

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Judith Miller to Cynthia Rice re: Drivers and Professional Licenses Authorized by the Department of Defense (partial) (1 page)	03/01/98	P5
002. fax	Colonel Daniel Dell'Orto to Cynthia Rice re: Response on the subject of Child Support Enforcement Request (partial) (1 page)	03/02/98	P5
003. email	David Ross to Cynthia Rice re: Federal Licenses (1 page)	02/27/98	P6/b(6), b(6)

COLLECTION:

Clinton Presidential Records
 Domestic Policy Council
 Cynthia Rice (Subject Files)
 OA/Box Number: 15429

FOLDER TITLE:

Child Support-Licenses [1]

rx24

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

DEPARTMENT	TYPE OF LICENSES ISSUED	NUMBER OF LICENSES ISSUED	IS LEGISLATION NECESSARY TO DENY LICENSE IF CHILD SUPPORT IS DUE?
DEFENSE Contact Person- Mr. Francis M. Rush, Acting Assistant Secretary of Defense, Force Management Policy 703/697-2121.	Air Force issues Form 2293, U.S. Government Motor Vehicle operator I.D. cards	Tens of thousands	Authorizing citations are not currently available.
	Air Force also issues warrants to contracting officers; grants aeronautical ratings to pilots and navigators; certifies judge advocates as trial and defense counsel; certifies medical and dental officers and chaplains.	Numbers of licenses and permits issued by the Air Force are not currently available.	Authorizing citations are not currently available.
	The Defense Logistics Agency issues drivers licenses and licenses to operate government equipment.	The DLA has issued approximately 6,622 of these licenses.	The DLA has not yet provided its authorizing citations.
	The Antilles Consolidated School System (ACSS) of the DoD issues drivers licenses to its bus drivers and administrative staff who drive government cars between different school systems on the island.	273 employees currently hold these licenses.	Not Available
	ACSS also issues five-year teaching certificates to employees pursuant to the terms of a collective bargaining agreement.	256 teachers currently hold certificates.	Not Available
	The Navy issues motor vehicle operators' licenses for the official operation of DoD motor vehicles.	Not available	Not available
	The Navy also grants licenses for weight handling and operation of heavy equipment and locomotives.	Not available	Not available.

DEPARTMENT	TYPE OF LICENSE ISSUED	NUMBER OF LICENSES ISSUED	IS LEGISLATION NECESSARY TO DENY LICENSE IF CHILD SUPPORT IS DUE?
	The Navy authorizes health care privileges for physicians, nurses, and dentists, certifies judge advocates as trial and defense counsel, and accords warrants to contracting officers. It grants permission to operate nuclear power plants, pilot aircraft, and carry weapons.	Not available	Not available
	Yearly, the Army certifies a number of assorted licenses.	150 contracting officer representatives in the Army Acquisition Corps and yearly certification of 200 Army aviators, 50 Marine warrant officers, and 200 military air traffic controllers in the Training and Doctrine Command. It issues 75,000 military drivers licenses per year, and certifies annually 1,500 medical officers, 225 dental officers, 175 judge advocates as trial and defense counsel, and 125 chaplains.	The Army has not yet provided authorizing citation for each type of license. The DoD is of the opinion that those licenses authorized by regulation could be denied to people who owe child support. If licenses other than those listed are provided for by statute, then the denial of such licenses would require legislative change.
Environmental Protection Agency Contact Person- Mark Badalamente 202/260-4724	Very few of the "licenses" granted by the EPA go to individuals, as opposed to business entities. Accordingly, they believe that few benefits and potentially significant costs could result from any effort to amend the various environmental licensing programs to include child support enforcement provisions.		The EPA does not believe they would have the authority under current law to be able to deny these licenses to individuals because they owe child support; accordingly, legislation would be needed. Given the low potential payoff from using environmental licensing as a tool for child support enforcement, the EPA is concerned that such legislation might become a vehicle for other, unwarranted changes in the environmental laws.

DEPARTMENT	TYPE OF LICENSE ISSUED	NUMBER OF LICENSES ISSUED	IS LEGISLATION NECESSARY TO DENY LICENSE IF CHILD SUPPORT IS DUE?
TRANSPORTATION Contact Person- Kate Hallahan, Senior Policy Advisor to the Deputy Secretary. 202/366-2222	Airman certificates	1,235,239 (Pilot – 700,812; Non-pilot – 534,427)	Legislative change as well as regulatory change would be necessary.
	Merchant Seaman	These licenses are issued for a 5- year period—in calendar year 1996, there were 28,902 issued. An approximate number of licenses in total would be 149,010.	Legislative change required.
	Mariner Documents	68,287	Legislative change required.
	Great Lakes Pilots	44	Legislative change required.
	Locomotive Operators	Approximately 40,000	Legislative change required.
	In some cases, the DOI issues permits to individuals (such as for public land rights-of-way and special uses) but these are not similar in nature to drivers' and professional licenses. These licenses include permits for collection and removal from federal caves, traders licenses, licenses for traders' clerks, and phosphate exploration licenses.	The DOI has not yet determined the number of licenses issued.	In some cases legislative amendments may be necessary in the laws authorizing the licenses or permits. At the very least, the DOI would most likely have to initiate and complete a cumbersome rulemaking exercise for each item on the list to make the changes necessary to disallow its issuance to such individuals.

COMMERCE			
ITA	Commerce does not currently issue licenses or certificates for foreign traveling salesmen.	No person currently holds such a license or certificate	Not applicable
PTO Contact Person- Albin F. Drost, Deputy Solicitor Patent and Trademark Office, Box 8 Washington, DC 20231	Most patent applications are owned by legal entities, such as corporations and universities, to whom the inventor has assigned his or her rights (usually in accordance with an employment contract).	The PTO issues over 100,000 patents per year.	Patents are issued when the PTO determines that the applicant has complied with the requirements of the Patent Act. The PTO would need statutory authority to deny a patent grant because an applicant owes child support. In addition, since most patent applications are owned by legal entities such as corporations and universities, it is not clear how this provision would be applicable.
	The PTO also issues licenses to individuals to practice before the PTO in patent matters.	Currently, there are approximately 20,000 registered patent practitioners.	Most of these practitioners are attorneys, and therefore already subject to denial of their state license. The denial of their state license would ordinarily result in the denial of their license to practice before the PTO in patent and trademark matters.
BXA	BXA's export licenses are granted primarily to corporate entities as opposed to individuals. The Bureau grants no other licenses.	Not applicable	Not applicable



Donna L. Geisbert
04/14/98 01:07:09 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: child support enforcement information

Diana -
For the child
support licenses
file - any chance
for an announcement?

CR

----- Forwarded by Donna L. Geisbert/OPD/EOP on 04/14/98 01:07 PM -----



JDorskind @ OSEC20.osec.doc.gov
04/14/98 11:13:58 AM

Please respond to JDorskind@OSEC20.osec.doc.gov

Record Type: Record

To: Donna L. Geisbert/OPD/EOP

cc:

Subject: child support enforcement information

Donna,

Thanks for forwarding this email to Cynthia

I previously provided some or all of this information orally (by voicemail),
but I neglected to forward this email. If Cynthia needs more information,
just let me know. Otherwise, I think I've closed the DoC loop.

Thanks again.

jd

Jim Dorskind
Director, Executive Secretariat
Office of the Secretary, U.S. Department of Commerce
Ph: 202-482-3934 Fax: 202-482-4576 jdorskind@doc.gov

Original Text
From: Kathryn Lunney@GC@OGC, on 4/14/1998 10:13 AM:
To: James A. Dorskind@ExSec@OSEC

From: Kathryn Lunney@GC@OGC, on 3/31/98 3:21 PM:

To: James A. Dorskind@ExSec@OSEC
Cc: Monica Medina@GC@NOAA

I spoke with Monica. This statute, and another relating to deep sea mining which was not covered in the White House memo, are ahead of their time as the benefits of working in and around the deep sea vents are not yet known and the costs are substantial. Monica tells me that these licenses can theoretically be given to individuals but the investment to carry out the work is so great that licenses will almost always be sought by companies and institutions.

From: Craig R. O'Connor@GC@NOAA, on 3/31/98 9:36 AM:
To: James A. Dorskind@ExSec@OSEC, Kathryn Lunney@GC@OGC

Kit and Jim - I am re-sending the message that Craig sent out last week. Apparently you did not receive it. I hope this answers the mail. Sorry for the confusion. Monica

From: Craig R. O'Connor@GC@NOAA, on 3/23/1998 4:31 PM:
To: Kathryn Lunney@GC@OGC
Cc: Monica Medina@GC@NOAA

Kit - to close the loop re child support matter. Of the licenses noted, NOAA only issues those re Ocean Thermal Energy Conversion (42 USC 9111). We have never issued such a license, however. With regard to the other statutes: 43 (actually 46) USC 7101, 46 USC 7103, 46 USC 7104, 46 USC 7112, 46 USC 7316, 46 USC 7317 and 46 USC ap1718, all of these statutes are administered by the US Coast Guard (actually, the Secretary of the department with the Coast Guard in it, i.e. the Department of Transportation).

This should finalize NOAA's input into this project.

On another note, could you please have some advise us on what criterion your office uses for promotion of attorney from GS 14 to 15. thanks.
Craig

THE WHITE HOUSE

WASHINGTON

February 17, 1998

MEMORANDUM TO THE CHIEFS OF STAFF

FROM: Cynthia Rice
Special Assistant to the President for Domestic Policy
456-2846 (p) 456-7431 (f)

SUBJ: Federal Agency Welfare Hiring Update and Child Support Request

Federal Agency Welfare Hiring Update

Attached are not-yet-released numbers from OPM showing that federal agencies have hired 2,834 welfare recipients since the President's March 8th, 1997 executive order and the April 10th Cabinet meeting where agencies made hiring commitments.

We are planning to have an event in March or April to commemorate the one year anniversary of this initiative and to publicly share our progress toward the goal of hiring 10,000 welfare recipients by the year 2000. The event may focus on federal agencies' efforts to encourage contractors to hire from the welfare rolls. Key contacts: myself or Susan Valaskovic, National Performance Review, 632-0354.

Child Support Enforcement Request

Currently, we require states to deny drivers and professional licenses to parents who owe child support, but we allow such parents to obtain federal licenses. We are considering taking action to remedy this situation. Will you please respond to the following questions by Friday February 27th (see above for my fax number):

- a) Are there licenses missing from this list?
- b) How many people currently have these licenses?
- c) Would we, through regulation, be able to deny these licenses to people who owe child support, or would a legislative change be required?
- d) Who is the agency contact with whom we should coordinate as we develop possible policy on this issue?

