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Report to the Congress

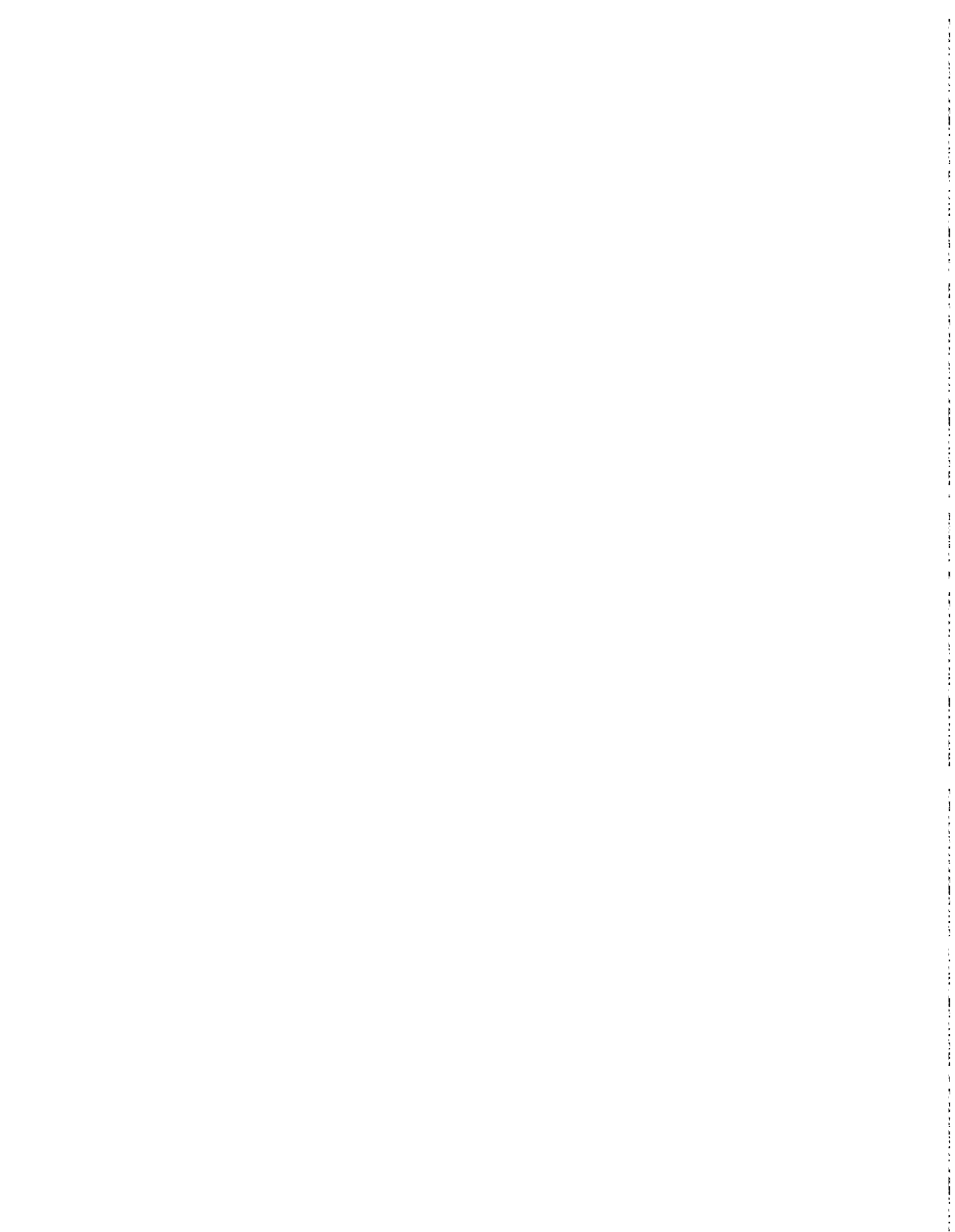
August 1987

PASSPORTS

Implications of Deleting the Birthplace in U.S. Passports



039830



**Comptroller General
of the United States**

B-227352

August 27, 1987

**To the President of the Senate and the
Speaker of the House of Representatives**

For a decade or so, there has been some concern that certain foreign-born American citizens might be vulnerable to political harassment or physical violence because birthplace information was shown on U.S. passports. This concern has grown in recent years with the increase in international terrorism. The Omnibus Diplomatic Security and Antiterrorism Act of 1986 directed the Comptroller General to report on the implications of deleting the birthplace as a required item on U.S. passports. This report responds to that requirement.

