

**(2) Exceptions****(A) Emergency and humanitarian situations**

Notwithstanding paragraph (1), the Secretary of State may issue a passport or passport card, in emergency circumstances or for humanitarian reasons, to an individual described in paragraph (1)(A).

**(B) Limitation for return to United States**

Notwithstanding paragraph (1), the Secretary of State may, prior to revocation, limit a previously issued passport or passport card only for return travel to the United States, or may issue a limited passport or passport card that only permits return travel to the United States.

**(3) Definitions**

In this subsection—

(A) the term “covered period” means the period beginning on the date on which an individual is convicted of a violation of section 2423 of title 18 and ending on the later of—

(i) the date on which the individual is released from a sentence of imprisonment relating to the offense; and

(ii) the end of a period of parole or other supervised release of the covered individual relating to the offense; and

(B) the term “imprisonment” means being confined in or otherwise restricted to a jail, prison, half-way house, treatment facility, or another institution, on a full or part-time basis, pursuant to the sentence imposed as the result of a criminal conviction.

(Pub. L. 110-457, title II, §236, Dec. 23, 2008, 122 Stat. 5082.)

**Editorial Notes**

## REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in subsec. (a)(2), is act June 27, 1952, ch. 477, 66 Stat. 163, which is classified principally to chapter 12 (§1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

**§ 212b. Unique passport identifiers for covered sex offenders****(a) In general**

Immediately after receiving a written determination from the Angel Watch Center that an individual is a covered sex offender, through the process developed for that purpose under section 21507 of title 34, the Secretary of State shall take appropriate action under subsection (b).

**(b) Authority to use unique passport identifiers****(1) In general**

Except as provided under paragraph (2), the Secretary of State shall not issue a passport to a covered sex offender unless the passport contains a unique identifier, and may revoke a passport previously issued without such an identifier of a covered sex offender.

**(2) Authority to reissue**

Notwithstanding paragraph (1), the Secretary of State may reissue a passport that

does not include a unique identifier if an individual described in subsection (a) reapplies for a passport and the Angel Watch Center provides a written determination, through the process developed for that purpose under section 21507 of title 34, to the Secretary of State that the individual is no longer required to register as a covered sex offender.

**(c) Defined terms**

In this section—

(1) the term “covered sex offender” means an individual who—

(A) is a sex offender, as defined in section 21503(f) of title 34; and

(B) is currently required to register under the sex offender registration program of any jurisdiction;

(2) the term “unique identifier” means any visual designation affixed to a conspicuous location on the passport indicating that the individual is a covered sex offender; and

(3) the term “passport” means a passport book or passport card.

**(d) Prohibition**

The Secretary of State, the Secretary of Homeland Security, and the Attorney General, and their agencies, officers, employees, and agents, shall not be liable to any person for any action taken under this section.

**(e) Disclosure**

In furtherance of this section, the Secretary of State may require a passport applicant to disclose that they are a registered sex offender.

**(f) Effective date**

This section shall take effect upon certification by the Secretary of State, the Secretary of Homeland Security, and the Attorney General, that the process developed and reported to the appropriate congressional committees under section 21507 of title 34 has been successfully implemented.

(Pub. L. 110-457, title II, §240, as added Pub. L. 114-119, §8, Feb. 8, 2016, 130 Stat. 24.)

**§ 213. Application for passport; verification by oath of initial passport**

Before a passport is issued to any person by or under authority of the United States such person shall subscribe to and submit a written application which shall contain a true recital of each and every matter of fact which may be required by law or by any rules authorized by law to be stated as a prerequisite to the issuance of any such passport. If the applicant has not previously been issued a United States passport, the application shall be duly verified by his oath before a person authorized and empowered by the Secretary of State to administer oaths.

(June 15, 1917, ch. 30, title IX, §1, 40 Stat. 227; Pub. L. 90-428, §3, July 26, 1968, 82 Stat. 446.)

**Editorial Notes**

## CODIFICATION

Second sentence of act June 15, 1917, which related to fees for taking application for passport, was omitted as superseded by sections 214 to 217a of this title.