

# **7 FAM 1400 REGISTRATION AND RELATED SERVICES FOR U.S.**

## **7 FAM 1410 REGISTRATION SERVICES**

### **7 FAM 1411 PURPOSES**

(TL:CON-55; 6-14-93)

a. *Registration is the process whereby a person outside the United States obtains a determination of his claim to U.S. citizenship or nationality or, if recognized as a U.S. citizen, makes his presence in a consular district a matter of record.*

b. *Registration creates an official record of U. S.nationality, which in turn enables consular and diplomatic officers to furnish all appropriate citizen services. Registration also assists the post in the event of serious emergency situations, such as disasters and civil disturbances, requiring evacuations or other assistance, or in cases of accidents, arrests, serious injury, or death of the registrant.*

c. *Registration assists U.S. citizens as follows. It can:*

(1) *Establish possession of U.S. citizenship;*

(2) *Expedite and simplify the issuance of a passport;*

(3) *Simplify the issuance of consular reports of birth to children who are born abroad as U.S. citizens;*

(4) *Provide an opportunity to advise the registrant of any changes in or new interpretations of the nationality laws that might affect the registrant's citizenship status;*

(5) *Assist in the provision to family members of benefits in the event of the registrant's death.*

(6) *Expedite emergency evacuation in case of natural or other disasters, or life-threatening civil disturbances [see § 7 FAM 1437 ].*

d. *Related services for U.S. citizens abroad also include the issuance of the Consular Report of Birth Abroad [see § 7 FAM 1440 ] and Cards of Identity and Registration [see § 7 FAM 1430 ], as well as issuance of the Certificate of Nationality [see § 7 FAM 1464 ] and Certificate of Identity [see § 7 FAM 1465 ].*

## **7 FAM 1412 LEGAL AUTHORITIES**

### **7 FAM 1412.1 Registration**

(TL:CON-55; 6-14-93)

*Current regulations concerning registration are found in 22 CFR 50.2 and 50.3, which read as follows:*

#### **50.2 Determination of U.S. nationality of persons abroad.**

*The Department shall determine claims to United States nationality when made by persons abroad on the basis of an application for registration, for a passport, or for registration of birth.*

### **50.3. Application for registration**

*(a) A person abroad who claims U.S. nationality, or a representative on his behalf, may apply at a consular post for registration to establish his claim to U.S. nationality or to make his residence in the particular consular area a matter of record.*

*(b) The applicant shall execute the registration form prescribed by the Department and shall submit the supporting evidence required by subpart C of part 51 of this chapter. The diplomatic or consular officer shall determine the period of time for which the registration will be valid.*

## **7 FAM 1412.2 Card of Identity and Registration**

*(TL:CON-55; 6-14-93)*

*Authority for the issuance of a Card of Identity and registration is found in 22 CFR 50.9 which reads as follows:*

### **50.9 Card of identity and registration.**

*When authorized by the Department, a consular officer may issue a card of identity and registration for travel to the United States to a national of the United States being deported from a foreign country, to nationals involved in a common disaster abroad, or to a returning national whose passport facilities have been denied or withdrawn under the provisions of this part or part 50 or part 51 or 53 of this subchapter.*

## **7 FAM 1412.3 Consular Report of Birth**

*(TL:CON-55; 6-14-93)*

*Authority for the issuance of a Consular Report of a Birth Abroad is found in 22 CFR 50.5 through 50.7, which reads as follows:*

### **50.5 Application for registration of birth abroad.**

*Upon application by the parents or their representative, a consular officer may record the birth of a U.S. citizen child in his consular district. The officer shall require the applicant to submit evidence meeting the requirements of subpart C of part 51 of this chapter and shall include:*

*(a) Proof of child's birth. Proof of child's birth usually consists of, but is not limited to, an authentic copy of the record of the birth filed with local authorities, a baptismal certificate, a military hospital certificate of birth, or an affidavit of the doctor or the person attending the birth. If no proof of birth is available, the person seeking to register the birth shall submit his affidavit explaining why such proof is not available and setting forth the facts relating to the birth.*

*(b) Proof of child's citizenship. Evidence of parent's citizenship and, if pertinent, evidence of parent's physical presence in the United States as required for transmittal of claim of citizenship by the Immigration and Nationality Act of 1952 shall be submitted.*

