



Homeland
Security



LOCAL ARRANGEMENT FOR REPATRIATION OF MEXICAN NATIONALS

The Consulate of Mexico in Albuquerque, New Mexico, and the Albuquerque Resident Offices, Immigration and Customs Enforcement, Field Offices (Office of Investigations Resident Agent in Charge and Office of Detention and Removal) and the Albuquerque, Field Office for Customs and Border Protection, of the Department of Homeland Security (DHS) of the United States of America (the United States), all together hereinafter referred to as "the Participants":

RECOGNIZING the obligations of Mexico and the United States of America set forth in the Vienna Convention on Consular Relations of April 24, 1963, of which both are Contracting Parties, and in the Consular Convention between the United Mexican States and the United States of America of August 12, 1942;

BEARING IN MIND the provisions of the Memorandum of Understanding on Consular Protection of Mexican and United States Nationals, of May 7, 1996; and the Memorandum of Understanding on Consultation Mechanisms of the Immigration and Naturalization Service Functions and Consular Protection, of June 11, 1998;

RECOGNIZING the need to regulate the flow of persons, particularly on the common border, as was reflected in the Memorandum of Understanding between the Department of Homeland Security of the United States of America and the Secretariat of Governance and the Secretariat of Foreign Affairs of the United Mexican States, on the Safe, Orderly, Dignified and Humane Repatriation of Mexican Nationals, signed on February 20, 2004 (hereinafter the MOU);

CONSIDERING that the Governments of the United States of America and the United States of Mexico have approached the topic of migration at the highest level, and that the

Joint Declaration "Towards a Partnership for Prosperity: The Guanajuato Proposal" addresses this issue as a matter of cooperation and shared responsibility.

CONSIDERING that in 1997 the Working Group on Migration and Consular Affairs of the Mexico-U.S. Binational Commission was established as a means of developing improved procedures for repatriating Mexican nationals in a safe, dignified and orderly way with respect to their human rights, and that this Working Group has strengthened the mutual collaboration in the subsequent sessions on those matters;

DESIRING to establish a local arrangement on the safe and orderly repatriation of Mexican nationals, as mentioned in the Plan of Action for Cooperation on Border Safety, of June 21, 2001; the U.S.-Mexico Border Partnership Action Plan, of March 22, 2002, and the U.S.-Mexico Action Plan for Cooperation on Border Safety, of February 20, 2004.

Have established the following Local Arrangement:

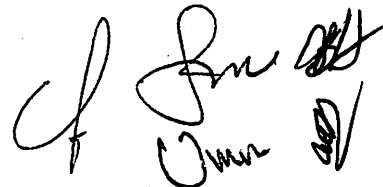
CRITERIA AND PROCEDURES

SECTION 1

The purpose of this Arrangement is to establish local procedures for the orderly and safe repatriation of Mexican nationals from the United States to Mexico, consistent with the criteria and principles referred to in Article 3 of the February 20, 2004 Memorandum of Understanding on the Safe, Orderly, Dignified and Humane Repatriation of Mexican Nationals (the MOU).

SECTION 2

Consistent with the MOU, repatriations from the interior, ports of entry and at the border of the United States and Mexico should be conducted in a manner that will be consistent with the respect of the human rights and dignity of Mexican nationals found in the United States in violation of U.S. immigration law.



SECTION 3

Under this Arrangement:

The Consulate of Mexico in Albuquerque, New Mexico, should take appropriate actions with respect to Mexican nationals found in, detained in or repatriated from the counties of Bernalillo, Catron, Cibola, Colfax, Curry, De Baca, Guadalupe, Harding, Los Alamos, Lincoln, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union, and Valencia.

The following DHS authorities should take appropriate actions with respect to Mexicans found in, detained in or repatriated from the counties listed above:

- a) Customs and Border Protection (CBP): El Paso Office of Field Operations;
- b) Immigration and Customs Enforcement (ICE): El Paso Detention and Removal Operations (DRO); El Paso Office of Investigations
- c) Customs and Border Protection (CBP): El Paso Office of Border Patrol; Truth or Consequences, NM and Albuquerque, NM Border Patrol Stations.

