.



(2) When the obligor requests the release of the passport for the reason listed in paragraph (C)(3) of this rule:

(a) The CSEA shall prepare a federal notice of withdrawal of passport, which is available from the OCS passport coordinator;

(b) The CSEA shall provide the OCS passport coordinator a copy of the notice of withdrawal and supporting documentation, and provide the obligor a copy of the notice of withdrawal. OCS will take the appropriate action in SETS to reverse the passport denial;

(c) The time frame to release the passport by DoS under this circumstance is approximately one to three weeks.

(3) When the obligor requests the release of the passport for the reasons listed in paragraphs (C)(1) and (C)(4) of this rule:

(a) The CSEA shall prepare a federal notice of withdrawal of passport, which is available from the OCS passport coordinator;

(b) The CSEA shall provide the OCS passport coordinator a copy of the notice of withdrawal and supporting documentation, and provide the obligor a copy of the notice of withdrawal. OCS will take the appropriate action in SETS to reverse the passport denial.

(c) The time frame to release the passport by DoS under this circumstance is approximately three to five business days.

(E) Should OCS determine that the requirements of this rule have not been met, OCS will contact the CSEA to obtain more information concerning the passport release. OCS may reverse the action taken by the CSEA when the requirements of this rule are not met.