

010-95

Congress of the United States
Washington, DC 20515

February 16, 1995

The Honorable Richard P. Conaboy
Chairman
U.S. Sentencing Commission
One Columbus Circle, NE
Suite 2-500, South Lobby
Washington, D.C. 20002-8002

Dear Mr. Chairman:

We are writing to urge the Sentencing Commission to take action to strengthen the sentencing guidelines applicable to passport and visa offenses. The Commission sought comment in the January 9, 1995, Federal Register on this particular matter.

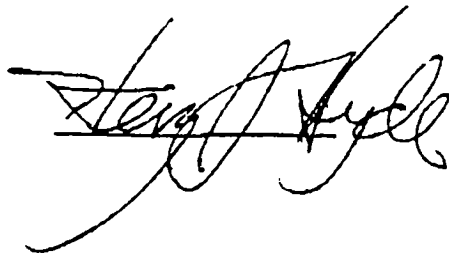
As you know, Section 13009 of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322) significantly increased the statutory maximum penalties for passport and visa offenses (18 U.S.C. 1541-1546). This provision addressed the growing problems associated with documents which permit illegal travel in and out of the United States and which facilitate numerous other types of crimes. It is important that revised sentencing guidelines now be promulgated to ensure that Section 13009 is fully and effectively implemented.

In almost all cases, the maximum fines and periods of imprisonment for violations of these statutes were increased to not more than \$250,000 and/or ten years. A new Section 1547 set the maximum imprisonment at fifteen years if the violation had been committed to facilitate a drug trafficking offense and to twenty years if committed to facilitate an act of international terrorism.

The sentences called for by the current base offense levels for these statutes range from 0 to 10 months imprisonment. This is unacceptable. To provide a meaningful deterrent to those who would violate our passport and visa laws, actions should now be taken to raise the base offense levels, as well as to provide appropriate penalty enhancements for facilitating drug trafficking, terrorism and any other criminal activity.

We thank you for your attention to this important matter and stand ready to be of assistance in securing adoption of meaningful and effective guidelines.

With best wishes,

A handwritten signature in cursive script, appearing to read "Henry J. Hyde", written over a horizontal line.

BAG\jpm\teh

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles Schuman", written over a horizontal line.