14 and will be processed in the same manner as claims made pursuant to 22
U.S.C. 2669–1 and 2669 (f).

(b) Any compensation paid to the estate shall be in lieu of the personal li-
ability of officers or employees of the Department to the estate.

(c) The Department nonetheless may hold an officer or employee of the De-
partment liable to the Department to the extent of any compensation pro-
vided to the estate. The liability of the officer or employee shall be determined
pursuant to the Department’s procedures for determining accountability for United States government prop-
erty.

§ 72.29 Real property overseas belonging to deceased United States citi-
zien or national.

(a) If a consular officer becomes aware that the estate of a deceased
United States citizen or national includes an interest in real property lo-
cated within the consular officer’s dis-
trict that will not pass to any person or entity under the applicable local
laws of intestate succession or testa-
mentary disposition, and if local law
provides that title may be conveyed to
the Government of the United States,
the consular officer should notify the
Department.

(b) If the Department decides that it
wishes to retain the property for its
use, the Department will instruct the
consular officer to take steps necessary
to provide for title to the property to
be conveyed to the Government of the
United States.

(c) If title to the real estate is con-
voyed to the Government of the Unites
States and the property is of use to the
Department of State, the Department
may treat such property as if it were
an unconditional gift accepted on be-
half of the Department of State under
section 25 of the State Department
Basic Authorities Act (22 U.S.C. 2697)
and section 9(a)(3) of the Foreign Serv-
ice Building Act of 1928 (22 U.S.C.
300(a)(3)).

(d) If the Department of State does
not wish to retain such real property
the Department may treat it as foreign
excess property under title IV of the
Federal Property and Administrative
Services Act of 1949 (40 U.S.C. 511 et
seq.).

§ 72.30 Provisions in a will or ad-
vanced directive regarding disposi-
tion of remains.

United States state law regarding ad-
vanced directives, deaths and estates in-
clude provisions regarding a person’s
right to direct disposition of remains.
Host country law may or may not ac-
cept such directions, particularly if the
surviving spouse/next-of-kin disagree
with the wishes of the testator/affiant.

§ 72.31 Fees for consular death and es-
tates services.

(a) Fees for consular death and es-
tates services are prescribed in the
Schedule of Fees, 22 CFR 22.1.

(b) The personal estates of all officers
and employees of the United States
who die abroad while on official duty,
including military and civilian per-
sonnel of the Department of Defense
and the United States Coast Guard are
exempt from the assessment of any fees
prescribed by the Schedule of Fees.