

was repeated in subsequent appropriation acts down to and including act Mar. 3, 1917, ch. 161, 39 Stat. 1058, but was not repeated thereafter.

§§ 176 to 181. Repealed. Aug. 1, 1956, ch. 807, 70 Stat. 774

Act Aug. 1, 1956, repealed sections 176 to 181 effective upon the date which the President determined to be appropriate for the relinquishment of jurisdiction of the United States in Morocco. Jurisdiction of the United States in Morocco was relinquished by memorandum of President Eisenhower dated Sept. 15, 1956. Notice was given to Morocco on Oct. 6, 1956, and all pending cases were disposed of by 1960. See Bulletin of the State Department Vol. 35:909, page 844.

Section 176, R.S. §4128, related to the exercise of judicial duties by the Secretary of State in the absence of a minister.

Section 177, R.S. §§4127, 4129; act June 14, 1878, ch. 193, 20 Stat. 131, related to the general extension to unnamed countries with which the United States may after July 1, 1870 enter into treaty relations, of the provisions relating to the jurisdiction of consular and diplomatic officers.

Section 178, R.S. §4130; acts Feb. 1, 1876, ch. 6, 19 Stat. 2; Feb. 5, 1915, ch. 23, §6, 38 Stat. 806, related to the definition of the words “minister” and “consul”.

Section 179, R.S. §4110, related to the responsibility of diplomatic and consular officers as judicial officers.

Section 180, R.S. §4088; act Apr. 5, 1906, ch. 1366, §3, 34 Stat. 100, related to the power of consuls in uncivilized countries or countries not recognized by treaties.

Section 181, R.S. §4125, related to the applicability of other laws to Turkey.

§ 182. Omitted

Editorial Notes

CODIFICATION

Section, act Mar. 23, 1874, ch. 62, §1, 18 Stat. 23, related to consular courts in Turkey and Egypt. Such courts in Turkey were abolished Oct. 14, 1949, and such courts in Egypt were abolished by the Treaty of Oct. 28, 1931.

§ 183. Repealed. Aug. 1, 1956, ch. 807, 70 Stat. 774

Section, R.S. §4126, related to the extension of other laws to Persia and suits between American citizens and subjects of Persia and other countries.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Act Aug. 1, 1956, repealed section 183 effective upon the date which the President determined to be appropriate for the relinquishment of jurisdiction of the United States in Morocco. Jurisdiction of the United States in Morocco was relinquished by memorandum of President Eisenhower dated Sept. 15, 1956. Notice was given to Morocco on Oct. 6, 1956, and all pending cases were disposed of by 1960. See Bulletin of the State Department Vol. 35:909, page 844.

CHAPTER 3—UNITED STATES COURT FOR CHINA

§§ 191 to 200. Repealed. June 25, 1948, ch. 646, §39, 62 Stat. 992, eff. Sept. 1, 1948

Section 191, acts June 30, 1906, ch. 3934, §1, 34 Stat. 814; June 24, 1936, ch. 757, 49 Stat. 1909, related to establishment of court.

Section 192, act June 30, 1906, ch. 3934, §2, 34 Stat. 814, related to jurisdiction of consular courts.

Section 193, act June 30, 1906, ch. 3934, §2, 34 Stat. 814, related to administration of estates of decedents.

Section 194, acts June 30, 1906, ch. 3934, §3, 34 Stat. 815; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167; Jan. 31, 1928, ch. 14, §1, 45 Stat. 54, related to appeals and writs of error.

Section 195, act June 30, 1906, ch. 3934, §4, 34 Stat. 815, related to law applicable to determination of cases.

Section 196, act June 30, 1906, ch. 3934, §5, 34 Stat. 816, related to procedure generally.

Section 197, acts June 30, 1906, ch. 3934, §6, 34 Stat. 816; May 29, 1928, ch. 904, §§1, 2, 45 Stat. 997, related to officers of court.

Section 197a, act May 29, 1928, ch. 904, §§1, 2, 45 Stat. 997, related to salaries of judge.

Section 197b, act June 30, 1906, ch. 3934, §11, as added Aug. 7, 1935, ch. 452, §1, 49 Stat. 539, related to appointment and compensation of special judge.

