

Proposed Passport Language

Section 452(k) of the Social Security Act (42 U.S.C. 652(k)) is amended—

(1) in paragraph (2), by striking “The Secretary of State” and inserting “Subject to paragraph (3), the Secretary of State”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

(3)(A) Notwithstanding paragraph (2), the Secretary of State may issue a passport to an individual with respect to whom the Secretary has transmitted certification under paragraph (1) if—

(i) the individual submits an application for relief to the Secretary of State child support agency that had certified the individual's arrearages in accordance with section 454(31), in such form and manner as the Secretary shall require; and

(ii) the Secretary of State child support agency certifies that the application includes evidence that the individual—

(I) has an annual income of less than \$100,000;

(II) is not incurring any new child support obligations, but only owes arrearages;

(III) does not owe arrearages of child support for a child who is less than 18 years old;

(IV) has been making consistent child support payments which satisfy the support obligation consistently and in good faith for each of the most recently preceding 12 months; and

(V) has a current offer to work outside of the United States, an offer to interview for work outside of the United States, a professional history of working outside of the United States, a job that requires travel outside of the United States, or is enrolled in a professional training program that requires travel outside of the United States.

(B) The State child support agency shall be responsible for verifying and submitting certification to the Secretary that the application fulfills all the required criteria set forth in paragraph 3(A) of this section and may require an employer located outside of the United States to execute income withholding or other guaranteed method of payment as basis for submitting certification.

(C) After a review of the State child support agency's certification and verification that no other child support cases or conditions exist to otherwise preclude the individual's ability to obtain a passport, the Secretary shall submit the certification to the Secretary of State for action with respect to issuance.

(BD) Upon notification by the Secretary, the Secretary of State shall revoke a passport issued to an individual under subparagraph (A) upon a determination by the State child support agency that the individual has failed to make consistent child support payments which satisfy the support obligation consistently and in good faith for more than 6 months.

(EC) The Secretary of State shall report the issuance of a passport under this paragraph to the Secretary.

(FD) The Secretary shall report the issuance of a passport under this paragraph to the State agency certified in accordance with section 454(31) that the individual to whom the passport is issued owed child support arrearages in an amount exceeding \$2,500.

(4) Notwithstanding subparagraph 3(A), the State may establish other criteria, which may include hardship criteria, for withdrawing a certification to the Secretary under this paragraph.