

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.

1968, 82 Stat. 446; Pub. L. 92-14, §1, May 14, 1971, 85 Stat. 38; Pub. L. 93-417, Sept. 17, 1974, 88 Stat. 1151; Pub. L. 97-241, title I, §116(a), Aug. 24, 1982, 96 Stat. 279; Pub. L. 104-208, div. A, title I, §101(a) [title IV, §407], Sept. 30, 1996, 110 Stat. 3009, 3009-55; Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §233(a)], Nov. 29, 1999, 113 Stat. 1536, 1501A-426; Pub. L. 109-167, §2, Jan. 10, 2006, 119 Stat. 3578; Pub. L. 109-210, §1, Mar. 24, 2006, 120 Stat. 319; Pub. L. 109-472, §5, Jan. 11, 2007, 120 Stat. 3555; Pub. L. 115-31, div. J, title VII, §7081(f), May 5, 2017, 131 Stat. 716; Pub. L. 118-31, div. F, title LXI, §6114(b), Dec. 22, 2023, 137 Stat. 968.)

#### Editorial Notes

##### AMENDMENTS

2023—Subsec. (a). Pub. L. 118-31 designated first two sentences as par. (1); designated third sentence as par. (2), substituted “Notwithstanding paragraph (1), no passport fee shall be collected from—” for “No passport fee shall be collected from”, inserted subparagraph (A) designation before “an officer”, substituted “or from immediate family of such officer or employee;” and subparagraph (B) for “or from members of his immediate family; from an American seaman who requires a passport in connection with his duties aboard an American flag-vessel; from”, inserted subparagraph (C) designation before “a widow”, substituted “memorial service for such member;” for “memorial service for such member; or”, inserted subparagraph (D) designation before “an individual”, substituted “law enforcement purposes;” for “law enforcement purposes;”, and added subparagraph (E); and designated last sentence as par. (3).

2017—Subsec. (b)(1). Pub. L. 115-31 substituted “in the Consular and Border Security Programs account” for “as an offsetting collection to the appropriate Department of State appropriation”.

2007—Subsec. (a). Pub. L. 109-472 substituted “from a widow” for “or from a widow” and inserted “; or from 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” after “memorial service for such member”.

2006—Pub. L. 109-167 designated existing provisions as subsec. (a) and added subsec. (b).

Subsec. (a). Pub. L. 109-210 substituted “or from 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; for “or from a widow, child, parent, brother, or sister of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member”.

1999—Pub. L. 106-113, in first sentence, substituted “the filing of each application for a passport (including the cost of passport issuance and use)” for “each passport issued” and “each such application except” for “each application for a passport; except” and inserted after first sentence “Such fees shall not be refundable, except as the Secretary may by regulation prescribe.”

1996—Pub. L. 104-208 inserted “; 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” before period at end of first sentence and struck out after first sentence “Nothing contained in this section shall be construed to limit the right of the Secretary of State by regulation (1) to authorize State officials to collect and retain the execution fee, or (2) to transfer to the United States Postal Service the execution fee for each application accepted by that Service.”

1982—Pub. L. 97-241 substituted provision that the Secretary of State prescribe by regulation the fee for passports for provision that a fee of \$10 be charged for

each passport and that the fees be collected and paid into the Treasury quarterly.

1974—Pub. L. 93-417 substituted provisions authorizing the Secretary of State to prescribe fees for execution of applications for passports by regulation for provisions prescribing a fixed fee of \$2, substituted “United States Postal Service” for “Postal Service”, and struck out references to the fee of \$2 in the proviso relating to the rights of the Secretary of State.

1971—Pub. L. 92-14 authorized the United States Postal Service to receive the fee of \$2 for execution of an application for a passport.

1968—Pub. L. 90-428 increased from \$1.00 to \$2.00 and from \$9.00 to \$10.00, respectively, the fees for the execution and the issuance of passports, struck out “to a citizen or person owing allegiance to or entitled to the protection of the United States” after “for each passport issued”, restricted the exemption for seamen to American seamen requiring a passport in connection with duties aboard an American flag-vessel, and inserted provision excusing a person exempted from a passport fee from paying an execution fee.

