



COLLIN COUNTY

Lynne Finley, JD
District Clerk
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February 25, 2019

Via Electronic Mail: PaceNL@state.gov

Mr. Barry J. Conway
United States Department of State
Managing Director of Operations
Passport Services
Washington, D.C. 20520

Dear Mr. Conway:

I appreciate the opportunity to discuss the ongoing situation with the Dallas Passport Agency and Collin County with you directly as I understand that you are one of the highest ranking officials in charge of the Passport Services for the country. In addition to this written response, we are requesting an expedited meeting with the appropriate decision-makers at the U.S. Department of State to advance the resolution of this lingering problem. The Collin County District Clerk's Office and Department of State share the common goal of ensuring expeditious but secure passport application procedures. This situation, I believe, has unnecessarily escalated to the point of suspension due to what is apparently incomplete and/or inaccurate information being provided to you, presumably from your Dallas Passport Agency Director, Brittany Williams. I am hopeful this response will more than sufficiently explain, if not completely rebuke, the two issues which underlie the ongoing suspension so that the County's passport processing privileges can be promptly reinstated.

Your February 21, 2019, letter to Collin County Commissioner Hale sets out two reasons for suspension: (1) a "possible relationship between the Collin County passport acceptance facilities and private passport/visa expediting companies" and (2) an alleged incident occurring on November 28, 2018 and brought to the attention of the Dallas Passport Agency on January 16, 2019.

Before I respond to the current claims, it is important to discuss the context of what had occurred previously. Thus, I need to address the initial reason for the suspension of the Collin County Passport Offices as explained to me in a phone conversations with Dallas Passport Agency Director, Brittany Williams. On December 21, 2018 after meeting with DSS, I received a letter of suspension attached for your convenience as Exhibit A. As the letter did not specify any actual violations, I spoke with Ms. Williams on the phone that day and she indicated that as long as the criminal investigation remained opened, the suspension would stand. I understand that DSS cleared Collin County of any

criminal wrongdoing in its preliminary report on or about January 21, 2019 and the final report on or about January 30, 2019. Additionally after meeting with the DSS agents on December 21, 2018 and January 10, 2019, they assured me that the level of professionalism of my office was appreciated and they were satisfied that our office was not part of the problem. While DSS has no control over suspension decisions, the agents disagreed with the suspension on December 21, 2018 and actually took it up the chain of command at DSS to no avail. It was my distinct impression, confirmed by the DSS agents, that Collin County was certainly not the subject of any criminal matter. To the contrary, we fully cooperated and even provided suggestions to aid in the investigation.

Regarding the first ground for the current suspension, I can unequivocally confirm that the passport clerk at issue [REDACTED] has worked solely for Collin County for at least the past ten years. She did not and does not work for any passport or visa expediting services. Your letter conflates working with [as a customer] passport and visa expediting services as opposed to actually being employed by them. This confusion may be based on second-hand information derived from the Diplomatic Security Services agents' interviews with [REDACTED]. I was present during the interview with [REDACTED] so I was particularly surprised as to how her information was apparently described to you. Specifically, on January 10, 2019, the retained civil attorney for the county, Robert Davis and myself met with DSS agents and again discussed the common thread that all the suspect applications requested expedited service. I can recall only one that went directly to the Post Office in Irving for service and the State Department does not allow us to know their own procedures and handling of those documents. However the remaining files, came from expediting companies located near the Plano Passport Office. The agents identified these companies were the target of the investigation so we called in the most senior passport agent, [REDACTED], to discuss the expediting process and the two companies listed in most of the agent's document. [REDACTED] outlined the hand carry process for expedited passports which was the commonality of the suspected fraudulent documents. When she stated that she worked with them over the years and had contact information for these companies, it was clear to all of us that the business process of individuals coming to our offices from these companies with the form for expedited services already had the company name typed in the form because they come directly from the expediting company office to ours. We do not send people to expediting companies, they send their customers to us as the acceptance facility to put all the forms together, swear in the applicant and place all forms in an envelope that is taped up and handed back to the applicant. This is the hand carry expediting process pursuant to your guidelines. [REDACTED] has never been to an expediting company and the description that she gave was recalling the comments of an applicant about their experience with AA Passport and Visa Expedite Services listed on many of the documents in the agent's file. These are not her personal observations but those of an applicant. Please see affidavit of [REDACTED] attached as Exhibit B. Similarly, if they can be shared, the notes from the DSS agents and [REDACTED] sworn statements will corroborate these facts. Quite simply, there is not nor has there been any "inappropriate relationship" between the Collin County passport acceptance facilities and any private passport/visa expediting company. The basis for the suspension is unfounded and should be corrected.

