

"Overseas Citizens Services Records." The system names for Passport Records (STATE-26) and Visa Records (STATE-39) will not change. It is also proposed that the three system descriptions include revisions and/or additions to each section except "Systems exempted from certain provisions of the Act." The altering of these systems of records will reflect more accurately the Bureau of Consular Affairs' recordkeeping practices, the enlargement of the scope of its mandate, and a reorganization of its activities and operations. It should be noted that the Overseas Citizens Services Records and Passport Records may overlap due to their inter-relationship. Also, records about consular affairs matters will be removed from Overseas Records, STATE-25 and will become part of STATE-05, STATE-26 and/or STATE-39. STATE-25 will be amended and updated in the near future.

Any persons interested in commenting on these altered systems of records may do so by submitting comments in writing to Margaret P. Grafeld; Chief, Privacy, Plans, and Appeals Division; Office of Freedom of Information, Privacy and Classification Review; Room 1239, Department of State, 2201 C Street, NW, Washington, DC 20520-1239. These systems of records will be effective 40 days from the date of publication, unless we receive comments which will result in a contrary determination.

The altered system descriptions, "Overseas Citizens Services Records, STATE-05," "Passport Records, STATE-26" and "Visa Records, STATE-39" will read as set forth below.

Dated: July 19, 1995.

**Patrick F. Kennedy,**

*Assistant Secretary for the Bureau of Administration.*

#### STATE-05

##### SYSTEM NAME:

Overseas Citizens Services Records.

##### SECURITY CLASSIFICATION:

Classified.

##### SYSTEM LOCATION:

Department of State, 2201 C Street, NW, Washington, DC 20520 and overseas at U.S. embassies, U.S. consulates general and consulates. (A list of overseas posts is available from the Bureau of Consular Affairs, Room 4800, Department of State, Washington, DC 20520-4818.)

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals assisted by the Office of Overseas Citizens Services or by

consular officers overseas including persons, generally U.S. citizens, who:

- (a) Seek to establish claims to U.S. citizenship or inquire concerning possible loss of U.S. citizenship;
- (b) Apply for U.S. passports or Consular Reports of Birth Abroad;
- (c) Register as U.S. citizens living or traveling abroad;
- (d) Are evacuated to the United States or a third country as the result of a civil disorder, natural disaster or similar emergency in an overseas locale;
- (e) Initiate, or are the subjects of, requests relating to their welfare and whereabouts;
- (f) Receive financial assistance or are repatriated;
- (g) Receive emergency medical assistance;
- (h) Are detained or arrested overseas;
- (i) Seek or receive notarial, authentication, or judicial assistance;
- (j) Die overseas or are involved in the disposition of a decedent's personal estate;
- (k) Assert an interest in property abroad;
- (l) Are living overseas and claim or receive federal benefits;
- (m) Are involved in an international child custody dispute, possible child abuse case, or child support enforcement proceeding;
- (n) Vote in U.S. federal or state elections while living overseas;
- (o) Register with the U.S. Selective Service System while living overseas;
- (p) Are inquiring concerning an international adoption;
- (q) Are American seamen who have inquired about seamen consular services;
- (r) Have sought or received benefits by virtue of having been held hostage overseas or by virtue of their relationship with an individual held hostage overseas.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

- (a) 8 U.S.C. 1401 *et seq.* (Adjudication of claim to U.S. citizenship);
- (b) 8 U.S.C. 1481, 1501 (Adjudication of possible loss of nationality and preparation of Certificates of Loss of Nationality);
- (c) 22 U.S.C. 211a, 212, 213, 217(a), 218 (Passport application and issuance);
- (d) 22 U.S.C. 2705 (Preparation of Consular Reports of Birth);
- (e) 22 U.S.C. 1731 (Protection of naturalized U.S. citizens abroad);
- (f) 22 U.S.C. 2671(b)(2)(B) (Repatriation loan for destitute U.S. citizens);
- (g) 22 U.S.C. 2670(j) (Provision of emergency medical/dietary assistance);
- (h) 22 U.S.C. 2151n-1 (Assistance to arrested citizens) (Repealed, but applicable to past records.);

- (i) 22 U.S.C. 4215, 4221 (Administration of oaths, affidavits, and other notarial acts);
- (j) 28 U.S.C. 1740, 1741 (Authentication of documents);
- (k) 28 U.S.C. 1781-1783 (Judicial assistance to U.S. and foreign courts);
- (l) 22 U.S.C. 4196 (Notification of death; inventory of decedents' effects);
- (m) 22 U.S.C. 5502-5513 (Secs. 204-215) (Assistance in aviation disasters abroad);
- (n) 22 U.S.C. 4195, 4197 (Estates of deceased citizens);
- (o) 22 U.S.C. 3904 (Assistance to other agencies);
- (p) 42 U.S.C. 402 (Old-age and survivors insurance benefits payments);
- (q) 50 App. U.S.C. 453, 454, Presidential Proclamation No. 4771, July 2, 1980 (Selective Service registration);
- (r) 42 U.S.C. 1973ff-1973ff-6 (Overseas absentee voting);
- (s) 22 U.S.C. 4193, 4194, 4205-4207, 46 U.S.C. 10318 (Assistance to shipping and seamen);
- (t) 46 U.S.C. 10701-10705 (Responsibility for deceased seamen and their effects);
- (u) 42 U.S.C. 11601-11610, International Child Abduction Remedies Act; Convention on the Civil Aspects of International Child Abduction; E.O. 12648, August 11, 1988, 53 FR 30637);
- (v) Sec. 599C of Pub. L. 101-513 as amended (Claims to benefits by virtue of hostage status).

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Applications for passports and registration as U.S. citizens;\* Consular Reports of Birth;\* Certificates of Loss of Nationality of the United States;\* Reports of Death;\* emergency medical and dietary loan applications; repatriation loan applications; applications for benefits for hostages; seamen services records; welfare and whereabouts records; federal benefits claims; property claims; arrest cases; estate cases; judicial assistance cases; international adoption cases; and child custody cases, including applications filed under the Hague Convention on International Child Abduction.

These records may also include: registration cards; interview worksheets; fingerprint cards; documents of identity; affidavits of identity; and various related forms not otherwise stated as well as communications from U.S. embassies, U.S. consulates general, consulates, federal, state and local government agencies, members of Congress, officials of foreign

\* These records are eventually transferred from Overseas Citizens Services Records, STATE-05, to Passport Records, STATE-26.