Section 197c, acts Mar. 2, 1909, ch. 235, 35 Stat. 679; Mar. 4, 1915, ch. 145, 38 Stat. 1122, related to vice consul at Shanghai exercising judicial functions.

Section 198, act June 4, 1920, ch. 223, 41 Stat. 746, related to commissioner for court.

Section 198a, act June 30, 1906, ch. 3934, §10, as added Aug. 7, 1935, ch. 452, §1, 49 Stat. 538, related to commissioner for the court.

Section 199, act June 30, 1906, ch. 3934, §7, 34 Stat. 816, related to tenure of office of judge.

Section 200, act June 30, 1906, ch. 3934, §8, 34 Stat. 816, related to bond of marshal.

§ 201. Omitted

Editorial Notes

CODIFICATION

Section, acts Feb. 27, 1925, ch. 364, title I, 43 Stat. 1025; Apr. 29, 1926, ch. 195, title I, 44 Stat. 341; Feb. 24, 1927, ch. 189, title I, 44 Stat. 1192; Feb. 15, 1928, ch. 57, title I, 45 Stat. 76, related to expenses of judge and district attorney at sessions other than in Shanghai. By the Treaty of Jan. 11, 1943, 57 Stat., pt. 2, 767, between the United States and the Republic of China, the United States relinquished all of its extraterritorial rights in China.

§ 202. Repealed. June 25, 1948, ch. 646, §39, 62 Stat. 992, eff. Sept. 1, 1948

Section, act June 30, 1906, ch. 3934, §9, 34 Stat. 816, related to fees of marshal and clerk.

CHAPTER 4—PASSPORTS

Sec. 211.	Repealed.
211a.	Authority to grant, issue, and verify passports.
212.	Persons entitled to passport.
212a.	Restriction of passports for sex tourism.
212b.	Unique passport identifiers for covered sex offenders.
213.	Application for passport; verification by oath of initial passport.
213a.	Authority to designate additional passport acceptance agents.
214.	Fees for execution and issuance of passports; persons excused from payment.
214a.	Fees erroneously charged and paid; refund.
215 to 217.	Omitted or Repealed.
217a.	Validity of passport; limitation of time.
218.	Returns as to passports issued, etc.
219 to 229.	Repealed.

§ 211. Repealed. July 3, 1926, ch. 772, §4, 44 Stat. 887

Section, R.S. §4075; act June 14, 1902, ch. 1088, §1, 32 Stat. 386, provided for issuance of passports. See section 211a of this title.

§ 211a. Authority to grant, issue, and verify passports

The Secretary of State may grant and issue passports, and cause passports to be granted,

issued, and verified in foreign countries by diplomatic and consular officers of the United States, and by such other employees of the Department of State who are citizens of the United States as the Secretary of State may designate, and by the chief or other executive officer of the insular possessions of the United States, and through the use of Department of State electronic systems, under such rules as the President shall designate and prescribe for and on behalf of the United States, and no other entity shall grant, issue, or verify such passports. Unless authorized by law, a passport may not be designated as restricted for travel to or for use in any country other than a country with which the United States is at war, where armed hostilities are in progress, or where there is imminent danger to the public health or the physical safety of United States travellers.

(July 3, 1926, ch. 772, § 1, 44 Stat. 887; Pub. L. 95-426, title I, § 124, Oct. 7, 1978, 92 Stat. 971; Pub. L. 103-236, title I, § 127(a), Apr. 30, 1994, 108 Stat. 394; Pub. L. 103-415, § 1(b), Oct. 25, 1994, 108 Stat. 4299; Pub. L. 118-159, div. G, title LXXV, § 7506, Dec. 23, 2024, 138 Stat. 2547.)

Editorial Notes

AMENDMENTS

2024—Pub. L. 118-159 inserted “and through the use of Department of State electronic systems,” after “the insular possessions of the United States,” and substituted “entity” for “person”.

1994—Pub. L. 103-415, § 1(b)(1), substituted “such other employees” for “such employees”.

Pub. L. 103-415, § 1(b)(2), which directed the amendment of this section by substituting “United States” for “United States,” was executed by making the substitution after “who are citizens of the”, to reflect the probable intent of Congress.

