

7 FAM 200 APPENDIX A DEATH ON HIGH SEAS OR ON AIRCRAFT

(CT:CON-165; 04-18-2007)
(Office of Origin: CA/OCS/PRI)

7 FAM 210 APPENDIX A DEATH AT SEA

(CT:CON-165; 04-18-2007)

- a. **Maritime Practice and Record of Death:** Death on the high seas is handled in accordance with the laws of the nation of the ship's registry.
- b. 7 FAM 760 provides guidance regarding death of a U.S. seaman.
- c. U.S. law (46 U.S.C. 11301(b)(6)) requires masters of all U.S. vessels traveling to and from ports in the United States to maintain an official log book sometimes call the "Master's Log" or the "Official Log" and to make, or cause to be made, a log entry of each death that occurs on board that vessel, to include cause of death. Other maritime nations have similar laws.
- d. At each port of call where there is a U.S. consular officer, the masters of U.S. vessels should report any death of a U.S. citizen having occurred en route that were not reported to a consulate at an earlier port of call. Masters of foreign vessels may also follow this practice, and the consular officer should provide appropriate assistance.
- e. 7 FAM 1830 provides guidance regarding aviation and other transportation disasters.
- f. The master of a U.S. vessel furnishes evidence of the death in the form of a certified copy of the log entry in the official log recording the death of the U.S. citizen. The complete Master's Log of every flag vessel returning to the U.S. from a foreign voyage is retained by the U.S. Coast Guard upon the vessel's return. Masters of foreign vessels usually also furnish certified copies of their log entries when the foreign master delivers the personal property of the deceased U.S. citizen to the consular officer or when the family of the deceased has asked the consul to arrange for disposition of the remains. The certification by the master should comply with 7 FAM 800 guidance on notarials and authentication of documents and include the following elements:

- | |
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| <ul style="list-style-type: none">▪ Venue▪ Name of country |
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- Name of province
- Name of city
- Name of Foreign Service post (Embassy of the United States of America)
- Jurat
- Subscribed and sworn to before me on (date) by (Name of Affiant)
- I (name of affiant), Master of (name of vessel) do (swear or affirm) that.....
- I was born on: (date of birth) at: (place of birth (city, state/province, country)
- I reside at (address)
- The record attached hereto is a true copy of the ship's log entry made by me on (date) recording the death of (name of decedent) on (date) and (time), at (location (including longitude and latitude coordinates if appropriate).
- **Include text regarding circumstances of the death and disposition of remains if appropriate**
- Affiant Signature Block
- Signature of Affiant
- Typed or Printed Name of Affiant
- Date
- Notarizing Officer Signature Block
- Signature of Notarizing Officer
- Typed Name of Notarizing Officer
- Title of Notarizing Officer
- (Date)
- (SEAL)

- g. **Preparing Form DS-2060, Report of the Death of an American Citizen Abroad** -: When knowledge of the death of a U.S. citizen on a vessel reaches a consular officer, the officer must report the death promptly to Consular Affairs, Overseas Citizen Services, American Citizen Services (CA/OCS/ACS) in accordance with 7 FAM 220. If the remains were discharged by the Master to the local coroner, cause of death determined by local authorities and a death certificate issued, a Form DS-2060 should be completed. The preparation must comply with

instructions in 7 FAM 270. If the remains were buried at sea, the Master's certified log entry may be sufficient to issue a Form DS-2060. Local authorities may or may not issue a local death certificate based on a Master's log entry or affidavit of a ship's physician (if there is a physician on board), depending on local law. If no civil death certificate is issued, the consular officer may issue a Form DS-2060 based on the Master's certified log entry, but the cause of death section of the form should state "not determined" and the remarks section of the Form DS-2060 should explain the circumstances of the death as reported by the Master and a copy of the Master's certified log entry should be annexed to the Form DS-2060. (See 7 FAM 274.6). When in doubt, the consular officer should consult CA/OCS for guidance. CA/OCS will confer with L/CA on how to proceed. Information needed for Form DS-2060 preparation can be obtained from various sources, including:

- (1) **Entries from the Master's Log:** The Master's Log entry concerning the death should contain sufficient information concerning the fact of death (including date, time, and location), the cause of death, and the identity and citizenship of the deceased to permit completion of Form DS-2060. The consular officer retains copies of the log entry, bearing the certification of the master if possible, with the post's copy of the Report and attaches it to the original Form DS-2060 to be sent to the Bureau of Consular Affairs in accordance with 7 FAM 270 guidelines.
- (2) **Records of Port Authorities:** Local vital statistics registrars or other competent shore authorities usually have established procedures for recording deaths that occur in the territorial waters of that country or that occur on the high seas on a vessel whose next port of call is in that country. A consular officer can obtain fact of death, cause of the death, and of the identity and nationality of the deceased from those officials.
- (3) **Records of the Ship's Registry:** If neither the Master's Log nor port records provide enough information to prepare Form DS-2060, a consular officer in the country of the ship's registry can obtain from central government records an extract of the voyage log as deposited in the official repository for ship's records or a copy of an entry made by a central registrar of vital statistics. In this case, Form DS-2060 is prepared by the consular post whose district includes the city where such central records are maintained instead of the post having consular jurisdiction over the port of call of the vessel on which the death occurred.

7 FAM 220 APPENDIX A DEATH ON AN

AIRCRAFT

(CT:CON-165; 04-18-2007)

- a. **Certification of a Death:** A death occurring on an aircraft while in flight usually cannot be certified until the aircraft lands and competent medical personnel can certify the death. In such cases, death is deemed to have occurred in the territory of the country where the aircraft has next landed, and the appropriate authorities of that country will issue a death.
- b. **Aircraft Proceeding to Foreign Airports:** A consular officer must issue Form DS-2060 when an aircraft bearing the remains of a U.S. citizen who died during the flight, lands at an airport within the consular district.
- c. **Aircraft Proceeding to U.S. Airports:** Consular officers are not responsible for preparing a Report of Death when a U.S. citizen dies during a flight from an airport in their consular district to an airport in the United States. The death certificate in such case is issued by the civil authorities in the U.S. state in which the airport is located.
- d. 7 FAM 1830 provides guidance about aviation disasters.

7 FAM 230 APPENDIX A PERSONAL EFFECTS AND DEATHS ON THE HIGH SEAS

(CT:CON-165; 04-18-2007)

- a. **Death on the High Seas:** There is no express provision of law authorizing the consular officer to take possession and dispose of the personal estate of a U.S. citizen, other than a seaman, who dies on the high seas.
- b. **Death Aboard A Vessel of American Registry:** If the death of a U.S. citizen, other than a seaman, occurs on board an American vessel, the consular officer should request the master of the vessel, in the absence of an authorized person, to take custody of and return the personal estate to the shipping company in the United States for forwarding to the legal representative or other authorized person.
- c. **Death Aboard A Vessel of Foreign Registry:** In the absence of a legal representative or other authorized person, the consular officer should take possession and dispose of the personal estate of a U.S. citizen who dies aboard a foreign vessel. The procedure in such cases is identical with that followed in the disposition of the estate of any United States citizen who may have died within the consular district with personal estate located within the consular district.
- d. **Seamen:** 7 FAM 760 provides guidance regarding death of seamen.

7 FAM 240 APPENDIX A NATIONAL CENTER FOR HEALTH STATISTICS

(CT:CON-165; 04-18-2007)

The National Center for Health Statistics (NCHS) of the Centers for Disease Control and Prevention (CDC) publication Where to Write for Vital Records includes information about records of death on the high seas and death on aircraft.

7 FAM 250 THROUGH 290 APPENDIX A UNASSIGNED