Welfare-to-Work
Commitments and Hires through January 22, 1998
as Reported by the U.S. Office of Personnel Management

Agency	Total Commitment Thru 2000	1997 Hires Reported Thru January 22	% of Total Year 2000 Commitment Hired since 3/8/97
Commodity Futures Trading Commission	--	2	--
Department of Agriculture	375	206	55%
Department of Commerce	4180	135	3%
Department of Defense	1600	604	38%
Department of Education	21	10	48%
Department of Energy	55	17	31%
Department of Health & Human Services	300	162	54%
Department of Housing & Urban Development	200	47	24%
Department of the Interior	325	76	23%
Department of Justice	450	84	19%
Department of Labor	120	54	45%
Department of State	220	10	5%
Department of Transportation	400	122	31%
Department of the Treasury	405	148	37%
Department of Veterans Affairs	800	673	84%
Environmental Protection Agency	120	39	33%
Equal Employment Opportunity Commission	--	8	--
Executive Office of the President	6	7	117%
Federal Emergency Management Agency	125	27	22%
General Services Administration	121	63	52%
National Aeronautics & Space Administration	40	8	20%
National Archives & Records Administration	--	10	--
National Credit Union Administration	--	4	--
National Labor Relations Board	--	1	--
Office of Personnel Management	25	35	140%
Railroad Retirement Board	--	1	--
Securities & Exchange Commission	10	6	60%
Small Business Administration	120	35	29%
Social Security Administration	600	224	37%
U.S. Information Agency	20	15	75%
U.S. Nuclear Regulatory Commission	--	1	--
TOTAL	10638	2834	27%

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Secretary of Agriculture

7 USC 51b	samplers of cotton.
7 USC 53	classifiers of cotton.
7 USC 84	grain inspectors by Federal Grain Inspection Service Administrator.
7 USC 244	warehouseman for conduct of a warehouse.
7 USC 248	person not warehouseman to accept custody of agricultural goods.
7 USC 252	classify, grade, or weigh agricultural products.
7 USC 499c	dealers in perishable agricultural commodities.
7 USC 2133	dealers in animals for research and exhibition.
21 USC 154	maintenance of establishment for serums and toxins for use in treatment of domestic animals.
21 USC 155	importation of serums and toxins for use in treatment of domestic animals.
43 USC 420	use of earth and timber from public lands under Public Irrigation Law construction.

Department of Commerce

22 USC 503	foreign traveling salesmen.
35 USC 151	patents by Patent and Trademark Office.
42 USC 9111	ownership, construction, and operation of ocean thermal energy conversion facilities by National Oceanic and Atmospheric Administration.
43 USC 7101	merchant seaman.
46 USC 7103	radio officer on vessel.

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46 USC 7104	certification of registry for medical officer and nurses on vessels.
46 USC 7112	masters mates or pilots on vessels.
46 USC 7313	endorsement as member of vessel engine department.
46 USC 7316	endorsement as lifeboatman.
46 USC 7317	endorsement as tankerman.
46 USC ap1718	ocean freight forwarders.
50 USC ap2403	export.

Department of Transportation

33 USC 1503	ownership, construction, and operation of a deepwater port.
33 USC 2602	vessel permits.
49 USC 5109	hazardous material motor transportation.
49 USC 13902	motor carriers.
49 USC 13903	freight forwarders.
49 USC 13904	broker for transportation of property.
49 USC 20135	locomotive operators.
49 USC 44703	airman certificate (e.g., pilots).
49 USC 44705	air carrier operator certificate.
49 USC 44706	airport operating certificate.
49 USC 70105	commercial space launch.

Department of the Treasury

7 USC 6e	designation of custom officer for foreign service.
15 USC 1173	manufacturers of gambling equipment.
18 USC 843	import, manufacture, or deal in explosive materials.
18 USC 923	firearm dealers.
19 USC 1551	carrier of bonded merchandise.

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19 USC 1641 customhouse broker.
26 USC 5271 withdraw and use distilled spirits.

Department of the Interior

16 USC 80c motor vehicle licenses for Sequoia National Park.
16 USC 90d-1 use of lands in Lake Chelan National Recreation Area.
16 USC 410cc-11 conduct of activities within Lowell Historic Preservation District.
16 USC 460a Right of way and use of land of Natchez Trace Parkway.
16 USC 460a-3 Right of way and use of land of Blue Ridge Parkway.
16 USC 460a-8 Right of way and use of parkway land generally.
16 USC 607 use of timber on public lands (through §611a).
16 USC 718a hunting and conservation stamp for taking migratory waterfowl.
16 USC 742j-1 airborne hunting of birds and fish exceptions.
16 USC 800 preliminary permits for power.
16 USC 812 public service licensee of power for public sale (including by "person").
16 USC 916d engage in whaling.
16 USC 1374 permit for taking or importing marine mammals (and/or by "Secretary over NOAA").
16 USC 4305 collection and removal from federal caves.
16 USC 460I-6a "Golden Eagle Passport" for annual or lifetime park admission.

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25 USC 264	to be employed as a clerk by an indian trader.
30 USC 211	prospecting for phosphates.
30 USC 1412	exploration and commercial recovery of deep seabed hard minerals.
43 USC 315b	permits for grazing rights on public lands for stock owners.
43 USC 971	use and occupancy of bathhouses and hotels by mineral springs on public lands.
43 USC 1752	grazing permits and leases on public lands.
48 USC 1491	transportation or storage of spent nuclear fuel.

Department of Health and Human Services

21 USC 141	to import milk and cream.
42 USC 262	allergenic product interstate commerce.

Department of Energy

16 USC 798	preliminary permits for development of water power and resources.
16 USC 817	development of water power and resources.

Nuclear Regulatory Commission

42 USC 2073	domestic distribution of nuclear material.
42 USC 2093	domestic distribution of nuclear sources material.
42 USC 2133	transfer, receive, or use nuclear utilization or production facilities.
42 USC 2134	medical, industrial, and commercial use of nuclear material.

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- 42 USC 2137 operators of nuclear production and utilization facilities.
- 42 USC 2139 general licenses for domestic use of nuclear material.
- 42 USC 2235 construction permits and operation licenses for nuclear utilities or products facilities.

Federal Communications Commission

- 47 USC 303I-1 radio operator, including private/HAM.
- 47 USC 307 radio station licenses.
- 47 USC 318 radio station transmitter operator.

Commodity Futures Trading Corporation

- 7 USC 6d futures commission merchants.
- 7 USC 6e floor brokers.
- 7 USC 6k associates of futures commission merchants.
- 7 USC 6n commodity trading advisors and commodity pool operators.

National Science Foundation

- 16 USC 2404 permit to undertake otherwise prohibited acts with animals and plants in Antarctica.

Department of Defense

- 33 USC 669 hydraulic miners in parts of California by California Debris Commission, appointed by President from officers of the Army Corps of Engineers.

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Department of State

21 USC 203 practice as pharmacist in U.S. Consular district in China by U.S. Consul.
22 USC 211a passports.

Attorney General

8 USC 1203 re-entry permit for lawfully admitted alien to leave and return.
8 USC 1282 conditional permits to land temporarily in U.S. for alien crewmen if found otherwise admissible by immigration officer.
21 USC 952 import controlled substances.
21 USC 953 export controlled substances.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
THE ADMINISTRATOR

TO: Cynthia Bice 4567431

FROM: PETER ROBERTSON

COMMENTS: _____

Number of Pages to follow: 4 pages
Date: _____
Time: _____

Transmission Number: (202) 260-3684
Verification Number: (202) 260-7960 or 260-9828

Office of the Administrator
401 M Street, S.W.
Room 1204 West Tower
Mail Code: 1101



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 3 1998

OFFICE OF
THE ADMINISTRATOR

MEMORANDUM

SUBJECT: Federal Agency Welfare Hiring Update and Child Support Request

FROM: Peter Robertson 
Chief of Staff

TO: Cynthia Rice
Special Assistant to the President for Domestic Policy

In your February 17, 1998, memorandum you discussed child support enforcement. You pointed out that states are required to deny drivers and professional licenses to parents who owe child support and that the Administration is considering taking action to deny federal licenses to such parents. You provided a preliminary list of federal licenses and asked EPA to identify any that are missing from the list and to answer several questions about those licenses.

The information you requested is attached. As you can see from the attachment, very few of the "licenses" granted by EPA go to individuals, as opposed to business entities. Accordingly, we believe that few benefits and potentially significant costs could result from any effort to amend the various environmental licensing programs to include child support enforcement provisions.

For purposes of this exercise, we considered the term "license" broadly to include licenses, permits, certifications, accreditations, and approvals that allow persons to undertake activities within EPA's jurisdiction. The following is a list of licenses, permits, certifications, accreditations, and approvals issued (hereinafter licenses) by EPA. In many cases the licenses are available both to individuals (including those acting in a business capacity as a sole proprietor) and to business entities such as partnerships and corporations. It is probable that most of them are held by businesses rather than individuals, but we have included any license that *might* be granted to an individual (including those acting in an individual business capacity or as an employee required to have a specific license to do his or her job).



MAR-83 08 18:35 FROM:GFC OF ADMIN:700EPA 15:202 200 0001

You should also note that the authority to issue most of these licenses can be, and in most cases is, delegated to states (and in some cases tribes) under EPA's various statutes. If a state or tribe has been delegated or authorized to issue the license EPA generally does not perform that function for that jurisdiction. Where the state or tribe is not delegated or authorized to perform this function, EPA would perform the function. Thus, to be complete, any approach to child support enforcement in this area would have to deny these types of licenses whether they are issued by EPA, by the states, or by tribes.

We do not have readily available information that would allow us to determine how many individuals, as opposed to business entities, have each of these kinds of licenses, but we try to indicate below relative proportions of individuals as opposed to business entities receiving each kind of license. As you will see, we believe that only a few individuals receive these kinds of licenses from EPA, or from states and tribes under EPA-delegated or authorized programs. Thus, there would not be much benefit from attempting to deny these kinds of licenses for people who have not paid child support, and doing so may add considerable burden and complexity to federal, state, and tribal administration of these programs.

Finally, we do not believe we would have the authority under current law to be able to deny these licenses to individuals because they owe child support; accordingly, legislation would be needed. Given the low potential payoff from using environmental licensing as a tool for child support enforcement, we are concerned that such legislation might become a vehicle for other, unwarranted changes in the environmental laws.

The EPA contact with whom you should coordinate as you develop possible policy on this issue is Mark Badalamente at (202)260-4724.

Attachment

Licenses Granted by EPA

License, permit, certification, accreditation, or approval type administered by EPA, including statutory authority.	Who Administers	# of Individuals
Clean Water Act §402, 33 U.S.C. 1342, permits are required for persons who operate "point sources" which discharge pollutants to navigable waters.	State Tribe EPA	Some
Clean Water Act §405, 33 U.S.C. 1345, the sewage sludge requirements could result in a permit being issued to an individual to dispose of sewage sludge, but it is unlikely.	State Tribe EPA	Very Few
Safe Drinking Water Act §1421, 42 U.S.C. 300h, persons who own or operate underground injection wells may be required to obtain a permit from EPA or a "primacy" state. Permits are required for many, though not all injection wells (some wells are "authorized by rule" and do not need individual permits).	State Tribe EPA	Some
Marine Protection, Research, and Sanctuaries Act (better known as the Ocean Dumping Act) §102, 33 U.S.C. 1412, permits for ocean dumping. Limited circumstances in which permits would be required for individuals, the only ocean dumping permit of which we are aware that individuals avail themselves of is EPA's general permit for burial at sea contained at 40 CFR 229.1.	EPA	Few
Solid Waste Disposal Act §3005, 42 U.S.C. 6925, permits for treatment, storage, or disposal of hazardous waste.	State EPA	Some
Federal Insecticide, Fungicide, and Rodenticide Act §3, 7 U.S.C. 136a, registration of pesticides. No person can sell or distribute a pesticide unless it is registered by EPA.	EPA	Very Few
Federal Insecticide, Fungicide, and Rodenticide Act §5, 7 U.S.C. 136c, experimental use permits for pesticides.	EPA	Some
Federal Insecticide, Fungicide, and Rodenticide Act §7, 7 U.S.C. 136e, registration of pesticide producing establishments. Pesticides can only be produced at registered establishments.	EPA	Very Few
Federal Insecticide, Fungicide, and Rodenticide Act §11, 7 U.S.C. 136i, certification of applicators of restricted use pesticides, only certified applicators may apply restricted use pesticides.	State Tribe EPA	More
Clean Air Act, Title I, subtitle C, 42 U.S.C. 7470-7492, preconstruction permits for prevention of significant deterioration for major emitting facilities.	State Tribe EPA	Very Few