Pub. L. 103-236 substituted “by diplomatic and consular officers of the United States, and by other employees of the Department of State who are citizens of the United States,” for “by diplomatic representatives of the United States, and by such consular generals, consuls, or vice consuls when in charge,”.

1978—Pub. L. 95-426 inserted provision prohibiting passport restrictions except for countries with which the United States is at war, where armed hostilities are in progress or there is imminent danger to the public health or physical safety of United States travellers.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2023 AMENDMENT

Pub. L. 118-31, div. F, title LXI, § 6114(a), Dec. 22, 2023, 137 Stat. 968, provided that: “This section [amending section 214 of this title] may be cited as the ‘First Responders Passport Act’.”

SHORT TITLE OF 2006 AMENDMENT

Pub. L. 109-167, § 1, Jan. 10, 2006, 119 Stat. 3578, provided that: “This Act [amending section 214 of this title] may be cited as the ‘Passport Services Enhancement Act of 2005’.”

PASSPORT SYSTEM REFORM AND BACKLOG PREVENTION

Pub. L. 118-159, div. G, title LXXV, § 7508, Dec. 23, 2024, 138 Stat. 2548, provided that:

“(a) STANDARDS FOR PASSPORT ISSUANCE PROCESS.—In administering and modernizing the passport issuance process, the Secretary [of State] shall evaluate the performance of such process against the following criteria:

“(1) To maintain a service standard of processing a routine new or renewal adult passport application

from document submission until mailing of final documents in an expeditious and reliable timeframe.

“(2) To maintain low passport fees and surcharges.

“(3) To ensure world-class technical, security, and cybersecurity standards for United States passports and the passport issuance process.

“(4) To minimize typographical, clerical, or picture-based errors.

“(5) To provide a streamlined customer experience for passport applicants.

“(6) To provide reasonably convenient passport services to United States citizens and nationals living a significant distance from a passport agency, particularly residents in a significant population center more than a 5-hour drive from a passport agency.

“(b) ENHANCED INFORMATION TECHNOLOGY SOLUTIONS TO IMPROVE THE PASSPORT ISSUANCE PROCESS.—

“(1) IN GENERAL.—The Secretary shall seek to implement the information technology solutions described in paragraph (2) in accordance with the timelines described in such paragraph.

“(2) ENHANCED INFORMATION TECHNOLOGY SOLUTIONS AND TIMELINES DESCRIBED.—The enhanced information technology solutions and timelines described in this paragraph are the following:

“(A) Consistent with the Bureau’s modernization plans and timelines, and subject to the availability of funds, the Secretary shall seek to enter into contracts or agreements as appropriate, for the establishment and maintenance of a mobile application to allow for applicant communication with the Department [of State], including document submission, application status tracking, virtual appointments, access to the notification of application errors, and allowing for passport holders to receive messages from the Department and communicate emergencies to the Department.

“(B) The Secretary may provide each passport applicant with the option of whether to use the mobile application described in subparagraph (A) or another service of the Department.

“(C) As a condition for awarding any contracts described in subparagraph (A), any awardees shall demonstrate they can begin tests on the solution within one year of the award of the contract and complete implementation, including bug fixes, cybersecurity audits, and customer service testing, not later than 2 years after the award of the contract.

“(D) Consistent with existing law, the Secretary shall seek to expand the online passport renewal system, including to accept electronic document submission for first-time adult applications as applicable, in addition to adult renewal applications, in sufficient volume to be able to accommodate most applications by the date that is 4 years after the date of the enactment of this Act [Dec. 23, 2024].

“(E) First-time applicants shall continue to verify their applications in-person subject to the requirements of section 1 of title IX of the Act of June 15, 1917 (22 U.S.C. 213).

“(F) To meet the objectives described in subparagraphs (D) and (E), the Secretary may, to the maximum extent practicable, make use of commercially available technology solutions, including entering into contracts or agreements as appropriate for the expansion and maintenance of the online passport renewal system to accommodate the functionality described in such subparagraphs.

“(G) In expanding the online passport renewal system pursuant to subparagraph (D), the following services should be included or otherwise accounted for:

“(i) A user-friendly internet website or portal to facilitate internet-based submission of passport applications by adults.

“(ii) To the extent possible, remote document verification tools and infrastructure to allow for a passport transaction to be completed entirely remotely.

