

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	WAVES Confirmation (partial) (3 pages)	12/16/98	P6/b(6), b(6)
002. draft	Minimum Due Process Guidelines (10 pages)	ca. October, 1998	P5
003. email	WAVES Confirmation (partial) (2 pages)	10/27/98	P6/b(6), b(6)

### COLLECTION:

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

### FOLDER TITLE:

Child Support-Interagency Group

rx33

### 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]

March 29, 1999

MEMORANDUM TO:

Name	Agency	Phone Number	Fax Number
Allyson Stollenwerck	DOJ	514-3796	616-1239
Wendy Patten	DOJ	514-3274	514-2424
Karen Schreir	DOJ / US. Attny	605-330-4400	605/330-4410
Kristin Sibenaler	HHS	401-9229	401-4678
Don Hammond	Treasury	622-0560	622-0962
Neil Comstock	Treasury	622-0064	622-0073
Dave Lebryk	Treasury	622-0175	622-6413
Michele Ahern	WH/OMB	395-7771	395-0851

FROM: Cynthia Rice, WH/DPC (ph: 456-2846, fax: 456-7431)

SUBJ: CANCELLED -- MARCH 31st CHILD SUPPORT MEETING

The child support meeting originally scheduled for Wednesday, March 31st from 1:00 - 2:30 has been cancelled.

Please hold Wednesday, April 14th from 1:00-2:30 for the next meeting, to be held in OEOB room 211.

In addition, so that we may transmit these messages to you electronically, please fax your email address to the attention of Genie Chough at 456-7431.





# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	WAVES Confirmation (partial) (3 pages)	12/16/98	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-Interagency Group

rx33

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

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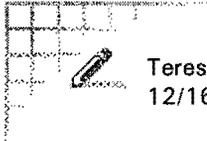
- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.



Teresa M. Jones  
12/16/98 12:07:16 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Andrea Kane/OPD/EOP

cc:

Subject: WAVES Confirmation

FYI

----- Forwarded by Teresa M. Jones/OPD/EOP on 12/16/98 12:08 PM -----



WAVES\_CONF @ PMDF.EOP.GOV  
12/16/98 12:04:21 PM

Record Type: Record

To: Teresa M. Jones/OPD/EOP

cc:

Subject: WAVES Confirmation

---

ADDRESSEES: TERESA\_M\_JONES  
SUBJECT: CONFIRMATION: APPT. REQUEST FOR JONES, TERESA  
FROM: WAVES OPERATIONS CENTER - ACO: TAMAR COOPER  
Date: 12-16-1998  
Time: 12:02:05

This message serves as confirmation of an appointment for the visitors listed below.

Appointment With: JONES, TERESA  
Appointment Date: 12/16/98  
Appointment Time: 1:00:00 PM  
Appointment Room: 211  
Appointment Building: OEOB  
Appointment Requested by: JONES TERESA  
Phone Number of Requestor: 65594

WAVES APPOINTMENT NUMBER: U31210

If you have any questions regarding this appointment, please call the WAVES Center at 456-6742 and have the appointment number listed above available to the Access Control Officer answering your call.

\*\*\*\*\*

TOTAL NUMBER OF NAMES SUBMITTED FOR ENTRY : 1  
TOTAL NUMBER OF NAMES OF CLEARED FOR ENTRY: 1

\*\*\*\*\*

CAVANAUGH, KAREN

P6/(b)(6) 

P6/136



WAVES\_CONF @ PMDF.EOP.GOV  
12/15/98 06:47:49 PM

Record Type: Record

To: Teresa M. Jones/OPD/EOP  
cc:  
Subject: WAVES Confirmation

---

ADDRESSEES: TERESA M. JONES  
SUBJECT: CONFIRMATION: APPT. REQUEST FOR JONES, TERESA  
FROM: WAVES OPERATIONS CENTER - ACO: RONALD ANDREW  
Date: 12-15-1998  
Time: 18:45:31

This message serves as confirmation of an appointment for the visitors listed below.

