

7 FAM 1800 APPENDIX D CRISIS EVACUATION LOANS AND EVACUATION DOCUMENTATION

*(Office of Origin: CA/OCS/PRI)
(CT:CON-218; 12-05-2007)*

7 FAM 1810 APPENDIX D INTRODUCTION

(CT:CON-218; 12-05-2007)

- a. 7 FAM 1860 provides general guidance regarding consular responsibilities during an evacuation.
- b. 12 FAH-1 Annex K provides guidance on Drawdown and Evacuation. 12 FAH-1 Annex L provides guidance on Receipt of Evacuees, including consular support.
- c. 12 FAH-1 ANNEX K ADDENDUM 3 identifies persons eligible for evacuation assistance.
- c. 7 FAM 1800 Appendix D provides additional guidance regarding processing crisis evacuation loans and completing consular evacuation documentation using Form DS-3072 Emergency Loan Application and Evacuation Documentation.

7 FAM 1820 APPENDIX D AUTHORITIES

(CT:CON-218; 12-05-2007)

- a. 22 U.S.C. 2671(a) provides that the Secretary of State is authorized to make expenditures, from such amounts as may be specifically appropriated therefore, for unforeseen emergencies arising in the diplomatic and consular service.
- b. 22 U.S.C. 2671(b)(2)(A) provides that such activities include “the evacuation when their lives are endangered by war, civil unrest, or natural disaster of:
 - (1) “United States Government employees and their dependents; and
 - (2) “Private United States citizens or third-country nationals, **on a reimbursable basis to the maximum extent practicable**, with such reimbursements to be credited to the applicable Department of State appropriation and to remain available until expended,

except that no reimbursement under this clause shall be paid that is greater than the amount the person evacuated would have been charged for a reasonable commercial air fare immediately prior to the events giving rise to the evacuation.”

- c. The statute was last amended in 2002 in Public Law 107–228.

7 FAM 1830 APPENDIX D WHO MUST COMPLETE FORM DS-3072

(CT:CON-218; 12-05-2007)

- a. **Private U.S. Citizens:** Unless otherwise instructed by the Department, if feasible, an adult private U.S. citizen evacuated on United States Government funded transportation, whether embassy commercial charter or military transport, must execute the promissory note and loan agreement on Form DS-3072 prescribed by the Department to cover the cost of transportation for all family members, including alien family members. Form DS-3072 provides for joint signatures on one form for a family group by spouses. During an evacuation, the consular officer may exercise discretion whether to require a separate loan application and promissory note from an adult child traveling with parent(s) or whether to include the adult child in the family application.
- b. **Unaccompanied Minor Children and Incompetent Adult Private U.S. Citizens:** In the case of an unaccompanied U.S. citizen minor or an adult adjudged by a competent court to be mentally incompetent, Consular Affairs (CA) will attempt to find a parent, guardian or other third party to execute the promissory note and loan agreement on the minor’s or mentally incompetent adult’s behalf. If such a person cannot be identified/located, CA will authorize the consular officer to approve the loan application without signature by the applicant.
- b. **Official U.S. Government personnel and their dependents are not required** to obtain crisis evacuation loans. **However, for the purposes of creating a manifest of evacuees, U.S. Government personnel and their families should complete lines 1-9 and lines 18 (emergency contact) and 19 (Privacy Act) of Form DS-3072.** Consular officers should complete Part 2 of the Form DS-3072 for the U.S. Government family.
- c. U.S. military service members and their family members evacuated by the U.S. military during a non-combatant evacuation operation (NEO) complete other documentation required by the U.S. military. They do not complete consular documentation in these circumstances. If U.S. military service members and/or their family members are evacuated in a non-NEO evacuation (not arranged by the U.S. military) they must complete

Form DS-3072.

- d. All adult non-U.S. citizens must also sign promissory notes. Even when an arrangement exists pursuant to which a foreign government will fund evacuations of its citizens, these non U.S. citizens must sign promissory notes in order to maintain a record of who traveled.

