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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Mr. ISSA introduced the following bill; which was referred to the Committee on _____

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
5 “Passport System Reform and Backlog Prevention Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 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. Emergency hiring authorities for consular services.

Sec. 6. Enhanced information technology solutions to improve the passport issuance process.

Sec. 7. Research on commercially available information technology solutions.

Sec. 8. GAO report.

Sec. 9. Definitions.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Following the COVID-19 pandemic, the
4 United States experienced a major backlog of pass-
5 port applications resulting in passport processing
6 wait times of up to 13 weeks, exclusive of shipping
7 times.

8 (2) The backlog resulted in wait times which
9 are an extreme outlier among developed countries
10 with widely-accepted passports, while United States
11 pre-pandemic processing times of six to eight weeks
12 are also among the slowest.

13 (3) Over the past several years, the Bureau has
14 experienced repeated delays in its attempts to mod-
15 ernize and technologize the passport issuance proc-
16 ess.

17 (4) The adoption of additional commercially
18 available information technology solutions at several
19 stages of the passport issuance process would greatly
20 enhance and accelerate such process.

21 (5) The United States passport is a widely rec-
22 ognized and trusted identity and travel document

1 that represents a key element of a United States
2 citizen's identity records.

3 **SEC. 3. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) as a routine matter, an adult who has sub-
6 mitted a routine new or renewal passport application
7 should be reliably able to expect that such applica-
8 tion adjudicated will be adjudicated by the Bureau,
9 at a reasonable cost, in no longer than 30 days;

10 (2) the Bureau should take every effort and use
11 every available technology and best practice to pro-
12 tect the integrity of the passport issuance process,
13 the privacy of passport holders, and the efficiency of
14 processing passport issuance requests.

15 **SEC. 4. STANDARDS FOR PASSPORT ISSUANCE PROCESS.**

16 Upon implementation of the information technology
17 solutions required pursuant to section 6, in administering
18 the passport issuance process, the Assistant Secretary
19 shall evaluate the performance of such process against the
20 following criteria:

21 (1) To maintain a service standard of proc-
22 essing a routine new or renewal adult passport appli-
23 cation from document submission until mailing of
24 final documents in not longer than 30 days.

25 (2) To maintain affordable passport fees.

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

4 (4) To minimize downtime for the travel docu-
5 ment issuance system.

6 (5) To achieve a near-zero suspense rate result-
7 ing from typographical, clerical, or picture-based er-
8 rors.

9 (6) To provide a streamlined customer experi-
10 ence for passport applicants.

11 (7) To provide reasonably convenient passport
12 services to United States citizens and nationals liv-
13 ing a significant distance from a passport agency,
14 particularly residents in a significant population cen-
15 ter more than a 5-hour drive from a passport agen-
16 cy.

17 **SEC. 5. EMERGENCY HIRING AUTHORITIES FOR CONSULAR**
18 **SERVICES.**

19 (a) IN GENERAL.—The Secretary is authorized to
20 employ a limited number of personal services contractors
21 for employment in the United States in order to meet exi-
22 gent needs of the Bureau.

23 (b) AUTHORITY IN ADDITION TO EXISTING AU-
24 THORITIES.—The authority described in subsection (a) is

1 in addition to any existing authorities to enter into con-
2 tracts with such personal services contractors.

3 (c) EMPLOYING AND ALLOCATION OF PERSONNEL.—

4 To meet the requirements described in subsection (a) and
5 subject to the requirements of subsection (b), the Sec-
6 retary may—

7 (1) employ a total of up to 100 personal serv-
8 ices contractors at any given time in each of the fis-
9 cal years 2024, 2025, and 2026;

10 (2) allocate personal services contractors to
11 other elements of the Department in order to back-
12 fill personnel who have been assigned to work in the
13 Bureau, except that not more than 20 such contrac-
14 tors may be assigned to any one element of the De-
15 partment other than the Bureau; and

16 (3) allocate personal services contractors to ele-
17 ments of the Department without regard to the
18 sources of funding such element relies on to com-
19 pensate individuals.

20 (d) LIMITATION.—Employment authorized by this
21 section may not exceed 2 calendar years.