Licenses Granted by EPA

License, permit, certification, accreditation, or approval type administered by EPA, including statutory authority.	Who Administers	# of Individuals
Clean Water Act §402, 33 U.S.C. 1342, permits are required for persons who operate "point sources" which discharge pollutants to navigable waters.	State Tribe EPA	Some
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Marine Protection, Research, and Sanctuaries Act (better known as the Ocean Dumping Act) §102, 33 U.S.C. 1412, permits for ocean dumping. Limited circumstances in which permits would be required for individuals, the only ocean dumping permit of which we are aware that individuals avail themselves of is EPA's general permit for burial at sea contained at 40 CFR 229.1	EPA	Few
Solid Waste Disposal Act §3005, 42 U.S.C. 6925, permits for treatment, storage, or disposal of hazardous waste.	State EPA	Some
Federal Insecticide, Fungicide, and Rodenticide Act §3, 7 U.S.C. 136a, registration of pesticides. No person can sell or distribute a pesticide unless it is registered by EPA.	EPA	Very Few
Federal Insecticide, Fungicide, and Rodenticide Act §5, 7 U.S.C. 136c, experimental use permits for pesticides.	EPA	Some
Federal Insecticide, Fungicide, and Rodenticide Act §7, 7 U.S.C. 136e, registration of pesticide-producing establishments. Pesticides can only be produced at registered establishments.	EPA	Very Few
Federal Insecticide, Fungicide, and Rodenticide Act §11, 7 U.S.C. 136i, certification of applicators of restricted use pesticides, only certified applicators may apply restricted use pesticides.	State Tribe EPA	More
Clean Air Act, Title I, subtitle C, 42 U.S.C. 7470-7492, preconstruction permits for prevention of significant deterioration for major emitting facilities.	State Tribe EPA	Very Few



JDorskind @ doc.gov
03/06/98 06:45:00 PM

Record Type: Record

To: Cynthia A. Rice
cc:
Subject: Child Support Enforcement information

Please find below the first installment from the Department of Commerce on this issue. (It's in the form of a memo from Kit Lunney, Deputy General Counsel here, to me.)

As I advised you in my telephone message, more is due from NOAA early next week. I appreciate your patience; please feel free to call me with any questions or comments on the information. If you need it in a more formal format, I can arrange that, too.

All the best,

Jim

Memo

To: James A. Dorskind
From: Kathryn R. Lunney
Subject: Child Support Enforcement Request
Date: March 6, 1998

Per your request, I have canvassed OGC to obtain answers to the questions raised in the Child Support Enforcement inquiry from the White House. I provided copies of the memo to those agencies that on the face of the statutes noted appeared to be responsible for administering them, specifically ITA, NOAA, PTO and BXA. Their answers are detailed below. I also posed the questions raised at a Senior Staff meeting this week to see if any other Commerce bureaus had licenses of the type discussed. The answer from around the table was no. In addition, I spoke to my Assistant General Counsels and members of their staff to see if they were aware of any additional licenses of this type and again the answer was no.

ITA

22 USC 6503.

Questions Presented and Answered:

1. How many people currently have these licenses?
.. The Department of Commerce does not currently issue licenses or certificates for foreign traveling salesmen. No person

currently holds such a license or certificate.

2. Would we, through regulation, be able to deny these licenses to people who owe child support, or would a legislative change be required?

.. The Department of Commerce cannot deny a license through regulation, which it currently does not issue.

3. Who is the agency contact with whom we should coordinate as we develop possible policy on this issue?

.. No agency contact is available because the Department of Commerce does not issue such licenses or certificates.

Background:

The purpose of 22 USC §503 was to enforce the provisions of certain conventions entered into with foreign governments that permit commercial travelers (foreign traveling salesmen) of Contracting Parties to operate in the United States. Enacted in 1922, this Act authorized the Department of Commerce to 1) issue licenses to manufacturers, merchants and traders domiciled in the other Contracting Party to operate as commercial travelers in the United States, and 2) issue certificates attesting that a manufacturer, merchant or trader domiciled in the United States was a commercial traveler.

This Act has apparently not been enforced in the last twenty years, if ever. A search of the Federal Register back to 1980 indicates that no regulations have been passed to implement this licensing and certification process. The Department of Commerce currently does not issue licenses or certificates for foreign traveling salesmen (commercial travelers). The State Department was contacted to determine if they administer a similar process. The State Department does not issue licenses or certificates for foreign traveling salesmen (commercial travelers).

PTO

35 U.S.C. § 151

b) How many people currently have these licenses?

The PTO issues over 100,000 patents per year. Most patent applications are owned by legal entities, such as corporations and universities, to whom the inventor has assigned his or her rights (usually in accordance with an employment contract).

c) Would we, through regulation, be able to deny these licenses to people who owe child support, or would a legislative change be required?

Patents issue when the PTO determines that the applicant has complied with the requirements of the Patent Act. The PTO would need statutory authority to deny a patent grant because an applicant owes child support. In addition, since most patent applications are owned by legal entities such as corporations and universities, it is not clear how this provision would be applicable.

d) Who is the agency contact with whom we should coordinate as we develop possible policy on this issue?

Albin F. Drost
Deputy Solicitor
Patent and Trademark Office
Box 8
Washington, DC 20231

Are there are licenses missing from the list? The PTO issues licenses to individuals to practice before the PTO in patent matters. 35 U.S.C. § 31. Currently, there are approximately 20,000 registered patent practitioners. However, most of these practitioners are attorneys, and therefore already subject to denial of their state license. The denial of their state license would ordinarily result in the denial of their license to practice before the PTO in patent and trademark matters.

The PTO believes that the Commissioner has authority to promulgate substantive regulations regarding patent practitioners. See 35 U.S.C. § 31 ("The Commissioner, subject to the approval of the Secretary of Commerce, may prescribe regulations governing the recognition and conduct of agents, attorneys, or other persons representing applicants or other parties before the Patent and Trademark Office . . .").

NOAA

NOAA is still working on an answer regarding the nine statutes listed in the memo. I hope to get an answer back from them soon. The following relates to statutes not listed in the memo.

(a) The National Marine Fisheries Service (NMFS) issues licenses and permits under a number of statutes that conserve and manage living marine resources. Some licenses are issued to vessels, others to individuals. These statutes include:

Northern Pacific Halibut Act, 16 USC 773 et seq.
Tuna Conventions Act, 16 USC 951 et seq.
Atlantic Tunas Convention Act, 16 USC 971 et seq.
South Pacific Tuna Act, 16 USC 973 et seq.
Marine Mammal Protection Act, 16 USC 1361 et seq.
Endangered Species Act, 16 USC 1531 et seq.
Magnuson-Stevens Fishery Conservation and Management Act, 16 USC 1801 et seq.
Antarctic Marine Living Resources Convention Act, 16 USC 2431 et seq.
High Seas Fishing Compliance Act, 16 USC 5501 et seq.

(b) The number of licenses and permits issued by NMFS numbers in the several thousands.

(c) None of the statutes NMFS administers explicitly authorizes NMFS to deny licenses and permits to people who owe child support. Our initial reaction is that legislative change would be required.

(d) Agency contact: Margaret F. Hayes, Assistant General Counsel for Fisheries, (301) 713-2231.

BXA

50 USC ap2403

BXA's export licenses are granted primarily to corporate entities as opposed to individuals. The Bureau grants no other licenses.

Jim Dorskind
Director, Executive Secretariat
Office of the Secretary, U.S. Department of Commerce
Ph: 202-482-3934 Fax: 202-482-4576 jdorskind@doc.gov

LEGISLATIVE IMPLEMENTATION GUIDE

LIENS

Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) Public Law 104-193, Section 368

Draft: 11/8/96

Workgroup:

Dennis Minkler (212) 264-8913

Vince Herberholt (206) 615-2252 x3043

Jeff Ball (202) 401-5427

DRAFT

A. Description of Provision

Under the PRWORA of 1996, States must have procedures under which:

- (a) liens arise by operation of law against real or personal property for amounts of overdue support owed by a noncustodial parent who resides or owns property in the State; and
- (b) the State accords full faith and credit to liens arising in another State, when the State agency, party, or other entity seeking to enforce such a lien complies with the procedural rules relating to recording or serving liens that arise within the State, except that such rules may not require judicial notice or hearing prior to enforcement of such a lien.

Effective Date: This provision is effective October 1, 1996 unless State legislation is needed to implement it. In the latter case, States have a grace period of until the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of the Act, with each year of a two-year legislative session deemed as a separate regular session.

B. Variation Among States

Because the lien requirements in the PRWORA are new, there are few, if any, State laws that provide examples of the new provisions.

State laws on the intrastate use of liens vary widely and this diversity will have an impact on implementation of § 368 of the PRWORA. For example, some States require that a certain dollar amount of debt, or dollar amount of property equity must exist before a child support lien can be imposed. Other States only permit the child support lien to be imposed on titled property. States such as Connecticut and North Dakota have administrative guidelines that clarify when it is useful to place liens on nonvehicular property. State procedures for actually imposing a lien are also very diverse. In some States, liens take effect when, a judgment, decree or order

establishing a support order is entered; in others when the clerk of the court enters a copy, abstract or cross-reference of the order on a lien registry, or transmits information to a Statewide central registry. Some States have specific laws for child support liens that allow incremental growth of the amount of the encumbrance when each support payment becomes past-due by operation of law. In some States, priority for each installment's lien is based on the date it was imposed or added to the original lien.

In some States, such as New Jersey, automation plays an important role in imposing and executing liens. In a seven month period, New Jersey collected over \$750,000 through a automated judgment system that real estate title companies and attorneys use to discover outstanding debts of obligors who are attempting to buy, sell or refinance property. Liens are filed centrally, and title searchers and real estate attorneys from any jurisdiction in the State only need to conduct their searches in the Superior Court Clerk's Office in Trenton. An added benefit is that the automated filing system has conserved valuable clerical and court time previously used to obtain and process fixed money judgments.

C. Rationale

Liens are legal claims used to secure compliance with unpaid judgments. The lien process under PRWORA is a powerful enforcement tool because it prevents the obligor from selling property and pocketing proceeds without first satisfying unpaid child support. The defaulting parent also must consider the potential threat of a forced sale unless the underlying child support debt is paid. Because the lien arises by operation of law, there is no additional step that must be taken to place the lien on the property, such as reducing the past due amount to judgment. The new law confers the authority to transfer the lien to property located in other States for the same value as that on in-State property, and the second State must recognize the reach of the first State's lien on the property of the defaulting parent located in the second State.

D. Critical Elements to Consider When Drafting Lien Legislation

What is a lien? A lien restricts the property owner's ability to transfer property and retain all of the proceeds from the transfer. It is intended to prevent the transfer of property if the owner has outstanding debts against it that have been duly recorded or noted. In some cases the transfer cannot take place without the lienholder's approval (the property and its lien are transferred). Liens are usually based on the timing of the filing of the lien, giving the lienholder a superior claim to those who file liens afterwards. Occasionally, a lienholder will seek a forced sale of the property to satisfy the lien.

How does this lien arise and what does it cover? A lien that arises by operation of law means that a lien attaches as soon as child support becomes past due. The lien encumbrance amount equals the amount of the judgment, i.e., the past-due child

support amount. The lien is against real land, or personal property such as cars, boats, stocks and bonds, lottery proceeds, lawsuit judgments, or insurance settlements.

Whose property is covered? The lien attaches to property owned by a noncustodial parent who resides or owns property in the State. Practically speaking, liens are most effective when titled property is encumbered; where notice of the lien is apparent to purchasers through an open registry; or when they can be applied through automated methods on lump sum assets or proceeds.

What is full faith and credit regarding liens? Liens that lawfully arise in one State are to be recognized in another State, for the same encumbrance value as the lien has in the State of origin.

