Section 162, R.S. §4100, related to invoking the aid of local authorities.

Section 163, R.S. §4108, related to jurisdiction of minister.

Section 164, R.S. §4109, related to appellate and original jurisdiction of minister.

Section 165, R.S. §4110, related to appellate jurisdiction of minister and new trials.

Section 166, R.S. §4100, related to jurisdiction of minister to try capital and felony cases.

Section 167, R.S. §4109, related to prevention of American citizens from enlisting with foreign countries.

Section 168, R.S. §§1683, 4111; act June 30, 1906, ch. 3934, §§ 8, 34 Stat. 816, related to marshals of consular courts and their appointment and salary.

Section 169, R.S. §4112, related to execution and return of process by a marshal.

Section 170, R.S. §4113, related to bond of a marshal.

Section 171, R.S. §4114, related to suit on bond of marshal.

Section 172, R.S. §4115, related to necessity for production of original bond.

Section 173, R.S. §4116, related to service of rules, orders, writs, and processes of every kind in suit on bond of marshal.


§ 175. Omitted

CODIFICATION

Section, act Mar. 2, 1901, ch. 802, 31 Stat. 893, which appropriated funds for feeding and keeping of prisoners, was repealed in subsequent appropriation acts down to and including act Mar. 3, 1917, ch. 161, 39 Stat. 1038, but was not repeated thereafter.


Act Aug. 1, 1956, repealed sections 176 to 181 effective upon the date which the President determined to be appropriate for the relinquishment of jurisdiction of the United States in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.

§ 182. Omitted

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.


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.
§ 211. TITLE 22—FOREIGN RELATIONS AND INTERCOURSE

Sec. 212a. Restriction of passports for sex tourism.
213. Application for passport; verification by oath of initial passport.
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.


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, under such rules as the President shall designate and prescribe for and on behalf of the United States, and no other person 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.


AMENDMENTS

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

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.

SHORT TITLE OF 2006 AMENDMENT


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 acts:


PERSONS ENTITLED TO DIPLOMATIC OR OFFICIAL UNITED STATES PASSPORT

Section 125 of Pub. L. 95–426 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.”

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.

SIC. 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.”

SIC. 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.)

CONFIRMATION

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”.

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 acts:


PERSONS ENTITLED TO DIPLOMATIC OR OFFICIAL UNITED STATES PASSPORT

Section 125 of Pub. L. 95–426 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.”

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(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.”

SIC. 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.
§ 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) Authority to revoke passport
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 that only permits 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.


REFERENCES IN TEXT
The Immigration and Nationality Act, referred to in subsec. (a)(2), is act June 27, 1952, ch. 477, 66 Stat. 154, 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.

§ 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.


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
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.

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.

ISSUANCE OF PASSPORTS FOR CHILDREN UNDER AGE 14

“(a) IN GENERAL.—
“(1) REGULATIONS.—Not later than 1 year after the date of 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.”

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

(a) 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. No passport fee shall be collected from an officer or employee of the United States proceeding abroad in the discharge of official duties, 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 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; 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. 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) of this section and in addition to the surcharges or fees otherwise authorized by law and shall be deposited at an offsetting collection to the appropriate Department of State appropriation, to remain available until expended for the purposes of meeting such costs.

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

(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.


Effective Date of 1999 Amendment


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

**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.


Section, act June 4, 1920, ch. 223, §3, 41 Stat. 751, limited time as to validity of passport or visa. 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.


**AMENDMENTS**

1962—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 a period of not more than five years, that the Secretary of State could limit the passport to a shorter period, and that a valid passport outstanding as of the effective date of Pub. L. 90–428 be valid for a period of five years from the date of issue, except where such passport was limited to a shorter period by the Secretary.