22 (e) PERSONAL SERVICES CONTRACTORS.—Personal
23 services contractors hired pursuant to this section shall
24 be considered as employees of the Department of State
25 for the purposes of the first section of the Act entitled

1 “An Act to regulate the issue and validity of passports,
2 and for other purposes”, approved July 3, 1926 (22
3 U.S.C. 211a).

4 (f) NOTIFICATION AND REPORTING TO CONGRESS.—

5 (1) NOTIFICATION.—At least 15 days prior to
6 the exercise of the authority of this section, the Sec-
7 retary shall notify the appropriate congressional
8 committees of the number of personal services con-
9 tractors being employed, the expected length of em-
10 ployment, the bureaus in which such contractors are
11 being employed, the purpose for using personal serv-
12 ices contractors, and the justification, including the
13 exigent circumstances requiring such use.

14 (2) ANNUAL REPORTING.—Not later than 60
15 days after the end of each fiscal year specified in
16 subsection (c)(1), the Secretary shall submit to the
17 appropriate congressional committees a report that
18 contains the matters described in paragraph (1) with
19 respect to such fiscal year.

20 **SEC. 6. ENHANCED INFORMATION TECHNOLOGY SOLU-**
21 **TIONS TO IMPROVE THE PASSPORT**
22 **ISSUANCE PROCESS.**

23 (a) IN GENERAL.—The Assistant Secretary, in con-
24 sultation with the Chief Information Officer, shall imple-
25 ment the information technology solutions described in

1 subsection (b) in accordance with the timelines described
2 in such subsection.

3 (b) ENHANCED INFORMATION TECHNOLOGY SOLU-
4 TIONS AND TIMELINES DESCRIBED.—The enhanced infor-
5 mation technology solutions and timelines described in this
6 subsection are the following:

7 (1)(A) Not later than 60 days after the date of
8 the enactment of this Act, the Chief Information Of-
9 ficer shall award a contract or expand an existing
10 contract to provide a digital dashboard to provide
11 congressional offices with the ability to track the
12 status of individual passport applications being han-
13 dled as casework by such offices.

14 (B) Not later than 180 days after such date of
15 enactment, the Chief Information Officer shall com-
16 plete implementation of the dashboard described in
17 subparagraph (A).

18 (2)(A) Not later than one year after the date
19 of the enactment of this Act, the Assistant Sec-
20 retary, in consultation with the Chief Information
21 Officer, shall award a contract for the establishment
22 and maintenance of—

23 (i) a service to provide to passport appli-
24 cants automated, voluntary proactive commu-
25 nications, by email or text message, for each

1 progress point in the passport issuance process,
2 and for the notification of application errors,
3 and delivery of mail tracking numbers, and re-
4 minders of renewal eligibility;

5 (ii) a mobile application to allow for the
6 centralization of applicant communication with
7 the Department, including document submis-
8 sion, application status tracking, virtual ap-
9 pointments, access to the notification of appli-
10 cation errors described in clause (i), and allow-
11 ing for passport holders to receive messages
12 from the Department and communicate emer-
13 gencies to the Department.

14 (B) The services described in subparagraph (A)
15 shall be offered to applicants on an opt-in basis only
16 and data gained as a result of such opt-in shall not
17 be transferred to any third party.

18 (C) With respect to the service described in
19 clause (A)(i), the Secretary shall provide separate
20 options to opt-in to email and text message notifica-
21 tion, as well as separate options to opt-in to proc-
22 essing-related notifications and renewal eligibility no-
23 tifications.

24 (D) As a condition for awarding the contracts
25 described in subparagraph (A), the awardee shall

1 demonstrate that it can begin tests on the solution
2 within one year of the award of the contract and
3 complete implementation, including bug fixes, cyber-
4 security audits, and customer service testing, not
5 later than three years from the award of the con-
6 tract.

7 (3)(A) Not later than one year after the date
8 of the enactment of this Act, the Assistant Sec-
9 retary, in consultation with the Chief Information
10 Officer, shall award a contract or contracts for the
11 expansion and maintenance of the online passport
12 renewal system to be able to accommodate both rou-
13 tine first-time adult applications and renewal adult
14 passport applications.

15 (B) The contracts awarded pursuant to sub-
16 paragraph (A) shall cover the following services:

17 (i) A customer-friendly internet website or
18 portal to facilitate internet-based submission of
19 adult passport applications.

