



United States Department of State

Washington, D.C. 20520

December 19, 2008

[REDACTED]
[REDACTED]
Ossipee, NH 03864

Dear Mr. [REDACTED]

I refer to your inquiry regarding passport applications filed on behalf of your family, which was forwarded to our office by Congresswoman Carol Shea-Porter's New Hampshire office. We were previously contacted by Ms. Olga Clough, Director of Ms. Shea-Porter's Constituent Services.

The Secretary of State has exclusive authority to issue passports. 22 U.S.C. §211a. Executive Order No. 11295 of August 5, 1966, provides that the Secretary of State may designate and prescribe rules governing the granting, issuing, and verifying of passports. In addition, 22 U.S.C. §213 provides that, before a U.S. passport can be issued, the applicant must submit a written application which contains a true recital of each matter of fact which may be required by law, or by any rules authorized by law.

22 C.F.R. §51.20 provides that an application for a passport shall be made upon such forms as are prescribed by the Department. These forms cannot be altered.

A review of your family's passport applications shows that the oath on each application was altered by capitalizing the word "citizen" and crossing out "non-citizen national" and "U.S." In addition, you added the words "of America" after "United States" and spelled out the words "United States" in another part of the oath. These are unacceptable alterations and applications with such alterations are not considered complete. If you do not agree with the wording of the oath contained on the application, you can submit a separate statement explaining your position. We will also accept the stamp over the signature in which you indicate that the application is signed "without prejudice." However, unless the oath remains unaltered, we cannot accept the applications or issue passports, even if it were to appear that all applicants are entitled to receive passports.

Thank you for your consideration.

Sincerely,

Susan Bozinko
Acting Director
Legal Affairs and Law Enforcement Liaison