1956—Act Feb. 10, 1956, increased from \$1 to \$2 the fee for executing passport applications, and reworded authorization of State officials to collect and retain \$2 fee.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 1999 AMENDMENT

Pub. L. 106-113, div. B, §1000(a)(7) [div. A, title II, §233(c)], Nov. 29, 1999, 113 Stat. 1536, 1501A-426, provided that: “The amendments made by this section [amending this section and repealing section 216 of this title] shall take effect on the date of issuance of final regulations under section 1 of the Passport Act of June 4, 1920 [22 U.S.C. 214], as amended by subsection (a).” [Final regulations issued Feb. 23, 2000, effective May 15, 2000, see 65 F.R. 14211.]

##### EFFECTIVE AND TERMINATION DATE OF 1971 AMENDMENT

Pub. L. 92-14, §2, May 14, 1971, 85 Stat. 38, as amended by Pub. L. 93-126, §8, Oct. 18, 1973, 87 Stat. 453, provided that: “The amendment made by this Act [amending this section] shall become effective on the date of enactment [May 14, 1971] and shall continue in effect until June 30, 1974.”

##### 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.

##### ELECTRONIC PAYMENT FOR PASSPORT APPLICATION FEES

Pub. L. 118-31, div. F, title LXI, §6112, Dec. 22, 2023, 137 Stat. 968, provided that: “The Secretary [of State] shall develop a process to accept electronic payment for all fees associated with the processing of passport applications, including for applications submitted by regular mail.”

##### DEPOSIT OF CONSULAR FEES IN THE CONSULAR AND BORDER SECURITY PROGRAMS ACCOUNT

Pub. L. 117-103, div. K, title VII, §7069(e), Mar. 15, 2022, 136 Stat. 681, provided that: “Beginning on October 1, 2021 and for each fiscal year thereafter, fees collected pursuant to subsection (a) of section 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214(a)) shall, notwithstanding such subsection, be deposited in the Consular and Border Security Programs account as discretionary offsetting receipts: *Provided*, That amounts deposited in fiscal year 2022 shall remain available until expended for the purposes of such account: *Provided further*, 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 applica-

tion for a passport accepted by such officials or by that Service."

#### EXTENSION OF CONSULAR FEES

Pub. L. 118-47, div. F, title VII, § 7068(a), Mar. 23, 2024, 138 Stat. 848, provided that: "Section 1(b)(1) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(1)) shall be applied through fiscal year 2024 by substituting 'the costs of providing consular services' for 'such costs'."

Prior extensions were contained in the following prior acts:

Pub. L. 117-328, div. K, title VII, § 7068(a), Dec. 29, 2022, 136 Stat. 5089.

Pub. L. 117-103, div. K, title VII, § 7069(a), Mar. 15, 2022, 136 Stat. 681.

Pub. L. 116-260, div. K, title VII, § 7069(a), Dec. 27, 2020, 134 Stat. 1812.

#### EXTENSION OF AUTHORITY TO COLLECT SURCHARGE

Pub. L. 117-263, div. I, title XCVIII, § 9802(a), Dec. 23, 2022, 136 Stat. 3924, provided that: "Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall be applied by striking 'September 30, 2010' and inserting 'September 30, 2026'."

Prior extensions were contained in the following prior acts:

Pub. L. 117-103, div. K, title VII, § 7034(l)(1), Mar. 15, 2022, 136 Stat. 623.

Pub. L. 116-260, div. K, title VII, § 7034(l)(1), Dec. 27, 2020, 134 Stat. 1749.

Pub. L. 116-94, div. G, title VII, § 7034(l)(1), Dec. 20, 2019, 133 Stat. 2872.

Pub. L. 116-6, div. F, title VII, § 7034(m)(1), Feb. 15, 2019, 133 Stat. 326.

Pub. L. 115-141, div. K, title VII, § 7034(l)(1), Mar. 23, 2018, 132 Stat. 895.

Pub. L. 115-31, div. J, title VII, § 7034(k)(1), May 5, 2017, 131 Stat. 651.

Pub. L. 114-113, div. K, title VII, § 7034(k)(1), Dec. 18, 2015, 129 Stat. 2764.

Pub. L. 113-235, div. J, title VII, § 7034(l)(1), Dec. 16, 2014, 128 Stat. 2625.