20 (ii) Necessary remote document
21 verification tools and infrastructure, to allow
22 for a passport transaction to be completed en-
23 tirely remotely.

1 (iii) Necessary information technology in-
2 frastructure not already maintained by the De-
3 partment.

4 (C) The expansion of the online passport re-
5 newal system and associated systems shall, upon full
6 implementation, be able to accommodate sufficient
7 volume to process 100 percent of expected routine
8 new and renewal adult passport applications for the
9 five years following the date on which the system is
10 fully implemented.

11 (D)(i) If applicable, not later than two years
12 after the date of the enactment of this Act, services
13 contracted pursuant to subparagraph (A) shall be
14 carried out on a pilot basis.

15 (ii) Not later than three years after such date
16 of enactment, services contracted pursuant to sub-
17 paragraph (A) shall be able to accommodate 25 per-
18 cent of new and renewal adult passport applications.

19 (iii) Not later than four years after such date
20 of enactment, services contracted pursuant to sub-
21 paragraph (A) shall be fully implemented.

22 (iv) In awarding contracts pursuant to subpara-
23 graph (A), the Secretary shall only consider pro-
24 posals that can reasonably be expected to meet the
25 timelines described in this subparagraph.

1 (E) Nothing in this paragraph shall be con-
2 strued as authorization to terminate the acceptance
3 of paper-based passport applications.

4 (4)(A) not later than 180 days after the date
5 of the enactment of this Act, the Chief Information
6 Officer, in coordination with the Assistant Secretary,
7 shall award a contract or contracts for the provision
8 of rules-based tools to screen online passport renewal
9 applications in which no biographical information
10 was changed for citizenship, identity, and entitle-
11 ment against internal and commercial databases.

12 (B) The tools described in subparagraph (A)
13 shall be fully operational within one year of the
14 award of the contract.

15 (C) The Chief Information Officer shall ensure
16 that the use of the tools do not provide vectors for
17 cyberattack.

18 (D) The Assistant Secretary shall ensure that
19 the tools described in subparagraph (A) are imple-
20 mented consistent with the maintenance of passport
21 integrity standards.

22 (E) For purposes of using the tools described in
23 subparagraph (A), the requirement that a passport
24 be issued by the personnel described in the first sec-
25 tion of the Act entitled “An Act to regulate the issue

1 and validity of passports, and for other purposes”,
2 approved July 3, 1926 (22 U.S.C. 211a), shall be
3 satisfied provided that such personnel oversee the
4 tools described in such subparagraph consistent with
5 the requirements in subparagraph (D).

6 (c) ROLE OF CHIEF INFORMATION OFFICER.—

7 (1) IN GENERAL.—The Chief Information Offi-
8 cer’s approval shall be required before the Assistant
9 Secretary awards a contract pursuant to this sec-
10 tion.

11 (2) RELATING TO SYSTEMS.—With respect to
12 the contracting and implementation of the systems
13 described in subsection (b), the Chief Information
14 Officer shall have—

15 (A) final decision making authority on the
16 technical feasibility and specifications, cyberse-
17 curity requirements, compatibility with existing
18 Department information technology infrastruc-
19 ture, and the feasibility of timelines from a
20 technical standpoint; and

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

23 (3) EVALUATION OF PROPOSALS.—In selecting
24 the services described in subsection (b), the Chief

1 Information Officer shall include in the criteria for
2 selection—

3 (A) the ability of the system to maintain
4 security, including the cybersecurity, standards
5 appropriate to the United States passport and
6 to protect personally identifiable information;

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

9 (C) long-term viability and upgradability.

10 (d) ACTION PLAN.—

11 (1) IN GENERAL.—Not later than one year
12 after the date of the enactment of this Act, the As-
13 sistant Secretary and the Chief Information Officer
14 shall submit to the appropriate congressional com-
15 mittees an action plan on how the Bureau plans to
16 complete the modernizations described in this section
17 and complete other ongoing modernizations of the
18 passport issuance process.

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

21 (A) The implementation progress for the
22 information technology solutions described in
23 subsection (b).

24 (B) The specific implementation steps for
25 the solutions described in subsection (b) that

1 Bureau of Consular Affairs and the Bureau of
2 Information Resource Management will take, in
3 conjunction with contract awardees, to meet the
4 timelines described in subsection (b).