Appointment With: JONES, TERESA  
Appointment Date: 12/16/98  
Appointment Time: 1:00:00 PM  
Appointment Room: 211  
Appointment Building: OEOB  
Appointment Requested by: JONES TERESA  
Phone Number of Requestor: 65594  
WAVES APPOINTMENT NUMBER: U30877

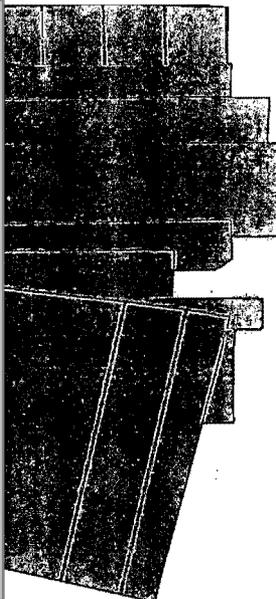
If you have any questions regarding this appointment, please call the WAVES Center at 456-6742 and have the appointment number listed above available to the Access Control Officer answering your call.

\*\*\*\*\*  
TOTAL NUMBER OF NAMES SUBMITTED FOR ENTRY : 34  
TOTAL NUMBER OF NAMES OF CLEARED FOR ENTRY: 34  
\*\*\*\*\*

- BASSETT, KEITH
- BONAR, DONNA
- BROMAN, BARBARA
- CAVANAUGH, KAREN
- COHEN, MARY
- COMSTOCK, NEIL
- DEERING, DONALD
- DOYLE, ROBERT
- GERBASI, JOE
- HAMMOND, DON
- HARRIS, ROBERT
- HIGGINS, LAUREN
- IVERY, JAMES
- JOHNSON, SCOTT
- KOCKRITZ, JANIS
- LEBRYCK, DAVE
- LEGLER, PAUL



P6/(b)(6)



*PG 136*

LURIE, DAVID  
MELGREN, LINDA  
MONAHAN, JOHN  
MURGUIA, MARY  
NEUBAUER, ELLEN  
NIX, ROY  
NOTAR, SUSAN  
PATTEN, WENDY  
REES, SUSAN  
ROSS, DAVID  
SHOWALTER, JOHN  
SIEGEL, DAVID  
SMOLKIN, AUDREY  
SOPPA, NICHOLAS  
STOLLENWERCK, ALLYSON  
THOMPSON, NORMAN  
WEINSTEIN, SAMARA

P6(b)(6)

P6/B6

THE WHITE HOUSE  
WASHINGTON

December 14, 1998

MEMORANDUM TO:

Name	Agency	Phone Number	Fax Number
Allyson Stollenwerck	DOJ	514-3796	616-1239
Wendy Patten	DOJ	514-3274	514-2424
Karen Schreir	DOJ / US Attny	605-330-4400	605/330-4410
Kristin Sibenaler	HHS	401-9229	401-4678
Don Hammond	Treasury	622-0560	622-0962
Neil Comstock	Treasury	622-0064	622-0073
Dave Lebryk	Treasury	622-0175	622-6413
Michele Ahern	WH/OMB	395-7771	395-0851
Robert Doyle	DOL	219 - 7222	
David Lurie	DOL	219 - 7222 x2707	
Susan Rees	DOL	219 - 4600 x105	

FROM: Cynthia Rice, WH/DPC (ph: 456-2846, fax: 456-7431)

SUBJ: CHILD SUPPORT MEETING ON DECEMBER 16

We will have a child support meeting as planned on Wednesday, December 16th from 1:00-2:30 in room 211 OEOB. The agenda will include:

- A presentation by HHS and DOL on medical support orders;
- A discussion of HHS' planned parental responsibility public service campaign.

All of the people listed on the attached page will be cleared in. Please call Teresa Jones at 456-5594 to clear in any additional people -- including any DOL attendees. Karen Schreir, if you would like to join us by phone, call the conference room phone at 202/456-5564 at the meeting time.

