

ERRATA VOLUME 23

p. 264, note 12. For "185" substitute "175"; for "77" substitute "67".

p. 275, note 63. Replace entire paragraph beginning "it is doubtful . . ." with:

The courts have not, to the author's knowledge, expressly ruled on whether a person who has been the subject of an adverse determination with respect to nationality may institute a section 360 action without first taking an appeal to the Board. A number of cases, however, suggest that before proceeding in District Court an aggrieved person must exhaust his administrative remedies. *Peter v. Secretary of State*, is particularly pertinent. "Having exhausted her administrative opportunities, as to which no question is raised, [as indicated, plaintiff was unsuccessful before the Board] she instituted this suit." 347 F. Supp. at 1037. *See also* *Garcia-Sarquiz v. Saxbe*, 407 F. Supp. 789 (S.D. Fla. 1972); *Arias-Alonzo v. INS*, 391 F. 2d 400 (5th Cir. 1968); *Linzalone v. Dulles*, 120 F. Supp. 107 (S.D.N.Y. 1954).

p. 279, note 73. Replace entire note with:

22 C.F.R. 7.3(a) (1985) provides that the Board shall have jurisdiction over appeals from administrative determinations of loss of nationality or expatriation under subpart C of Part 50 of Chapter I (Department of State.) 22 C.F.R. 50.40-50.52 (subpart C) (1985) prescribes procedures that consular officers shall follow in processing potential loss of nationality cases and reporting them to the Department for decision in accordance with the provisions of section 358 of the INA. *See supra* note 26 and accompanying text. As section 358 states, the cases consular officers are to report are those involving performance of an act prescribed as expatriating by Chapter 3 of Title III ("Loss of Nationality") of the INA, 8 U.S.C. 1101-1525, or by Chapter IV ("Loss of Nationality") of the Nationality Act of 1940, ch. 876, 54 Stat. 1137.

22 C.F.R. 7.3(b)(1985) gives the Board jurisdiction to hear appeals from administrative decisions denying, revoking, restricting or invalidating a passport under 22 C.F.R. 51.70 and 51.71 of Chapter I (Department of State). The latter sections mandate adverse action with respect to a party's passport when he or she has been placed under some sort of legal restraint (generally is the subject of a warrant for arrest). The Board heard a handful of appeals from restric-

tive action with respect to passports in the 1970's; since then only one such appeal has been filed.

Other jurisdiction includes: appeals from decisions of contracting officers under grants or contracts of the Department, not otherwise provided for, 22 C.F.R. 7.3(c) (1985); appeals by U.S. nationals operating in South Africa from decisions that they failed to comply with fair labor standards prescribed by the Department, 22 C.F.R. 7.3(d) (1986); and appeals in such other cases as the Secretary may authorize, 22 C.F.R. 7.3(e) (1986). To date the Secretary has not authorized any cases under the latter heading.

p. 285, line 26. Delete brackets around "action".

p. 320, note 258. For correct content, read present content of note 259.

p. 320, note 259. For correct content, read present content of note 258.