5 (C) The expected cost and timeline for im-
6 plementation of the information technology so-
7 lutions described in subsection (b).

8 (D) An evaluation of the information tech-
9 nology solutions described in subsection (b) to
10 determine whether the full implementation of
11 such solutions will require additional funding or
12 authorities, including budget estimates and a
13 description of such authorities, as appropriate.

14 (E) Steps, processes, and technologies the
15 Chief Information Officer intends to use to en-
16 sure world-class cybersecurity standards for
17 protection of passport applicant data and the
18 passport issuance process infrastructure, par-
19 ticularly such infrastructure involved in adju-
20 dication of passport applications.

21 (F) A staffing plan for the four years be-
22 ginning on the first day of the month during
23 which the action plan will be submitted describ-
24 ing the expected staffing needs of the Bureau
25 for the passport issuance process.

1 (G) Other specific planned steps that the
2 Bureau will take to achieve the criteria de-
3 scribed in section 4.

4 (e) ONGOING REPORTING.—Not later than 90 days
5 after the interim plan described in subsection (d), and
6 quarterly thereafter until such time as the Bureau has
7 completed implementation of the items described in sub-
8 section (b), the Assistant Secretary, in consultation with
9 the Chief Information Officer, shall submit to the appro-
10 priate congressional committees a report on the following:

11 (1) Progress on each item described in sub-
12 section (b).

13 (2) Additional modernizations the Bureau in-
14 tends to adopt.

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

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

20 **SEC. 7. RESEARCH ON COMMERCIALY AVAILABLE INFOR-**
21 **MATION TECHNOLOGY SOLUTIONS.**

22 (a) IN GENERAL.—In conducting the review required
23 by subsection (a), the Chief Information Officer shall so-
24 licit the private sector for proposals to identify commer-

1 cially available technologies that may be adopted by the
2 Bureau to advance the criteria described in section 4.

3 (b) REQUIREMENTS.—Not later than 60 days after
4 the date of the enactment of this Act, in furtherance of
5 the requirement under subsection (a), the Chief Informa-
6 tion Officer shall—

7 (1) publish such solicitation and the process for
8 responding to the solicitation in the Federal Register
9 and notify the appropriate congressional committees
10 thereof;

11 (2) solicit proposals for information technology
12 services that improve any aspect of the passport
13 issuance process, including the online passport re-
14 newal system, by allowing it to meet one or more of
15 the criteria described in section 4; and

16 (3) establish a team, in cooperation with the
17 Assistant Secretary, of appropriate Department em-
18 ployees and contractors to serve as the point of con-
19 tact for, and to consult on policy, legal, and tech-
20 nical aspects of the passport issuance process with
21 entities considering submitting a proposal.

22 (c) EVALUATION.—For each such proposal, the Chief
23 Information Officer shall evaluate the cost, security, and
24 likely benefits, including benefits to customer satisfaction,
25 digitization, and adjudication streamlining.

1 (d) **RULE OF CONSTRUCTION.**—Nothing in this sec-
2 tion may be construed as an offer to procure services pro-
3 posed to the Bureau pursuant to the solicitation of pro-
4 posals required by paragraph (1) or as a guarantee of a
5 contract for such services.

6 (e) **REPORT.**—Not later than one year after the date
7 of the enactment of this Act, the Chief Information Offi-
8 cer, in coordination with the Assistant Secretary, shall
9 submit to the appropriate congressional committees a re-
10 port—

11 (1) describing opportunities to leverage the pri-
12 vate sector and commercially available technologies
13 to streamline, expedite, or otherwise enhance the
14 passport issuance process; and

15 (2) containing a summary of each proposal
16 made pursuant to this section and whether the Sec-
17 retary intends to adopt each proposal.

18 **SEC. 8. GAO REPORT.**

19 (a) **IN GENERAL.**—Not later than 30 days after the
20 date of the enactment of this Act, the Comptroller General
21 of the United States shall initiate a comprehensive review
22 of the passport issuance process designed to enable the
23 Bureau to better meet the criteria described in section 4
24 by identifying—

25 (1) weaknesses within such process;

1 (2) additional opportunities to leverage commer-
2 cially available technologies and global best prac-
3 tices;

4 (3) opportunities to streamline, expedite, and
5 otherwise enhance such process.

