

“(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

requirements as the Secretary may prescribe pursuant to regulations to serve as a passport acceptance agent, unless the Secretary withdraws such authorization on a case-by-case basis with respect to a given person.

**(b) Authorized persons**

A person described in this subsection is any of the following:

- (1) An employee of the clerk of any Federal court.
- (2) An employee of the clerk of any State court of record.
- (3) A postal employee at a United States post office that has been selected to accept passport applications.
- (4) An employee of the Department of Defense at a military installation that has been authorized to accept passport applications.
- (5) An employee of a Federal department or agency that has been selected to accept passport applications.
- (6) A United States citizen who, as determined by the Secretary, is employed by and provides services through a reputable, established company or institution and is commissioned or appointed as a notary or notary public or otherwise authorized to perform a notarization under the laws of a State, district, or territorial government.
- (7) Any other person specifically designated by the Secretary.

**(c) Regulations**

The Secretary shall prescribe or revise such regulations as may be necessary to carry out this division.

(Pub. L. 118-31, div. F, title LXI, § 6109, Dec. 22, 2023, 137 Stat. 967; Pub. L. 118-159, div. G, title LXXV, § 7507(a), Dec. 23, 2024, 138 Stat. 2547.)

**Editorial Notes**

REFERENCES IN TEXT

This division, referred to in subsec. (c), is div. F of Pub. L. 118-31, Dec. 22, 2023, 137 Stat. 963, known as the Department of State Authorization Act of 2023. For complete classification of div. F to the Code, see Tables.

AMENDMENTS

2024—Subsec. (b)(6), (7). Pub. L. 118-159 added par. (6) and redesignated former par. (6) as (7).

**Statutory Notes and Related Subsidiaries**

DEFINITION

For definition of “Secretary” as used in this section, see section 6002 of Pub. L. 118-31, set out as a note under section 2651 of this title.

**§ 214. Fees for execution and issuance of passports; persons excused from payment**

(a)(1) There shall be collected and paid into the Treasury of the United States a fee, prescribed by the Secretary of State by regulation, for the filing of each application for a passport (including the cost of passport issuance and use) and a fee, prescribed by the Secretary of State by regulation, for executing each such application except that the Secretary of State may by regulation authorize State officials or the

United States Postal Service to collect and retain the execution fee for each application for a passport accepted by such officials or by that Service. Such fees shall not be refundable, except as the Secretary may by regulation prescribe.

(2) Notwithstanding paragraph (1), no passport fee shall be collected from—

- (A) an officer or employee of the United States proceeding abroad in the discharge of official duties, or from immediate family of such officer or employee;
- (B) an American sailor who requires a passport in connection with assigned duties aboard an American flag-vessel;
- (C) a widow, widower, child, parent, grandparent, brother, or sister of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member;
- (D) an individual or individuals abroad, returning to the United States, when the Secretary determines that foregoing the collection of such fee is justified for humanitarian reasons or for law enforcement purposes;
- (E) at the discretion of the Secretary, an individual who—

(i) is operating under a contract, grant, or cooperative agreement with the United States Government to participate in search, rescue, and other related disaster relief operations within a foreign country following a natural disaster; or

(ii) is required pursuant to such contract, grant, or cooperative agreement to be available to travel abroad to assist in search, rescue, or other related disaster relief efforts immediately upon notice from the United States Government.

(3) No execution fee shall be collected for an application made before a Federal official by a person excused from payment of the passport fee under this section.

(b)(1) The Secretary of State may by regulation establish and collect a surcharge on applicable fees for the filing of each application for a passport in order to cover the costs of meeting the increased demand for passports as a result of actions taken to comply with section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 8 U.S.C. 1185 note). Such surcharge shall be in addition to the fees provided for in subsection (a) and in addition to the surcharges or fees otherwise authorized by law and shall be deposited in the Consular and Border Security Programs account, to remain available until expended for the purposes of meeting such costs.<sup>1</sup>

(2) The authority to collect the surcharge provided under paragraph (1) may not be exercised after September 30, 2010.<sup>2</sup>

(3) The Secretary of State shall ensure that, to the extent practicable, the total cost of a passport application during fiscal years 2006 and 2007, including the surcharge authorized under paragraph (1), shall not exceed the cost of the passport application as of December 1, 2005.

(June 4, 1920, ch. 223, §1, 41 Stat. 750; Feb. 10, 1956, ch. 31, 70 Stat. 11; Pub. L. 90-428, §2, July 26,

<sup>1</sup> See Extension of Consular Fees note below.

<sup>2</sup> See Extension of Authority To Collect Surcharge note below.