7 FAM 1840 APPENDIX D ELIGIBILITY FOR A CRISIS EVACUATION LOAN

(CT:CON-218; 12-05-2007)

- a. **Private U.S. citizens.** A U.S. citizen abroad is eligible to receive an evacuation loan if the Department of State is evacuating U.S. citizens from a country where their lives are endangered by war, civil unrest, or natural disaster.
- b. **Alien Immediate Family Members of U.S. Citizen Evacuees:** Expenses related to the evacuation of accompanying family members of U.S. citizen adults are also eligible to be included in the evacuation loan of the U.S. citizen. In order to be eligible for emergency evacuation, accompanying aliens must possess a U.S. visa or other travel document valid for entry into the United States or must possess or be eligible for a visa for the country of safe haven if not a national of that country.
- c. **Escorts for U.S. citizen unaccompanied minors:** U.S. citizen minors residing or traveling abroad without parents or guardians may be accompanied on evacuation flights to the United States or a third country safe haven by one adult who is a U.S. citizen or who possesses a U.S. visa or other travel document valid for entry into the United States or possesses or is eligible for a visa in the country of the safe haven, as applicable and is not a national of that country.
- d. **Legal U.S. Permanent Residents and their families** who possess a U.S. visa or other travel document valid for entry into the United States or possess or are eligible for a visa in the country of the safe haven, as applicable and are not a national of that country are eligible for evacuation loans, subject to prior approval of Consular Affairs, Overseas Citizens Services (CA/OCS)..
- e. **Third Country Nationals** are eligible for evacuation loans, subject to prior approval of CA, Resource Management (RM) and the regional bureau..

NOTE: Which family members are eligible for assistance?

For the purposes of evacuation, a person is eligible for evacuation assistance if he/she is a member of the U.S. citizen's immediate household such as a

spouse, unmarried minor child, or another person for whom the U.S. citizen is legally responsible such as a ward for whom the citizen is the legal guardian appointed by a court, or an elderly parent or parent-in-law. Other persons must apply for evacuation and be eligible in their own right. The term does not include household staff or distant relatives such as cousins, aunts, uncles, etc.

7 FAM 1850 APPENDIX D COMPLETING FORM DS-3072 DURING A CRISIS EVACUATION

(CT:CON-218; 12-05-2007)

- a. 7 FAM 1864 provides general guidance regarding processing evacuation emergency loan applications and evacuation documentation.
- b. **Publicize the Form DS-3072 requirement** via town hall meetings and warden messages to all potential evacuees. Provide copies of the form which is also available electronically at the Department of State Internet Freedom of Information Act (FOIA) forms page under American Citizen Services as far in advance of an evacuation as possible. Advise evacuees to bring filled-out forms with them to the evacuation site in order to shorten required processing. **The consular officer or other designated person must sign the approval portion of the loan form.**

See ...

- State Department Internet Freedom of Information Act (FOIA)
- Forms Page Emergency Loan Application and Evacuation Document
- State Department Intranet E Forms Finder Page

- c. **Posts should not attempt to collect money** in advance for government-sponsored evacuation flights. Only promissory notes are required. The Department's Resource Management and/or Office of Foreign Missions (OFM) will arrange repayments with individuals or foreign governments.

7 FAM 1860 APPENDIX D LINE BY LINE GUIDANCE FOR COMPLETING FORM DS-3072

(CT:CON-218; 12-05-2007)

- a. The following provides line-by-line guidance on completing Form DS-3072:

- (1) **Name.** The applicant’s full legal name, including “also known as” (AKA) names and aliases. The applicant’s name(s) must be cleared in the Consular Lookout and Support System (CLASS) before the loan application is processed;
- (2) **Social Security Number.** 22 U.S.C. 2671(d)(1) requires that the applicant for a repatriation loan provide a social security number. A repatriation loan will **not be issued without a verifiable address and social security number (SSN)**, except in extraordinary circumstances when failure to issue the loan may result in endangerment of the life or limb of the U.S. citizen. The Social Security Administration (SSA) has advised CA that even in a crisis situation a SSN cannot be issued in less than 6 weeks for a person abroad. In such cases, the Department may authorize issuance of the loan, but the applicant must provide a Social Security number as soon as practicable. Before processing the loan, the consular officer must assist the loan applicant in applying for an SSN using Social Security Administration Application for a Social Security Card. CA will coordinate with the Social Security Administration (SSA) to share the SSN with Resource Management (RM) and the Department of Health and Human Services (HHS), where appropriate, for debt collection purposes. The consular officer should annotate line 20 of the Form DS-3072 to explain the absence of a Social Security Number.
- (3) **Nationality.** The country of the applicant’s nationality listed in item 3 will almost always be U.S. except in crisis evacuations when the evacuee is a third country national or host country national seeking evacuation assistance by the United States.
- (4) **Date of birth.** This should be listed in numerals (MM-DD-YYYY);
- (5) **Place of birth.** This should include the city, state, country of birth;
- (6) **Sex.** The applicant should check the box for male or female;
- (7) **Accompanying Family Members.** This includes spouse, children and other immediate family members of the household. It does not include household staff. Other adult eligible persons must apply individually. Item 7 also asks for identifying information about the family members including name, sex, date and place of birth, relationship to the principal applicant listed in item 1, nationality, whether the person is a minor (yes/no) and whether there are any medical issues associated with each individual listed.

