

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.

(3) Clarification with respect to continuing registration

An individual may not be issued or reissued a passport without a unique identifier solely because the individual has moved or otherwise resides outside the United States.

(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; amended Pub. L. 117-347, title III, §323(b), Jan. 5, 2023, 136 Stat. 6207.)

Editorial Notes

AMENDMENTS

2023—Subsec. (b)(3). Pub. L. 117-347 added par. (3).

§ 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 pre-

viously 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. Each passport application made available to potential applicants (DS-11) and each passport renewal application made available to current passport holders (DS-82) shall include a form that, if completed, indicates the applicant’s consent to the disclosure of information otherwise protected under section 552a of title 5 (commonly known as the “Privacy Act of 1974”) in the event such applicant is determined to be wrongfully detained by a foreign government. Declining to complete such form shall not affect the issuance of a passport to a qualified applicant or diplomatic efforts to secure the release of a United States national from the custody of a foreign government or entity.

(June 15, 1917, ch. 30, title IX, §1, 40 Stat. 227; Pub. L. 90-428, §3, July 26, 1968, 82 Stat. 446; Pub. L. 118-159, div. G, title LXXVII, §7706(b), Dec. 23, 2024, 138 Stat. 2555.)

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.

AMENDMENTS

2024—Pub. L. 118-159 inserted at end “Each passport application made available to potential applicants (DS-11) and each passport renewal application made available to current passport holders (DS-82) shall include a form that, if completed, indicates the applicant’s consent to the disclosure of information otherwise protected under section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’) in the event such applicant is determined to be wrongfully detained by a foreign government. Declining to complete such form shall not affect the issuance of a passport to a qualified applicant or diplomatic efforts to secure the release of a United States national from the custody of a foreign government or entity.”

1968—Pub. L. 90-428 substituted provisions requiring that the initial passport application be duly verified under oath before a person authorized and empowered by the Secretary of State to administer oaths for provisions requiring that each passport application be duly verified under oath before a person authorized and empowered to administer oaths.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-428 effective on thirtieth day following July 26, 1968, see section 4 of Pub. L. 90-428, set out as a note under section 217a of this title.

IMPROVEMENTS RELATED TO HAND-CARRY COURIER SERVICES FOR PASSPORT APPLICATIONS AND PASSPORTS

Pub. L. 118-159, div. G, title LXXV, §7507(b), Dec. 23, 2024, 138 Stat. 2547, provided that:

“(1) IN GENERAL.—The Secretary [of State] shall take such steps as may be necessary to—

“(A) facilitate an increase in the number of companies certified to provide hand-carry courier services;

“(B) increase the daily maximum number of applications for United States passports, by type, that such companies may submit to a passport agency of the Department [of State] (commonly referred to as ‘meeting slots’) as part of the hand-carry courier services of such company; and

“(C) facilitate citizens’ awareness of the tools applicants may use to locate companies certified to provide hand-carry courier services, including adding contact information in the form of a weblink, phone number, or physical office address to the online list of registered courier companies.

“(2) HAND-CARRY COURIER SERVICE DEFINED.—In this section, the term ‘hand-carry courier service’ includes—

“(A) the transport of applications for United States passports to a passport agency of the Department for processing; and

“(B) the retrieval of newly issued United States passports for delivery, directly or indirectly, to the passport holder.”

STRENGTHENING PASSPORT CUSTOMER VISIBILITY AND TRANSPARENCY

Pub. L. 118-31, div. F, title LXI, §6106, Dec. 22, 2023, 137 Stat. 966, provided that:

“(a) ONLINE STATUS TOOL.—Not later than 2 years after the date of the enactment of this division [Dec. 22, 2023], the Department [of State] should modernize the online passport application status tool to include, to the greatest extent possible, step by step updates on the status of passport applications, including with respect to the following stages:

“(1) Submitted for processing.

“(2) In process at a lockbox facility.

“(3) Awaiting adjudication.

“(4) In process of adjudication.

“(5) Adjudicated with a result of approval or denial.

“(6) Materials shipped.

“(b) ADDITIONAL INFORMATION.—The tool pursuant to subsection (a) should include a display that informs each passport applicant of—

“(1) the date on which his or her passport application was received; and

“(2) the estimated wait time remaining in the passport application process.