The issue of deleting birthplace information from U.S. passports is complicated by the lack of consensus about the threat. The State Department could identify no instance of an American being singled out during a terrorist attack because of birthplace information on a passport and there is only one known case—a 1985 terrorist attack at an Austrian airport—where terrorists had planned to use birthplace information to target certain victims.

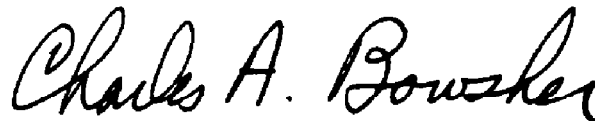
Moreover, deleting birthplace information would depart from international norms and might cause some inconvenience for U.S. travelers. A number of countries have indicated that they would have difficulty accepting U.S. passports without birthplace information or that they would require U.S. citizens to present additional documentation, such as birth certificates. Although it is difficult to predict what other countries would actually do if the United States decided to make the change, it is likely that at least initially U.S. travelers would encounter some difficulties and delays. If the United States were to allow its citizens the option of deleting birthplace information on an "as requested" basis, potential disruptions to the general populace could be minimized. Based on State Department data, and the Canadian experience, it is likely that relatively few Americans would select such an option. However, the State Department believes that individuals who would do so could face a greater risk of being singled out when traveling abroad.

Within the federal government, there is little support for deletion and considerable opposition. Three law enforcement agencies—the Immigration and Naturalization Service, the Drug Enforcement Administration, and U.S. Customs Service—strongly opposed deletion. The State Department favored retaining the information, and the Federal Bureau of

Investigation did not oppose deletion so long as the birthplace data was available elsewhere. The strong opposition came from the agencies charged with border control responsibilities. In the judgment of these agencies, border control would become more difficult if other countries followed the U.S. lead and also eliminated birthplace information from their passports.

Appendix I provides detailed information on the threat, the views of U.S. federal agencies and foreign governments, and the potential implications for U.S. citizens traveling abroad. The State Department stated that the information contained in this report accurately reflects the views of the Department. (See appendix II.) Officials of other involved agencies concurred in the way their views were presented.

We are sending copies of this report to the heads of the involved agencies and the Director, Office of Management and Budget. Copies will be made available to other interested parties upon request.



Charles A. Bowsler
Comptroller General
of the United States

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Abbreviations

CIA	Central Intelligence Agency
DEA	Drug Enforcement Administration
FBI	Federal Bureau of Investigation
GAO	General Accounting Office
INS	Immigration and Naturalization Service

Implications of Deleting Birthplace Information From U.S. Passports

Officials from the Department of State's Bureau of Consular Affairs estimate that there are about 21.5 million valid U.S. passports and between 4 million and 5 million new passports are issued each year. Approximately 10 percent of passports have been issued to citizens born outside the United States. These Americans either were naturalized citizens or were born overseas to American citizens. The Bureau of Consular Affairs receives about 35 letters per year from foreign-born citizens requesting that their birthplace be removed from their passport because they fear they are vulnerable to terrorist attack or to political harassment.

The Secretary of State is authorized by 22 U.S.C. 211a (as amended) to grant and issue passports and to cause passports to be granted, issued, and verified in foreign countries by diplomatic representatives of the United States. The specific format of the U.S. passport is left to the discretion of the Secretary of State.

According to Bureau of Consular Affairs officials, the requirement for listing the birthplace in passports developed over time as a matter of international custom and use. Governments use this and other information—such as name, nationality, and birth date contained in passport documents—to verify an individual's identity. In 1980, the International Civil Aviation Organization included birthplace information in its proposed standard worldwide passport format. The United States was a major proponent of this recommendation.