NOTE: There is additional space on page 3, Part 2 of the form for medical need information for the consular officer to use in the event of a crisis evacuation. In a medical evacuation there is additional space in line 20, consular adjudication notes. Information about all family members included

in a repatriation or evacuation loan should also be included in the ACS system case record;

- (8) Verifiable Address at Final Destination in the United States (or other Home of Record). The borrower must provide a verifiable address at the time of application. This is required for billing/collection purposes. A verifiable address is the applicant's intended place of residence (not a post office box) upon return to the United States. If the applicant is homeless, is not being resettled with family or friends and does not possess a verifiable address, but will be assisted with resettlement in the United States by state social services, this information should be included by the consular officer in Part 3, item 20, consular adjudication notes. 7 FAM 380 provides additional information regarding use of emergency medical and dietary assistance funds to resettle a U.S. citizen whose permanent residence is outside the United and 7 FAM 1860 regarding crisis evacuation. If the Department of Health and Human Services (HHS) and/or its partners and grantees are resettling the person in the United States, they will be required to provide CA with the final destination address, and CA will relay this information to RM.

Note: Section 2671(d) applies only to "repatriation loans." While we generally adhere to the requirements in that provision for evacuation loans, we do not treat evacuation loans as subject to those requirements.

- (9) **Identity of Person Whose Verifiable Address is Listed in Item 8.** If the onward address is unknown because the borrower is being resettled in the United States by social services (see 7 FAM 390), the borrower should check box Other and state "To be determined – local social services resettlement." CA/OCS/ACS will share onward destination information obtained by HHS and/or its partners and grantees with RM/GFS/F/AR.

Bureau of Resource Management
Office of Global Financial Operations,
Accounts Receivable Division
RM/GFS/F/AR
1-800-521-2116
843-308-5417 (if dialing from outside the U.S. or Canada)
FMPARD@state.gov

- (10) **I HEREBY APPLY FOR A U.S. GOVERNMENT ASSISTANCE LOAN (check all that are applicable).** For a repatriation loan, the applicant should check the repatriation box; for an evacuation loan, the evacuation box . If the case involves a medical repatriation the applicant should check the Medical Repatriation of

U.S. Citizen (and/or accompanying family members) box. If an escort is participating in the repatriation or evacuation the Escort box should also be checked.

- (11) **Promissory Note.** The applicant should check all appropriate boxes. The first, third and fourth boxes pertain to crisis evacuations, though other boxes may also be relevant.
- "I am a citizen of the United States and I hereby promise to repay to the United States Government within 90 days after the signing of this note, and at an interest rate established in accordance with Federal law, all applicable expenses (including, but not limited to, transportation, subsistence, medical attention) incurred by the United States Government incident to my evacuation/repatriation/emergency medical and dietary assistance."
 - "I further understand that as the principal adult U.S. citizen applicant(s), my name will be included in the passport lookout system until the debt has been repaid. So long as the debt is not in default, I will be eligible for passport services."
 - I am a citizen of (Country – not U.S.) -----, and I understand that my government and the U.S. will determine the amount and means of repayment. I also understand that my government may seek reimbursement from me for funds expended. (Box should be checked by all non U.S. citizens applying for crisis evacuation loan/assistance.)
 - I clearly understand that I am accepting evacuation/repatriation of my own free will and at my own risk. In a crisis evacuation, the cost of transportation charged to me will be based on the most recent full coach fare to the flight destination. I further understand that the evacuation flight may not comply with normal international and safety regulations, and in the case of military aircraft travel, the U.S. Government acts only as agent and not as contracting carrier. (Box should be checked by all U.S. citizens and non-U.S. citizens applying for crisis evacuation loan/assistance.)
 - "I understand that assistance requested from the Department of Health and Human Services (HHS) will be provided based on availability upon arrival in the United States. In addition, reception and resettlement assistance provided by HHS is in the form of a loan which has to be paid back to the U.S. Government."