Pub. L. 113-76, div. K, title VII, § 7034(m)(1), Jan. 17, 2014, 128 Stat. 515.

Pub. L. 112-74, div. I, title VII, § 7034(m)(1), Dec. 23, 2011, 125 Stat. 1216.

#### DEPOSIT OF RECEIPTS FROM EXPEDITED PASSPORT PROCESSING

Pub. L. 103-317, title V, Aug. 26, 1994, 108 Stat. 1760, as amended by Pub. L. 115-31, div. J, title VII, § 7081(g), May 5, 2017, 131 Stat. 716, provided in part "That hereafter all receipts received from a new charge from expedited passport processing shall be deposited in this account as an offsetting collection or in the Consular and Border Security Programs account and shall be available until expended".

#### INFORMATION FROM UNITED STATES PASSPORTS

Pub. L. 101-604, title II, § 203(d), Nov. 16, 1990, 104 Stat. 3083, provided that: "Notwithstanding any other provision of law, to the extent provided in appropriation Acts, for each fiscal year not more than \$5,000,000 in passport fees collected by the Department of State may be credited to a Department of State account. Amounts credited to such account shall be available only for the costs associated with the acquisition and production of machine-readable United States passports and visas and compatible reading equipment. Amounts credited to such account are authorized to remain available until expended."

#### § 214a. Fees erroneously charged and paid; refund

Whenever a fee is erroneously charged and paid for the issue of a passport to a person who is exempted from the payment of such a fee by section 214 of this title, the Department of State

is authorized to refund to the person who paid such fee the amount thereof, and the money for that purpose is authorized to be appropriated.

(July 3, 1926, ch. 772, § 3, 44 Stat. 887.)

#### Statutory Notes and Related Subsidiaries

##### CERTAIN APPROPRIATION ACCOUNTS ABOLISHED

Effective July 1, 1935, enumerated appropriation accounts appearing on the books of the Government were abolished and in lieu thereof there was established an account to be designated "Refund of Moneys Erroneously Received and Covered." See section 1322 of Title 31, Money and Finance.

#### § 215. Omitted

#### Editorial Notes

##### CODIFICATION

Section, act June 4, 1920, ch. 223, § 2, 41 Stat. 750, provided for fees of \$1 for each application for a visa and \$9 for each visa. It was superseded by sections 2(h) and 7(h) of the Immigration Act of 1924 (act May 26, 1924, ch. 190, 43 Stat. 154, 157) which provided for fees in the same amounts. The 1924 Act was repealed by section 403(a)(23) of the Immigration and Nationality Act (act June 27, 1952, ch. 477, 66 Stat. 279). See section 1351 of Title 8, Aliens and Nationality, and section 9701 of Title 31, Money and Finance.

#### § 216. Repealed. Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title II, § 233(b)], Nov. 29, 1999, 113 Stat. 1536, 1501A-426

Section, act June 4, 1920, ch. 223, § 4, 41 Stat. 751, authorized return of fees on refusal to visé.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF REPEAL

For effective date of repeal, see section 1000(a)(7) [div. A, title II, § 233(c)] of Pub. L. 106-113, set out as an Effective Date of 1999 Amendment note under section 214 of this title.

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

Section, act June 4, 1920, ch. 223, § 3, 41 Stat. 751, limited time as to validity of passport or visé. See section 217a of this title.

#### § 217a. Validity of passport; limitation of time

A passport shall be valid for a period of ten years from the date of issue, except that the Secretary of State may limit the validity of a passport to a period of less than ten years in an individual case or on a general basis pursuant to regulation.

(July 3, 1926, ch. 772, § 2, 44 Stat. 887; July 1, 1930, ch. 782, 46 Stat. 839; May 16, 1932, ch. 187, 47 Stat. 157; Pub. L. 86-267, Sept. 14, 1959, 73 Stat. 552; Pub. L. 90-428, § 1, July 26, 1968, 82 Stat. 446; Pub. L. 97-241, title I, § 116(b)(1), Aug. 24, 1982, 96 Stat. 279.)

#### Editorial Notes

##### AMENDMENTS

1982—Pub. L. 97-241 substituted provision that a passport be valid for a period of ten years from issuance and that the Secretary of State could limit the period to less than ten years in an individual case or on a general