

**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

February 6, 2004

The Honorable Colin L. Powell  
Secretary of State  
2201 C Street, NW  
Washington, DC 20520

Dear Mr. Secretary:

We are writing about the new uniform performance standards for passport examiners. Implemented on January 2, 2004, these standards require passport examiners to process between 19 and 24 passports per hour, or an average of one passport every two minutes and forty-four seconds.<sup>1</sup> Representatives of the examiners have told us that many examiners fear that this new policy, which emphasizes the speed of adjudications over careful scrutiny of applications, could needlessly expose U.S. citizens to a greater risk of passport fraud by terrorists and other criminals.

A U.S. passport is the most valuable identity document in the world.<sup>2</sup> Unlike a visa, which allows entry into the United States for a specific purpose and limited time, a U.S. passport establishes American citizenship, allows unlimited entry into the United States and virtually every other country in the world, and is recognized as conclusive proof of identity for practically any purpose.<sup>3</sup> For this reason, fraudulent passports are coveted not only by those illegally seeking citizenship or legal status in the U.S., but also by terrorists, drug traffickers, fugitives, and other criminals attempting to change or conceal their identity.<sup>4</sup> In the last year alone, the Bureau of Diplomatic Security investigated 3,200 new cases of passport fraud and made 615 arrests.<sup>5</sup>

The first line of defense against passport fraud is the passport examiners in the Bureau of Consular Affairs. These highly skilled employees examine passport applications and literally thousands of different types of birth certificates, drivers licenses, and other identity documents to

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<sup>1</sup> See U.S. Department of State, *Standardized Performance Elements for Passport Specialists* (Aug. 1, 2003).

<sup>2</sup> U.S. Department of State, Bureau of Diplomatic Security, *Investigating Passport and Visa Fraud* (2004) (<http://www.state.gov/m/ds/investigat/>).

<sup>3</sup> *Id.*; U.S. Department of State, Bureau of Diplomatic Security, *Passport and Visa Fraud: A Quick Course* (2004) (<http://www.state.gov/m/ds/investigat/c10714.htm>).

<sup>4</sup> *Passport and Visa Fraud*, *supra* note 3.

<sup>5</sup> *Id.*

determine whether an applicant is a U.S. citizen or national entitled to a passport. The Office of Personnel Management explained the complexity of this job in its position classification standards:

[Passport examiners] examine applications and supporting documents for acceptability as proof of citizenship, identity, and for official and diplomatic passports, appropriate authorization, entitlement, and information. They evaluate evidence for sufficiency, credibility, authenticity, and consistency of facts. They look for indications of alteration, false identity, untruthful statements, or other types of fraud. When questioning applicants, their relatives, and witnesses, they determine the veracity of statements and corroborating information. They determine the appropriate type and duration of the passport and decide whether or not to issue it or to refer the case for further action.<sup>6</sup>

The careful evaluation of identity documents, interviews of applicants and other witnesses, and detection of subtle indicators of fraud are not tasks that can always be carried out in less than three minutes. Yet for the first time, the State Department imposed rigid uniform standards for the number of applications to be adjudicated per hour. Among other requirements, the standardized elements for passport examiners require GS-5 employees to adjudicate an average of 19 applications per hour, GS-7 employees to adjudicate an average of 21 per hour, and GS-9 and GS-11 employees to adjudicate an average of 24 per hour.<sup>7</sup>

Many passport examiners are concerned that there will be pressure to meet these standards by taking shortcuts, ignoring anomalies, and neglecting to apply the scrutiny that each individual case requires. This would be precisely the wrong approach to take, in the post-September 11 security environment. It would also be inconsistent with the much-publicized efforts of the State Department and Department of Homeland Security to combat visa fraud as part of the US-VISIT program.<sup>8</sup>

To understand why the State Department has adopted this policy, we request a justification for the policy and the following information before February 20, 2004:

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<sup>6</sup> U.S. Office of Personnel Management, *Position Classification Standard for Passport and Visa Examining Series, GS-096*, 7 (Aug. 2002).

<sup>7</sup> U.S. Department of State, *Standardized Performance Elements for Passport Specialists* (Aug. 1, 2003).

<sup>8</sup> See, e.g., U.S., Department of State, *Press Release: New US Entry-Exit System Aims To Enhance Security* (Jan. 5, 2004).

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1. All studies of passport adjudication performance since 2002, including, but not limited to, studies conducted in August 2003 and from August to September 2002;
2. All data, summaries, reports, or other information compiled in connection with the studies referred to in item (1); and
3. All studies or reports concerning the threat of passport fraud to homeland security.

Sincerely,



Henry A. Waxman  
Ranking Minority Member  
Committee on Government Reform



Tom Lantos  
Ranking Minority Member  
Committee on International Relations