E. Talking Points

Liens work best when they pressure the delinquent obligor to pay off the debt. The goal of the lien process, similar to license restriction and revocation, is to encourage obligors to pay child support, not to take away property. Actual execution of the lien can be avoided by payment of child support arrearage.

The expanded use of liens is an excellent way to increase collections from obligors who are self-employed, working "under the table" for cash, or working for companies that do not report wages to the State Employment Security Agency.

The use of asset information obtained from Project 1099 has helped many States to effectively increase the use of liens.

F. What to Anticipate During the Legislative Process

Every State already has procedures for establishing and executing on liens, it is not envisioned that the new requirements will meet with significant opposition. The less centralized or automated a State's lien network, the more opposition the provision is likely to face, because it will require more State resources to implement it. States however, may take this opportunity to identify legal and procedural barriers that currently exist in the use of liens as an enforcement tool and enact legislation to overcome these barriers.

G. News Articles/Sample Press Releases

Interstate Commission Report section on liens, please see attached.

H. Cost/Benefit Analysis Ideas

The new law provides that liens arise by operation of law, so the cost of using liens should decrease. The costs related to perfecting and serving notice of the lien need to be considered however.

I. Impacted Groups (Non-Governmental)

- Father's Groups
- Bar Associations
- Judicial Societies
- Real estate industry
- Title companies

J. Government Agencies Affected

- IV-D Agencies
- Courts
- County Clerk's/Title offices

K. Contacts

OCSE: Dennis Minkler	(212) 264-8913
Jeff Ball	(202) 401-5427



THE DEPUTY SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

FAX COVER SHEET FOR KATE HALLAHAN

Total No. of Pages (including this page:) 3

Date: 3/2/98

To : Gynthia Rice

Ph #: _____

To : _____

Ph #: _____

To : _____

Ph #: _____

From : Kate Hallahan
Phone No : 366-9365 or 366-2222

Re : _____

Message : _____

The number for this telefax is (202) 366-3937. If you have any problems receiving this fax, please call 366-2222.



Memorandum

**U.S. Department of
Transportation**

Office of the Secretary
of Transportation

Subject: Child Support Enforcement Request

Date: February 27, 1997

From: Suzanne Sullivan
Deputy Chief of Staff

Reply to
Attn. of: Kate Hallahan, 366-9365

To: Cynthia Rich
Special Assistant to the President for Domestic Policy

The following is a summary of the federal licenses that are issued by the Department of Transportation. I have also attached the detailed information that we have collected from each of the Department's operating administrations to date. I will forward along any additional information early next week.

A) Are there licenses missing from this list?

There were a number of licenses missing from the list although they were primarily licenses that are provided to corporations rather than individuals. In addition, the original list that was sent over with your memo included some of the licenses that are issued by the United States Coast Guard as licenses that are issued by the Department of Commerce. The following is a complete list of all the licenses that are issued to individuals by the Department of Transportation (including those that were on the original list):

49 USC 44703	Airman Certificates (FAA)
46 USC Chapter 71	Licenses and Certificates of Registry for Merchant Seaman (USCG) <i>Note: This chapter includes two of the licenses that were reflected on the Department of Commerce list - 46 USC 7101 & 46 USC 7103.</i>
46 USC Ch. 73	Various forms of merchant mariner documents
46 USC Ch. 93	Great Lakes Pilots
49 USC 20135	Locomotive Operators

B) How many people currently have these licenses?

- 1) Airman Certificates -- 1,235,239 (Pilot -- 700,812; Non-pilot -- 534,427)
- 2) Merchant Seaman -- These licenses are issued for a 5-year period -- in calendar year 1996, there were 28,902 issued. An approximate number of licenses in total would be 149,010.
- 3) Mariner Documents -- 68,287
- 3) Great Lakes Pilots -- 44
- 4) Locomotive Operators -- Approximately 40,000

C) Would we, through regulation, be able to deny these licenses to people who owe child support, or would a legislative change be required?

- 1) Airman Certificates -- Legislative change as well as regulatory.
- 2) Merchant Seaman, Mariner Documents, Great Lakes Pilots -- Legislative change required.
- 3) Locomotive Operators -- Legislative change required.

D) Who is the key contact for your agency on these types of issues?

Please use Kate Hallahan, Senior Policy Advisor to the Deputy Secretary, as your key contact and she will facilitate getting any additional information you need for this effort. Kate can be reached at (202) 366-2222.



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

1 MAR 1998

MEMORANDUM FOR CYNTHIA RICE, SPECIAL ASSISTANT TO THE PRESIDENT
FOR DOMESTIC POLICY

SUBJECT: Drivers and Professional Licenses Authorized by the Department of Defense

This is in response to your February 17, 1998, request for information concerning drivers and professional licenses authorized by the Department of Defense (DoD). Specifically, you asked (1) if any licenses were missing from the list you provided (attached); (2) the number of people who have licenses; (3) whether through regulation, we could deny licenses to people who owe child support, or if a legislative change would be required to do so; and (4) who would be the agency contact with whom you should coordinate as you develop possible policy on this issue.

Due to time constraints, DoD's response is not yet complete. However, to date we have received the following information.

1. The Department of the Air Force issues tens of thousands of Air Force Form 2293, U.S. Government Motor Vehicle Operator Identification Cards. These cards are issued pursuant to Air Force Manual 24-309, Chapter 4. The Air Force also accords warrants to contracting officers; grants aeronautical ratings to pilots and navigators; certifies judge advocates as trial and defense counsel; certifies medical and dental officers, and chaplains. Numbers of licenses and permits issued by the Air Force, along with authorizing citations, are not currently available.
2. The Defense Logistics Agency (DLA) reports that it has issued approximately 6,622 drivers licenses and licenses to operate government equipment. The latter licenses include such things as permits for DLA employees to operate cranes, generators, and forklifts. DLA has not yet provided its authorizing citations.
3. The Antilles Consolidated School System (ACSS) of the DoD Domestic Dependent Elementary and Secondary Schools issues drivers licenses to its bus drivers and administrative staff who drive government cars between the different school systems on the island. These licenses are issued under the authority of DoD 4500.36-R "Management, Acquisition, and Use of Motor Vehicles," and are currently held by 273 employees. ACSS also issues five-year teaching certificates to employees pursuant to the terms of a collective bargaining agreement. 256 teachers currently hold such certificates.
4. Pursuant to DoD 4500.36-R, the Department of the Navy issues motor vehicle operators' licenses for the official operation of DoD motor vehicles. It also grants licenses, pursuant to DoD 4145.19-R-1, for weight



Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Judith Miller to Cynthia Rice re: Drivers and Professional Licenses Authorized by the Department of Defense (partial) (1 page)	03/01/98	P5

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Cynthia Rice (Subject Files)
OA/Box Number: 15429

FOLDER TITLE:

Child Support-Licenses [1]

rx24

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

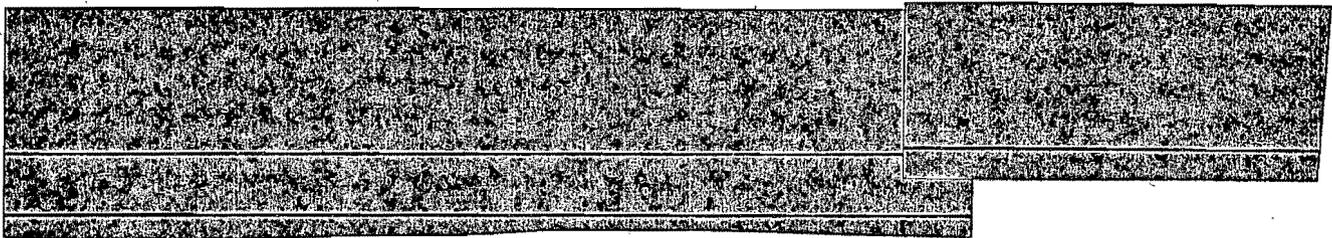
P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or
financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advise between the President
and his advisors, or between such advisors [a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of
personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed
of gift.
PRM. Personal record misfile defined in accordance with 44 U.S.C.
2201(3).
RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of
an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial
information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of
personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement
purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of
financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information
concerning wells [(b)(9) of the FOIA]

handling/material handling equipment, construction, and railroad equipment. This includes equipment such as forklifts, cranes, conveyors, railroad locomotives, and off-road construction heavy equipment. The Navy authorizes health care privileges for physicians, nurses, and dentists, certifies judge advocates as trial and defense counsel, and accords warrants to contracting officers. It grants permission to operate nuclear power plants, pilot aircraft, and carry weapons. Numbers of licenses and permits issued by the Navy, along with authorizing citations, are not currently available.

5. The Department of the Army reports yearly warrants accorded to 150 contracting officer representatives in the Army Acquisition Corps and yearly certification of 200 Army aviators, 50 Marine warrant officers, and 200 military air traffic controllers in the Training and Doctrine Command. It issues 75,000 military drivers licenses per year, and certifies annually 1,500 medical officers, 225 dental officers, 175 judge advocates as trial and defense counsel, and 125 chaplains. The Army has not yet provided authorizing citations for each type of license.



The agency point of contact for coordination on policy in this area is Mr. Francis M. Rush, Acting Assistant Secretary of Defense, Force Management Policy, who may be reached at (703)697-2121.

We will furnish you with additional information as it becomes available. If this office can provide additional assistance, please contact Marsha Mouyal of my staff at (703)695-3657.


Judith A. Miller

Attachment

Secretary of Agriculture

7 USC 51b	samplers of cotton.
7 USC 53	classifiers of cotton.
7 USC 84	grain inspectors by Federal Grain Inspection Service Administrator.
7 USC 244	warehouseman for conduct of a warehouse.
7 USC 248	person not warehouseman to accept custody of agricultural goods.
7 USC 252	classify, grade, or weigh agricultural products.
7 USC 499c	dealers in perishable agricultural commodities.
7 USC 2133	dealers in animals for research and exhibition.
21 USC 154	maintenance of establishment for serums and toxins for use in treatment of domestic animals.
21 USC 155	importation of serums and toxins for use in treatment of domestic animals.
43 USC 420	use of earth and timber from public lands under Public Irrigation Law construction.

Department of Commerce

22 USC 503	foreign traveling salesmen.
35 USC 151	patents by Patent and Trademark Office.
42 USC 9111	ownership, construction, and operation of ocean thermal energy conversion facilities by National Oceanic and Atmospheric Administration.
43 USC 7101	merchant seaman.
46 USC 7103	radio officer on vessel.

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46 USC 7104	certification of registry for medical officer and nurses on vessels.
46 USC 7112	masters mates or pilots on vessels.
46 USC 7313	endorsement as member of vessel engine department.
46 USC 7316	endorsement as lifeboatman.
46 USC 7317	endorsement as tankerman.
46 USC ap1718	ocean freight forwarders.
50 USC ap2403	export.

Department of Transportation

33 USC 1503	ownership, construction, and operation of a deepwater port.
33 USC 2602	vessel permits.
49 USC 5109	hazardous material motor transportation.
49 USC 13902	motor carriers.
49 USC 13903	freight forwarders.
49 USC 13904	broker for transportation of property.
49 USC 20135	locomotive operators.
49 USC 44703	airman certificate (e.g., pilots).
49 USC 44705	air carrier operator certificate.
49 USC 44706	airport operating certificate.
49 USC 70105	commercial space launch.

Department of the Treasury

7 USC 6e	designation of custom officer for foreign service.
15 USC 1173	manufacturers of gambling equipment.
18 USC 843	import, manufacture, or deal in explosive materials.
18 USC 923	firearm dealers.
19 USC 1551	carrier of bonded merchandise.

