

7 FAM 340 TRANSMITTING PRIVATE FUNDS THROUGH THE DEPARTMENT-- OCS/TRUST

(TL:CON-46 10-19-87)

7 FAM 341 GENERAL POLICY

a. Funds from private sources in the United States intended for U.S. citizens overseas must be transmitted through commercial channels whenever possible. If an emergency exists, the Citizens Emergency Center (CA/OCS/EMR) has an established OCS/TRUST procedure for transmitting funds from a private source.

b. The OCS/TRUST procedure requires that a specific dollar amount be deposited with the Department for the U.S. citizen abroad. A service fee for setting up and maintaining the trust account is required (22 CFR section 22.1, Schedule of Fees item 92, effective December 12, 1980). Upon receipt of the fee, the Department then authorizes by telegram a designated Foreign Service post to release to the U.S. citizen, or pay on the citizen's behalf, the funds deposited for that purpose with the Department.

c. Occasionally additional funds must be remitted. The service fee covers the initial deposit and subsequent deposits for the same post for the fiscal year. A transfer of funds to another post requires that an additional service fee (the same Schedule of Fees item 92) be collected (see section 7 FAM 337.1).

d. Posts should alert CA/OCS/EMR when individuals abuse trust procedures. However, the OCS/TRUST procedure is one of the Department's primary means of providing positive assistance to U.S. citizens abroad, and posts should facilitate its use when warranted.

e. Unless there is an overriding consideration requiring payment in U.S. dollars, OCS/TRUST funds should be disbursed in local currency.

7 FAM 342 CRITERIA

Before the OCS/TRUST procedure can be used, the consular officer must determine that the following criteria have been met:

(1) The payee of the OCS/TRUST fund must be a U.S. citizen (in exceptional circumstances involving aliens the post may request Department approval);

(2) The funds are required in order to extricate the citizen from an emergency situation;

(3) The funds are not to be used in routine business transactions;

(4) Commercial facilities for transfers of funds are determined by the post to be inadequate, unreliable, too slow; and/or

(5) The post has determined that the nature of the emergency makes it preferable that the post control the disbursement of funds, as opposed to direct payment to the payee.

7 FAM 343 AMOUNT

a. Funds transmitted by OCS/TRUST should not exceed the amount necessary to extricate the U.S. national from the emergency. Consular officers need not audit each request but should be alert for requested amounts that greatly exceed what would normally be required to cover the emergency situation.

b. Funds are frequently received in CA/OCS/EMR for which no written or telegraphic request is on file. These are passed routinely to posts via OCS/TRUST channels in the belief that they were sent in response to a telephonic request and that an emergency exists which meets the above criteria.

7 FAM 344 REQUESTING OCS/TRUST FUNDS: DIRECT RELAY TELEGRAMS

7 FAM 344.1 Department Notification

If the OCS/TRUST procedure is appropriate, send a message to request funds from a private source in the United States by an official direct relay telegram, rather than through commercial facilities. Use of a direct relay telegram alerts the Department (CA/OCS/EMR) to the fact that a trust deposit may be forthcoming, since CA/OCS/EMR will receive a copy of that telegram.

7 FAM 344.2 Contents

The consular officer should consider the following factors when preparing a direct relay telegram to the potential source of funds:

(1) Remittances in the form of a Western Union or bank money order are acceptable for deposit by the Department. The consular officer should suggest that the potential donor or lender arrange for Western Union money order, if convenient, since that is often the fastest way to transfer funds, or for an often less expensive bank wire transfer from the local bank to the American Security Bank, Department of State, Branch No. 20 (see section 7 FAM 334.1).

(2) All remittances must be made payable to U.S. Department of State for the individual named, at a specified post. Such money order or wire transfer must include an instruction such as:

Pay to the order of U.S. Department of State OCS/TRUST for John R. Doeat Bogota, Columbia.

When this information is not included, and there has been no advance notice, the Department has no choice but to return these funds to the remitter as undeliverable.

(3) Western Union money orders should be addressed to:

Citizens Emergency Center (CA/OCS/EMR)
Room 4811
Department of State
Washington, D.C. 20520

(4) Bank wire transfers should be addressed to:

American Security Bank
Branch No. 20
Washington, D.C. 20520

(5) Provide the remitter with the telephone number of the Citizens Emergency Center (CA/OCS/EMR): 202-647-5225.

7 FAM 344.3 Text

The 7 FAM 344 Exhibit 344.3 is a sample direct relay telegram for the transmission of funds via OCS/TRUST. The exhibit indicates the amount necessary and directs the remitter to contact CA/OCS/EMR for instructions. Instruct the remitter to contact the Department for more details or for a fuller explanation.

