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~~THE PRESIDENT HAS SEEN...~~

THE WHITE HOUSE

INFORMATION

WASHINGTON

September 29, 1975

ARC 7

MEMORANDUM FOR THE PRESIDENT

FROM: JIM CANNON

SUBJECT: Executive Order on "Delegation of Authority to Issue Regulations With Respect to Section 459 of the Social Security Act."

You recently asked a question about this proposed Executive Order relating to "runaway pappies."

Yes, the proposed Executive Order will enable the garnishment of wages of federal employees who have failed to make child support or alimony payments.

THE WHITE HOUSE
WASHINGTON

September 29, 1975

ADMINISTRATIVELY CONFIDENTIAL

MEMORANDUM FOR: JIM CANNON
FROM: JIM CONNOR *JEC*
SUBJECT: Executive Order

The President reviewed your memorandum of September 24 regarding the proposed Executive Order entitled "Delegation of Authority to Issue Regulations With Respect to Section 459 of the Social Security Act" and asked the following question:

"Does this get the "runaway pappies"
who get federal dough?"

Please follow-up with appropriate action.

cc: Don Rumsfeld

THE WHITE HOUSE
WASHINGTON

Does this get _____

the "runaway pappies"
who get federal dough? _____

ACTION

THE WHITE HOUSE

WASHINGTON

September 24, 1975

MEMORANDUM FOR THE PRESIDENT
FROM: JIM CANNON 
SUBJECT: Executive Order

Attached for your consideration is a proposed Executive Order which was prepared by the Department of Justice entitled "Delegation of Authority to Issue Regulations With Respect to Section 459 of the Social Security Act."

Section 459 of the Social Security Act, as added by the Social Services Amendments of 1974, authorizes the garnishment of a federal employee's wages for the purpose of enforcing a child support order or alimony obligation.

The proposed Executive Order would direct the Civil Service Commission, in consultation with the Department of Justice, to issue regulations for the uniform implementation by all executive agencies of Section 459. The proposed order also authorizes all executive agencies to issue regulations further detailing implementation of Section 459 within the agency.

The proposed order would apply to all agencies of the executive branch which make payments to individuals in remuneration for employment, including independent establishments and regulatory commissions.

OMB, Justice, Max Friedersdorf, Counsel's Office (Lazarus) NSC and I recommend approval of the Executive Order which has been cleared by Paul Theis.

RECOMMENDATION

That you sign the Executive Order at Tab A.

Sec. 3. Each executive agency shall issue such rules, regulations and directives, pursuant to and in accord with those issued by the Civil Service Commission pursuant to this order, as are necessary to implement the regulations of the Civil Service Commission, this order and section 459 of the Social Security Act.

Sec. 4. Regulations issued pursuant to this order by the Civil Service Commission and all other executive agencies shall be made available to the public by publication in the Federal Register.

Herbert R. Ford

THE WHITE HOUSE,

EXECUTIVE ORDER

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DELEGATION OF AUTHORITY TO ISSUE REGULATIONS WITH RESPECT
TO SECTION 459 OF THE SOCIAL SECURITY ACT

By virtue of the authority vested in me by the Constitution and the laws of the United States of America, and as President of the United States of America, and to further the implementation of section 459 of the Social Security Act, as added by the Social Services Amendments of 1974 (88 Stat. 2357, 42 U.S.C. 659), it is hereby ordered as follows:

Section 1. (a) This order is applicable to all executive agencies of the Federal Government which make any payment of money, the entitlement to which is based upon remuneration for employment, to any individual.

(b) "Executive agency" means all departments, independent establishments, wholly-owned Federal corporations, and all agencies, boards, commissions, councils, bodies, groups, entities, organizations or instrumentalities of the Federal Government, including advisory bodies, except those in the legislative or judicial branches of the Federal Government.

Sec. 2. The Civil Service Commission shall, in consultation with the Department of Justice, issue regulations for the uniform implementation by all executive agencies of section 459 of the Social Security Act. The regulations shall establish standards for determining what constitutes remuneration for employment, shall provide procedures to facilitate appropriate service of process upon an executive agency, and shall establish such other standards and procedures as are necessary or appropriate for the uniform implementation of this order and section 459 of the Social Security Act. Such regulations may require that executive agency regulations be issued as appendices thereto.