1968—Pub. L. 90–428 substituted provisions that passport be limited to a period of not more than five years, though the Secretary of State may limit it to a shorter period and provisions as to the length of validity of passports outstanding as of the effective date of Pub. L. 90–428 for provisions that a passport or passport visa be limited to a period of three years, that a passport be renewed pursuant to regulations of the Secretary for a period not to exceed two years, provided that the final date of expiration not be more than five years from the original date of issue, that the Secretary be authorized to limit the validity of a passport, passport visa, or period of renewal of a passport to less than two years, and that the charge for the issue of an original passport be $9.00 and the charge for the renewal be $5.00.

1959—Pub. L. 86–267 substituted “three years” for “two years”, and “five years” for “four years”.

1932—Act May 16, 1932, among other changes, increased payment for renewals from $2 to $5, for issue of original passport from $5 to $9, and restored final expiration date of renewal passport to four years from six-year period.

1929—Act July 1, 1930, among other changes, provided for $2 payment for renewal of passport, $5 payment for issue of an original passport, and changed from four to six years the final expiration date of renewal passport.

**Effective Date of 1982 Amendment**

Section 116(b)(2) of Pub. L. 97–241 provided that: “The amendment made by this subsection [amending this
section] applies with respect to passports issued after the date of enactment of this Act [Aug. 24, 1922].’’

**Effective Date of 1968 Amendment**

Section 4 of Pub. L. 90–428 provided that: ‘‘This Act [amending this section and sections 213 and 214 of this title] shall take effect on the thirtieth day following the date of its enactment [July 26, 1968].’’

§ 218. Returns as to passports issued, etc.

All persons who shall be authorized to grant, issue, or verify passports, shall make return of the same to the Secretary of State, in such manner and as often as he shall require; and such returns shall specify the names and all other particulars of the persons to whom the same shall be granted, issued, or verified, as embraced in such passport.

(R.S. § 4077.)

**Codification**

R.S. § 4077 derived from act May 30, 1866, ch. 102, 14 Stat. 54.


Section 219, R.S. § 4078; act June 14, 1902, ch. 1088, § 3, 32 Stat. 386, related to issuance of false passports. See section 1541 of Title 18, Crimes and Criminal Procedure. Section 220, acts June 15, 1917, ch. 30, title IX, §§ 2, 40 Stat. 227; Mar. 26, 1940, ch. 72, § 7, 54 Stat. 80, related to false statements in application for passports. See section 1542 of Title 18.

Section 221, acts June 15, 1917, ch. 30, title IX, § 3, 40 Stat. 227; Mar. 26, 1940, ch. 72, § 7, 54 Stat. 80, related to unlawful use of passports. See section 1544 of Title 18.

Section 222, acts June 15, 1917, ch. 30, title IX, § 4, 40 Stat. 227; Mar. 26, 1940, ch. 72, § 7, 54 Stat. 80, related to forging or altering of passports. See section 1543 of Title 18.


Section 223, acts May 22, 1918, ch. 81, § 1, 40 Stat. 559; June 21, 1941, ch. 210, § 1, 55 Stat. 252, related to wartime restrictions generally. See section 1185 of Title 8, Aliens and Nationality.

Section 224, act May 22, 1918, ch. 81, § 2, 40 Stat. 559, related to requirement of passport for citizens during wartime restrictions. See section 1186 of Title 8.

Section 225, acts May 22, 1918, ch. 81, §§ 3, 40 Stat. 559; June 21, 1941, ch. 210, § 2, 55 Stat. 253, related to penalty for violation of wartime restrictions. See section 1185 of Title 8.

Section 226, acts May 22, 1918, ch. 81, §§ 4, 40 Stat. 559; June 21, 1941, ch. 210, § 2a, 55 Stat. 253, related to definition of ‘‘United States’’ and ‘‘person’’ as used in wartime restriction. See section 1185 of Title 8.

Section 226a, act May 22, 1918, ch. 81, § 5, as added June 21, 1941, ch. 210, § 3, 55 Stat. 253, related to permit as guarantee of admission to the United States. See section 1185 of Title 8.