According to the State Department, birthplace information was first listed in U.S. passports in 1921 and apparently became a required item for all U.S. passports by 1928. In 1979, the policy was modified to allow foreign-born U.S. citizens the option of listing their city or town of birth instead of the country of birth.

According to Bureau of Consular Affairs officials, when citizens request that the birthplace be removed from their passports, they are told that birthplace information is required and that many countries will not accept a passport without the information. In some cases, the Department has been asked to issue a passport with a false birthplace. Bureau officials told us that State has refused to do so.

Consular Affairs officials told us that they received feedback from some citizens who have chosen to list only their city or town of birth instead of country. Although no statistics were compiled these officials indicated that several citizens had subsequently applied for a new passport

requesting that it show their country of birth; others reported harassment at international borders, particularly in the Soviet bloc countries. In general, consular officials recommend that citizens not deviate from the country of birth designation.

The Terrorist Threat

There is very little evidence that certain foreign-born Americans are more at risk than the general populace. However, the House Foreign Affairs Committee, in considering the Omnibus Diplomatic Security and Antiterrorism Act, found that certain individuals believe they are especially threatened because birthplace is shown on their passports. According to the Committee, this has created a psychological hardship not shared by many travelers.

Since the early 1970s, attacks on U.S. citizens and property have increased, and the nature of these threats has changed. Threats to Americans or American interests have ranged from attacks by small groups of highly trained terrorists to the mob attacks against U.S. diplomatic posts in Pakistan, Iran, and Libya. The kidnapping of Americans in Beirut, Lebanon, and the suicide car bombings of U.S. facilities in that city focused renewed attention on the threat against Americans overseas.

The most prevalent incidents—armed attacks, arson, and bombings—are directed against U.S. interests generally, and the specific identities of the victims are unknown to the terrorists. Table I.1 describes the incidents against American citizens and property between 1981 and 1985.

**Table I.1: International Terrorist Incidents
Against U.S. Citizens and Property, 1981-
85**

	1981	1982	1983	1984	1985	Total
Armed attack	28	17	24	19	11	99
Arson	25	58	34	9	28	154
Bombing	68	108	92	72	96	436
Hijacking/skyjacking	6	2	1	6	5	20
Hostage-taking	1	1	2	3		7
Kidnaping	10	8	9	14	19	60
Other	16	15	35	10	11	87
Total	154	209	197	133	170	863

Source: Department of State

State Department officials could not identify any instance of foreign-born Americans actually being singled out by terrorists because of birthplace information in their passports. Terrorists would normally have access to their victims' passports only during instances such as hostage-taking, kidnaping, and hijacking. The chances of being involved in one of these instances are slight, considering the millions of Americans who travel overseas every year. For example, Americans made over 29.7 million trips abroad in 1986; in the previous 5 years, there were 87 incidents of Americans being hijacked, kidnaped, or taken hostage. We were informed of one terrorist incident involving birthplace information in passports. Following the December 1985 attack on the Vienna, Austria airport, the captured terrorists said that they had planned to take hostages based on the birthplace given in passports.

U.S. Government Agencies' Views on Deleting Birthplace Information From Passports

The Chairman, Subcommittee on International Operations, House Committee on Foreign Affairs, requested the official positions of the following agencies on the deletion of birthplace information from U.S. passports: the Federal Bureau of Investigation (FBI), the Immigration and Naturalization Service (INS), the Drug Enforcement Administration (DEA), and the U.S. Customs Service. We reviewed these agencies' submissions to the Chairman and followed up as necessary. In addition, we obtained the views of the Department of State and the Central Intelligence Agency (CIA). The following presents the position and rationale of each agency.

State Department

During our review, State indicated that it would not object to the elimination of the birthplace information, provided other executive branch agencies agree. The Department pointed out, however, that travelers may encounter difficulties if the birthplace information is eliminated. In a 1977 study, State's Bureau of Consular Affairs recommended continuing the use of the birthplace information. In a second study conducted in 1986, the Bureau did not take a position, but concluded that if the birthplace were eliminated from U.S. passports, over 30 percent of the Americans traveling abroad would not be able to use their passports without other documents to reach their final destinations. Furthermore, Bureau officials informed us that the birthplace information is valuable to U.S. consular officers overseas in establishing the identity of Americans during emergencies abroad.