Please hold these dates and times for our next meeting:

- Wednesday, January 6th from 1:00 - 2:30
- Wednesday, January 27th from 1:00 - 2:30

Name	Agency	Phone Number	Fax Number
Allyson Stollenwerck	DOJ	514-3796	616-1239
Wendy Patten	DOJ	514-3274	514-2424
Karen Schreir	DOJ / US Attny South Dakota	605-330-4400	605/330-4410
John Monahan	HHS	401-5180	401-4678
Kristin Sibenaler	HHS	401-9229	401-4678
Judge David Ross	HHS	401-9369	401-5559
Lauren Higgins	HHS	690-7450	690-5750
Donna Bonar	HHS	401-9271	401-5553
Bob Harris	HHS	401-9370	401-3450
Paul Legler	HHS	401-5373	260-4668
Donald Deering	HHS	401-1063	401-5559
Norm Thompson	HHS	260-0339	401-5539
Audrey Smolkin	HHS		
Don Hammond	Treasury	622-0560	622-0962
Neil Comstock	Treasury	622-0064	622-0073
Dave Lebryk	Treasury	622-0175	622-6413
Cynthia Rice	WH/DPC	456-2846	456-7431
Michele Ahern	WH/OMB	395-7771	395-0851
Edwin Lau	WH/OMB	395-4689	395-0851



Kristin Siebenaler <ksiebenaler@acf.dhhs.gov>

12/11/98 09:46:35 AM

Please respond to ksiebenaler@acf.dhhs.gov

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: re: Next child support mtg

*Add Attached?*

Okay. You may want to consider other adding other agenda items because their presentation is about 30 minutes.

Original Text

From: <Cynthia\_A\_Rice@opd.eop.gov>, on 12/11/98 9:41 AM:

Yes, let's have the next child meeting be about medical child support orders. The meeting will be on Wednesday 12/16 at 1:00 in room 211 OEOP.

If you are bringing anyone not on this list(See attached file: cselist6.wpd)please provide clearance information to Teresa Jones at 456-5594

(Embedded

image moved Kristin Siebenaler <ksiebenaler@acf.dhhs.gov>

to file: 12/10/98 04:12:28 PM

PIC15472.PCX)

Please respond to ksiebenaler@acf.dhhs.gov

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: re: Next child support annual report



Cynthia A. Rice

12/11/98 09:41:01 AM

Record Type: Record

To: ksiebenaler @ acf.dhhs.gov  
cc: Teresa M. Jones/OPD/EOP  
bcc: Records Management  
Subject: Next child support mtg 

Yes, let's have the next child meeting be about medical child support orders. The meeting will be on Wednesday 12/16 at 1:00 in room 211 OEOP.



If you are bringing anyone not on this list [cselist6.wp](#) please provide clearance information to Teresa Jones at 456-5594

Kristin Siebenaler <ksiebenaler @ acf.dhhs.gov>



Kristin Siebenaler <ksiebenaler @ acf.dhhs.gov>  
12/10/98 04:12:28 PM

Please respond to ksiebenaler@acf.dhhs.gov

Record Type: Record

To: Cynthia A. Rice/OPD/EOP  
cc:  
Subject: re: Next child support annual report

---

Hi Cynthia. I am finding out about the report. Will get back to you.

I have a few other items for you:

1) You should be getting today advance material for tomorrow's child support financing meeting. This material is background material only (it is not an agenda or briefing material for the meeting). John just wanted to be sure that everyone has the same background information. You may already have most of the materials. Copies also went to OMB.

2) On another note, OCSE offered an agenda item for next week's interagency child support meeting. You are free to take it or leave it--if you could let me know this week... They have offered to talk about the new medical support work group. They could talk about its purpose, formation,



Kristin Siebenaler <ksiebenaler@acf.dhhs.gov>

12/10/98 04:12:28 PM

Please respond to ksiebenaler@acf.dhhs.gov

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To: Cynthia A. Rice/OPD/EOP

cc:

Subject: re: Next child support annual report

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Thanks.

-----  
Original Text

From: <Cynthia\_A\_Rice@opd.eop.gov>, on 12/9/98 2:59 PM:

When with the next child support annual report to Congress be ready? Do we have new figures on increases in collections? We got them about this time last year.

*email  
Jeanne*

### Child Support Contact List

	Name	Agency	Phone Number	Fax Number
	Allyson <i>Jusho</i> Stollenwerck	DOJ	514-3796	616-1239
	Wendy Patten	DOJ	514-3274	514-2424
	Karen Schreir	DOJ / US Attny South Dakota	605-330-4400	605/330-4410
	John Monahan	HHS	401-5180	401-4678
	Kristin Sibenaler	HHS	401-9229	
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	Bob Harris	HHS	401-9370	401-3450
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	Donald Deering	HHS	401-1063	401-5559
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	Neil Comstock	Treasury	622-0064	622-0073
	Dave Lebryk	Treasury	622-0175	622-6413
	Cynthia Rice	WH/DPC	456-2846	456-7431
	Michele Ahern	WH/OMB	395-7771	395-0851
	Edwin Lau	WH/OMB	395-4689	395-0851