7 FAM 345 DEPARTMENT ACTION

7 FAM 345.1 Notification of Request for OCS/TRUST

The Department (CA/OCS/EMR) usually learns of a developing OCS/TRUST request in one of the following ways:

(1) Information Copy of Telegram. When a direct relay telegram is sent by a Foreign Service post to an address in the United States, CA/OCS/EMR receives an information copy, usually within one working day. Receipt of such a telegram regarding OCS/TRUST will alert CA/OCS/EMR to the possibility of a trust case.

(2) Remitter Inquiry. Often the prospective remitter has been contacted directly by the person abroad needing the funds and calls the Department for assistance and advice in transmitting the funds. The Department determines whether the OCS/TRUST fund criteria are present. If use of the OCS/TRUST procedure is deemed appropriate, instructions are given; otherwise, the transmission of funds by commercial banking facilities is recommended.

7 FAM 345.2 Depositing Funds

a. Funds received in OCS arrive by Western Union money order, money order, bank wire transfer or cashier's check, through the mail, or by personal delivery.

b. The funds are compared with the Department's information copy of the direct relay telegram requesting the funds or other background data to determine whether the amount received is consistent with that requested by post. Should the Department have no record or information concerning the need for OCS/TRUST, and if the amount appears excessive, the funds may be held pending clarification.

c. When it is determined that the request is appropriate, the money order or bank draft is transferred to the Department's cashier for deposit and an OCS/TRUST telegram is sent to the appropriate Foreign Service post.

7 FAM 345.3 Transmission of the OCS/TRUST

OCS/TRUSTS are transmitted to the action post by telegram, using a standard format (see 7 FAM 345 Exhibit 345.3). The telegram bears the TAGS symbol CASC, plus the full name of the payee; the subject is FIMED: TRUST CASE OF (payee's name). The text of the telegram will be organized as follows.

7 FAM 345.3-1 First Paragraph

The first paragraph includes four major data items:

(1) Key Word. The paragraph should begin with the key phrase, DISBURSEMENT AUTHORIZED: OCS/TRUST.

(2) Amount. The amount of the trust in U.S. dollars is indicated in both numbers and words to reduce the likelihood of any confusion caused by telegraphic garbling.

(3) Payee. The full name of the payee is entered.

(4) Consular Fee. The message indicates whether the service fee has been paid previously or was deducted from the amount transmitted to the Department (see section 7 FAM 341).

7 FAM 345.3-2 Second Paragraph

The second paragraph provides the complete name and address of the individual in the United States who deposited the trust funds with the Department.

7 FAM 345.3-3 Third Paragraph

The third paragraph reminds the post that, unless there is an overriding consideration requiring payment in U.S. dollars, trust funds are usually disbursed in local currency. If sufficient cash is not on hand for payment the cashier should use the emergency replenishment procedure to obtain funds immediately through the regional U.S. Disbursing Office (USDO)
(see 4 FAM 396.3-4)

7 FAM 345.3-4 Fourth Paragraph

The fourth paragraph reminds the post to notify the Department (M/COMP/FO/GAD/SAC) when final payment is made.

7 FAM 345.3-5 Fifth Paragraph

The fifth paragraph, an optional, general use paragraph, provides additional information when required. Consular officers should pay particular attention to special instructions in this section. This paragraph is most frequently used to:

(1) Indicate a short personal message from the depositor to the payee;

(2) Furnish specific instructions or limitations concerning disbursement of funds at the request of the depositor (for example, funds not to be given directly to payee but to be used solely to settle overdue hotel bills and/or purchase nonrefundable, nontransferable ticket to the United States);

(3) Provide further instructions to the post or request additional information (for example, "advise flight info and ETA when known"); and/or

(4) Give the exact location of the payee.

7 FAM 346 POST ACTION

Upon receipt of an OCS/TRUST message, the consul should take the following actions as necessary.

7 FAM 346.1 Contact Payee

The payee should be notified as soon as possible that funds have been received. Delays in notifying the payee result in followup inquiries and complaints, often from Congressional offices.

7 FAM 346.2 Disburse Funds

Usually the entire amount of the trust is disbursed to the payee. However, if the depositor or the Department has placed certain limitations on disbursement, the consul should follow these instructions exactly. In many cases the Department is able to persuade persons in the United States to deposit funds only by agreeing to limitations or control on disbursement. Make every effort to follow any special instructions or guidelines contained in paragraph five of the OCS/TRUST message.