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In commenting on a draft of this report, the State Department indicated that while it had stated that it would not oppose deletion of the birthplace data if there was evidence to support its deletion, such evidence has not materialized. Therefore, State Department favors retaining the birthplace in U.S. passports, based on available evidence

**Federal Bureau of
Investigation**

In its response to the Chairman, the FBI stated that birthplace information is not so significant that it must be retained on passports, so long as the appropriate information is recorded on the U.S. passport application. The FBI further noted that if the birthplace is deleted from the U.S. passport and the information is still obtainable from the Department of State, no apparent investigative problem exists. As long as the passport application is available, the FBI stated that "... no investigative alternative needs to be developed at this time." The FBI also stated that it would rarely use a passport to check birthplace since a passport can be altered.

The FBI had not performed any studies concerning this issue and had no statistics on the usefulness of the birthplace information on U.S. passports.

**Central Intelligence
Agency**

The CIA did not take an official position on deleting the birthplace on U.S. passports, but stated that the agency would accept whatever position was adopted by the State Department.

**Immigration and
Naturalization Service**

INS advised the Chairman it "... strongly oppose[s] the deletion of the birth location on United States passports. It would seriously undermine law enforcement efforts in a world of prevailing terrorism and crime." In a follow-up discussion with an INS official, we were told that this view applies equally to the deletion of the birthplace from the passports of foreign visitors.

INS noted that one of its vital missions is the effective control of the borders, which "... has become an increasingly arduous and critical task in today's environment of terrorism, drugs and fraud. The times have witnessed... the evolution of highly sophisticated counterfeit or altered documentation." INS has placed a strong emphasis on bogus document detection training and points out that "... a thorough and readily available pool of biographic information is an essential tool. ... Without question, the place of birth is one of the most vital of the biographical data."

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INS stated that it has a growing concern about fraud. It noted that since 1984 there has been a 42-percent increase in the interception of documented false claims to U.S. citizenship. Table I.2 shows the number of false claims intercepted since 1984.

Table I.2: Interception of Documented False Claims to U.S. Citizenship

Fiscal year	Number of claims
1984	8,149
1985	10,161
1986	11,593

Source: INS

INS believes that justification exists to require additional biographical data rather than to contemplate any curtailment.

In a 1986 letter INS informed the State Department that "... past attacks of terrorism have been randomly made at U.S. interests and U.S. citizens, and there is no evidence that foreign-born U.S. citizens have been singled out from a group of U.S. citizens under attack. While we support the effort to protect U.S. citizens against terrorism, we feel that the elimination of the place of birth data from U.S. passports, and perhaps encouraging other countries to follow suit, would seriously undermine law enforcement efforts to detect abuse of U.S. passports."

Drug Enforcement Administration

DEA told the Chairman that "... essential to any investigation is any and all information concerning any individual trafficker or group of traffickers. Therefore, all identifying data, including the place of birth information, is useful." Drug courier profiles are based on numerous characteristics: age, nationality, birthplace, ethnic origin, and other information. DEA stated that "... without knowing where a person is born, significant patterns can be misinterpreted."

DEA said many drug traffickers use false or altered passports. Investigators can possibly determine through questioning if a person is using a false identity. DEA noted also that "... many violators do not study their false documentation on such details as birthplace."

DEA has conducted no studies and has no statistics available to demonstrate the usefulness of the birthplace on foreign or U.S. passports to achieving DEA's mission. Nevertheless, DEA believed that the birthplace on a U.S. passport would serve the common good of protecting the U.S.

society. DEA further believed that "... very little, if any, harm is done to those U.S. naturalized citizens with place of birth outside of the continental United States."

A DEA official told us that the birthplace information on foreign passports is a useful starting point in evaluating an alien seeking to enter the United States. According to the official, having more information available aids in investigating potential violators of drug laws and identifying foreign drug couriers.