## Interagency Child Support Meetings

### Today's Agenda

- I. Justice Dept. Presentation on Increasing Child Support Prosecutions
- II. HHS Discussion of Child Support and Law Enforcement Issues

### Proposed Agenda for Oct. 28th Meeting (See attached background information)

- I. Treasury Presentation on Tax/Administrative Offset Program
- II. Update from Treasury, HHS, and DOJ on Implementation of Executive Order 13019 (dated 9/28/96) and response to HHS Inspector General's report Grantees and Providers Delinquent on Child Support (August 1997)

### Upcoming Meetings

Wednesday 10/28 1:00-2:30 in room 211 OEOB

Wednesday 11/18 1:00-2:30 in room 211 OEOB

Wednesday 12/2 1:00-2:30 in room 211 OEOB

### Clearances into OEOB

Please enter the OEOB at the Pennsylvania or 17th Street entrances.

All people listed on the attached list will be cleared in each meeting.

If other people need to attend a particular meeting, please provide clearance information to Teresa Jones at 456-5594 or Damond Watkins at 456-5523.



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## White House Press Release

### Executive Order

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The White House  
Office of the Press Secretary

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For Immediate Release

September 28, 1996

#### Executive Order

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#### **Supporting Families: Collecting Delinquent Child Support Obligations**

The Debt Collection Improvement Act of 1996, Public Law 104-134 (110 Stat. 1321-358 et seq.), was enacted into law on April 26, 1996, as part of the Omnibus Consolidated Rescissions and Appropriations Act of 1996. While the primary purpose of the Debt Collection Improvement Act is to increase the collection of nontax debts owed to the Federal Government, the Act also contains important provisions that can be used to assist families in collecting past-due **child support** obligations.

The failure of some parents to meet their **child support** obligations threatens the health, education, and well-being of their children. Compounding this problem, States have experienced difficulties enforcing **child support** obligations once a parent has moved to another State. With this Executive order, my Administration takes additional steps to **support** our children and strengthen American families by facilitating the collection of delinquent **child support** obligations from persons who may be entitled or eligible to receive certain Federal payments or Federal assistance.

Accordingly, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Administrative Offsets. (a) (1) The Secretary of the Treasury ("the Secretary"), in accordance with the provisions of the Debt Collection Improvement Act of 1996 and to the extent permitted by law, and in consultation with the Secretary of Health and Human Services and other affected agencies, shall promptly develop and implement procedures necessary for the Secretary to collect past-due **child support** debts by administrative offset, and shall issue such rules, regulations, and procedures as the Secretary, in consultation with the heads of affected agencies, deems appropriate to govern administrative offsets by the Department of the Treasury and other executive departments and agencies that disburse Federal payments. || x

(2) The Secretary may enter into reciprocal agreements with States concerning the collection by the Secretary of delinquent **child support** debts through administrative offsets.

(b) The Secretary of Health and Human Services shall, within 120 days of the date of this order, implement procedures necessary to report to the Secretary of the Treasury information on past-due **child support** claims referred by States (including claims enforced by States pursuant to cooperative agreements with or by Indian tribal governments) to the Department of Health and Human Services.

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(Over)

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(c) The head of each executive department and agency that certifies payments to the Secretary or to another disbursing official shall review each class of payments that the department or agency certifies to determine if any such class should be exempt from offset and, if any class is so identified, submit to the Secretary a request for such an exemption together with the reasons therefor. With respect to classes of payments under means-tested programs existing on the date of this order, such submission shall be made within 30 days of the date of this order. With respect to classes of payments other than payments under means-tested programs existing on the date of this order, such submissions shall be made within 30 days of the date the Secretary establishes standards pursuant to section 3716(c)(3) of title 31, United States Code. With respect to a class of payments established after the date of this order, such submissions shall be made not later than 30 days after such class is established.

(d) The head of each executive department and agency that certifies payments to the Secretary shall promptly implement any rule, regulation, or procedure issued by the Secretary pursuant to this section.

