Suspend the Rules and Pass the Bill, H.R. 6610, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

118TH CONGRESS
1ST SESSION

H. R. 6610

To provide for the modernization of the passport issuance process, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2023

Mr. ISSA (for himself and Ms. SALAZAR) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To provide for the modernization of the passport issuance process, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

4 (a) Short Title.—This Act may be cited as the “Passport System Reform and Backlog Prevention Act”.

5 (b) Table of Contents.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. Findings.
Sec. 3. Sense of Congress.
Sec. 4. Standards for passport issuance process.
Sec. 5. Enhanced information technology solutions to improve the passport issuance process.
Sec. 6. Research on commercially available information technology solutions.
Sec. 7. GAO Report.
Sec. 8. Rule of construction.
Sec. 9. Definitions.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Following the COVID-19 pandemic, the United States experienced a major backlog of passport applications and passport processing wait times of up to 13 weeks, exclusive of shipping times.

(2) Over the past several years, the Department has experienced repeated delays in its attempts to modernize the passport issuance process.

(3) The adoption of additional commercially available information technology solutions at several stages of the passport issuance process could greatly enhance and accelerate such process.

(4) The United States passport is a widely recognized and trusted identity and travel document that is of tremendous importance to its bearer around the globe.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) as a routine matter, an adult who has submitted a routine new or renewal passport application
should be reliably able to expect that such applica-

tion will be adjudicated by the Department, at a rea-

sonable cost, in a time frame which is conducive to

international travel;

(2) the Department should seek to further mod-

ernize and streamline the passport issuance process
to enable a decrease in processing times below pre-

pandemic levels of six-to-eight weeks, specifically for

routine adult passport renewals with respect to

which the Department should seek to decrease aver-

age processing times to less than 30 days; and

(3) the Department should take all reasonable

steps, including the use of available technology and

best practices, to protect the integrity of the pass-

port issuance process, the privacy of passport hold-

ers, and the efficiency of processing passport

issuance requests.

SEC. 4. STANDARDS FOR PASSPORT ISSUANCE PROCESS.

In administering and modernizing the passport

issuance process, the Assistant Secretary shall evaluate

the performance of such process against the following cri-

teria:

(1) To maintain a service standard of proc-

essing a routine new or renewal adult passport appli-

cation from document submission until mailing of
final documents in an expeditious and reliable time-frame.

(2) To maintain affordable passport fees and surcharges.

(3) To ensure world-class technical, security, and cybersecurity standards for United States passports and the passport issuance process.

(4) To minimize downtime for the Travel Document Issuance System.

(5) To minimize the suspense rate resulting from typographical, clerical, or picture-based errors, including by enabling such suspensions to be resolved electronically.

(6) To provide a streamlined customer experience for passport applicants.

(7) To provide reasonably convenient passport services to United States citizens and nationals living a significant distance from a passport agency, particularly residents in a significant population center more than a 5-hour drive from a passport agency.
SEC. 5. ENHANCED INFORMATION TECHNOLOGY SOLUTIONS TO IMPROVE THE PASSPORT ISSUANCE PROCESS.

(a) IN GENERAL.—The Assistant Secretary, in consultation with the Chief Information Officer, shall implement the information technology solutions described in subsection (b) in accordance with the timelines described in such subsection.

(b) ENHANCED INFORMATION TECHNOLOGY SOLUTIONS AND TIMELINES DESCRIBED.—The enhanced information technology solutions and timelines described in this subsection are the following:

(1) Not later than 2 years after the date of the enactment of this Act, the Assistant Secretary, in consultation with the Chief Information Officer, shall, including if necessary through the awarding of a contract or expanding an existing, establish a tool to enable congressional offices to monitor the status of individual passport applications being handled as casework by such offices.

(2)(A) Not later than 2 years after the date of the enactment of this Act, the Assistant Secretary, in consultation with the Chief Information Officer, shall take all reasonable steps, including if necessary the awarding of a contract for the establishment and ongoing maintenance of a service to provide to pass-
port applicants automated, voluntary proactive communications, by email or text message, for each progress point in the passport issuance process, and for the notification of application errors, and delivery of mail tracking numbers, and reminders of renewal eligibility.

(B) Applicants shall be provided the choice of whether to use the services described in subparagraph (A) and data gained as a result of participation in such services shall not be transferred to any third party outside the Department or its contract awardees.

(C) The services described in subparagraph (A) shall provide separate options for email and text message notification, as well as separate options for processing-related notifications and renewal eligibility notifications.

(3)(A) Consistent with the Bureau’s modernization plans and timelines, and subject to the availability of funds, the Assistant Secretary, in consultation with the Chief Information Officer, shall seek to enter into a contract or contracts as appropriate, for the establishment and maintenance of a mobile application to allow for the centralization of applicant communication with the Department, including doc-
ument submission, application status tracking, virtual appointments, access to the notification of application errors, and allowing for passport holders to receive messages from the Department and communicate emergencies to the Department.

(B) The Assistant Secretary shall provide each passport applicant with the option of whether to use the mobile application described in subparagraph (A) or another service of the Department.