United States Customs Service

Customs told the Chairman that it was "strongly against" deleting the birthplace information from U.S. passports, since other countries might also eliminate the information from their passports. Customs said that knowing the birthplace assists in the overall evaluation process of a border inspection or investigation. Close interrogation of an individual may reveal inconsistencies through speech patterns or accents. If this inconsistency involved a U.S. passport, the individual could be charged with a passport violation.

Customs stated that it "... has developed profiles which it uses in its enforcement activities, and the knowledge that a person was born in a foreign country where he may have extensive family or business contacts could be a critical factor in determining the degree of inspection or investigation. Some countries are known as sources for illicit narcotics, others known for involvement in the diversion of critical technology, and still others are known as money-laundering havens."

Customs also said that no data or statistical reports are available to demonstrate the usefulness of birthplace information to its operations.

According to Customs, "... the fact that the passport states United States of America on the front poses the principal danger. Deleting the place of birth on the inside of the passport would have little effect on terrorists once 'United States' is seen on the cover."

Foreign Government Responses to Deleting Birthplace Information From Passports

In 1977, State requested the views of the 135 countries accorded diplomatic recognition by the United States. In 1986, State surveyed 25 of the countries most frequently visited by Americans to update its earlier study.

In 1986, two countries—Canada and Austria—took action regarding the birthplace information in their passports. Canada began giving its citizens the option of deleting their birthplace, but relatively few have exercised that option. In Austria, the birthplace was deleted from all passports; Austrian officials said they had received no public response and therefore assumed there were no objections.

1977 State Study

For the 1977 study, 87 of the 135 countries responded to State's inquiry concerning the acceptability of U.S. passports that do not contain the birthplace. Fifty-nine of the 87 responses received were informal and therefore may not have represented the final determination of the government responding. About 25 percent of countries responded that they would accept the passport, but the others either would not accept such passports or indicated that some difficulties may occur. Some countries would accept such passports but would also require proof of birthplace in other forms. Table 1.3 summarizes the results of the 1977 study.

Table 1.3: Summary of 1977 Study on Deletion of Birthplace Data From Passports

Summary of country responses	Number
Will accept passports without birthplace	21
Will accept, but delays, problems, or additional documentation requirements may result	39
Will not accept passports without birthplace	27
Total	87

The Department's study concluded that, as a practical necessity, passports should continue to include the bearer's birthplace since American travelers could face denial or limitation on their ability to enter many countries. State's conclusion was based on the idea that if a passport does not assist a U.S. citizen in crossing international borders but rather causes difficulties, it does not accomplish its major purpose.

Among the 21 countries that stated they would accept passports without the birthplace were Austria, Egypt, El Salvador, Poland, Japan, and

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Kuwait. The Department's report questioned whether some of the countries in this category would actually accept passports without the birthplace in light of the stringent policies and procedures they follow regarding the entry and departure of their own citizens.

Thirty-nine countries stated that they would accept or probably would accept passports without birthplace but specified a number of problems, delays, or additional document requirements that might ensue. Some of these countries—for example, the United Kingdom, Bolivia, Ecuador, and United Arab Emirates—indicated they would be reluctant to accept the new passports and would provide no commitment that U.S. travelers would have no problems. Others reported that they would still require the birthplace on visa applications or in embarkation/disembarkation cards included China, Hungary, Pakistan, the Philippines, and the Dominican Republic.

**1986 Updated Views of
Selected Countries**

The State Department completed another study in 1986 concerning the acceptance of U.S. passports that do not contain the birthplace. State obtained the views of 25 countries that collectively represented the destinations of about two-thirds of American travelers based on 1983 statistics. Table I.4 summarizes their responses.