(e) The head of each executive department and agency that is authorized by law to disburse payments shall promptly implement any rule, regulation, or procedure issued by the Secretary pursuant to this section and shall:

(1) match, consistent with computer privacy matching laws, the payment certification records of such department or agency with records of persons delinquent in **child support** payments as directed by the Secretary; and

(2) conduct administrative offsets to collect delinquent **child support** payments.

(f) The Secretary shall, to the extent permitted by law, share with the Secretary of Health and Human Services any information contained in payment certification records of persons who are delinquent in **child support** obligations that would assist in the collection of such debts, whether or not an administrative offset is conducted.

Sec. 2. Denial of Federal Assistance. (a) The Secretary shall, to the extent permitted by law, ensure that information concerning individuals whose payments are subject to administrative offset because of delinquent **child support** obligations is made available to the head of each executive department and agency that provides Federal financial assistance to individuals.

(b) In conformance with section 2(e) of this order, the head of each executive department and agency shall, with respect to any individuals whose payments are subject to administrative offset because of a delinquent **child support** obligation, promptly implement procedures to deny Federal financial assistance to such individuals.

(c) The Attorney General, in consultation with the Secretary of Health and Human Services and other affected agencies, shall promptly issue guidelines for departments and agencies concerning minimum due-process standards to be included in the procedures required by subsection (b) of this section.

(d) For purposes of this section, Federal financial assistance means any Federal loan (other than a disaster loan), loan guarantee, or loan insurance.

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(e) (1) A class of Federal financial assistance shall not be subject to denial if the head of the concerned department or agency determines:

(A) in consultation with the Attorney General and the Secretary of Health and Human Services, that such action:

(i) is not permitted by law; or

(ii) would likely result in valid legal claims

for damages against the United States;

(B) that such action would be inconsistent with the best interests of the child or children with respect to

whom a **child support** obligation is owed; or

(C) that such action should be waived.

(2) The head of each executive department and agency shall provide written notification to the Secretary upon determining that the denial of a class of Federal financial assistance is not permitted by law or should be waived.

(f) The head of each executive department and agency shall:

(1) review all laws under the jurisdiction of the department or agency that do not permit the denial of Federal financial assistance to individuals and whose payments are subject to administrative offset because of a delinquent **child support** obligation and, where appropriate, transmit to the Director of the Office of Management and Budget recommendations for statutory changes; and

(2) to the extent practicable, review all rules, regulations, and procedures implementing laws under the jurisdiction of the department or agency governing the provision of any Federal financial assistance to individuals and, where appropriate, conform such rules, regulations, and procedures to the provisions of this order and the rules, regulations, and procedures issued by the Secretary pursuant to section 1 of this order.

Sec. 3. Reports. (a) The head of each executive department and agency shall provide to the Secretary such information as the Secretary may request concerning the implementation of this order, the provisions of the Debt Collection Improvement Act of 1996 applicable to delinquent **child support** obligations, and the rules, regulations, and procedures issued by the Secretary pursuant to section 1 of this order.

(b) The Secretary shall report annually to the President concerning the implementation by departments and agencies of this order and the provisions of the Debt Collection Improvement Act of 1996 applicable to delinquent **child support** obligations.

Sec. 4. Judicial Review. This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

William J. Clinton

The White House,

September 28, 1996.

###

Department of Health and Human Services

**OFFICE OF  
INSPECTOR GENERAL**

**GRANTEES AND PROVIDERS  
DELINQUENT IN CHILD SUPPORT**



**JUNE GIBBS BROWN**  
Inspector General

**AUGUST 1997**  
**OEI-07-95-00390**

## EXECUTIVE SUMMARY

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### PURPOSE

To determine if physicians receiving Medicare payments and other individuals directly receiving grants or payments from the Department are current in their child support obligations and to assess methods that might be used to recover any amounts due from them.

### BACKGROUND

The President signed an executive order on September 28, 1996 requiring government agencies to offset Federal payments to those who owe past due child support payments and to deny them any Federal loans for which they would otherwise be eligible.

Even before the Executive Order was issued, the Small Business Administration required certification by all principal borrowers that they are not in arrears in child support payments by more than 60 days. If any such arrears are not paid within six months, they will not be eligible for the loan.

