

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. §4091, related to appellate jurisdiction of minister and new trials.

Section 166, R.S. §4090, related to jurisdiction of minister to try capital and felony cases.

Section 167, R.S. §4090, related to prevention of American citizens from enlisting with foreign countries.

Section 168, R.S. §§1693, 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.

Section 174, R.S. §§4121, 4122; act June 25, 1948, ch. 646, §39, 62 Stat. 992, related to expenses of prisons in foreign countries.

§ 175. Omitted

CODIFICATION

Section, act Mar. 2, 1901, ch. 802, 31 Stat. 893, which appropriated funds for feeding and keeping of prisoners, 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 Repealed.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Act Aug. 1, 1956, repealed sections 176 to 181 effective upon the date which the President determined to be appropriate for the relinquishment of jurisdiction of the United States in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

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.

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

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.

- 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.
 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, 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.

(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.)

AMENDMENTS

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 consul 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.

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’.”

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

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.

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.)

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.)

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.

§ 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.

(June 15, 1917, ch. 30, title IX, §1, 40 Stat. 227; Pub. L. 90-428, §3, July 26, 1968, 82 Stat. 446.)

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

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.”

§ 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 as 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.

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

AMENDMENTS

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.

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

Section 2 of Pub. L. 92-14, 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.

EXTENSION OF AUTHORITY

Pub. L. 112-74, div. I, title VII, § 7034(m)(1), Dec. 23, 2011, 125 Stat. 1216, 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 substituting 'September 30, 2012' for 'September 30, 2010'."

DEPOSIT OF RECEIPTS FROM EXPEDITED PASSPORT
PROCESSING

Pub. L. 103-317, title V, Aug. 26, 1994, 108 Stat. 1760, 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 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.)

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

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.

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.)

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 basis by regulation for provision that a passport be limited 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.

1930—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, 1982].”

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.

§§ 219 to 222. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

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. 28, 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. 28, 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. 28, 1940, ch. 72, § 7, 54 Stat. 80, related to forging or altering of passports. See section 1543 of Title 18.

§§ 223 to 229. Repealed. June 27, 1952, ch. 477, title IV, § 403(a)(15), (20), (43), 66 Stat. 279, 280

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 1185 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 visés 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. 333) 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

§§ 231, 232. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

Section 231, acts June 15, 1917, ch. 30, title VIII, § 1, 40 Stat. 226; Mar. 28, 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. 28, 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. 258, 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.

§§ 234, 235. Repealed. June 25, 1948, ch. 645, § 21, 62 Stat. 862, eff. Sept. 1, 1948

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

Section 235, act June 15, 1917, ch. 30, title VIII, § 4, 40 Stat. 226, related to definition of “Foreign government”. See section 11 of Title 18.

§§ 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-