

Congress of the United States
Washington, D.C. 20510

November 4, 2022

The Honorable Jack Reed
Chairman
Senate Committee on Armed Services
228 Russell Senate Office Building
Washington, DC 20510

The Honorable Adam Smith
Chairman
House Committee on Armed Services
2216 Rayburn House Office Building
Washington, DC 20515

The Honorable James Inhofe
Ranking Member
Senate Committee on Armed Services
228 Russell Senate Office Building
Washington, DC 20510

The Honorable Mike Rogers
Ranking Member
House Committee on Armed Services
2216 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Reed, Ranking Member Inhofe, Chairman Smith, and Ranking Member Rogers:

As you work to finalize the Fiscal Year (FY) 2023 National Defense Authorization Act (NDAA), we write to request that you include the Replacing Essential Passports and Licenses After Certain Emergencies (REPLACE) Act in the final conference report. The REPLACE Act, which was included in the House-passed FY 2023 NDAA, is a bicameral, bipartisan bill to automatically waive fees to replace critical documents for individuals and households affected by major disasters.

In December 2021, the Marshall Fire – accelerated by hurricane-force winds – destroyed more than 1,000 homes in Boulder County. Due to the speed and intensity with which this fire swept through residential areas, many individuals had only minutes to evacuate their homes and lost important documents in the fire. Other major natural disasters throughout the year produced similar conditions, with thousands of families displaced on short notice by hurricanes, tornadoes, wildfires, and more.

An often-overlooked burden of recovering from such a disaster is replacing passports and critical documents. These documents are important to accessing federal assistance, securing employment, and finding housing – things especially necessary in the wake of a disaster. Without fee waivers, the cost of replacing such documents can quickly reach hundreds of dollars.

The Disaster Recovery Reform Act of 2018 authorized the President, acting through the heads of the Department of State and United States Citizenship and Immigration Services (USCIS), to make the decision to waive fees for the replacement of passports, visas, and other such documents. However, the waiver process is not automatic, and can cause confusion and delays for survivors who may not know to wait for waivers to be issued, or who need documentation replaced immediately.

Additionally, waivers are not guaranteed and are not always issued. This is especially true when it comes to fees for USCIS-issued critical documents, which have historically been waived only for individuals who were already facing financial hardship independent of disaster impacts.

Under the REPLACE Act, certain critical document replacement fees would be automatically waived for documents lost during major disasters. This would be limited to disasters for which Federal Emergency Management Agency (FEMA) Individuals and Households Program assistance has been authorized.

As major disasters continue to grow in frequency and scale, we should seek ways to ease the burdens our communities face as they recover. Securing new passports and critical documents are important first steps that allow survivors to begin the process of rebuilding their lives. We urge you to include the REPLACE Act in the final FY 23 NDAA and thank you for your consideration of this request.

Sincerely,



John Hickenlooper
United States Senator



Joe Neguse
Member of Congress



Michael F. Bennet
United States Senator



John R. Curtis
Member of Congress