In order to ascertain the extent of unpaid child support among Departmental payees or grantees and to learn more about the practical aspects of withholding government payments from them, we matched records of physicians who receive Medicare payments and other health care providers and individual Departmental grantees with the Office of Child Support Enforcement's Tax Intercept File. This file is used to intercept Federal income tax refunds due to delinquent non-custodial parents and apply them towards their child support obligations. We selected three programs for the match--Medicare, the National Health Service Corps (NHSC), and the National Institutes of Health (NIH).

### FINDINGS

#### Three Out of Every One Thousand Providers or Grantees In Our Study Universe Were in Arrears

We found that 1,184 Medicare physicians, NHSC medical care providers, and NIH principal research investigators were in arrears out of a total universe of 422,643 individuals who comprise a total of 435,886 records. Of these, 1,105 were Medicare physicians. These are records of individuals who owed past due child support on behalf of at least 1,286 children.

**The Amount of Arrears Owed by These Delinquent Absent Parents Was \$21.5 million.**

## **At Least Two Thirds of Absent Parents in Our Sample Were Not Current in Meeting Their Child Support Obligations.**

Of 210 non-custodial parents in a sample which we drew for further analysis, only 53 were current in making payments both to meet their monthly support obligations and to reduce their arrears. A total of 140 were delinquent in meeting their monthly obligations, in reducing arrears, or both. (The remaining 17 records were incomplete.)

## **Computerized Matching of Program and Child Support Enforcement Files Could Help In Recovering Delinquent Child Support Payments, But the Amounts Are Relatively Small and There Are Limits to This Approach.**

Medicare payments to physicians who owe child support may be too low to recover arrears; or these physicians may simply not be filing claims for Medicare. For example, thirteen physicians for whom we made calculations owed \$1,040,149 in arrears, but Medicare payments to them in 1995 amounted to only \$386,359, and the total offset potential would have been only \$188,772. Other limits stem from administrative requirements imposed by the Computer Matching Privacy and Protection Act of 1988 and problems with missing or inaccurate Social Security numbers.

## **RECOMMENDATIONS**

The Administration for Children and Families (ACF) should work with the Health Care Financing Administration, the Health Resources and Services Administration, NIH and other Departmental agencies to ensure that program participants meet their child support obligations. Following are several approaches that can be used.

### **Implementing the Executive Order**

Hopefully, the procedures established by the President's Executive Order will succeed in recovering a significant amount of the overdue support payments. Needless to say, ACF should work with the Department of Treasury to iron out the details for the offset as soon as possible. However, given the limits which we found in the matching process, we also want to recommend other approaches that could be used in connection with, or if necessary, instead of the computerized matching and offset.

### **Self Certification of Program Applicants**

One approach would be for Departmental agencies to require physicians and other health care providers or individual grantees to certify under penalty of perjury, and as a condition of program participation, that they are current in their child support obligations. New legislation may be needed for this approach. If so, we recommend that ACF develop it.

## Status Check of Program Applicants

In addition, ACF could experiment with a new system whereby the status of grantee applicants and program participants (such as health care providers applying for participation in the Medicare program) vis-a-vis child support obligations can be rapidly checked in the new child support enforcement data bases being created under the recently enacted Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Under this approach, no Departmental grant would be awarded or program participation certified for anyone not current in their obligations.

## AGENCY COMMENTS AND OIG RESPONSE

### Office of Child Support Enforcement

The OCSE generally agrees with our recommendations and continues to work with Treasury to resolve program issues that may prevent some States from implementing the President's Executive Order. It will review the OIG's recommendation to establish self certification of grantees and providers as a condition of program participation and work with other departments to determine if legislative changes are necessary to implement this process. Also, OCSE will look into using the child support enforcement data bases but wants to wait until it has obtained a reasonable amount of operational experience with Treasury's debt collection system.

### Health Care Financing Administration

HCFA raises a number of concerns about implementing the options recommended in our report. We recognize the merit of many of the points raised. However, our primary concern is to insure that Departmental program participants meet their child support obligations. We believe that implementation of this recommendation can be achieved through a number of methods, and we have recommended several different approaches in this regard. In reference to the specific concerns HCFA raised, we offer the following observations.

- With regard to the offset option, HCFA believes that computerized matching would not solve the problem permanently - that the provider could incorporate as a business to avoid withholding of payment. We point out that if a delinquent provider were to incorporate to elude offset and become an employee, then that individual would become subject to wage withholding, an important tool in child support compliance.

