



Washington, D.C. 20520

May 10, 1993

Dear Mr. Ambassador:

I have been asked to respond to your March 15, 1993, letter to the Secretary of State concerning the execution by the State of Texas of Mr. Carlos Santana, a Dominican national. Your letter raised the possibility that Mr. Santana may not have been informed of the opportunity for consular notification under the Vienna Convention on Consular Relations.

In response to your letter, we asked Texas Governor Ann Richards to provide for an investigation of the consular notification issue. A copy of our request to Governor Richards is attached.

On March 23, 1993, Governor Richard's office and the Texas Attorney General's office in a series of telephone calls provided us with detailed information about the consular notification issue. Based on that information, we concluded that Texas authorities had no reason to think that Mr. Santana was a Dominican citizen, in part because he at times had affirmatively represented that he was a citizen of the United States. The Texas Attorney General's office confirmed this information in an April 27, 1993, letter to the Department, a copy of which is also attached. We understand that the information in the letter and its attachments have previously been made available to you, by Texas State authorities.

The record as we know it would not in our view support a conclusion that there was any failure to comply with the consular notification provisions of the Vienna Convention. We have, however, reminded the Texas officials with whom we have communicated of the seriousness with which we regard these provisions, and of the importance of complying with them.

Sincerely,

James H. Thessin
Acting Legal Adviser

Enclosures: As stated

His Excellency
Jose del Carmen Ariza,
Ambassador of Dominican Republic.

cc: Governor Richards (w/o enclosure)
Mr. Zapalac (w/o enclosure)