

§ 51.51

CITIZENSHIP BY ACT OF CONGRESS OR TREATY

§ 51.51 Former nationals of Spain or Denmark.

Former nationals of Spain or Denmark who acquired nationality or citizenship of the United States under an act of Congress or treaty by virtue of residence in territory under the sovereignty of the United States shall submit evidence of their former nationality and of their residence in such territory.

§ 51.52 Citizenship by birth in territory under sovereignty of the United States.

A person claiming nationality or citizenship of the United States under an act of Congress or treaty by virtue of his or her birth in territory under the sovereignty of the United States shall submit evidence of his birth in such territory.

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

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

§ 51.53 Proof of resumption of U.S. citizenship.

An applicant who claims that he or she resumed U.S. citizenship or was repatriated under any of the nationality laws of the United States shall submit with the application a certificate of naturalization, a certificate of repatriation or evidence of the fact that he or she took an oath of allegiance in accordance with the applicable provisions of the law. (Act of June 29, 1906, as amended by Act of May 9, 1918; Act of June 25, 1936, as amended by Act of July 2, 1940, sections 317(b) and 323 of the Nationality Act of 1940 as amended by Acts of April 2, 1942, and August 7, 1946; Act of August 16, 1951, as amended by section 402(j) of the Immigration and Nationality Act of 1952; sections 324 and 327 of the Immigration and Nationality Act of 1952; Act of July 20, 1954).

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

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

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§ 51.54 Requirement of additional evidence of U.S. citizenship.

Nothing contained in §§ 51.43 through 51.53 shall prohibit the Department from requiring an applicant to submit other evidence deemed necessary to establish his or her U.S. citizenship or nationality.

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

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

§ 51.55 Return or retention of evidence of citizenship.

The passport issuing office will generally return to the applicant evidence submitted in connection with an application for passport facilities. However, the passport issuing office may retain evidence when it deems necessary.

Subpart D—Fees

§ 51.60 Form of remittance.

Passport fees in the United States shall be paid in U.S. currency or by draft, check, or money order payable to the Department of State or the Passport Office. Passport fees abroad shall be paid in U.S. currency, travelers checks, money order, or the equivalent value of the fees in local currency.

[31 FR 14522, Nov. 11, 1966]

§ 51.61 Passport fees.

Fees, including execution fees, shall be collected for the following passport services in the amounts prescribed in the Schedule of Fees for Consular Services (22 CFR 22.1):

(a) A fee for each passport application filed, which fee shall vary depending on whether the passport applicant is a first-time applicant or a renewal applicant and on the age of the applicant. The passport application fee shall be paid by all applicants at the time of application, except as provided in § 51.62(a), and is not refundable, except as provided in § 51.63. However, an applicant's denied application for a passport may be reconsidered without the payment of an additional passport application fee by the submission of adequate documentation within 90 days after the date of a notice of denial.

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(b) A fee for execution of the passport application, except as provided in § 51.62 (b), when the applicant is required to execute the application in person before a person authorized to administer oaths for passport purposes. This fee shall be collected as part of the passport issuance fee at the time of application and is not refundable (see 22 CFR 51.65). When execution services are provided by an official of a state or local government or of the United States Postal Service, the fee may be retained by that entity to cover the costs of service, pursuant to an appropriate agreement with the Department of State.

(c) A fee for expedited services, if any, provided pursuant to 22 CFR 51.66.

[63 FR 5103, Jan. 30, 1998, as amended at 65 FR 14212, Mar. 16, 2000]

§ 51.62 Exemption from payment of passport or execution fee.

(a) The following persons are exempt from the payment of passport fees:

(1) An officer or employee of the U.S. proceeding abroad on official business, or the members of his or her immediate family authorized to accompany or reside with him or her abroad. The applicant shall submit evidence of the official purpose of his or her travel and if applicable his or her authorization to have dependents accompany or reside with him or her abroad.

(2) An American sailor who requires a passport in connection with his or her duties aboard an American flag-vessel.

(3) A widow, child, parent, brother, or a sister of a deceased American service member proceeding abroad to visit the grave of such service member.

(4) An employee of the United Seamen's Service who requires a passport for travel to assume or perform duties thereof. The applicant shall submit with his or her application a letter from the United Seamen's Service certifying that he or she is proceeding abroad on official business to provide facilities and services for U.S. merchant seamen.

(b) No person described in paragraph (a) (1), (2), (3), or (4) of this section shall be required to pay an execution

fee when his or her application is executed before a Federal official.

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

[33 FR 12043, Aug. 24, 1968, as amended at 37 FR 6053, Mar. 24, 1972; 49 FR 16989, Apr. 23, 1984; Redesignated at 63 FR 5103, Jan. 30, 1998.]

§ 51.63 Refunds.

A collected passport application fee shall be refunded:

(a) To any person exempt from the payment of passport fees under § 51.62 from whom fees were erroneously collected.

(b) For procedures on refunds of \$5.00 or less see § 22.6(b) of this title.

(c) The passport expedite fee will be refunded if the Passport Agency does not provide the requested expedited processing as defined in § 51.66.

[33 FR 12043, Aug. 24, 1968, as amended at 52 FR 29515, Aug. 10, 1987; 59 FR 48999, Sept. 26, 1994; Redesignated and amended at 63 FR 5103, Jan. 30, 1998; 65 FR 14212, Mar. 16, 2000]

§ 51.64 Replacement passports.

A passport issuing office shall issue a replacement passport without payment of a fee:

(a) To correct an error or rectify a mistake of the Department.

(b) When exceptional circumstances exist as determined by the Secretary.

[31 FR 13540, Oct. 20, 1966. Redesignated at 63 FR 5103, Jan. 30, 1998]

§ 51.65 Execution fee not refundable.

The fee for the execution of a passport application cannot be refunded.

[31 FR 13540, Oct. 20, 1966. Redesignated at 63 FR 5103, Jan. 30, 1998]

§ 51.66 Expedited passport processing.

(a) Within the United States, an applicant for a passport service (including issuance, amendment, extension, or the addition of visa pages) may request expedited processing by a Passport Agency. All requests by applicants for in-person services at a Passport Agency shall be considered requests for expedited processing, unless the Department has determined that the applicant is required to apply at a U.S. Passport Agency.

(b) Expedited passport processing shall mean completing processing