Furthermore OCSE is proceeding to implement an administrative offset of Federal payments for past-due child support debts as part of their implementation of the Executive Order. This offset process may result in collection of child support obligations from HCFA physicians. We defer to OCSE, which is responsible for enforcing the provisions of the Executive Order, as to how different HHS agencies must comply.

- HCFA indicates a concern that the cost does not justify a certification process. However, we consider the physician self certification process valuable since it would function as an incentive to be in compliance with child support obligations. To insure validity of the self certification, an efficient match would be possible through the data bases being developed by OCSE of individuals in arrears of ordered child support. We also believe that adding a short certification statement to the present provider agreement enrollment form would not be onerous to the physician or to HCFA.
- HCFA is also concerned that revoking a physician's participation due to non-payment of child support could disrupt patient services. We agree that this is an important issue. It represents a clash of values not easily resolved. If it is decided that an exception to the revocation should be made when patient care is jeopardized, we recommend that the exceptions be a temporary one, re-evaluated from time to time. The exception should be implemented using procedures similar to any such exceptions to revocation of participation made on other grounds.

We recognize that the percentage of program providers that we found in arrears is small. We reiterate, however, that this small percentage equates to almost 1,300 children and \$21.5 million in past-due child support from over 1,180 absent parents, of which over 1,105 are physicians.

#### **Health Resources and Services Administration**

The HRSA supports our recommendation but believes it does not have the legal authority to use child support compliance as a selection criteria. It also noted that neither NHSC scholarships nor loan repayment awards are Federal financial assistance against which offsets can be made. While we agree, we encourage HRSA to initiate a legislative proposal which will provide for denial of awards to applicants who are delinquent in their child support payments.

In addition, HRSA indicated that if child support delinquency becomes a factor for future NHSC funding, a centralized data base should be used to facilitate the screening process. We agree. As noted, under the Personal Responsibility and Work Opportunity Act of 1996, OCSE is establishing data bases for child support enforcement which could readily be used for this purpose.

#### **National Institutes of Health**

The NIH indicates that the low delinquency rate of 0.28 percent would not justify the cost of imposing a self certification process for providers and contractors. We believe, however, the certification process would impose little burden on the agencies, providers and contractors, and the certification statement and related penalty should function as an incentive to assure compliance.

NIH also notes that principal investigators do not receive direct research grant payments from NIH as the grant award is made to an institution. While direct

payment might not be made, the principal investigator plays a key role in the grant process and is paid in their role to fulfill the terms of the contract. In this regard, we believe the grant application should include a provision for a self certification from the principal investigator. Although the delinquency is low, it still seems unacceptable to be making grant awards where the primary investigator is in arrears in his or her child support.

We have made technical changes to reflect NIH's comments.

# Withdrawal/Redaction Marker

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003. email	WAVES Confirmation (partial) (2 pages)	10/27/98	P6/b(6), b(6)

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rx33

### RESTRICTION CODES

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

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Cseint wiv



WAVES\_CONF @ PMDF.EOP.GOV  
10/27/98 04:55:03 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: WAVES Confirmation

ADDRESSEES: CYNTHIA A. RICE  
SUBJECT: CONFIRMATION: APPT. REQUEST FOR RICE, CYNTHIA  
FROM: WAVES OPERATIONS CENTER - ACO: TAREK CHARISSE GRAVES  
Date: 10-27-1998  
Time: 16:49:30

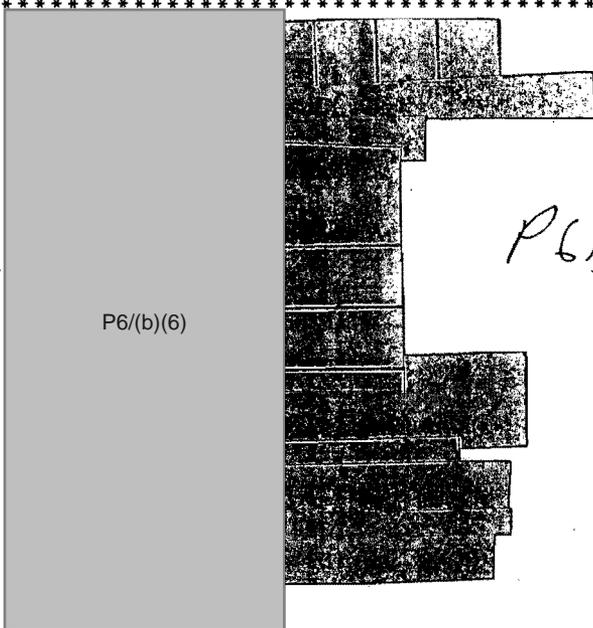
This message serves as confirmation of an appointment for the visitors listed below.