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Table I.4: Selected Foreign Government Responses to the Question of Whether U.S. Passports Without Birthplace Would Be Acceptable

Country	Response	Comments
Argentina	Yes	Consular officers determine birthplace
Australia	Yes	No additional entry procedures required
Austria	Yes	Birthplace removed from its passport
Canada	Yes	Passports not required of Americans
Greece	Yes	Informal response
Ireland	Yes	Informal; hoped that others would follow
Israel	Yes	Birthplace must be shown on visa application or entry card.
Jamaica	Yes	No significant consequence
Japan	Yes	Only requests information as to nationality
New Zealand	Yes	Must show birthplace on arrival card
Norway	Yes	No additional entry procedures required for bearer of such passport
Philippines	Yes	No problem accepting passport
Portugal	Yes	Would accept without reservation
Spain	Yes	Documentary evidence of birthplace required for extended stay
Sweden	Yes	Consideration being given to elimination of birthplace from passport
Switzerland	Yes	Expressed reservation as it would be contrary to international efforts to standardize passports
United Kingdom	Yes	Expressed reservation as it would be contrary to international custom.
Venezuela	Yes	No objection
Belgium	No	Considers birthplace essential.
Denmark accepted	No	In practice passports would usually be
Federal Republic of Germany	No	Would be accepted on individual basis
France	No	Informal, but considers birthplace essential.
Italy	No	Insists on essential data
Luxembourg	No	Considers birthplace essential
Netherlands	No	Considers birthplace essential

Of the 25 countries responding to State's 1986 inquiry, 18 countries indicated that they would accept passports without the birthplace. Seven indicated they would not or would be reluctant to accept U.S. passports without the birthplace. The Department noted that these latter countries—Denmark, France, Germany, Italy, Belgium, Netherlands, and Luxembourg—are visited annually by over 30 percent of American

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travelers, and other travelers must pass through these countries en route to final destinations.

In 1987 the State Department obtained the views of Czechoslovakia, Korea, Saudi Arabia, and Turkey. The responses received suggested the acceptance of the U.S. passport without the birthplace with the exception of Czechoslovakia. The responses are summarized below.

- Czechoslovakia. In an informal response, a spokesman stated that his government would insist that the U.S. passport contain the birthplace. The reason offered for the position was that the government's data system relied on the information.
- Korea. The response was informal, but a spokesman indicated that the government would have no objection. Furthermore, he indicated that no additional entry requirements would be imposed.
- Saudi Arabia. The response was informal, but a Saudi official saw no reason for his government objecting to the U.S. passport without the birthplace. He understood the reason for the proposed change and noted that the information required by his government could be obtained from visa applications or embarkation/debarkation cards.
- Turkey. In a formal response, Turkey stated that the country of birth is one of the minimum requirements to enable border control officers to identify the individual bearer of a document. However, a U.S. passport would be acceptable for entry into Turkey if it merely indicated that the bearer either was born in or out of the United States. The acceptance of the document would not require that the traveler undergo or complete additional entry procedures not presently required of travelers with passports that reflect their birthplace.

The Austrian and Canadian Experiences

Subsequent to State's 1986 survey, the Austrian and Canadian governments adopted new provisions concerning the birthplace information on their passports. At our request, State asked both countries why the change was made and what effect it has had on their citizens' foreign travel.

Austria

Austria, with a population of about 7.5 million, began deleting the birthplace from passports in April 1986 following the December 27, 1985, attack at the Schwechat Airport outside of Vienna. The captured terrorists said that they had planned to take hostages based on the birthplace given in passports. The Austrian government said it was also

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influenced by the knowledge that the deletion of birthplace was being considered by the United States.

The birthplace is no longer provided on any Austrian passports. A new passport without birthplace was designed and is currently in use. Austrian government officials said that there has been no public response to the new passports and no objections have been received through diplomatic channels. However, at the European Economic Council in Strasbourg in 1986, Belgium, Luxembourg, and the Netherlands objected to the deletion of birthplace at a session of an ad hoc committee on identity documents and movement of people. Although these countries understood the motive for the change, they objected on the ground that the deletion made identification of people more difficult.

Austrian officials pointed out that their government is seeking closer ties with the Council, which is considering looking toward establishing common laws and procedures in many areas—including travel and identity documentation. Therefore, Austria may change its passport format.

Canada

The Canadian government began permitting the option of omitting the birthplace from its passports in November 1986 because some Canadian citizens who were born outside Canada had expressed concern that the registration of their birthplace made them more vulnerable to terrorism.