Concerning the second ground, it is founded solely on the many mistaken and incorrect beliefs of an unidentified citizen. The narrative in your letter describes events attributed to Collin County by

this applicant, some of which are not even possible under the State Department's very own processes and procedures. I am also concerned that the new incident was never discussed with my office, and I only learned of it when it was identified as an additional reason for maintaining the suspension for Collin County. In any event, these are the facts that I have been able to obtain based on your description along with corroborating documents.

1. The citizen's initial confusion lies with who charged what to his credit card. We do not charge credit card fees of \$270 or \$280 as these are more in line with expediting company fees. Collin County also does everything electronically, so I have provided the computer receipt journal by fund and fee codes for the date identified in your letter of November 28, 2018, including the full week of November 26, 2018 as Exhibit C to address the credit card billing allegations. We do have a clerk named [REDACTED] and his initials are [REDACTED] on Exhibit C. A review of complainant's credit card statement would hopefully confirm that the applicant's issues about credit card charges go to the expediting company, not the lawful charges by Collin County for different and lower amounts.
2. The information from your letter states that the complainant found his passport at an expediting company called Passport and Visa Express. As you are aware, our offices do not receive issued passports for any reason. However, an expediting company does receive the issued passport that it sends on behalf of its customers. The only interaction our office could have in this scenario is a hand carry expedited process identified earlier in this response. Our records confirm that [REDACTED] in our Plano office did not process a hand carry expedited application on November 28, 2018. Please see our expediting log for November 28, 2018 as well as the full week of November 26, 2018 for [REDACTED] attached as Exhibit D. Passport and Visa Express charges between \$340 to \$270 for adult passport renewals and additional costs such as photos and extra Visa pages. You have accused my staff in what you call "revelations" with fact patterns that are inherently inconsistent and that can be verified through credit card statements, our receipt journals, and the passport documents sent to the State Department by this unnamed complainant. You should be able to verify if in fact the expediting company that received the issued passport originally sent it.
3. The final allegation that a female employee that complainant interacted with at the Collin County Plano passport office was the same individual at the expediting company in Plano where he picked up his issued passport is at best misinformation. Our office received a call from a man in December looking for his expedited passport and said he was told it was in Plano but that our office is closed and he wanted us to let him in to get his passport. Again, we don't receive issued passports but clearly in this fact pattern, his passport was in Plano at the expediting company that must have handled his expedited request. I don't have those documents to verify this but I presume that you do. If the Dallas Passport Agency had reached out to us at the time of the allegation, we could have quickly provided responsive information correcting the citizen's mistaken belief. Instead the Dallas Passport Agency brought it to our attention through your letter of January 21, 2019. In an effort to assist in the investigation, I am providing a photo of the three female passport clerks in Plano at the time of the alleged incident as Exhibit E. While this forces us to speculate at our peril as to who this mystery employee may be, without basic information such as a description, I am unable to provide a more meaningful response.

It is my continued hope that after carefully reviewing this information, you will promptly reopen the Collin County Passport Offices and work with our office and DSS to improve the procedures and protect against the ongoing fraud identified by DSS. The citizens of this country should not be penalized because subordinates from the Dallas Passport Agency may have provided you with erroneous information, resulting in an unnecessary and protracted suspension of the Collin County passport acceptance facilities. I am requesting an expedited meeting with the decision-makers at the U.S. Department of State to reopen the Collin County Passport Offices.

REDACTED COPY

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cc: *Via Electronic Mail: PaceNL@state.gov*

Ms Nancy Pace
National Customer Service Manager
United States Department of State