6 (b) ELEMENTS.—The review required by subsection
7 (a) shall include the following elements:

8 (1) A technical audit of the Travel Document
9 Issuance System (TDIS) and other passport-
10 issuance information technology systems that seeks
11 to identify—

12 (A) aspects of the systems, including sys-
13 tem architecture, that may impact its perform-
14 ance, scalability, and uptime;

15 (B) single points of failure within the sys-
16 tems;

17 (C) potential areas where commercially
18 available information technology solutions could
19 be employed to modernize the systems, and the
20 likely costs to the Department of acquiring and
21 implementing such solutions; and

22 (D) aspects, including staffing, that may
23 impact the speed of resolving technical issues
24 within the systems.

1 (2) An evaluation of the importance of each
2 human aspect of the passport issuance process to de-
3 termine whether such aspects can be replaced by se-
4 cure digital processes.

5 (3) Based on consultations conducted pursuant
6 to subsection (c), a discussion of global best prac-
7 tices and standards, including benchmarks for appli-
8 cation fees and processing times for passport
9 issuance.

10 (4) Measures the Comptroller believes the Bu-
11 reau could take to reduce the cost of the passport
12 issuance process or of application fees or surcharges.

13 (5) An analysis of potential partnerships with
14 other Federal agencies, including the Department of
15 Homeland Security and its component agencies, the
16 Social Security Administration, and the United
17 States Postal Service, which could support the iden-
18 tity verification and resolution component of the
19 passport issuance process.

20 (6) Whether partnerships with the departments
21 of motor vehicles of the several States to collect and
22 electronically submit passport applications, including
23 pictures, fees, and digital copies of identity docu-
24 ments, to the Bureau would be a viable and secure
25 method of passport application submission.

1 (7) An evaluation of other United States Gov-
2 ernment holdings, including biometric databases,
3 that could be queried to support the Department's
4 identity resolution processes to increase the security
5 of the identity verification and resolution component
6 of the passport issuance process.

7 (c) RESEARCH ON GLOBAL BEST PRACTICES.—In
8 conducting the review required by subsection (a), the
9 Comptroller shall consult with the Governments of the Re-
10 public of Korea and India and with no fewer than four
11 other foreign governments to ascertain global best prac-
12 tices for passport processing and to identify processes, ap-
13 proaches, and technologies that may be useful to inform
14 the modernization of the passport issuance process.

15 (d) SUBMISSION.—Upon completion of the review re-
16 quired by subsection (a), the Comptroller shall submit to
17 the appropriate congressional committees, to the Assistant
18 Secretary, and to the Chief Information Officer a report
19 that contains the results of the review.

20 (e) RECOMMENDATIONS IMPLEMENTATION RE-
21 PORT.—Not later than 90 days after the date on which
22 the report required by subsection (d) is submitted, and
23 quarterly thereafter, the Assistant Secretary and the Chief
24 Information Officer shall submit to the appropriate con-
25 gressional committees a report on progress toward resolu-

1 tion of each recommendation made in the report required
2 by subsection (d) and planned steps that will be taken to
3 resolve each recommendation over the next quarter.

4 **SEC. 9. DEFINITIONS.**

5 In this Act—

6 (1) the term “appropriate congressional com-
7 mittees” means—

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

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

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

16 (3) the term “Bureau” means the Bureau of
17 Consular Affairs of the Department;

18 (4) the term “Chief Information Officer” means
19 the Chief Information Officer of the Bureau;

20 (5) except as otherwise provided, the term “De-
21 partment” means the Department of State;

22 (6) the term “passport issuance process”—

23 (A) means all steps of passport issuance
24 for a new passport or renewal of a passport, as
25 appropriate, from the applicant’s submission of

1 documents through document processing and
2 application adjudication to mailing of printed
3 passports; and

4 (B) includes—

5 (i) the passport application submis-
6 sion, which includes—

7 (I) the portion of the passport
8 issuance process from and including
9 passport acceptance by a passport ac-
10 ceptance agent until documents are
11 received by the Department; and

12 (II) payment processing and mail
13 shipping times; and

14 (ii) the passport application proc-
15 essing, which includes the portion of the
16 passport issuance process from the recep-
17 tion of completed applications and their
18 distribution to passport agencies for adju-
19 dication until finished passports and appli-
20 cation documents are mailed to applicants;
21 and

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