Page 3 - Federal Licensing Authorities/DRAFT

19 USC 1641 customhouse broker.
26 USC 5271 withdraw and use distilled spirits.

Department of the Interior

16 USC 80c motor vehicle licenses for Sequoia National Park.
16 USC 90d-1 use of lands in Lake Chelan National Recreation Area.
16 USC 410cc-11 conduct of activities within Lowell Historic Preservation District.
16 USC 460a Right of way and use of land of Natchez Trace Parkway.
16 USC 460a-3 Right of way and use of land of Blue Ridge Parkway.
16 USC 460a-8 Right of way and use of parkway land generally.
16 USC 607 use of timber on public lands (through §611a).
16 USC 718a hunting and conservation stamp for taking migratory waterfowl.
16 USC 742j-1 airborne hunting of birds and fish exceptions.
16 USC 800 preliminary permits for power.
16 USC 812 public service licensee of power for public sale (including by "person").
16 USC 916d engage in whaling.
16 USC 1374 permit for taking or importing marine mammals (and/or by "Secretary over NOAA").
16 USC 4305 collection and removal from federal caves.
16 USC 460l-6a "Golden Eagle Passport" for annual or lifetime park admission.

Page 4 - Federal Licensing Authorities/DRAFT

25 USC 264	to be employed as a clerk by an indian trader.
30 USC 211	prospecting for phosphates.
30 USC 1412	exploration and commercial recovery of deep seabed hard minerals.
43 USC 315b	permits for grazing rights on public lands for stock owners.
43 USC 971	use and occupancy of bathhouses and hotels by mineral springs on public lands.
43 USC 1752	grazing permits and leases on public lands.
48 USC 1491	transportation or storage of spent nuclear fuel.

Department of Health and Human Services

21 USC 141	to import milk and cream.
42 USC 262	allergenic product interstate commerce.

Department of Energy

16 USC 798	preliminary permits for development of water power and resources.
16 USC 817	development of water power and resources.

Nuclear Regulatory Commission

42 USC 2073	domestic distribution of nuclear material.
42 USC 2093	domestic distribution of nuclear sources material.
42 USC 2133	transfer, receive, or use nuclear utilization or production facilities.
42 USC 2134	medical, industrial, and commercial use of nuclear material.

Page 5 - Federal Licensing Authorities/DRAFT

- 42 USC 2137 operators of nuclear production and utilization facilities.
- 42 USC 2139 general licenses for domestic use of nuclear material.
- 42 USC 2235 construction permits and operation licenses for nuclear utilities or products facilities.

Federal Communications Commission

- 47 USC 303I-1 radio operator, including private/HAM.
- 47 USC 307 radio station licenses.
- 47 USC 318 radio station transmitter operator.

Commodity Futures Trading Corporation

- 7 USC 6d futures commission merchants.
- 7 USC 6e floor brokers.
- 7 USC 6k associates of futures commission merchants.
- 7 USC 6n commodity trading advisors and commodity pool operators.

National Science Foundation

- 16 USC 2404 permit to undertake otherwise prohibited acts with animals and plants in Antarctica.

Department of Defense

- 33 USC 669 hydraulic miners in parts of California by California Debris Commission, appointed by President from officers of the Army Corps of Engineers.

Department of State

21 USC 203 practice as pharmacist in U.S. Consular
district in China by U.S. Consul.
22 USC 211a passports.

Attorney General

8 USC 1203 re-entry permit for lawfully admitted alien
to leave and return.
8 USC 1282 conditional permits to land temporarily in
U.S. for alien crewmen if found otherwise
admissible by immigration officer.
21 USC 952 import controlled substances.
21 USC 953 export controlled substances.

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
OFFICE OF POLICY ANALYSIS
1849 C STREET, NW, MAIL STOP 4426
WASHINGTON, D.C. 20240

DATE: March 2, 1998

FROM: Anne Shields

TELEPHONE NUMBER: _____ FAX NUMBER _____

TO: Cynthia Rice

TELEPHONE NUMBER: 456-2846 FAX NUMBER: 456-7431

COMMENTS: _____

NUMBER OF PAGES (INCLUDING COVER): 6

OFFICE OF POLICY ANALYSIS FAX NUMBER: (202) 208-4867



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

MAR 2 1998

Memorandum

To: Cynthia Rice
Special Assistant to the President for Domestic Policy

From: Anne Shields
Chief of Staff *Anne Shields*

Subject: Child Support Enforcement Request

We have surveyed our Department's bureaus to identify licenses granted to individuals (including drivers' and professional licenses). The results of our survey are included in the attached Table. Note that this Table does not include permits that are generally issued to firms and institutions, as opposed to individuals. In other cases we issue permits to individuals (such as for public land rights-of-way and special uses) but these are not similar in nature to drivers' and professional licenses. A review of such permits would require extensive analysis.

In response to your questions, this Table:

- Adds two licenses to your list (indicated by the asterisks on the Table). However, currently there are no holders of the phosphate exploration license. In addition, we need to ascertain whether the Bureau of Indian Affairs still issues licenses to traders or their clerks.
- Notes where relevant and to the extent known, approximately how many people currently hold each license or permit on the list.
- Identifies whether the specific licenses and non-license items on the list are suitable candidates for being withheld from deadbeat parents or another segment of society. For instance, we believe that Duck Stamps are unsuitable because these are purchased in on-the-spot cash transactions and currently no information is collected on the purchaser. Moreover, since it is sold not only by the Fish and Wildlife Service but numerous other private and public outlets around the country, ensuring that it is

withheld from deadbeat parents would be quite an extensive and arduous undertaking. Finally, while one must display a Duck Stamp to hunt migratory waterfowl, the actual license to hunt is issued by each state.

- Notes, where necessary, if the item on the list does not pertain to our – but another Department's – authority.

Note that the Golden Eagle Passport is an entrance fee to National Parks and other public lands, not a license or a permit. Moreover, because it is sold on-the-spot, often in cash transactions at numerous locations around the country, it would not, in any case, be a suitable candidate for this exercise.

Finally, in response to your question regarding whether these licenses can be withheld from people owing child support we note that while our Solicitor's office has not completed a review of each license or non-license item on the list, the current laws and requirements for issuing such licenses are generally silent on this matter. Accordingly, in some cases legislative amendments may be necessary in the laws authorizing the licenses or permits. At the very least, we would most likely have to initiate and complete a cumbersome rulemaking exercise for each item on the list to make the changes necessary to disallow its issuance to such individuals.

I hope this is helpful. If you have any questions, please call Bill Bettenberg, Assistant Director, Office of Policy Analysis, at (202) 208-5978.

Attachment

**Child Support Enforcement Request
U.S. Department of the Interior**

Authority	Description	Is it considered a license?	# Issued
16 USC 80c	Motor vehicle licenses for Sequoia National Park	These licenses are no longer used	
16 USC 90d-1	This authority dealt with the use and occupancy of buildings at the time the Lake Chelan area came into the NPS	No	
16 USC 410cc-11	Conduct of living history demonstrations in Lowell Historic Preservation District	No	
16 USC 460a	Access permits for residents that abut or are near the Natchez Trace Parkway	No	
16 USC 460a-3	Access permits for residents that abut or are near the Blue Ridge Parkway	No	
16 USC 460a-8	Access permits for use of parkway land generally	Not yet determined	Not yet determined
16 USC 607	Use of timber on public lands	No	

MAK-02-98 10:43 FROM:DU1

DU:K92 K99 4007

DU:K92 K99 4007

Authority	Description	Is it considered a license?	# Issued
16 USC 718a	Duck Stamp (hunting and conservation stamp for taking migratory waterfowl)	No. While the Duck Stamp is required for hunting migratory waterfowl, it is not a license to hunt. Moreover, no one collects the name, address, or other information from the purchaser. Stamps are sold not only by the Fish and Wildlife Service, but also other private entities such as the Post Offices, Walmart, etc. A person might also purchase the Duck Stamp to provide financial support for conservation, or as a gift, or even as a collector.	About 1.5 million
16 USC 742j-1	Airborne hunting of birds and fish exceptions	Not yet determined	Not yet determined
16 USC 800	Preliminary power permits	FERC authority, not DOI	N/A
16 USC 812	License for selling power for public sale	FERC authority, not DOI	N/A
16 USC 916d	Whaling permits	NOAA authority, not DOI.	N/A
16 USC 1374	Permit for taking or importing marine mammals	No. The FWS issues permits to take and to import polar bears. NMFS has a greater range of species, and hence more permits. People pay about \$40 for a permit, and \$1,000 into a conservation fund for the privilege. Most of the hunters are well-to-do (this does not mean they are not deadbeats, of course). A lot of information is collected from the hunters when they go through the permit process, including name and address, where they hunt, etc. Many of the other marine mammal permits are fee exempt, but information is still collected from the permittee. Most of the applicants are institutions, and not individuals.	Very few issued, about 150 for polar bears
16 USC 4305	Collection and removal from federal caves	Not yet determined.	Not yet determined

Authority	Description	Is it considered a license?	# Issued
16 USC 4601-6a	Golden Eagle Permit	No. This is a fee for entrance permit.	Not yet determined
*25 USC 262	Traders licenses (issued to non-Indians).	Yes, but we need to ascertain whether BIA still issues these	Not yet determined
25 USC 264	Licenses for traders' clerks (issued to non-Indians).	Yes, but we need to ascertain whether BIA still issues these	Not yet determined
30 USC 211	Phosphate prospecting permits (usually given to companies, not individuals)	No	1
*43 USC 1732 302b	Phosphate exploration licenses	Yes	0
30 USC 1412	Exploration and recovery of deep seabed minerals	NOAA authority, not DOI	N/A
43 USC 315b/ 43 USC 1752	Grazing permits for public land (BLM)	No	18,700
43 USC 971	Mineral Springs Use Permits	No	
48 USC 1491	Transportation or storage of spent nuclear fuel	Not yet determined	Not yet determined.

* Addition to list
N/A = not applicable to DOI

Authority	Description	Is it considered a license?	# Issued
16 USC 4601-6a	Golden Eagle Permit	No. This is a fee for entrance permit.	Not yet determined
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* Addition to list

N/A = not applicable to DOI



Championing America's Entrepreneurs

Fax Transmission Cover Sheet

To: Cynthia Rice

The White House

Telephone: (202) 456-2846 Fax: (202) 456-7431

Date: 2/27/98 Time: 12:10pm

Number of Pages (including this page): 6

From: Paul Weech

Office of the Administrator

Telephone: (202) 205-6605 Fax: (202) 205-6802

Message: Per your request.

Did you know the SBA ...

- Has a portfolio guaranteeing over \$29 billion in loans to 200,000 small businesses that otherwise would not have had such access to capital?
- Backed over \$2,700 loans totaling \$10 billion to America's small businesses in fiscal year 1996?
- Last year extended management and technical assistance to nearly 850,000 small businesses through its 950 Small Business Development Centers and 13,000 Service Corps of Retired Executives volunteers?
- Provided nearly 38,000 loans totaling \$987 million to disaster victims for residential, personal property, as well as business losses in fiscal year 1996?
- Has 7,000 private sector lenders as partners providing their capital to small business?
- Has increased its venture capital program with more private capital in the past two years than in the previous 15 years combined?
- Provides loan guarantees and technical assistance to small business exporters through U.S. Export Assistance Centers in 15 cities?
- Can be contacted through the SBA Home Page on the Internet (<http://www.sba.gov>)?
- Can respond to written small business questions through the U.S. Business Advisor on the Internet (<http://www.business.gov>)?

Did you know that America's 22 million small businesses ...

- Employ more than 50 percent of the private workforce,
- Generate more than half of the nation's gross domestic product, and
- Are the principal source of new jobs?

Note: Be aware fax machines using thermal paper produce an unstable image which will deteriorate. Copy messages onto plain paper prior to filing as a record!