“(c) REPORT.—Not later than 90 days after the date of the enactment of this division, the Secretary shall submit a report to the appropriate congressional committees [Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives] that outlines a plan for coordinated comprehensive public outreach to increase public awareness and understanding of—

“(1) the online status tool required under subsection (a);

“(2) passport travel advisories required under section 6103 [22 U.S.C. 211a note]; and

“(3) passport wait times.”

PUBLICATION AND UPDATES OF ESTIMATED TIME FOR PROCESSING OF PASSPORT APPLICATIONS

Pub. L. 118-31, div. F, title LXI, §6108, Dec. 22, 2023, 137 Stat. 967, provided that: “The Secretary [of State] shall publish and update on a quarterly basis on relevant websites of the Department [of State] the estimated time for processing of passport applications.”

USE OF COMMERCIALY AVAILABLE TECHNOLOGY IN ONLINE PASSPORT RENEWAL PROGRAM

Pub. L. 118-31, div. F, title LXI, §6111, Dec. 22, 2023, 137 Stat. 968, provided that: “The Secretary [of State] shall take such steps as may be necessary to compare and use the best commercially available technology in the private sector, as determined by the Secretary, in the development of the Department [of State]’s online passport renewal program or any successor program.”

AGREEMENTS WITH FOREIGN COUNTRIES REGARDING PASSPORTS NEARING EXPIRATION

Pub. L. 118-31, div. F, title LXI, §6113, Dec. 22, 2023, 137 Stat. 968, provided that: “The President, acting through the Secretary [of State], shall seek to reach agreements with the governments of foreign countries that do not accept United States passports that are at

or within 6 months of expiration to allow for the use of such United States passports.”

RETURN OF SUPPORTING DOCUMENTS FOR PASSPORT APPLICATIONS THROUGH UNITED STATES POSTAL SERVICE CERTIFIED MAIL

Pub. L. 117-263, div. I, title XCVII, §9714, Dec. 23, 2022, 136 Stat. 3921, provided that:

“(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2022], the Secretary shall establish a procedure that provides, to any individual applying for a new United States passport or to renew the United States passport of the individual by mail, the option to have supporting documents for the application returned to the individual by the United States Postal Service through certified mail.

“(b) COST.—

“(1) RESPONSIBILITY.—The cost of returning supporting documents to an individual as described in subsection (a) shall be the responsibility of the individual.

“(2) FEE.—The fee charged to the individual by the Secretary for returning supporting documents as described in subsection (a) shall be the sum of—

“(A) the retail price charged by the United States Postal Service for the service; and

“(B) the estimated cost of processing the return of the supporting documents.

“(3) REPORT.—Not later than 30 days after the establishment of the procedure required under subsection (a), the Secretary shall submit a report to the appropriate congressional committees [Committee on Foreign Relations of the Senate and Committee on Foreign Affairs of the House of Representatives] that—

“(A) details the costs included in the processing fee described in paragraph (2); and

“(B) includes an estimate of the average cost per request.”

ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14

Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §236], Nov. 29, 1999, 113 Stat. 1536, 1501A-430, provided that:

“(a) IN GENERAL.—

“(1) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act [Nov. 29, 1999], the Secretary of State shall issue regulations providing that before a child under the age of 14 years is issued a passport the requirements under paragraph (2) shall apply under penalty of perjury.

“(2) REQUIREMENTS.—

“(A) Both parents, or the child’s legal guardian, must execute the application and provide documentary evidence demonstrating that they are the parents or guardian; or

“(B) the person executing the application must provide documentary evidence that such person—

“(i) has sole custody of the child;

“(ii) has the consent of the other parent to the issuance of the passport; or

“(iii) is in loco parentis and has the consent of both parents, of a parent with sole custody over the child, or of the child’s legal guardian, to the issuance of the passport.

“(b) EXCEPTIONS.—The regulations required by subsection (a) may provide for exceptions in exigent circumstances, such as those involving the health or welfare of the child, or when the Secretary determines that issuance of a passport is warranted by special family circumstances.”

§ 213a. Authority to designate additional passport acceptance agents

(a) Authority to designate

The Secretary may designate any person described in subsection (b) that meets such other