Section 226b, act May 22, 1918, ch. 81, § 6, as added June 21, 1941, ch. 210, § 3, 55 Stat. 253, related to proclamation, rule, etc., as bar to prosecution. See section 1185 of Title 8.

Section 227, act Mar. 2, 1921, ch. 113, § 1, 41 Stat. 1217, related to continuation of regulations as to alien passport requirements.

Sections 228 and 229, act June 20, 1941, ch. 209, §§ 1, 2, 55 Stat. 252, related to refusal of visas to aliens whose admission might endanger the public safety, and to rules and regulations governing this refusal. See section 1102 of Title 8.

**Termination of Emergency Provisions**

Section 1 of Joint Res. Mar. 31, 1953, ch. 13, 67 Stat. 18, provided for the extension of certain emergency provisions (previously extended to April 1, 1953 by Joint Res. July 3, 1952, ch. 570, § 1(b), 66 Stat. 330) until July 1, 1953. Section 2 of Joint Res. Mar. 31, 1953, provided that the extension did not apply to the provisions of sections 223 to 226b of this title.

**Chapter 5—Preservation of Friendly Foreign Relations Generally**


Section 231, acts June 15, 1917, ch. 30, title VIII, § 1, 40 Stat. 226; Mar. 26, 1940, ch. 72, § 6, 54 Stat. 80, related to false statements to influence conduct of foreign governments toward the United States. See section 954 of Title 18, Crimes and Criminal Procedure.

Section 232, acts June 15, 1917, ch. 30, title VIII, § 2, 40 Stat. 226; Mar. 26, 1940, ch. 72, § 6, 54 Stat. 80, related to wrongful assumption of character of diplomatic or consular officer. See section 915 of Title 18.

§§ 233 to 233g. Transferred

**Codification**

Section 233, act June 15, 1917, ch. 30, title VIII, § 3, 40 Stat. 226, as amended, which related to acting as a foreign agent without notice to Secretary of State, was transferred to section 601 of this title and was subsequently repealed by act June 25, 1948, ch. 645, § 21, 62 Stat. 862. See section 951 of Title 18, Crimes and Criminal Procedure.

Section 233a, act June 8, 1938, ch. 327, § 1, 52 Stat. 631, as amended, which related to defining various terms included in provisions relating to foreign agents and propaganda, was transferred to section 611 of this title.

Section 233b, act June 8, 1938, ch. 327, § 2, 52 Stat. 632, as amended, which related to registration statements, was transferred to section 612 of this title.

Section 233c, act June 8, 1938, ch. 327, § 3, 52 Stat. 632, as amended, which related to exemptions, was transferred to section 613 of this title.

Section 233d, act June 8, 1938, ch. 327, § 4, 52 Stat. 632, as amended, which related to filing and labeling political propaganda, was transferred to section 614 of this title.

Section 233e, act June 8, 1938, ch. 327, § 5, 52 Stat. 633, as amended, which related to books and records, was transferred to section 615 of this title.

Section 233f, act June 8, 1938, ch. 327, § 6, 52 Stat. 633, as amended, which related to public examination of official records, was transferred to section 616 of this title.

Section 233g, act June 8, 1938, ch. 327, §§ 12, 13, as added Apr. 29, 1942, ch. 263, § 1, 56 Stat. 256, which related to separability of provisions and effect on existing law, was transferred and set out as a note under section 611 of this title.


Section 234, act June 15, 1917, ch. 30, title VIII, §§ 5, 6, 40 Stat. 226, related to conspiracy to injure property of foreign government. See section 956 of Title 18, Crimes and Criminal Procedure.


§§ 236 to 245. Transferred

**Codification**

Section 236, act Jan. 31, 1922, ch. 44, § 1, 42 Stat. 361, which related to prohibition against exportation of arms to American countries or countries under Amer-