“(iii) To the extent possible, information technology infrastructure not already maintained by the Department.

“(H)(i) The Secretary shall take all reasonable steps to implement additional rules-based tools to adjudicate passport renewals while maintaining human passport authorizing officers involved in the adjudication and issuance processes and should strongly consider commercially available technology solutions,

“(ii) The tools described in clause (i) shall be fully operational within 4 years of the date of the enactment of this Act.

“(iii) The Chief Information Officer shall ensure that the use of the tools do not make passport adjudication more vulnerable to cyberattack.

“(iv) The Secretary shall ensure that the tools described in clause (i) are implemented consistent with the maintenance of standards appropriate to ensuring the integrity of the United States passport.

“(I) In carrying out the requirements of this subsection, the Secretary shall consult with the Chief Information Officer of the Bureau of Consular Affairs, or other technical officer of the Department as appropriate, to ensure technical feasibility and specifications, cybersecurity requirements, compatibility with existing Department information technology infrastructure, and the feasibility of timelines from a technical standpoint.

“(J) The Secretary shall ensure the scalability and long-term viability and upgradability of any information technology systems developed or procured pursuant to this subsection.

“(3) INTERIM ACTION PLAN.—

“(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act [Dec. 23, 2024], the Assistant Secretary, in consultation with the Chief Information Officer, shall submit to the appropriate congressional committees [Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives] an action plan on how the Bureau plans to complete the modernization described in this subsection in conjunction with other related, ongoing steps to modernize the passport issuance process.

“(B) ELEMENTS.—The action plan required by subparagraph (A) shall include the following elements:

“(i) Progress made on implementing the information technology solutions described in paragraph (2) within specified timelines, and additional steps planned.

“(ii) The expected cost and timeline for implementation of the information technology solutions described in paragraph (2).

“(iii) An evaluation of the information technology solutions described in paragraph (2) to determine whether the full implementation of such solutions will require additional funding or authorities, including budget estimates and a description of such authorities, as appropriate.

“(iv) Efforts to ensure world-class cybersecurity standards for protection of passport applicant data and the passport issuance process infrastructure, particularly such infrastructure involved in adjudication of passport applications.

“(v) Other specific planned steps that the Bureau will take to achieve the criteria described in subsection (a).

“(4) FINAL REPORT.—Not later than 4 years after the date of the enactment of this Act, the Assistant Secretary, in consultation with the Chief Information Officer, shall submit to the appropriate congressional committees a report on the following:

“(A) Progress on each information technology solution described in paragraph (2).

“(B) Additional information technology solutions the Bureau intends to adopt.

“(C) Changes in the cost for implementation of the steps described in the action plan, if applicable.

“(5) FORM.—The plans and report required by this subsection shall be submitted in an unclassified form and may include a classified annex, if necessary.

“(c) RULE OF CONSTRUCTION FOR PASSPORT ISSUANCE.—Nothing in this section may be construed as an offer to procure a service or services or as a guarantee of a contract for such services.”

SPECIAL HIRING AUTHORITY FOR PASSPORT SERVICES

Pub. L. 118–31, div. F, title LXI, §6101, Dec. 22, 2023, 137 Stat. 965, provided that: “During the 3-year period beginning on the date of the enactment of this division [Dec. 22, 2023], the Secretary [of State], without regard to the provisions under sections 3309 through 3318 of title 5, United States Code, may directly appoint up to 80 candidates to positions in the competitive service (as defined in section 2102 of such title) at the Department [of State] in the Passport and Visa Examining Series 0967.”

PASSPORT TRAVEL ADVISORIES

Pub. L. 118–31, div. F, title LXI, §6103, Dec. 22, 2023, 137 Stat. 965, as amended by Pub. L. 118–159, div. G, title LXXVII, §7706(a), Dec. 23, 2024, 138 Stat. 2555, provided that: “Not later than 180 days after the date of the enactment of this division [Dec. 22, 2023], the Department [of State] shall make prominent in United States regular passports, on the first three pages of the passport, the following information:

“(1) A prominent, clear advisory for all travelers to check travel.state.gov for updated travel warnings and advisories.

“(2) A prominent, clear notice urging all travelers to register with the Department prior to overseas travel.