(C) As a condition for awarding any contracts described in subparagraph (A), the awardee shall demonstrate that it can begin tests on the solution within one year of the award of the contract and complete implementation, including bug fixes, cybersecurity audits, and customer service testing, not later than two years from the award of the contract.

(4)(A) Consistent with existing law, the Assistant Secretary, in consultation with the Chief Information Officer, shall expand the online passport renewal system, including to accommodate electronic acceptance of routine first-time adult applications as applicable, in addition to adult renewal applications in sufficient volume to be able to accommodate most applications by the date that is four years from the date of enactment of this Act.
(B) Planning carried out to implement subparagraph (A) shall prepare the Bureau to verify applications without recourse to the information gained through appearance in person described in section 1 of the Act of June 15, 1917 (22 U.S.C. 213), subject to any additional authorities required.

(C) To meet the objectives described in subparagraphs (A) and (B), the Assistant Secretary, in consultation with the Chief Information Officer, shall, to the maximum extent practicable, make use of commercially-available technology solutions, including by seeking to enter into a contract or contracts for the expansion and maintenance of the online passport renewal system to accommodate the functionality described in such subparagraphs.

(D) In expanding the online passport renewal system pursuant to subparagraph (C), the following services should be included or otherwise accounted for:

(i) A customer-friendly, user-friendly internet website or portal to facilitate internet-based submission of passport applications by adults.

(ii) To the extent possible, remote document verification tools and infrastructure, to
allow for a passport transaction to be completed
entirely remotely.

(iii) To the extent possible, information
technology infrastructure not already main-
tained by the Department.

(5)(A) The Assistant Secretary, in consultation
with the Chief Information Officer, shall take all
reasonable steps and to the maximum extent prac-
ticable make use of commercially-available tech-
nology solutions to implement additional rules-based
tools, including by seeking to enter into a contract
or contracts for such tools and their maintenance, to
adjudicate online passport renewal applications in
which no biographical information was changed for
citizenship, identity, and entitlement against internal
and commercial databases.

(B) The tools described in subparagraph (A)
shall be fully operational within 4 years of the date
of the enactment of this Act.

(C) The Chief Information Officer shall ensure
that the use of the tools do not make passport adju-
dication more vulnerable to cyberattack.

(D) The Assistant Secretary, in consultation
with the Chief Information Officer, shall ensure that
the tools described in subparagraph (A) are imple-
mented consistent with the maintenance of standards appropriate to ensuring the integrity of the United States passport.

(E) For purposes of using the tools described in subparagraph (A), the requirement that a passport be issued by the personnel described in the first section of the Act entitled “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926 (22 U.S.C. 211a), shall be satisfied provided that such personnel oversee the tools described in such subparagraph consistent with the requirements in subparagraph (D).

c) CERTIFICATION.—In addition to other requirements in this section, not later than 30 days before the Assistant Secretary begins work to procure internally any of the information technology solutions described in subsection (b), the Assistant Secretary, in coordination with the Chief Information Officer, shall certify to the appropriate congressional committees that—

(1) the reasons for procuring such service internally;

(2) the Bureau has sufficient capacity to implement and maintain such services; and

(3) the Bureau cannot procure such services for significantly reduced cost externally.
(d) **Preference.**—In procuring and implementing the information technology solutions described in subsection (b), preference should be given to entities with the technical expertise necessary for the project and capacity to deliver timely solutions.

(e) **Role of Chief Information Officer.**—

1. **In General.**—The Chief Information Officer’s concurrence shall be required before the Assistant Secretary awards a contract pursuant to this section.

2. **Relating to Systems.**—With respect to the contracting and implementation of the systems described in subsection (b), the Chief Information Officer shall have—

   (A) final decision making authority on the technical feasibility and specifications, cybersecurity requirements, compatibility with existing Department information technology infrastructure, and the feasibility of timelines from a technical standpoint; and

   (B) final approval of all technical matters before full implementation.

3. **Evaluation of Proposals.**—In selecting the services described in subsection (b), the Assist-
Assistant Secretary and the Chief Information Officer shall include in the criteria for selection—

(A) the ability of the proposal to maintain security, including the cybersecurity, standards appropriate to the United States passport and to protect personally identifiable information;

(B) scalability to accommodate current and future passport demand; and

(C) long-term viability and upgradability.

(f) INTERIM ACTION PLAN.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Assistant Secretary, in consultation with the Chief Information Officer, shall submit to the appropriate congressional committees an action plan on how the Bureau plans to complete the modernization described in this section in conjunction with other related, ongoing steps to modernize the passport issuance process.

(2) ELEMENTS.—The action plan required by paragraph (1) shall include the following elements:

(A) Progress made on implementing the information technology solutions described in subsection (b) within specific timelines, and additional steps planned.
(B) The expected cost and timeline for implementation of the information technology solutions described in subsection (b).

(C) An evaluation of the information technology solutions described in subsection (b) to determine whether the full implementation of such solutions will require additional funding or authorities, including budget estimates and a description of such authorities, as appropriate.

