

United States Senate

WASHINGTON, DC 20510

June 3, 2020

The Honorable Michael R. Pompeo
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20230

Dear Secretary Pompeo:

We write to you to express concern about the Department of State's current policy suspending the review of passport applications, as well as the Department's present plans to gradually resume operations in this area in the coming months. This is a vitally important function of the federal government that directly affects the lives, plans, and finances of millions of Americans, so it is important for the Department to get this right.

It has come to our attention that the decision to suspend most operations in the Bureau of Consular Affairs since March 19, 2020, has resulted in a backlog of 1.6 million applications for passports or renewal of passports.¹ Based on figures provided to us by the State Department, the Bureau has not processed any of these applications since March 19, with exceptions made only for "life-or-death emergencies."²

We understand that the primary focus of the Department in March was the repatriation efforts of Americans abroad, and we affirm the diligent work that was done to successfully bring our citizens home. With that said, the suspension of passport reviews has led to an overwhelming backlog of 1.6 million files in just ten weeks, with an average of 9,000 new applications each day that are not being even partially processed or reviewed.³ This is unacceptable and we urge you to reexamine this policy.

The federal government is not in a state of government shutdown. Employees have not been furloughed and there has been no lapse in appropriations from Congress for the Department of State. In fact, Congress has passed several supplemental appropriations packages to equip the Department to respond to various challenges posed by this pandemic. It is important for all federal agencies, including the Bureau of Consular Affairs at the Department of State, to be as productive as possible in fulfilling their responsibilities to the American people.

Agencies at every level of government have taken steps to ensure their work continues in a telework setting, including agencies that handle Americans' sensitive information and personal

¹https://www.lankford.senate.gov/imo/media/doc/05_May_Passport%20Processing%20Updates%20Under%20COVID-19.pdf

² <https://travel.state.gov/content/travel/en/passports/get-fast.html>

³ https://travel.state.gov/content/dam/Congressional/Events/05_May_Passport-Processing-Updates-Under-COVID-19.pdf

documents. Private businesses, nonprofit organizations, school districts, and congressional offices have adapted to meet the needs of constituents and customers during this disruptive time. Unfortunately, the Department of State has not taken steps to innovate or adapt to a remote working process for this particular function, which has created this backlog of passport applications.

The current policy is causing hardship for Americans who have applied for a passport or have submitted paperwork to have their passport renewed. We have heard from constituents who submitted applications in the months prior to March 19 whose files were not completed prior to the suspension of operations and are therefore still pending after months of waiting. Additionally, many Americans are frustrated that their passports have expired during the pandemic due to the Department's suspension and delays. As our nation moves toward reopening in the coming months, more Americans will submit applications and they will also experience delays due to the backlog of applications from earlier in the year since the Bureau of Consular Affairs plans to address the applications in the order in which they were submitted.⁴ Since the taxpayers have paid for this Department to be fully operational, they are right to expect their requests to be processed in a timely and professional fashion.

While it is true that many countries are still closed to international visitors, the pace at which those countries will reopen later this year is sure to be faster than the pace at which the Department is equipped to process passport applications under the current plan. The reason people will not be able to travel will be the Department of State's slow and insufficient policy to process passports, not restrictions in the destination country. We hope you will take steps to correct and improve this plan to ensure the Department is not partially responsible for stifling international commerce at a time when our nation is eager to resume economic activity.

To assist in improving both the current policy and your plan to resume operations, please find below several suggestions that will accelerate the Department's ability to move through this backlog with speed, security, and excellence.

- First, we implore you to review the Bureau of Consular Affairs' capacity to fully utilize remote working tools and telework technology. We are confident that utilizing these tools will increase the Department's ability to process applications. We understand your concern for Americans' privacy and respect your desire to ensure their information is secure. We are confident in the systems State has in place holistically to ensure security and are confident a review by the Under Secretary for Management would produce a process that allows for at least some elements of each passport review to be completed remotely. Many other federal agencies that handle similar types of personal documents and sensitive information have adapted and adjusted without sacrificing security, so the Bureau of Consular Affairs should do the same. We certainly do not want any federal employees returning to work until it is safe to do so, which is why it is important that all remote working options be utilized to ensure maximum productivity until the time is right.
- Second, we would encourage you to develop an innovative plan for the specific purpose of reducing the size of the backlog as soon as possible. We are not content to simply

⁴ <https://www.state.gov/update-on-u-s-passport-services/>

accept the size of the backlog as a side effect of the COVID-19 pandemic, and we hope you feel the same. The current plan outlined during a briefing to congressional staff on May 28, 2020, is totally inadequate to address this unique challenge. It contains no innovative steps or processes to reduce the backlog. Simply resuming operations and processing applications at a normal pace until the Bureau of Consular Affairs is caught up is not an acceptable approach.

- Third, please consider reimbursing constituents who have paid fees for expedited service since March 19. The Department’s website still accepts applications and related fees for passports and passport renewals. Many of our constituents are frustrated that the Department is willing to take their money for processing despite not reviewing any applications outside of “life-or-death emergencies.”

We commend your efforts to ensure your employees are safe and secure during this pandemic. Your “Diplomacy Strong” plan puts in place strong safeguards to limit our civil servants’ exposure to COVID-19. However, this particular process of reviewing passport applications has been insufficient to meet constituent needs. Additionally, the plan by the Bureau of Consular Affairs to gradually resume these operations is inadequate to address the backlog. More urgency is needed and more innovation is required. The Department should not be content to simply accept the delays.

Thank you for your attention to this matter. We urge you to review this policy, accelerate the resumption of operations, and improve the current plan to work through the backlog and deliver for the American people.

Sincerely,



James Lankford
U.S. Senator



John Cornyn
U.S. Senator



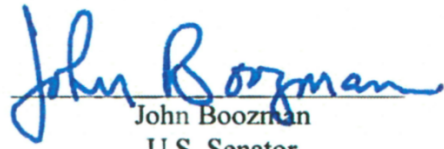
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