“(3) A prominent, clear advisory—

“(A) noting that many countries deny entry to travelers during the last 6 months of their passport validity period; and

“(B) urging all travelers to renew their passport not later than 1 year prior to its expiration.”

LIMITATIONS ON USE OF FUNDS FOR PROCUREMENT OF PAPER FOR PASSPORTS

Pub. L. 100–440, title VI, §617(b), Sept. 22, 1988, 102 Stat. 1755, provided that: “None of the funds made available by this or any other Act with respect to any fiscal year may be used to procure paper for passports granted or issued pursuant to the first section of the Act entitled ‘An Act to regulate the issue and validity of passports, and for other purposes’, approved July 3, 1926 (22 U.S.C. 211a), if such paper is manufactured outside of the United States or its possessions or is procured from any corporation or other entity owned or controlled by persons not citizens of the United States. This subsection shall not apply if no domestic manufacturer for passport paper exists.”

Similar provisions were contained in the following prior appropriation act:

Pub. L. 100–202, §101(m) [title VI, §622(b)], Dec. 22, 1987, 101 Stat. 1329–390, 1329–428.

PERSONS ENTITLED TO DIPLOMATIC OR OFFICIAL UNITED STATES PASSPORT

Pub. L. 95–426, title I, §125, Oct. 7, 1978, 92 Stat. 971, provided that: “It is the sense of the Congress that a diplomatic or official United States passport should be issued only to, and used only by, a person who holds a diplomatic or other official position in the United States Government or who is otherwise eligible for such a passport under conditions specifically authorized by law.”

Executive Documents

EX. ORD. NO. 11295. RULES GOVERNING GRANTING, ISSUING, AND VERIFYING OF PASSPORTS

Ex. Ord. No. 11295, Aug. 5, 1966, 31 F.R. 10603, provided:

By virtue of the authority vested in me by Section 301 of Title 3 of the United States Code, and as President of the United States, it is ordered as follows:

SECTION 1. *Delegation of authority.* The Secretary of State is hereby designated and empowered to exercise, without the approval, ratification, or other action of the President, the authority conferred upon the President by the first section of the Act of July 3, 1926 (22 U.S.C. 211a), to designate and prescribe for and on behalf of the United States rules governing the granting, issuing, and verifying of passports.

SEC. 2. *Superseded orders.* Subject to Section 3 of this order, the following are hereby superseded:

(1) Executive Order No. 7856 of March 31, 1938, entitled “Rules Governing the Granting and Issuing of Passports in the United States.”

(2) Executive Order No. 8820 of July 11, 1941, entitled “Amending the Foreign Service Regulations of the United States.”

SEC. 3. *Saving provisions.* All rules and regulations contained in the Executive order provisions revoked by Section 2 of this order, and all rules and regulations issued under the authority of those provisions, which are in force at the time of the issuance of this order shall remain in full force and effect until revoked, or except as they may be hereafter amended or modified, in pursuance of the authority conferred by this order, unless sooner terminated by operation of law.

LYNDON B. JOHNSON.

§ 212. Persons entitled to passport

No passport shall be granted or issued to or verified for any other persons than those owing allegiance, whether citizens or not, to the United States.

(R.S. § 4076; June 14, 1902, ch. 1088, § 2, 32 Stat. 386.)

Editorial Notes

CODIFICATION

R.S. § 4076 derived from act May 30, 1866, ch. 102, 14 Stat. 54.

AMENDMENTS

1902—Act June 14, 1902, substituted “those owing allegiance, whether citizens or not, to the United States” for “citizens of the United States”.

§ 212a. Restriction of passports for sex tourism

(a) In general

Following any conviction of an individual for a violation of section 2423 of title 18, the Attorney General shall notify in a timely manner—

(1) the Secretary of State for appropriate action under subsection (b); and

(2) the Secretary of Homeland Security for appropriate action under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.].

(b) Authority to restrict passport

(1) Ineligibility for passport

(A) In general

The Secretary of State shall not issue a passport or passport card to an individual who is convicted of a violation of section 2423 of title 18 during the covered period if the individual used a passport or passport card or otherwise crossed an international border in committing the offense.

(B) Passport revocation

The Secretary of State shall revoke a passport or passport card previously issued to an individual described in subparagraph (A).

(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