

PART 51—PASSPORTS

Sec.

51.1 Definitions.

Subpart A—General

- 51.2 Passport issued to nationals only.
- 51.3 Types of passports.
- 51.4 Validity of passports.
- 51.5 [Reserved]
- 51.6 Damaged, mutilated or altered passport.
- 51.7 Verification of passports.
- 51.8 Cancellation of previously issued passport.
- 51.9 Passport property of the U.S. Government.

Subpart B—Application

- 51.20 General.
- 51.21 Execution of passport application.
- 51.22 [Reserved]
- 51.23 Name of applicant to be used in passport.
- 51.24 Change of name.
- 51.25 Photographs.
- 51.26 Incompetents.
- 51.27 Minors.
- 51.28 Identity of applicant.
- 51.30 Persons unacceptable as witnesses.
- 51.31 Affidavit of identifying witness.
- 51.32 Passport amendments.
- 51.33 Release of passport information.

Subpart C—Evidence of United States Citizenship or Nationality

- 51.40 Burden of proof.
- 51.41 Documentary evidence.
- 51.43 Persons born in the United States applying for a passport for the first time.
- 51.44 Persons born abroad applying for a passport for the first time.

MARRIED WOMEN

- 51.45 Marriage to an alien prior to March 2, 1907.
- 51.46 Marriage to an alien between March 2, 1907, and September 22, 1922.
- 51.47 Marriage prior to September 22, 1922, to an alien who acquired U.S. citizenship by naturalization prior to September 22, 1922.
- 51.48 Marriage between September 22, 1922, and March 3, 1931, to an alien ineligible to citizenship.
- 51.49 Marriage on or after September 22, 1922, to an alien eligible to naturalization.
- 51.50 Alien born woman—marriage to citizen prior to September 22, 1922.

CITIZENSHIP BY ACT OF CONGRESS OR TREATY

- 51.51 Former nationals of Spain or Denmark.

- 51.52 Citizenship by birth in territory under sovereignty of the United States.
- 51.53 Proof of resumption of U.S. citizenship.
- 51.54 Requirement of additional evidence of U.S. citizenship.
- 51.55 Return or retention of evidence of citizenship.

Subpart D—Fees

- 51.60 Form of remittance.
- 51.61 Passport fees.
- 51.62 Exemption from payment of passport or execution fee.
- 51.63 Refunds.
- 51.64 Replacement passports.
- 51.65 Execution fee not refundable.
- 51.66 Expedited passport processing.

Subpart E—Limitations on Issuance or Use of Passports

- 51.70 Denial of passports.
- 51.71 Denial of passports to certain convicted drug traffickers.
- 51.72 Revocation or restriction of passports.
- 51.73 Passports invalid for travel into or through restricted areas.
- 51.74 Special validation of passports for travel to restricted areas.
- 51.75 Notification of denial or withdrawal of passport.
- 51.76 Surrender of passport.

Subpart F—Procedures for Review of Adverse Action

- 51.80 The applicability of §§51.81 through 51.89.
- 51.81 Time limits on hearing to review adverse action.
- 51.82 Notice of hearing.
- 51.83 Functions of the hearing officer.
- 51.84 Appearance at hearing.
- 51.85 Proceedings before the hearing officer.
- 51.86 Admissibility of evidence.
- 51.87 Privacy of hearing.
- 51.88 Transcript of hearing.
- 51.89 Decision of Deputy Assistant Secretary for Passport Services.

AUTHORITY: 22 U.S.C. 211a, 213, 2651a, 2671(d)(3), 2714 and 3926; 31 U.S.C. 9701; E.O. 11295, 3 CFR, 1966–1970 Comp., p. 570; sec. 236, Pub. L. 106–113, 113 Stat. 1501A–430; 18 U.S.C. 1621(a)(2).

SOURCE: 31 FR 13540, Oct. 20, 1966, unless otherwise noted.

§51.1 Definitions.

The following definitions shall be applicable to this part:

- (a) *United States* means the continental United States, the State of Hawaii, the Commonwealth of Puerto

Rico, the Virgin Islands of the United States, the Canal Zone, American Samoa, Guam and any other islands or territory over which the United States exercises jurisdiction.

(b) *Department* means the Department of State of the United States of America.

(c) *Secretary* means the Secretary of State.

(d) *National* means a citizen of the United States or a noncitizen owing permanent allegiance to the United States.

(e) *Passport* means a travel document issued under the authority of the Secretary of State attesting to the identity and nationality of the bearer.

(f) *Passport agent* means a person designated by the Department to accept passport applications.

(g) *Passport application* means the application form for a United States passport, filled in, subscribed and executed as prescribed by the Secretary pursuant to 22 U.S.C. 213, and all documents, photos and statements submitted with the form or thereafter in support of the application. A person providing false information as part of a passport application, whether contemporaneously with the application form or at any other time, is subject to prosecution for passport fraud or perjury under all applicable criminal statutes, including but not limited to 18 U.S.C. 1001, 1541, *et seq.* and 1621.

(h) *Passport issuing office* means the Passport Office, a Passport Agency, a Passport Agent of the Department, or a Foreign Service Post authorized to issue passports.

(i) *Designated nationality examiner* means a person designated under § 50.1(g) of this subchapter.

(j) *Electronic passport* means a passport containing an electronically readable device, an electronic chip, encoded with the information printed on the data page, a biometric version of the bearer's photograph, a unique chip number, and a digital signature to protect the integrity of the stored information.

[31 FR 13540, Oct. 20, 1966, as amended at 31 FR 14522, Nov. 11, 1966; 61 FR 43312, Aug. 22, 1996; 66 FR 29906, June 4, 2001; 70 FR 61555, Oct. 25, 2005]

Subpart A—General

§ 51.2 Passport issued to nationals only.

(a) A United States passport shall be issued only to a national of the United States (22 U.S.C. 212).

(b) Unless authorized by the Department no person shall bear more than one valid or potentially valid U.S. passport at any one time.

[SD-165, 46 FR 2343, Jan. 9, 1981]

§ 51.3 Types of passports.

(a) *Regular passport*. A regular passport is issued to a national of the United States proceeding abroad for personal or business reasons.

(b) *Official passport*. An official passport is issued to an official or employee of the U.S. Government proceeding abroad in the discharge of official duties. Where appropriate, dependents of such persons may be issued official passports.

(c) *Diplomatic passport*. A diplomatic passport is issued to a Foreign Service Officer, a person in the diplomatic service or to a person having diplomatic status either because of the nature of his or her foreign mission or by reason of the office he or she holds. Where appropriate, dependents of such persons may be issued diplomatic passports.

(22 U.S.C. 2658 and 3926)

[31 FR 13540, Oct. 20, 1966, as amended at 49 FR 16989, Apr. 23, 1984]

§ 51.4 Validity of passports.

(a) *Signature of bearer*. A passport is valid only when signed by the bearer in the space designated for his signature.

(b) *Period of validity of a regular passport*. (1) A regular passport issued on or after February 1, 1998, to an applicant 16 years of age or older is valid for 10 years from date of issue unless limited by the Secretary to a shorter period.

(2) A regular passport issued on or after February 1, 1998 to an applicant under the age of 16 years is valid for 5 years from date of issue unless limited by the Secretary of State to a shorter period.

(3) The period of validity of a regular passport issued on or after January 1, 1983, and before February 1, 1998, unless