§ 71.11 Short-term full diet program.

(a) Eligibility criteria. A prisoner is considered eligible for the short-term full diet program under the following general criteria:

(1) The prisoner is to be or has been held in excess of one day in a holding jail or other facility;

(2) Incarcerating officials do not provide the prisoner food, and food is not available from any other sources, including private funding from family or friends; and

(3) If the funds exceed an amount to be established by the Department, the prisoner signs a promissory note for funds expended, since the assistance is on a normally reimbursable basis.

(b) Consular responsibility. As soon as the consular officer is aware that a U.S. national is incarcerated in a facility wherein food is not routinely provided, the consular officer should:

(1) Contact the prisoner in accordance with existing procedures;

(2) Determine the normal cost of basic diet and best method of effecting payment;

(3) Attempt to secure funds from private sources such as family or friends;

(4) Because funds expended by the Department to cover the short-term full diet program normally are on a reimbursable basis, have the prisoner execute a promissory note; and

(5) Contact the Department, providing the above information, for approval and authorization.

(d) Emergency expenditure authorization. When a medical emergency prohibits the delay inherent in contacting the Department and receiving authority to expend funds, the consular officer can expend up to an amount to be established by the Department without prior Departmental approval if:

(1) Symptoms determine eligibility for emergency medical treatment; or

(2) An immediate medical examination is warranted in order to verify the alleged abuse of a U.S. national prisoner by arresting or confining authorities; or

(3) Immediate emergency medical treatment or surgery is necessary to prevent death or permanent disablement, and there is insufficient time to explore private funds or obtain Department approval; and

(4) A promissory note already has been executed by the prisoner, or if the circumstances warrant, by the consular officer without recourse.

§ 71.12 Dietary supplements.

(a) Eligibility criteria. A prisoner is considered eligible for the dietary supplement program under the following general criteria:

(1) An evaluation by a private physician, prison doctor, or other host country medical authority reveals that the prison diet does not meet the minimum requirements to sustain adequate health; or

(2) If the evaluation in paragraph (a)(1) of this section is not available, an evaluation by either a regional medical officer or Departmental medical officer reveals that the prison diet does not meet the minimum requirements to sustain adequate health.

(b) Consular responsibility. (1) When the consular officer is aware that the U.S. prisoner’s diet does not provide the minimum requirements to sustain adequate health, the consular officer shall obtain the necessary dietary supplements and distribute them to the prisoner on a regular basis.

(2) As soon as the consular officer believes that dietary supplements are being misused, the consular officer
shall suspend provision of the dietary supplements and report the incident in full to the Department.

**PART 72—DEATHS AND ESTATES**

**Reporting Deaths of United States Nationals**

Sec.

72.1 Definitions.

72.2 Consular responsibility.

72.3 Exceptions.

72.4 Notifications of death.

72.5 Final report of death.

72.6 Report of presumptive death.

**Disposition of Remains**

72.7 Consular responsibility.

72.8 Regulatory responsibility of consular officer.

72.9 Responsibility if legal representative is present.

72.10 Responsibility if a will intended to operate locally exists.

72.11 Responsibility if a will intended to operate in the United States exists.

72.12 Bank deposits in foreign countries.

72.13 Effects to be taken into physical possession.

72.14 Nominal possession; property not normally taken into physical possession.

72.15 Action when possession is impractical.

72.16 Procedure for inventorying and appraising effects.

72.17 Final statement of account.

72.18 Payment of debts owed by decedent.

72.19 Consular officer is ordinarily not to act as administrator of estate.

72.20 Prohibition against performing legal services or employing counsel.

72.21 Consular officer not to assume financial responsibility for the estate.

72.22 Release of personal estate to legal representative.

72.23 Affidavit of next of kin.

72.24 Conflicting claims.

72.25 Transfer of personal estate to Department of State.

72.26 Vesting of personal estate in United States.

72.27 Export of cultural property; handling other property when export, possession, or import may be illegal.

72.28 Claims for lost, stolen, or destroyed personal estate.

**Real Property Overseas Belonging to a Decedent United States Citizen or National**

72.29 Real property overseas belonging to deceased United States citizen or national.

72.30 Provisions in a will or advanced directive regarding disposition of remains.

**Fees**

72.31 Fees for consular death and estates services.

**Authority:** 22 U.S.C. 2715, 2715b, 2715c, 4196, 4197, 4198, 4199.

**Source:** 72 FR 8889, Feb. 28, 2007, unless otherwise noted.

**Reporting Deaths of United States Nationals**

**§ 72.1 Definitions.**

For purposes of this part:

(a) Consular officer includes any United States citizen employee of the Department of State who is designated by the Department of State to perform consular services relating to the deaths and estates abroad of United States nationals.

(b) Legal representative means—

(1) An executor designated by will intended to operate locally.

(2) An administrator appointed by a court of law in intestate proceedings in the country where the death occurred or in the country where the deceased was residing at the time of death to take possession and dispose of the decedent’s personal estate;

(3) An administrator appointed by a court of law in intestate proceedings in the country where the death occurred or in the country where the deceased was residing at the time of death to take possession and dispose of the decedent’s personal estate;

(4) An authorized agent of the individuals described in paragraphs (b)(1), (b)(2) and (b)(3) of this section.

(c) Department means the United States Department of State.

**§ 72.2 Consular responsibility.**

When a consular officer learns that a United States citizen or non-citizen national has died in the officer’s consular district, the officer must—

(a) Report the death to the Department; and

(b) The officer must also try to notify, or assist the Secretary of State in