The Canadian government requires every citizen who exercises this option to sign a statement acknowledging that the bearer may encounter difficulties with officials of other countries. These difficulties could include additional questioning at the port of entry, a requirement to obtain a visa that would not otherwise be required, or in some instances denial of entry. All Canadian passports still contain the information block for birthplace, and the Canadian government stated that, in conformity with the International Civil Aviation Organization standards, it has no plans to remove that information block from its passports.

Since Canada instituted the new policy, few Canadians have elected to omit their birthplace. Canadian government officials stated that between late November 1986 and mid-January 1987 about 125,000 passports were issued; of these only 125 people chose to omit their birthplace from their passports. The Canadian government has received no complaints from Canadians using these passports. The Canadian government notified most foreign governments of the new policy. Italy, the Netherlands, Luxembourg, and Belgium stated that they would prefer

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the birthplace be shown and that Canadian travelers who cannot provide documentation of this information might have problems entering their countries. The Soviet Union advised the Canadians that it would not issue a visa to applicants whose passports lack their birthplace. According to the Canadians, other countries did not formally respond but informally noted that they could not guarantee that their immigration officers would accept a passport without the bearer's birthplace.

**U.S. Government
Position on Foreign
Passports Without
Birthplace
Information**

The Immigration and Nationality Act, as amended (8 U.S.C. 1101 et. seq.), requires passports of foreign visitors to include the birthplace. Both the State Department and INS have concluded that an alien with a passport excluding the birthplace cannot be admitted to the United States. However, both noted that a birth certificate together with the passport would satisfy the statutory requirement of the Immigration and Nationality Act.

**Objectives, Scope, and
Methodology**

The objective of this review was to determine the implications of deleting the birthplace information from U.S. passports. Our review was conducted between December 1986 and May 1987 in accordance with generally accepted government audit standards. We examined the Department of State's records, cables, and support for its previous studies of this issue. The Chairman, Subcommittee on International Operations, House Foreign Affairs Committee, obtained for our use the official positions of the INS, Customs, DEA, and the FBI.

State Department Comments



United States Department of State

Comptroller

Washington, D.C. 20520

July 29, 1987

Dear Ms. McCabe:

I am replying to your letter of July 9, 1987 to the Secretary which forwarded copies of the draft report entitled Passports - Implications of Deleting the Birthplace in U.S. Passports.

The enclosed comments on this report were prepared in the Bureau of Consular Affairs.

We appreciate having had the opportunity to review and comment on the draft report.

Sincerely,

Roger L. Feloman

Enclosure:
As stated.

Ms. Joan M. McCabe,
Associate Director,
National Security and
International Affairs Division,
U.S. General Accounting Office,
Washington, D.C. 20548

Appendix II
State Department Comments

July 23, 1987

DRAFT REPORT COMMENTS: PASSPORTS - IMPLICATIONS OF DELETING
THE BIRTHPLACE IN U.S. PASSPORTS

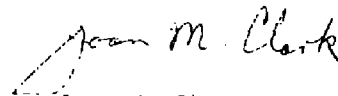
The information contained in the draft report is factual and accurately reflects the views of the Department of State on the deletion of the place of birth from U.S. Passports. There are, however, some language changes which I request be included in the report.

On page 2 of the Comptroller General's draft letter to the Senate and House (attachment A), lines 4-7 indicate that the State Department is neutral or non-committal on the deletion of the place of birth (pob) from the U.S. passport. It is true that we have stated we would not oppose deletion of the pob if there was evidence to support its deletion. That evidence has not materialized. Consequently, I would suggest the following substitute language.

...--strongly oppose deletion, while the Federal Bureau of Investigation and the Central Intelligence Agency were neutral or non-committal. Based on available evidence, the Department of State, on balance, would favor retaining the place of birth in the U.S. passports.

The other change I would make is to add explanatory language to the U.S. Government Position Section in Appendix I, page 19. During our review of this issue, we found that there is often confusion about what is meant by "the bearer's place of origin". To make it clear, I would add:

The Department of State and the INS define "bearer's origin" to mean the place of birth.



Joan M. Clark
Assistant Secretary
Bureau of Consular Affairs

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