CONFIDENTIALITY NOTE: The information contained in this facsimile transmittal sheet and the document(s) that follow are for the exclusive use of the addressee and may contain information protected by the Privacy Act, 5 U.S.C. 552a, or otherwise confidential, privileged, or non-disclosable information. If the recipient of this facsimile is not the addressee or is not the person responsible for delivering this facsimile to the addressee, the recipient may violate the law by reading, photocopying, distributing or otherwise using this facsimile transmission or its contents in any way. If the recipient has received this facsimile transmission in error, call the sending office immediately.





**U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416**

February 27, 1998

Memorandum

To: Cynthia Rice
Special Assistant to the President for Domestic Policy

From: Paul Weech, Chief of Staff 

Re: Federal Agency Welfare Hiring Update and Child Support Request

Per your request in your memorandum of February 17, I'm faxing you updated information regarding the Small Business Administration programs.

Please feel free to call me at 202/205-6605 if you desire additional information or have any questions.

Enclosures



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

DATE: February 23, 1998

TO: Paul N. Weech
Chief of Staff

FROM: Carolyn J. Smith *Carolyn*
Assistant Administrator
for Human Resources

SUBJECT: Welfare-To-Work Hiring Update

This is in response to your inquiry regarding our plans for SBA's Welfare-To-Work Initiative for FY 1998. As you know, the Small Business Administration is committed to hiring 120 worker trainees under the President's Welfare-To-Work Initiative, 30 each year, over the next four years. As of today, SBA has hired a total of 34 welfare recipients, 32 of whom remain on board. We are awaiting the voluntary completion of SBA Form 2020, "New Hire Report", from five worker-trainees recently hired under the program. We have not experienced any reluctance on the completion of this form. Upon receipt of these forms, we will provide you with an update to the 34 welfare recipients currently on board.

We have received approval to hire at least 32 welfare recipients in FY 1998. The program has been decentralized whereby the appropriate servicing personnel office will coordinate recruitment and hiring. Several vacancy announcements have already been issued. The Office of Human Resources will continue to oversee the process and meet the reporting requirements.

While SBA is committed to supporting this worthwhile initiative, identification of jobs and recruitment of applicants alone will not produce success. We recognize the importance of helping our new employees adapt to the workplace environment and are taking steps to provide life skills training and move towards addressing the barriers that have kept them unemployed in the past. In our efforts to provide this support and assistance, we have utilized various strategies to ensure our current retention success rate. We will be forwarding a memorandum to the Administrator this week with additional information concerning the retention aspect of the program.

cc: Jadine C. Nielsen
Bettie Baca



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

OFFICE OF GENERAL COUNSEL

DATE: February 27, 1998

TO: Paul Weech
Chief of Staff

FROM: John T. Spofila
General Counsel

RE: White House Memorandum to the Chiefs of Staff
Federal Agency Welfare Hiring Update and Child Support Request

In response to your request for our comments on the above White House Memorandum, please note the following:

1. SBA requires every holder of 50% or more of the ownership interest in a recipient of an SBA loan to certify that he or she is not more than 60 days delinquent on any obligation to pay child support. I have attached a copy of the relevant statutory and regulatory authority -- 15 USC 633(f) and 13 CFR §120.171 (1997).
2. SBA does not issue any licenses to individuals. SBA does license small business investment companies, which are entities organized under state law for the purpose of performing the activities contemplated by Title III of the Small Business Investment Act of 1958, as amended. SBA also enters into certain contracts with other entities that participate in SBA programs, including 7(a) lenders, surety companies, and certified development companies. We do not currently require the owners of these entities to make a similar certification regarding child support obligations.

cc: Jadine Nielsen



(B)(i) [Unchanged] (ii) Following the close of each fiscal year, the Administration shall pay into the miscellaneous receipts of the United States Treasury the actual interest that the Administration collects during that fiscal year on all financings made under this Act.

(D) [Unchanged] (e) Prohibition on the provision of assistance. Notwithstanding any other provision of law, the Administration is prohibited from providing any financial or other assistance to any business concern or other person engaged in the production or distribution of any product or service that has been determined to be obscene by a court of competent jurisdiction.

(f) Certification of compliance with child support obligations. (1) In general. For financial assistance approved after the promulgation of final regulations to implement this section, each recipient of financial assistance under this Act, including a recipient of a direct loan or a loan guarantee, shall certify that the recipient is not more than 60 days delinquent under the terms of any— (A) administrative order; (B) court order; or (C) repayment agreement entered into between the recipient and the custodial parent or State agency providing child support enforcement services.

that requires the recipient to pay child support, as such term is defined in section 452(b) of the Social Security Act (42 USCS § 652(b)). (2) Enforcement. Not later than 6 months after the date of enactment of this subsection (enacted Oct. 22, 1994), the Administration shall promulgate such regulations as may be necessary to enforce compliance with the requirements of this subsection.

(As amended: Apr. 18, 1984, P. L. 98-270, Title III, § 306, 98 Stat. 161; July 16, 1984, P. L. 98-352, § 5, 98 Stat. 331; July 16, 1984, P. L. 98-262, §§ 3, 4, 98 Stat. 431, 433; July 16, 1984, P. L. 98-362, § 7(b), 98 Stat. 431; Nov. 3, 1988, P. L. 100-590, Title I, § 117(a), 102 Stat. 2995; Nov. 15, 1988, P. L. 100-636, Title IV, § 401(a), 102 Stat. 3873; June 15, 1989, P. L. 101-37, § 1(a), 103 Stat. 73; Nov. 5, 1990, P. L. 101-515, Title V, § 1, 104 Stat. 2140; Nov. 15, 1990, P. L. 101-574, Title II, Part C, § 221(a), 104 Stat. 2823; Oct. 28, 1991, P. L. 102-496, Title VI, § 609(k), 105 Stat. 831; Oct. 22, 1994, P. L. 103-403, Title VI, §§ 601, 611, 612, 108 Stat. 4201, 4204)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

References in text: "The Small Business Computer Security and Education Act of 1984", referred to in this section, is Act July 16, 1984, P. L. 98-362, 98 Stat. 431, which among other things amended this section. For full classification of such Act, consult USCS Tables volumes. Titles III, IV and V of the Small Business Investment Act of 1958", referred to in this section, are Titles III, IV and V of Act Aug. 31, 1958, P. L. 85-699, 72 Stat. 691, 696, which appear generally as 15 USCS §§ 681 et seq., 692 et seq., and 695 et seq. For full classification of such Titles, consult USCS Tables volumes.

Explanatory notes: The bracketed comma was inserted in subsec. (c)(2) to conform to the probable intent of Congress.

Amendments: 1984. Act Apr. 18, 1984 (effective 10/1/83, as provided by § 313 of such Act, which appears as 15 USCS § 632 note), in subsec. (c)(1), inserted "7(b)(4)". Act July 10, 1984, in subsec. (c), in paras. (1)(B) and (2)(B), inserted "5(g)," after "sections". Act July 16, 1984, in subsec. (b), added paras. (3) and (4). For termination of certain 1984 amendments, see Other Provisions note to this section. Such Act further (effective 10/1/88 as provided by § 7 of such Act, which appears as a note to this section), in subsec. (b), deleted paras. (3) and (4) which read:

- "(3)(A) The Administrator shall, not later than ninety days after the effective date of the Small Business Computer Security and Education Act of 1984, establish an advisory council to be known as the Small Business Computer Security and Education Advisory Council (hereinafter referred to as the 'advisory council').
- "(B) The advisory council shall consist of the following members:
 - "(i) an official of the Small Business Administration, appointed by the Administrator;
 - "(ii) an official of the Institute for Computer Sciences and Technology of the Department of Commerce, appointed by the Secretary of Commerce;
 - "(iii) an official of the Department of Justice, appointed by the Attorney General, who is knowledgeable about issues of computer security and its protection;

of the activity or activation;
 funding from any source, prioritizes, or conditions small businesses that the may assist under an SBA that imposes any conditions upon recipients assistance inconsistent with programs or regulations;
 disclose to SBA all relationships between the small business (including Close Relatives), the Participant, lenders financing the which it is aware or should

disclose to SBA whether the exposure of a Participant of a Participant to sustain a loss; or indirectly finance the (real estate, personal services (including insurance) participant or an Associate of participant;
 or refinance a debt due to or an Associate of a Participant

the small business, or an including Close Relatives, to invest in the Participant for institutions which investment from all members of membership, such as on Credit Association); a real estate forward company a builder or developer; or in any activity which objective judgment in evaluation.

CRITERIA FOR SBA LOANS

What are SBA's lending criteria?

applicant (including an Operator) must be creditworthy. It must be so sound as to reasonably repay. SBA will consider

character, reputation, and credit the applicant (and the Operator, if applicable), its Associates and guarantors;

experience and depth of management of the business;

- (d) Past earnings, projected cash flow, and future prospects;
- (e) Ability to repay the loan with earnings from the business;
- (f) Sufficient invested equity to operate on a sound financial basis;
- (g) Potential for long-term success;
- (h) Nature and value of collateral (although inadequate collateral will not be the sole reason for denial of a loan request); and
- (i) The effect any affiliates (as defined in part 121 of this chapter) may have on the ultimate repayment ability of the applicant.

§ 120.151 What is the statutory limit for total loans to a Borrower?

The aggregate amount of the SBA portions of all loans to a single Borrower, including the Borrower's affiliates as defined in part 121 of this chapter, may not exceed a guarantee amount of \$750,000, except as otherwise authorized by statute for a specific loan program. The amount of any loan received by an Eligible Passive Company applies to the loan limit of both the Eligible Passive Company and the Operating Company.

§ 120.160 Loan conditions.

The following requirements are normally required by SBA for all business loans:

(a) *Personal guarantees.* Holders of at least a 20 percent ownership interest generally must guarantee the loan. SBA, in its discretion, consulting with the Participating Lender, may require other appropriate individuals to guarantee the loan as well, except SBA will not require personal guarantees from those owning less than 5% ownership.

(b) *Appraisals.* SBA may require professional appraisals of the applicant's and principals' assets, a survey, or a feasibility study.

(c) *Hazard insurance.* SBA requires hazard insurance on all collateral.

(d) *Taxes.* The applicant may not use any of the proceeds to pay past-due Federal and state payroll taxes.

REQUIREMENTS IMPOSED UNDER OTHER LAWS AND ORDERS

§ 120.170 Flood insurance.

Under the Flood Disaster Protection Act of 1973 (Sec. 205(b) of Pub. L. 93-234;

87 Stat. 983 (42 U.S.C. 4000 et seq.)), a loan recipient must obtain flood insurance if any building (including mobile homes), machinery, or equipment acquired, installed, improved, constructed, or renovated with the proceeds of SBA financial assistance is located in a special flood hazard area. The requirement applies also to any inventory (business loan program), fixtures or furnishings contained or to be contained in the building. Mobile homes on a foundation are buildings. SBA, Lenders, ODCs, and Intermediaries must notify Borrowers that flood insurance must be maintained.

§ 120.171 Compliance with child support obligations.

Any holder of 50% or more of the ownership interest in the recipient of an SBA loan must certify that he or she is not more than 60 days delinquent on any obligation to pay child support arising under:

- (a) An administrative order;
- (b) A court order;
- (c) A repayment agreement between the holder and a custodial parent; or
- (d) A repayment agreement between the holder and a State agency providing child support enforcement services.

§ 120.172 Flood-plain and wetlands management.

(a) All loans must conform to requirements of Executive Orders 11988, "Flood Plain Management" (3 CFR, 1977 Comp., p. 117) and 11990, "Protection of Wetlands" (3 CFR, 1977 Comp., p. 121). Lenders, Intermediaries, ODCs, and SBA must comply with requirements applicable to them. Applicants must show:

(1) Whether the location for which financial assistance is proposed is in a floodplain or wetland;

(2) If it is in a floodplain, that the assistance is in compliance with local land use plans; and

(3) That any necessary construction or use permits will be issued.