7 FAM 346.3 Report Payment

A brief message should be sent to the Department (M/COMP/FO/GAD/SAC and CA/OCS/EMR) when the final payment has been made. 7 FAM 346 Exhibit 346.3 is a sample of such a message. If for any reason payment is not made within 30 days after receipt of trust funds or only partial payment is made, send a brief explanatory telegram to the Department, indicating that the remaining funds are being returned to the depositor.

7 FAM 346.4 Replenish OCS/TRUST

a. Occasionally it is necessary to maintain an OCS/TRUST account for a U.S. citizen for extended period of time due to hospitalization, incarceration, or other circumstances. During this period the citizen might need additional funds. The consul advises the depositor by direct relay telegram or other appropriate means of the additional amount that should be deposited with the Department.

b. The consular officer should be certain that the Department is aware that additional funds have been requested for deposit in an existing OCS/TRUST (as opposed to a new trust). An OCS/TRUST, including one with a zero balance, may be replenished until such time as the post advises M/COMP/FO/GAD/SAC that an OCS/TRUST account for a specified U.S. citizen is no longer necessary.

7 FAM 347 TRANSFER BETWEEN POSTS

7 FAM 347.1 Transfer of OCS/TRUST

a. On occasion, the beneficiary of an OCS/TRUST deposit may depart one consular district before receiving the money, yet may need the funds in another location. In such a situation, transfer the OCS/TRUST, which is Washington-held, to the Foreign Service post serving the new location.

b. To accomplish this, the first post should request permission from the Department to transfer funds to another post (see 4 FAM 325.2-4). The OCS/TRUST fund fee (Schedule of Fees, item 92) must also be charged when trust funds are transferred between posts and reported under account number 192414.

c. The transferring (originating) post should repeat the OCS/TRUST telegram to the post of the new location with information copies to CA/OCS/EMR and M/COMP/FO/GAD/SAC. The telegram must include any disbursing conditions established by the depositor.

d. The recipient post disburses the funds to the beneficiary and charges the disbursement to the account specified in the telegram. The disbursing post must report any disbursements to the Department in accordance with these instructions (see section 7 FAM 346.3).

7 FAM 347.2 Deposits Made at Posts Abroad

a. Posts occasionally receive deposits directly and are requested to forward amounts to another post, using the SDA 19X6809 procedures outlined in 4 FAM 325.2, for use of a U.S. citizen in that post's originating post collects from the depositor the amount of the deposit plus an additional trust fund fee (Schedule of Fees, item 92) for the administration of the OCS Trust Fund, as required in 22 CFR 22.5.

b. The originating post then notifies the receiving post by telegram of the U.S. dollar equivalent of the funds on deposit and of the conditions established by the depositor. The telegram must include the dollar amount of the deposit, the name of the beneficiary, type of payment, the depositor's name and address, accounting information, and any other pertinent information, including "Reply Requested" if applicable.

c. The recipient post then makes the disbursement of funds and records the action in the cash accounting system in the same manner as all other official payments.

d. Posts should report monthly the OCS Trust Fund administration fee under account number 192414. Because of currency regulations and remoteness of banking facilities, posts usually do not make payments in U.S. dollars but must use local currency.

7 FAM 348 AND 349 UNASSIGNED

7 FAM 344 Exhibit 344.3

POST OCS/TRUST DIRECT RELAY TELEGRAM

POST OCS/TRUST DIRECT RELAY TELEGRAM

TELEGRAM

INDICATE
 COLLECT
 CHARGE TO

12356 E.O. 14176 TAGS: SUBJECT: ACTION:	FROM Amembassy San Salvador	CLASSIFICATION UNCLASSIFIED	
	N/A CASC (BROWN, James W.) FIMED: TRUST Case of James W. Brown		
SECSTATE WASHDC IMMEDIATE DIRECT RELAY UNCLAS SAN SALVADOR			
TO: Mr. James D. Brown 1970 East 27th Street New York, NY 10007 Tel: 212-555-5557			
Your son, James W. Brown, destitute in San Salvador, has run up large hotel bill and will be charged and jailed if bill is not paid by January 15. Your son requests you send dols 675 (six hundred seventy-five) for unpaid bill. Telephone Citizens Emergency Center, Overseas Citizens Services, Department of State, Washington, D.C. 202-647-5225 weekdays between 8:15 a.m. and 10:00 p.m. for instructions on transmitting funds.			
American Embassy San Salvador, El Salvador			
HALL			
DRAFTED BY: CONS: MEMitchell:cb	DRAFTING DATE 1/11/87	TEL. EXT. 23712	CONTENTS AND CLASSIFICATION APPROVED BY: DCM:JJMarshall
CLEARANCES:			

