

articles, fixtures, and objects acquired by the Secretary of State), when declared by the Secretary of State to be of historic or artistic interest, shall thereafter be considered to be the property of the Secretary in his or her official capacity and shall be subject to disposition solely in accordance with this subsection.

**(2) Sale or trade**

Whenever the Secretary of State determines that—

(A) any item covered by paragraph (1) is no longer needed for use or display in the reception areas, or

(B) in order to upgrade the reception areas, a better use of that article would be its sale or exchange,

the Secretary may, with the advice and concurrence of the Director of the National Gallery of Art, sell the item at fair market value or trade it, without regard to the requirements of chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41. The proceeds of any such sale may be credited to the unconditional gift account of the Department of State, and items obtained in trade shall be the property of the Secretary of State under this subsection.

**(3) Smithsonian Institution**

The Secretary of State may also lend items covered by paragraph (1), when not needed for use or display in the reception areas, to the Smithsonian Institution or a similar institution for care, repair, study, storage, or exhibition.

**(c) “Reception areas” defined**

For purposes of this section, the term “reception areas” means the areas of the Harry S Truman Federal Building, located at 2201 C Street, Northwest, Washington, District of Columbia, known as the Diplomatic Reception Rooms (eighth floor), the Secretary of State’s offices (seventh floor), the Deputy Secretary of State’s offices (seventh floor), and the seventh floor reception area.

(Aug. 1, 1956, ch. 841, title I, §41, as added Pub. L. 100–204, title I, §126(a)(2), Dec. 22, 1987, 101 Stat. 1341; amended Pub. L. 106–218, §2, June 20, 2000, 114 Stat. 345.)

CODIFICATION

In subsec. (b)(2), “chapters 1 to 11 of title 40 and division C (except sections 3302, 3307(e), 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” substituted for “the Federal Property and Administrative Services Act of 1949” on authority of Pub. L. 111–350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

PRIOR PROVISIONS

A prior section 41 of act Aug. 1, 1956, was renumbered section 42 by section 126(a)(1) of Pub. L. 100–204, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102–138, title I, §111(1), Oct. 28, 1991, 105 Stat. 654.

AMENDMENTS

2000—Pub. L. 106–218 substituted “Harry S Truman Federal Building” for “Department of State Building” in section catchline and in subsec. (c).

DESIGNATION OF DEPARTMENT OF STATE BUILDING AS HARRY S TRUMAN FEDERAL BUILDING

Pub. L. 106–218, June 20, 2000, 114 Stat. 345, provided that:

“SECTION 1. DESIGNATION.

“The Federal building located at 2201 C Street, Northwest, in the District of Columbia, currently headquarters for the Department of State, shall be known and designated as the ‘Harry S Truman Federal Building’.

“SEC. 2. REFERENCES.

“Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ‘Harry S Truman Federal Building’.”

**§ 2714. Denial of passports to certain convicted drug traffickers**

**(a) Ineligibility for passport**

**(1) In general**

A passport may not be issued to an individual who is convicted of an offense described in subsection (b) during the period described in subsection (c) if the individual used a passport or otherwise crossed an international border in committing the offense.

**(2) Passport revocation**

The Secretary of State shall revoke a passport previously issued to an individual who is ineligible to receive a passport under paragraph (1).

**(b) Drug law offenses**

**(1) Felonies**

Subsection (a) applies with respect to any individual convicted of a Federal drug offense, or a State drug offense, if the offense is a felony.

**(2) Certain misdemeanors**

Subsection (a) also applies with respect to an individual convicted of a Federal drug offense, or a State drug offense, if the offense is<sup>1</sup> misdemeanor, but only if the Secretary of State determines that subsection (a) should apply with respect to that individual on account of that offense. This paragraph does not apply to an individual’s first conviction for a misdemeanor which involves only possession of a controlled substance.

**(c) Period of ineligibility**

Subsection (a) applies during the period that the individual—

(1) is imprisoned, or is legally required to be imprisoned, as the result of the conviction for the offense described in subsection (b); or

(2) is on parole or other supervised release after having been imprisoned as the result of that conviction.

**(d) Emergency and humanitarian exceptions**

Notwithstanding subsection (a), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual with respect to whom that subsection applies.