(b) Generally, there is an 8-step decision making process with respect to:

- (1) Construction or acquisition of anything, other than a building;

FACSIMILE COVER SHEET

TO: Cynthia Rice
Name

The White House
Organization

(202) 456-7431
Fax No.

(202) 456-2846
Tel. No.

FROM: Colonel Daniel J. Dell'Orto
Fax No. (703) 693-7278
Tel. No. (703) 697-6028

DATE: March 2, 1998

NUMBER OF PAGES (INCL. COVER): 3
PLEASE CALL (703) 697-6028 IF TRANSMISSION IS
ILLEGIBLE OR INCOMPLETE.

COMMENTS: This is our interim response to your request of February 17, 1998 on the subject of Child Support Enforcement Request. The original of the forwarded document has been sent.



GENERAL COUNSEL

GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE
1600 DEFENSE PENTAGON
WASHINGTON, D. C. 20301-1600

1 MAR 1998

MEMORANDUM FOR CYNTHIA RICE, SPECIAL ASSISTANT TO THE PRESIDENT
FOR DOMESTIC POLICY

SUBJECT: Drivers and Professional Licenses Authorized by the Department of Defense

This is in response to your February 17, 1998, request for information concerning drivers and professional licenses authorized by the Department of Defense (DoD). Specifically, you asked (1) if any licenses were missing from the list you provided (attached); (2) the number of people who have licenses; (3) whether through regulation, we could deny licenses to people who owe child support, or if a legislative change would be required to do so; and (4) who would be the agency contact with whom you should coordinate as you develop possible policy on this issue.

Due to time constraints, DoD's response is not yet complete. However, to date we have received the following information.

1. The Department of the Air Force issues tens of thousands of Air Force Form 2293, U.S. Government Motor Vehicle Operator Identification Cards. These cards are issued pursuant to Air Force Manual 24-309, Chapter 4. The Air Force also accords warrants to contracting officers; grants aeronautical ratings to pilots and navigators; certifies judge advocates as trial and defense counsel; certifies medical and dental officers, and chaplains. Numbers of licenses and permits issued by the Air Force, along with authorizing citations, are not currently available.
2. The Defense Logistics Agency (DLA) reports that it has issued approximately 6,622 drivers licenses and licenses to operate government equipment. The latter licenses include such things as permits for DLA employees to operate cranes, generators, and forklifts. DLA has not yet provided its authorizing citations.
3. The Antilles Consolidated School System (ACSS) of the DoD Domestic Dependent Elementary and Secondary Schools issues drivers licenses to its bus drivers and administrative staff who drive government cars between the different school systems on the island. These licenses are issued under the authority of DoD 4500.36-R "Management, Acquisition, and Use of Motor Vehicles," and are currently held by 273 employees. ACSS also issues five-year teaching certificates to employees pursuant to the terms of a collective bargaining agreement. 256 teachers currently hold such certificates.
4. Pursuant to DoD 4500.36-R, the Department of the Navy issues motor vehicle operators' licenses for the official operation of DoD motor vehicles. It also grants licenses, pursuant to DoD 4145.19-R-1, for weight



Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. fax	Colonel Daniel Dell'Orto to Cynthia Rice re: Response on the subject of Child Support Enforcement Request (partial) (1 page)	03/02/98	P5

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Cynthia Rice (Subject Files)
OA/Box Number: 15429

FOLDER TITLE:

Child Support-Licenses [1]

rx24

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

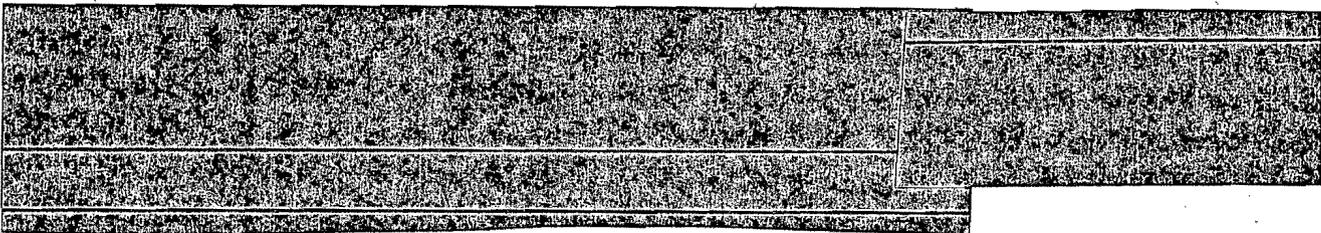
- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

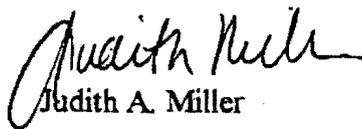
handling/material handling equipment, construction, and railroad equipment. This includes equipment such as forklifts, cranes, conveyors, railroad locomotives, and off-road construction heavy equipment. The Navy authorizes health care privileges for physicians, nurses, and dentists, certifies judge advocates as trial and defense counsel, and accords warrants to contracting officers. It grants permission to operate nuclear power plants, pilot aircraft, and carry weapons. Numbers of licenses and permits issued by the Navy, along with authorizing citations, are not currently available.

5. The Department of the Army reports yearly warrants accorded to 150 contracting officer representatives in the Army Acquisition Corps and yearly certification of 200 Army aviators, 50 Marine warrant officers, and 200 military air traffic controllers in the Training and Doctrine Command. It issues 75,000 military drivers licenses per year, and certifies annually 1,500 medical officers, 225 dental officers, 175 judge advocates as trial and defense counsel, and 125 chaplains. The Army has not yet provided authorizing citations for each type of license.



The agency point of contact for coordination on policy in this area is Mr. Francis M. Rush, Acting Assistant Secretary of Defense, Force Management Policy, who may be reached at (703)697-2121.

We will furnish you with additional information as it becomes available. If this office can provide additional assistance, please contact Marsha Mouyal of my staff at (703)695-3657.


Judith A. Miller

Attachment

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	David Ross to Cynthia Rice re: Federal Licenses (1 page)	02/27/98	P6/b(6), b(6)

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Cynthia Rice (Subject Files)
OA/Box Number: 15429

FOLDER TITLE:

Child Support-Licenses [1]

rx24

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

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United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, D.C. 20240

MAR 2 1998

Memorandum

To: Cynthia Rice
Special Assistant to the President for Domestic Policy

From: Anne Shields
Chief of Staff *Anne Shields*

Subject: Child Support Enforcement Request

We have surveyed our Department's bureaus to identify licenses granted to individuals (including drivers' and professional licenses). The results of our survey are included in the attached Table. Note that this Table does not include permits that are generally issued to firms and institutions, as opposed to individuals. In other cases we issue permits to individuals (such as for public land rights-of-way and special uses) but these are not similar in nature to drivers' and professional licenses. A review of such permits would require extensive analysis.

In response to your questions, this Table:

- Adds two licenses to your list (indicated by the asterisks on the Table). However, currently there are no holders of the phosphate exploration license. In addition, we need to ascertain whether the Bureau of Indian Affairs still issues licenses to traders or their clerks.
- Notes where relevant and to the extent known, approximately how many people currently hold each license or permit on the list.
- Identifies whether the specific licenses and non-license items on the list are suitable candidates for being withheld from deadbeat parents or another segment of society. For instance, we believe that Duck Stamps are unsuitable because these are purchased in on-the-spot cash transactions and currently no information is collected on the purchaser. Moreover, since it is sold not only by the Fish and Wildlife Service but numerous other private and public outlets around the country, ensuring that it is

withheld from deadbeat parents would be quite an extensive and arduous undertaking. Finally, while one must display a Duck Stamp to hunt migratory waterfowl, the actual license to hunt is issued by each state.

- Notes, where necessary, if the item on the list does not pertain to our – but another Department's – authority.

Note that the Golden Eagle Passport is an entrance fee to National Parks and other public lands, not a license or a permit. Moreover, because it is sold on-the-spot, often in cash transactions at numerous locations around the country, it would not, in any case, be a suitable candidate for this exercise.

Finally, in response to your question regarding whether these licenses can be withheld from people owing child support we note that while our Solicitor's office has not completed a review of each license or non-license item on the list, the current laws and requirements for issuing such licenses are generally silent on this matter. Accordingly, in some cases legislative amendments may be necessary in the laws authorizing the licenses or permits. At the very least, we would most likely have to initiate and complete a cumbersome rulemaking exercise for each item on the list to make the changes necessary to disallow its issuance to such individuals.

I hope this is helpful. If you have any questions, please call Bill Bettenberg, Assistant Director, Office of Policy Analysis, at (202) 208-5978.

Attachment

**Child Support Enforcement Request
U.S. Department of the Interior**

Authority	Description	Is it considered a license?	# Issued
16 USC 80c	Motor vehicle licenses for Sequoia National Park	These licenses are no longer used	
16 USC 90d-1	This authority dealt with the use and occupancy of buildings at the time the Lake Chelan area came into the NPS	No	
16 USC 410cc-11	Conduct of living history demonstrations in Lowell Historic Preservation District	No	
16 USC 460a	Access permits for residents that abut or are near the Natchez Trace Parkway	No	
16 USC 460a-3	Access permits for residents that abut or are near the Blue Ridge Parkway	No	
16 USC 460a-8	Access permits for use of parkway land generally	Not yet determined	Not yet determined
16 USC 607	Use of timber on public lands	No	

Authority	Description	Is it considered a license?	# Issued
16 USC 718a	Duck Stamp (hunting and conservation stamp for taking migratory waterfowl)	No. While the Duck Stamp is required for hunting migratory waterfowl, it is not a license to hunt. Moreover, no one collects the name, address, or other information from the purchaser. Stamps are sold not only by the Fish and Wildlife Service, but also other private entities such as the Post Offices, Walmart, etc. A person might also purchase the Duck Stamp to provide financial support for conservation, or as a gift, or even as a collector.	About 1.5 million
16 USC 742j-1	Airborne hunting of birds and fish exceptions	Not yet determined	Not yet determined
16 USC 800	Preliminary power permits	FERC authority, not DOI	N/A
16 USC 812	License for selling power for public sale	FERC authority, not DOI	N/A
16 USC 916d	Whaling permits	NOAA authority, not DOI.	N/A
16 USC 1374	Permit for taking or importing marine mammals	No. The FWS issues permits to take and to import polar bears. NMFS has a greater range of species, and hence more permits. People pay about \$40 for a permit, and \$1,000 into a conservation fund for the privilege. Most of the hunters are well-to-do (this does not mean they are not deadbeats, of course). A lot of information is collected from the hunters when they go through the permit process, including name and address, where they hunt, etc. Many of the other marine mammal permits are fee exempt, but information is still collected from the permittee. Most of the applicants are institutions, and not individuals.	Very few issued, about 150 for polar bears
16 USC 4305	Collection and removal from federal caves	Not yet determined.	Not yet determined

Authority	Description	Is it considered a license?	# Issued
16 USC 460I-6a	Golden Eagle Permit	No. This is a fee for entrance permit.	Not yet determined
*25 USC 262	Traders licenses (issued to non-Indians).	Yes, but we need to ascertain whether BIA still issues these	Not yet determined
25 USC 264	Licenses for traders' clerks (issued to non-Indians).	Yes, but we need to ascertain whether BIA still issues these	Not yet determined
30 USC 211	Phosphate prospecting permits (usually given to companies, not individuals)	No	1
*43 USC 1732 302b	Phosphate exploration licenses	Yes	0
30 USC 1412	Exploration and recovery of deep seabed minerals	NOAA authority, not DOI	N/A
43 USC 315b/ 43 USC 1752	Grazing permits for public land (BLM)	No	18,700
43 USC 971	Mineral Springs Use Permits	No	
48 USC 1491	Transportation or storage of spent nuclear fuel	Not yet determined	Not yet determined

* Addition to list

N/A = not applicable to DOI

2453680

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Cynthia A. Rice

02/12/98 03:03:17 PM

Record Type: Record

To: dross @ acf.dhhs.gov @ INET @ LNGTWY
cc:
bcc: Records Management
Subject: Re: Re: Federal Licenses

Thank you, Judge. Can you get me something in writing re: what Virginia has done and what results they have had -- or give me a name and number to call? I want to know, can we credible say this has "worked" in Virginia?
dross @ acf.dhhs.gov



dross @ acf.dhhs.gov
02/11/98 06:19:00 PM

Record Type: Record

To: Cynthia A. Rice
cc:
Subject: Re: Re: Federal Licenses

We have talked about it and decided that, absent legislation - similar to what we have in the law regarding state license revocation, booting cannot be mandated by regulation. As you may know, the State of Virginia has begun a very aggressive program of booting and the State Director there tells me that it has been very successful. I have asked the editor of our Child Support Report that goes to employees across the nation, to feature the Virginia project in an article. We also do a best practices manual. If the results continue to be beneficial, we will include it in a future edition. It might be worthwhile, however, for the President to mention it in some future child support radio address. Hope this helps. David Ross.