Appointment With: RICE, CYNTHIA  
Appointment Date: 10/28/98  
Appointment Time: 1:00:00 PM  
Appointment Room: 211  
Appointment Building: OEOB  
Appointment Requested by: RICE CYNTHIA  
Phone Number of Requestor: 62846  
WAVES APPOINTMENT NUMBER: U14030

If you have any questions regarding this appointment, please call the WAVES Center at 456-6742 and have the appointment number listed above available to the Access Control Officer answering your call.

\*\*\*\*\*  
TOTAL NUMBER OF NAMES SUBMITTED FOR ENTRY : 22  
TOTAL NUMBER OF NAMES OF CLEARED FOR ENTRY: 22  
\*\*\*\*\*

- BASSETT, KEITH
- BONAR, DONNA
- BROMAN, BARBARA
- COHEN, MARY
- COMSTOCK, NEIL
- DEERING, DONALD
- HAMMOND, DON
- HARRIS, ROBERT
- HIGGINS, LAUREN
- LEBRYCK, DAVE
- LEGLER, PAUL
- MONAHAN, JOHN
- MURGUIA, MARY
- NIX, ROY
- PATTEN, WENDY
- ROSS, DAVID
- SHOWALTER, JOHN



P6/(b)(6)

P6136

SIEGEL, DAVID  
SMOLKIN, AUDREY  
SOPPA, NICHOLAS  
STOLLENWERCK, ALLYSON  
THOMPSON, NORMAN

P6(b)(6)

P6/136

10/28

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Ellen Neubauer	Treasury - FMS	874-0778	874-6627
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Audrey Smolkin	HHS / Budget	6907196	690-6896



9/16

NAME	ORGANIZATION	PHONE NUMBER	FAX NUMBER
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John Monahan	HHS/ACF	401-5180	401-4678
Edwin Lau	OMB	395 4689	395 0851
June Kudalee	HHS/ACF	401 9227	401 4678
*Karen Schreier	US Attorney/S. Dakota		605/330-4400

Betsy Matheson

\*joined by phone

Child Support  
Enforcement

Interagency  
Group

3/10

Washington Times article next day

→ Good quotes from Morahan

→ one privacy Q

Rick Wolf was there → has some interest  
in the way

D asked for GAO investigation of why  
(Klink) → why isn't the FBI doing this?  
~~GAO investigation of why~~

→ Thinks FBI is shirking responsibility

DOJ + FBI briefing afterwards

Klink concerned why greater  
~~more~~ responsibility to FG?

James Cole

Klink → did ask for list of other  
FGs been deputized

Paul

# APHSA mtg This week

→ very opposed to financing

→ Hadkins said

planning  
a Subcomm hearings

- cybersecurity

- new hiring

- private access to info

→ Hutchison bill

~~██████████~~ → allow private sector access

→ Archer is pressuring Johnson on this

Child Support Inc. (CFI)

Pres also

pres of NCEA

Casey Hoffman

→ Experts to do hold hearings this year

→ Van reports about Dept of Ed proposal

Dave C.

Govt Waste Act  
HR 436

419-1

~~proposed~~  
overwhelmingly

→ Bill reverts ~~SSA~~  
15% offset of amt  
above \$750

→ Would apply to  
all benefits  
under SSA SS. / ~~Blind Lung~~  
RR Retirement

→ Scored by CBO

rest to families

\$5mi savings  
assumed 53% returns to fed  
\$10-17mi  
~~20-30mi~~ annually?

→ fed share of PBO

Marge Franken on floor spoke a lot  
about what bill would do

→ Michele will ask CBO

Dave C.

Merged bit offset +

→ believe overall calibrations  
are up significantly

→ chkd support up slightly

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\$60 bi debt in system