### **50.6 Registration at the Department of birth abroad.**

*In the time of war or national emergency, passport agents may be designated to complete consular reports of birth for children born at military facilities which are not under the jurisdiction of a consular office. An officer of the Armed Forces having authority to administer oaths may take applications for registration under this section.*

**50.7 Report of birth.**

*(a) Upon submission of satisfactory proof of birth and nationality, and at the time of the recording of the birth, the consular officer shall issue to the parent or person in interest, when requested and upon payment of the prescribed fee, a consular report of birth. The Authentication Officer of the Department may issue additional copies of the report of birth.*

*(b) When it records a birth under section 50.6, the Department shall furnish a copy of the "Report of Birth" without fee to the parent or person in interest.*

**7 FAM 1412.4 Certificate of Nationality**

*(TL:CON-55; 6-14-93)*

The authority to issue a certificate of nationality to an applicant residing abroad is found in Section 359 of the INA, 8 U.S.C. 1502, and 22 CFR 50.10, which reads as follows:

## **50.10 Certificate of nationality**

(a) *Any person who acquired the nationality of the United States at birth and who is involved in any judicial or administrative proceedings in a foreign state and needs to establish his U.S. nationality may apply for a certificate of nationality in the form prescribed by the Department.*

(b) *An applicant for a certificate of nationality must submit evidence of his nationality and documentary evidence establishing that he is involved in judicial or administrative proceedings in which proof of his U.S. nationality is required.*

## **7 FAM 1412.5 Certificate of Identity**

(TL:CON-55; 6-14-93)

*Authority for the issuance of a certificate of identity to an applicant residing abroad is found in Section 360(b) of the INA, U.S.C. 1503(b), and in 22 CFR 50.11, which reads as follows:*

### **50.11 Certificate of identity for travel to the United States to apply for admission.**

(a) *A person applying abroad for a certificate of identity under section 360(b) of the Immigration and Nationality Act shall complete the application form prescribed by the Department and submit evidence to support his claim to U.S. nationality.*

(b) *When a diplomatic or consular officer denies an application for a certificate of identity under this section, the applicant may submit a written appeal to the Secretary, stating the pertinent facts, the grounds upon which U.S. nationality is claimed and his reasons for considering that the denial was not justified.*

## **7 FAM 1413 DEFINITIONS**

(TL:CON-55; 6-14-93)

*The following terms are used in registration and related services:*

(1) *“Card of Identity and Registration” means a card form document issued at post, when authorized by the Department, for direct return to the United States under the circumstances set forth in § 7 FAM 1412.2, § 7 FAM 1431 , and § 7 FAM 1438 .*

(2) *“Certificate of Nationality” means a formal document, attesting to the U.S. citizenship of the applicant, issued to a U.S. national who is involved in judicial or administrative proceedings abroad. The document is transmitted directly to the foreign state [see § 7 FAM 1412.4 and § 7 FAM 1463 ].*

(3) *“Certificate of Identity” means a formal document, issued at post when authorized by the Department, permitting the applicant to travel to the United States to apply for admission when the applicant has been denied a right or privilege due a citizen on the grounds that the applicant is not a citizen or national of the United States [see § 7 FAM 1412.5 and § 7 FAM 1464 ].*

(4) *“Certification of Report of Birth” means a document issued at the Department of State on Form DS-1350 when a report of birth abroad has been issued at post [see § 7 FAM 1446.2-5 ].*

(5) *“Consular Report of Birth” means a formal document, the “Consular Report of Birth Abroad of a Citizen of the United States”, Form FS-240, certifying that a person born abroad acquired U.S.citizenship at birth [see subchapter 7 FAM 1440 ].*

(6) *“Registration” means the process of obtaining a determination of one’s claim to U.S. citizenship or nationality or, in case of prior determination, making one’s presence in a consular district a matter of record at post [see § 7 FAM 1411 and subchapter 7 FAM 1420 ].*

(7) *“Travel Letter” means letters issued at post to U.S. citizens for direct return to the United States when there is not enough time to issue a passport, or the officer lacks ready access to passport issuance equipment [see § 7 FAM 1474 ].*

## **7 FAM 1414 THROUGH 1419 UNASSIGNED**