Cynthia A. Rice

02/12/98 03:00:54 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc:
bcc: Records Management
Subject: Re: child support/booting cars

Yes -- we require states to have the authority to suspend licenses, but they decide when to apply it, which is what I think we should do for booting cars. Generally, as you know, states report that they get funds by threatening to revoke licenses -- they rarely actually have to follow through and actually suspend them -- but requiring the state to have the procedure gives the child support agency a new tool to collect overdue funds.

Let me get more information on Virginia's car booting program to make sure we can credibly say "this works."

Current law re: licenses reads as follows: states must have "procedures under which the State has (and uses in appropriate cases) authority to withhold or suspend, or to restrict the use of driver's licenses, professional and occupational licenses, and recreational licenses of individuals owing overdue support or failing, after receiving appropriate notice, to comply with subpoenas or warrants relating to paternity or child support proceedings"

Bruce N. Reed



Bruce N. Reed
02/12/98 01:30:10 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc:
Subject: Re: child support/booting cars

On drivers licenses, we mandate that they have legislation to give themselves the option to do it, right? Is that what we'd do here?

Secretary finds affords comparable rights to child support creditors; and

"(2) procedures under which, in any case in which the State knows of a transfer by a child support debtor with respect to which such a prima facie case is established, the State must—

"(A) seek to void such transfer; or

"(B) obtain a settlement in the best interests of the child support creditor."

SEC. 385. WORK REQUIREMENT FOR PERSONS OWING PAST-DUE CHILD SUPPORT.

(a) **IN GENERAL.**—Section 466(a) (42 U.S.C. 666(a)), as amended by sections 315, 317, and 323 of this Act, is amended by inserting after paragraph (14) the following new paragraph:

"(15) **PROCEDURES TO ENSURE THAT PERSONS OWING PAST-DUE SUPPORT WORK OR HAVE A PLAN FOR PAYMENT OF SUCH SUPPORT.**—

"(A) **IN GENERAL.**—Procedures under which the State has the authority, in any case in which an individual owes past-due support with respect to a child receiving assistance under a State program funded under part A, to issue an order or to request that a court or an administrative process established pursuant to State law issue an order that requires the individual to—

"(i) pay such support in accordance with a plan approved by the court, or, at the option of the State, a plan approved by the State agency administering the State program under this part; or

"(ii) if the individual is subject to such a plan and is not incapacitated, participate in such work activities (as defined in section 407(d)) as the court, or, at the option of the State, the State agency administering the State program under this part, deems appropriate.

"(B) **PAST-DUE SUPPORT DEFINED.**—For purposes of subparagraph (A), the term 'past-due support' means the amount of a delinquency, determined under a court order, or an order of an administrative process established under State law, for support and maintenance of a child, or of a child and the parent with whom the child is living."

(b) **CONFORMING AMENDMENT.**—The flush paragraph at the end of section 466(a) (42 U.S.C. 666(a)) is amended by striking "and (7)" and inserting "(7), and (15)".

SEC. 366. DEFINITION OF SUPPORT ORDER.

Section 453 (42 U.S.C. 653) as amended by sections 316 and 345(b) of this Act, is amended by adding at the end the following new subsection:

"(p) **SUPPORT ORDER DEFINED.**—As used in this part, the term 'support order' means a judgment, decree, or order, whether temporary, final, or subject to modification, issued by a court or an administrative agency of competent jurisdiction, for the support and maintenance of a child, including a child who has attained the age of majority under the law of the issuing State, or a child and the parent with whom the child is living, which provides for monetary support, health care, arrearages, or reimbursement,

and which may include related costs and fees, interest and penalties, income withholding, attorneys' fees, and other relief."

SEC. 367. REPORTING ARREARAGES TO CREDIT BUREAUS.

Section 466(a)(7) (42 U.S.C. 666(a)(7)) is amended to read as follows:

"(7) **REPORTING ARREARAGES TO CREDIT BUREAUS.**—

"(A) **IN GENERAL.**—Procedures (subject to safeguards pursuant to subparagraph (B)) requiring the State to report periodically to consumer reporting agencies (as defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) the name of any noncustodial parent who is delinquent in the payment of support, and the amount of overdue support owed by such parent.

"(B) **SAFEGUARDS.**—Procedures ensuring that, in carrying out subparagraph (A), information with respect to a noncustodial parent is reported—

"(i) only after such parent has been afforded all due process required under State law, including notice and a reasonable opportunity to contest the accuracy of such information; and

"(ii) only to an entity that has furnished evidence satisfactory to the State that the entity is a consumer reporting agency (as so defined)."

SEC. 368. LIENS.

Section 466(a)(4) (42 U.S.C. 666(a)(4)) is amended to read as follows:

"(4) **LIENS.**—Procedures under which—

"(A) liens arise by operation of law against real and personal property for amounts of overdue support owed by a noncustodial parent who resides or owns property in the State; and

"(B) the State accords full faith and credit to liens described in subparagraph (A) arising in another State, when the State agency, party, or other entity seeking to enforce such a lien complies with the procedural rules relating to recording or serving liens that arise within the State, except that such rules may not require judicial notice or hearing prior to the enforcement of such a lien."

SEC. 369. STATE LAW AUTHORIZING SUSPENSION OF LICENSES.

Section 466(a) (42 U.S.C. 666(a)), as amended by sections 315, 317, 323, and 365 of this Act, is amended by inserting after paragraph (15) the following:

"(16) **AUTHORITY TO WITHHOLD OR SUSPEND LICENSES.**—

Procedures under which the State has (and uses in appropriate cases) authority to withhold or suspend, or to restrict the use of driver's licenses, professional and occupational licenses, and recreational licenses of individuals owing overdue support or failing, after receiving appropriate notice, to comply with subpoenas or warrants relating to paternity or child support proceedings."

SEC. 370. DENIAL OF PASSPORTS FOR NONPAYMENT OF CHILD SUPPORT.

(a) **HHS CERTIFICATION PROCEDURE.**—



dross @ acf.dhhs.gov
02/10/98 03:23:00 PM

Record Type: Record

To: Cynthia A. Rice

cc:

Subject: Re: Can you tell me the name and number of who put together the

Sure. He is a lawyer named Stephen Grant. He is our International Officer and his telephone number is 202 260 5943.

PS - I am working on the other two issues.



Cynthia A. Rice

02/08/98 02:24:07 PM

Record Type: Record

To: dross @ acf.dhhs.gov @ INET @ LNGTWY
cc:
bcc:
Subject: Re: Federal Licenses

Also, I have been asked whether it be possible for the federal government, through regulation, to require states to "boot" the cars of owners who owe child support, the way state and local governments boot cars of people who owe traffic tickets? I wonder if there's a way to interpret section 368 of PL 104-193 regarding liens or section 369 regarding licenses to do this? This was suggested at a high level meeting, and we will be expected to report back.

dross @ acf.dhhs.gov



dross @ acf.dhhs.gov
02/06/98 10:45:00 AM

Record Type: Record

To: cynthia a. rice
cc:
Subject: Federal Licenses

As you requested, attached is a list of federal licenses that might be subject to either suspension or denial. Much more work needs to be done by the legal staff of the various agencies and departments before we could actually ask the President to promulgate an executive order.

The listing is a result of searches of the U.S. Code, Code of Federal Regulations, and other resources. While many of the ninety-two licenses listed are archaic and unlikely to prove effective as enforcement tools, this is at least an appropriate starting point for discussions with other federal agencies to identify federal powers which might be used to encourage compliance with child support orders.

Thank you. David Gray Ross. 202 401 9369.

February 8, 1998

NOTE TO BEN CURRIE:

FROM: CYNTHIA RICE

SUBJ: CHILD SUPPORT ENFORCEMENT

Here is more information about what I'd like you to get from the law library:

- 1) Attached is a list of licenses granted by the federal government to individuals.
 - a) Are there licenses missing from this list?
 - b) How many people have these licenses?
 - c) Would we, through regulation, be able to deny these licenses to people who owe child support, or would a legislative change be required?
- 2) Would it be possible for the federal government, through regulation, to require states to "boot" cars of owners who owe child support, perhaps through an interpretation of section 368 of PL 104-193 regarding liens or section 369 regarding licenses? (See attached for statutory language.)

1/29/90

Va. Falsely Threatens 2,300 In Mistake on Child Support

By R.H. Melton
Washington Post Staff Writer

RICHMOND, Jan. 28—Virginia is reporting a dramatic surge in child-support collections but has had to apologize to more than 2,000 parents for misidentifying them as delinquent, state officials said today.

Since beginning a crackdown on non-custodial parents who have fallen behind on their child-support payments, the state has forced new payments from 15,000 people, for a total of nearly \$15 million. Parents pay about \$286 million in support to 541,000 Virginia children annually.

But since the crackdown began in June, the state erroneously has identified 2,300 parents as delinquent and sent them notices revoking their hunting and fishing licenses, if they had one.

After Nathaniel L. "Nick" Young Jr., the state's top child-support enforcement official, heard several complaints about the error last month, he apologized in a letter to those incorrectly identified as delinquent.

Young said today the the problem was caused by a computer programming error; 37,400 other parents were properly notified of their license revocations.

One father who was incorrectly identified as being delinquent was Ronald E. Wright, of Columbia, S.C., according to his former wife.

Kobyn Stallman, of Fairfax, said today that Wright consistently paid \$200 a month for about 16 years to help support their daughter, Becky,

until she turned 18 last spring. He has since helped his daughter with her college tuition in Northern Virginia, Stallman said.

"It was a pain in the neck for him for almost a year, getting all the documents together," Stallman said. "It's ironic—you hear about dead-beat dads all the time, but he wasn't one."

Wright, whose case was first publicized in the Richmond Times-Dispatch, could not be reached for comment today. He had told the newspaper he was "livid" about the state's "incredible blunder," which he said had threatened his credit rating.

Young said he was sorry about the 6 percent error rate and believes that there are now safeguards in place to ensure such mistakes will not happen again.

"We're not perfect," said Martin D. Brown, a senior aide to Young. "We're going to make mistakes tomorrow. Where we find them, we correct them."

Young's agency has 432 caseworkers in 20 offices across Virginia who track child support. The state uses a number of tools, including liens, driver's license suspensions and seizing lottery winnings, to force payment of child support.

For example, the state recently warned 8,000 delinquent parents their driver's licenses were going to be revoked and quickly collected \$8 million in overdue support. Only 260 drivers actually lost their licenses, Young said.