NOTE: Form DS 3072 contains at the top of pages 2-4 a field the last name, first name, middle names and social security number which are automatically populated when completing the form on line. Applicants completing the form in pen and ink must fill in each field. This will assist

in ensuring that separated pages can be reassembled.

- (12) **LOAN AMOUNT. TO BE COMPLETED BY THE CONSULAR OFFICER.** The consular officer should enter:
- (a) The total amount of the evacuation loan in foreign currency;
 - (b) The amount of the evacuation loan in the U.S. currency equivalent of (a);
 - (c) The dollar amount for the transportation costs (and escort fees where appropriate.) This includes a breakdown of the domestic portion of the trip.

For example:

A cable from Embassy Budapest might reflect: Budapest to New York, 600 dollars; Budapest to Detroit, 750 dollars. HHS will pay 150 dollars. On the other hand, a cable from Embassy Seoul might reflect: Seoul to Los Angeles, 850 dollars; Seoul to Detroit, 1050 dollars. HHS will pay 200 dollars. These figures should be given on the final report cable along with the date of travel. A copy will be provided to HHS by CA/OCS/ACS.

- (13) **EVACUATION DOCUMENTATION. TO BE COMPLETED BY THE CONSULAR OFFICER.** This section pertains to evacuation from the crisis area to the safe haven. The purpose is to assist in creating a manifest and to identify problem cases for consular officers at the safe haven if the transport is not landing or disembarking directly in the United States. The consular officer at the scene of the evacuation will remain in close contact with the CA Task Force, which can assist in facilitating communication with the safe haven post. The consular crisis automated system will aid in sharing key information with the safe haven post and the U.S. reception points.
- (14) **LOAN REPAYMENT AGREEMENT – TO BE COMPLETED BY LOAN APPLICANTS.** The U.S. dollar amount of the loan should be written in the space provided in item 13 either by the consular officer or the applicant.
- (15) **SIGNATURE BLOCK FOR APPLICANT(S).** This item provides for the signatures and typed or printed names of the applicants. If spouses are applying jointly there is space for joint signatures.

NOTE: In the case of a minor or a judicially declared incompetent applicant, 7 FAM 374.6 and 7 FAM 374.7 provide additional guidance.

- (16) **If applying jointly:** Item 16 provides for the Spouse's date and place of birth and Social Security Number.

- (17) **Verifiable Address.** Item 17 provides for the applicant’s verifiable address abroad and in the United States.
- (18) **Emergency Contacts.** Item 18 provides for the name, address, phone number, fax, e-mail and relationship of the applicant’s emergency contacts.
- (19) **Authorizations for Release of Information Under the Privacy Act.** Item 19 includes two Privacy Act waivers, one covering the release of information to the Department of State and one for release of information to HHS and/or its partners and grantees and for use of that information by HHS and its partners/grantees.

NOTE:

Parts 2 and 3 of Form DS-3072 are for use by the consular officer. **The information in Part 2, Evacuation Documentation, is used to assist in developing a manifest during a crisis evacuation.**

Part 3 of Form DS-3072 includes the consular officer adjudication notes, signature and certification.

- (20) **Consular Adjudication Notes.** This space is provided for the consular officer to include notes explaining special circumstances of the case and/or the lack of any required information.
- (21) **Consular Officer Signature and Certification.** This space is provided for the consular officer’s signature, seal and jurat signifying authorization and approval of the loan.

NOTE: The consular officer should advise the citizen to read page 5 of DS-3072 regarding the Privacy Act and Paperwork Reduction Act.

b. Applicant Signing the Loan Application.