UNCLASSIFIED
 CLASSIFICATION

7 FAM 345 Exhibit 345.3

DEPARTMENT OCS/TRUST TELEGRAM TO POST

(Page 1 of 2)

DEPARTMENT OCS/TRUST TELEGRAM TO POST

OUTGOING TELEGRAM			
OPTIONAL FORM 105 (OCR) Rev. 3-85			
Dept. of State			
ACN	MMN	DTG	
UNCLASSIFIED			
SPECIAL HANDLING			
CA/OCS/EMR:RBCHAMBERS			
10/13/87 EXT. 23712			
CA/OCS/EMR:JUDREW			
TELEPHONE			
M/COMP/FO/GAD/SAC:SMKNOLL			
IMMEDIATE		BRAZZAVILLE	
SPECIAL HANDLING			
CAPTIONS			
E.O. 12356: N/A			
TAGS: CASC (JOHNSON, BARBARA A.)			
SUBJECT: FIMED: OCS/TRUST CASE OF BARBARA A. JOHNSON			
REF: BRAZZAVILLE 11894			
1. DISBURSEMENT AUTHORIZED: OCS/TRUST DOLS 1,659 (ONE THOUSAND SIX HUNDRED FIFTY NINE) FOR BARBARA A. JOHNSON SYMBOL 19X6875-9941 ACCOUNT NO. 130729. THE DOLS 15.00 CONSULAR FEE HAS BEEN COLLECTED ON THIS ACCOUNT.			
2. DEPOSITOR: HOWARD R. JOHNSON, 158 WEST HAMPTON STREET, MAHWAY, NEW YORK.			
3. FYI: UNLESS THERE IS SOME OVERRIDING CONSIDERATION REQUIRING PAYMENT IN U.S. DOLLARS, TRUST FUNDS USUALLY SHOULD BE DISBURSED IN LOCAL CURRENCY. IF SUFFICIENT CASH NOT ON HAND FOR PAYMENT, CASHIERS SHOULD USE EMERGENCY REPLENISHMENT PROCEDURE TO OBTAIN FUNDS IMMEDIATELY THROUGH USDO.			
4. NOTIFY DEPARTMENT M/COMP/FO/GAD/SAC WITH ACCOUNT NUMBER WHEN FINAL PAYMENT MADE.			
UNCLASSIFIED			

INITIALS
JUDREW
RBCHAMBERS
1
2
3
4
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7
8
9
10
11
12

FORM 105 EDITION 3-85 7540-01-011-1023 10-95-105

Department Ocs/Trust Telegram To Post—Continued

OUTGOING TELEGRAM

UNCLASSIFIED

2

5. REMARKS: DEPOSITOR REQUESTS FUNDS TO BE USED TO PAY HIS DAUGHTER'S HOTEL BILL AND TO PURCHASE RETURN TICKET TO THE UNITED STATES. YY

UNCLASSIFIED

7 FAM 346 Exhibit 346.3

POST TELEGRAM REPORTING OCS/TRUST FINAL PAYMENT

POST TELEGRAM REPORTING OCS/TRUST FINAL PAYMENT

TELEGRAM

INDICATE
 COLLECT
 CHARGE TO

FROM Amembassy BRAZZAVILLE	CLASSIFICATION UNCLASSIFIED
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12356

E.O. 11652-

TAGS:

SUBJECT:

ACTION:

N/A
CASC (JOHNSON, Barbara A.)
FIMED: OCS/TRUST Case of Barbara A. Johnson

SECSTATE WASHDC
M/COMP/FO/GAD/SAC
CA/OCS/EMR

REF: State 0181169

1. OCS/TRUST final payment of dols 1604 (one thousand six hundred four) disbursed to Barbara A. Johnson on 10/16/87, Fiscal Symbol 19X6875-9941, Account Number 130729.

2. Embassy refunding balance of dols 55 (fifty-five) remaining in account to depositor, Howard R. Johnson, 158 West Hampton Street, Mahway, New York.

FOSTER

DRAFTED BY: CONS: JERYan: bcc	DRAFTING DATE 10/16/87	TEL. EXT. 812600	CONTENTS AND CLASSIFICATION APPROVED BY: DCM:DCMerrick
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CLEARANCES:

UNCLASSIFIED

CLASSIFICATION

OPTIONAL FORM 153
(Formerly FS-413)
January 1975
Dept. of State

50153-101