<sup>1</sup> So in original. Probably should be followed by “a”.

**(e) Definitions**

As used in this section—

(1) the term “controlled substance” has the same meaning as is provided in section 102 of the Controlled Substances Act (21 U.S.C. 802);

(2) the term “Federal drug offense” means a violation of—

(A) the Controlled Substances Act (21 U.S.C. 801 et seq.) or the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.);

(B) any other Federal law involving controlled substances; or

(C) subchapter II of chapter 53 of title 31 (commonly referred to as the “Bank Secrecy Act”), or section 1956 or section 1957 of title 18 (commonly referred to as the “Money Laundering Act”), if the Secretary of State determines that the violation is related to illicit production of or trafficking in a controlled substance;

(3) the term “felony” means a criminal offense punishable by death or imprisonment for more than one year;

(4) the term “imprisoned” means an individual is confined in or otherwise restricted to a jail-type institution, a half-way house, a treatment facility, or another institution, on a full or part-time basis, pursuant to the sentence imposed as the result of a conviction;

(5) the term “misdemeanor” means a criminal offense other than a felony;

(6) the term “State drug offense” means a violation of State law involving the manufacture, distribution, or possession of a controlled substance; and

(7) the term “State law” means the law of a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, or a territory or possession of the United States.

(Aug. 1, 1956, ch. 841, title I, §42, as added Pub. L. 100-690, title IV, §4603(2), Nov. 18, 1988, 102 Stat. 4287.)

## REFERENCES IN TEXT

The Controlled Substances Act, referred to in subsec. (e)(2)(A), is title II of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1242, as amended, which is classified principally to subchapter I (§801 et seq.) of chapter 13 of Title 21, Food and Drugs. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 21 and Tables.

The Controlled Substances Import and Export Act, referred to in subsec. (e)(2)(A), is title III of Pub. L. 91-513, Oct. 27, 1970, 84 Stat. 1285, as amended, which is classified principally to subchapter II (§951 et seq.) of chapter 13 of Title 21. For complete classification of this Act to the Code, see Short Title note set out under section 951 of Title 21 and Tables.

## PRIOR PROVISIONS

A prior section 42 of act Aug. 1, 1956, was renumbered section 43 by section 4603(1) of Pub. L. 100-690, and subsequently renumbered, and set out as a Short Title of 1956 Amendment note under section 2651 of this title, prior to repeal by Pub. L. 102-138, title I, §111(1), Oct. 28, 1991, 105 Stat. 654.

**§ 2714a. Revocation or denial of passport in case of certain unpaid taxes****(a) to (d) Omitted****(e) Authority to deny or revoke passport****(1) Denial****(A) In general**

Except as provided under subparagraph (B), upon receiving a certification described in section 7345 of title 26 from the Secretary of the Treasury, the Secretary of State shall not issue a passport to any individual who has a seriously delinquent tax debt described in such section.

**(B) Emergency and humanitarian situations**

Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in such subparagraph.

**(2) Revocation****(A) In general**

The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1)(A).

**(B) Limitation for return to United States**

If the Secretary of State decides to revoke a passport under subparagraph (A), the Secretary of State, before revocation, may—

(i) limit a previously issued passport only for return travel to the United States; or

(ii) issue a limited passport that only permits return travel to the United States.

**(3) Hold harmless**

The Secretary of the Treasury, the Secretary of State, and any of their designees shall not be liable to an individual for any action with respect to a certification by the Commissioner of Internal Revenue under section 7345 of title 26.

**(f) Revocation or denial of passport in case of individual without social security account number****(1) Denial****(A) In general**

Except as provided under subparagraph (B), upon receiving an application for a passport from an individual that either—

(i) does not include the social security account number issued to that individual, or

(ii) includes an incorrect or invalid social security number willfully, intentionally, negligently, or recklessly provided by such individual,

the Secretary of State is authorized to deny such application and is authorized to not issue a passport to the individual.

**(B) Emergency and humanitarian situations**

Notwithstanding subparagraph (A), the Secretary of State may issue a passport, in emergency circumstances or for humanitarian reasons, to an individual described in subparagraph (A).