- (1) The applicant should not sign line 15 of Form DS-3072 until the dollar amount of the loan or estimated dollar amount of the loan is entered in line 14, item 2.
- (2) One original copy of the loan application must be signed by the principal applicant. If a family is applying together the spouse should also sign the application in the space provided in item 15 and complete item 16.
- (3) Since the dollar amount of the loan is usually not known until the loan recipient appears before the consular officer, it is preferable that the application be signed in the presence of the consular officer, but it is not required.
- (4) If the estimated cost changes or if additional costs are identified and added to the indebtedness, the consular officer may require the

applicant to complete a new DS-3072

- (5) If you make a minor change both the applicant and the consular officer must initial and date the amount changes in lines 12, 13 and 14.
- (6) If a Department of State officer accompanies the transport, he/she should carry copies of the evacuation documentation if feasible and appropriate.

7 FAM 1870 APPENDIX D PASSPORT ACTIONS DURING A CRISIS EVACUATION

(CT:CON-218; 12-05-2007)

- a. The names of U.S. citizens should be cleared in the Consular Lookout and Support System (CLASS) before issuing a passport during a crisis evacuation.
- b. If it is not feasible to issue a passport but the post can issue a travel letter (see 7 FAM 1300 Appendix N), the name must be cleared in CLASS.
- c. If a CLASS hit results which post cannot resolve locally (see 7 FAM 1330 and 7 FAM 1380), the post should contact the CA Task Force operations or the Passport Services National Duty Officer to resolve the CLASS hold and obtain authorization to issue the passport and board the individual.
- d. **Do Not Limit U.S. passports or Enter Names in CLASS during a Crisis Evacuation: Posts should not cancel the U.S. passport of a crisis evacuation loan recipient and issue a replacement limited passport. The names of crisis evacuation loan recipients should not be entered in the Consular Lookout and Support System (CLASS) by the post issuing the loan at the time of the evacuation. If practicable, the names may be entered at a later date.**
- e. 7 FAM 1300 Appendix N provides guidance about passport waivers, travel letters and emergency after hour's passport services during a crisis.

7 FAM 1880 APPENDIX D WHAT TO DO WITH THE COMPLETED PROMISSORY NOTES

(CT:CON-218; 12-05-2007)

- a. The completed Form DS-3072 promissory notes (the entire form) must be transmitted by the post by registered pouch, express mail, or by hand delivery by a TDY officer to the following address:

NOTE: The processing post should scan or photocopy the promissory notes prior to mailing them or having them hand carried. Alert CA/OCS/ACS Crisis Management (CA-Crisis-Mgt@state.gov) to the hand delivery or shipment of promissory notes, including airbill number and date of shipment.

Promissory notes for private U.S. citizens should be sent to:

Accounts Receivable Division
Global Financial Services
1969 Dyess Avenue, Building 646-B
Charleston, SC 29405

Promissory notes for Third Country Nationals should be sent to RM/CFO for review and eventual collection from Diplomatic Missions in Washington DC by the Office of Foreign Missions (OFM).

Posts should send or hand carry promissory notes for Third Country Nationals to:

RM/CFO
Room 7427, HST
US Dept of State 20520
ph: 202-647-5031, fax: 202-647-8194

- b. Direct inquiries about payment of evacuation loans by private U.S. citizens to the addresses and phone numbers provided in 7 FAM 1385. This information is also on the Form DS-3072 itself.

7 FAM 1890 APPENDIX D PROCESSING REPATRIATION LOAN FROM SAFE HAVEN TO THE UNITED STATES

(CT:CON-218; 12-05-2007)

- a. If the crisis evacuation loan recipient arrives at a safe haven outside the United States, and then requires a repatriation loan in order to return to the United States from the safe haven, the safe haven post, unless otherwise authorized by the Department, should process a repatriation loan for eligible U.S. citizens, cancel the previous U.S. passport, and issue a limited validity passport limited for direct return to the United States. (See 7 FAM 370.)
- b. The citizen's name should then be entered in the CLASS system. The post should process the loan and transmit the promissory note and accompanying documents to RM (Resource Management) in accordance with 7 FAM 380 and take appropriate passport action in accordance with 7 FAM 1385.

- c. If the citizen requires an Emergency Medical and Dietary Assistance (EMDA) loan at the safe haven and is not returning to the United States, follow guidance in 7 FAM 380.