(D) Efforts to ensure world-class cybersecurity standards for protection of passport applicant data and the passport issuance process infrastructure, particularly such infrastructure involved in adjudication of passport applications.

(E) Other specific planned steps that the Bureau will take to achieve the criteria described in section 4.

(g) FINAL REPORT.—Not later than 4 years after the date of the enactment of this Act, the Assistant Secretary, in consultation with the Chief Information Officer, shall submit to the appropriate congressional committees a report on the following:

(1) Progress on each information technology solution described in subsection (b).
(2) Additional information technology solutions the Bureau intends to adopt.

(3) Changes in the cost for implementation of the steps described in the action plan, if applicable.

(h) FORM.—The plans and report required by this section shall be submitted in an unclassified form and may include a classified annex, if necessary.

SEC. 6. RESEARCH ON COMMERCIALY AVAILABLE INFORMATION TECHNOLOGY SOLUTIONS.

(a) IN GENERAL.—Not later than 60 days after the enactment of this Act, the Assistant Secretary, in coordination with the Chief Information Officer, shall establish a working group of appropriate Department employees, and contractors as appropriate, to liaise with the private sector for the purposes of identifying commercially available technologies that may be adopted by the Bureau to advance the criteria described in section 4, evaluating proposed technological solutions, and augmenting the Bureau’s ongoing modernization efforts.

(b) COMPOSITION.—The working group established pursuant to subsection (a) shall be composed of personnel who can consult on the policy, legal, and technical aspects of the passport issuance process with entities that wish to provide such technologies to the Department.
(c) PILOT PROJECTS.—Not later than 180 days after the date of the enactment of this Act, the working group established pursuant to subsection (a) should consider piloting not fewer than three commercial information technology systems with potential to accelerate the passport renewal process, reduce the backlog of requests, and backup legacy systems with cloud-based software solutions.

(d) REPORT.—Not later than one year after the date of the enactment of this Act, the Assistant Secretary, in coordination with the Chief Information Officer, shall submit to the appropriate congressional committees a report—

(1) describing the usefulness of the working group to the Department’s ongoing modernization efforts and its reception by private sector actors;

(2) containing a summary of each proposal made to the working group pursuant to this section and whether the Secretary intends to adopt each proposal;

(3) providing recommendations to scale successful solutions.
SEC. 7. GAO REPORT.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a comprehensive review of the passport issuance process, including—

(1) the Bureau’s goals for timeliness of passport issuance, the basis for such goals, and its performance compared to those goals;

(2) key factors affecting timeliness of passport issuance and the extent to which the Bureau has addressed those factors;

(3) key factors affecting the implementation of technological solutions by the Bureau;

(4) the Bureau’s efforts to implement the Travel Document Issuance System (TDIS) and other related information technology systems that support the passport issuance process with a focus on—

(A) whether the Bureau is following leading practices for developing, acquiring, and overseeing related system and infrastructure investments and leveraging existing technologies where appropriate;

(B) whether the program has the workforce to resolve technical issues within the systems; and
(C) identifying any vulnerabilities and limitations of the system that may impact performance, including single points of failure;

(5) opportunities to streamline, expedite, and otherwise enhance the Bureau’s passport issuance processes, including opportunities to reduce costs in the passport issuance process;

(6) opportunities to partner with other Federal and State agencies and leverage existing United States Government information sources, such as biometric databases, in support of the application and identity verification and resolution components of the passport issuance process; and

(7) other matters as the Comptroller General may deem appropriate.

(b) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall—

(1) brief the appropriate congressional committees on the review required by subsection (a); and

(2) submit a final report upon completion of such review.

(e) RECOMMENDATIONS IMPLEMENTATION REPORT.—Not later than one year after the date on which the report required by subsection (b)(2) is submitted, the
Assistant Secretary and the Chief Information Officer shall submit to the appropriate congressional committees a report on progress toward resolution of each recommendation made in the report required by such subsection and planned steps that will be taken to resolve each recommendation.

SEC. 8. RULE OF CONSTRUCTION.

Nothing in this Act may be construed as an offer to procure a service or services or as a guarantee of a contract for such services.

SEC. 9. DEFINITIONS.

In this Act—

(1) the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate;

(2) the term “Assistant Secretary” means the Assistant Secretary of State for Consular Affairs;

(3) except as otherwise provided, the term “Bureau” means the Bureau of Consular Affairs of the Department;
(4) the term “Chief Information Officer” means the Chief Information Officer of the Bureau;

(5) except as otherwise provided, the term “Department” means the Department of State;

(6) the term “passport issuance process”—

(A) means all steps of passport issuance for a new passport or renewal of a passport, as appropriate, from the applicant’s submission of documents through document processing and application adjudication to mailing of printed passports; and

(B) includes—

(i) the passport application submission, which includes—

(I) the portion of the passport issuance process from and including passport acceptance by a passport acceptance agent until documents are received by the Department; and

(II) payment processing and mail shipping times; and

(ii) the passport application processing, which includes the portion of the passport issuance process from the reception of completed applications and their
distribution to passport agencies for adjudication until finished passports and application documents are mailed to applicants; and

(7) the term “Secretary” means the Secretary of State.