When the repatriation of a Mexican national involves areas covered by this Arrangement and one or more additional local arrangements (e.g., the individual is detained by DHS in a county covered by this arrangement and is to be repatriated at a point of repatriation covered by another local arrangement) this Arrangement will apply to the actions that take place within the area covered by this Arrangement, and the other local arrangement(s) will apply to the actions that take place within the area(s) covered by the other local arrangement(s).

CONSULAR NOTIFICATION AND ACCESS

SECTION 4

The DHS Participants should advise every detained Mexican national (who is not also a U.S. national) that he/she may communicate with a consular official. When a detained Mexican national requests consular access, the DHS Participants should notify the Mexican Consulate, facilitate access and provide Mexican consular officials, to the extent practicable, the opportunity to conduct interviews in private. The DHS Participants should make available to the Mexican Participants copies of applicable regulations and the DHS Detention Standards applicable to all persons detained for a period longer than 72 hours. Consular notification should be made by phone to the Protection and Legal Affairs Department at **(505)-247-4177** and by fax at **(505)-842-9490**.

SECTION 5

The Participants have listed in Attachment 1 the names and titles of, and contact information for, their officials who are responsible for the delivery to, or reception of Mexican nationals, in Mexico, or for the coordination of repatriation activities.

SECTION 6

The DHS Participants should provide to the appropriate points of contact designated by the Mexican participants in Attachment 1 the names and appropriate information of Mexican nationals being directly repatriated at the ports of entry or from the borders of the United States for whom notifications have not previously been made but who are suspected of committing, or known to have committed criminal violations, in the United States or Mexico, as well as those identified as being of special interest to the Government of Mexico. Such notification should be provided in a timely manner prior to any repatriation.

Local procedures should be developed as necessary to ensure that repatriation is accomplished in a coordinated manner through a mechanism developed by the appropriate officials of both countries when an individual who is suspected of committing, or known to

have committed, criminal violations has been identified as being of special interest to the Government of Mexico in response to a previous notification.

SECTION 7

The Participants should set forth the conditions for routine notification of repatriations of Mexican nationals from the interior, ports of entry, and at the border of the United States and Mexico. Notification of routine repatriations should be done in a manner consistent with logistical and operational needs.

The DHS Participants should whenever possible, consistent with logistical and operational needs, deliver to the appropriate Mexican Participants at established points of repatriation and at the time of repatriation, a list of Mexican nationals to be repatriated, which includes at least name, sex, date and place of birth.

The Mexican Participants should provide appropriate officials at the established points of repatriation to receive the requested information.

SECTION 8

The Participants have established the points of repatriation, and their hours of scheduled operation and staffing, in Attachment 2. The Participants should update the Attachment whenever the points of repatriation or their hours of scheduled operation and staffing change. The Mexican Participants should make every effort to ensure that agreed-upon points of repatriation are fully staffed with appropriate local, state and/or federal entities responsible for the health, welfare and safety of Mexican nationals.

SECTION 9

The Participants have listed in Attachment 3 the points of contact to receive and/or convey information about incidents involving reported misconduct, mistreatment or violations of human rights.

In regard to the solution of differences in the application or interpretation of this Arrangement, the procedures established in articles 8 and 1 b) of the MOU remain applicable.

INTERIOR AND BORDER COORDINATION

SECTION 10

The unity of families should be preserved during repatriation, within administrative parameters. For purposes of this Arrangement, the Participants define "family" as including spouses (including common law spouses), children, siblings (brothers and sisters), parents, grandparents, aunts and uncles. When doubts about kinship between juveniles and adults exist, DHS participants should coordinate with the Consulate of Mexico in order to safe-guard the well-being of the juveniles.

SECTION 11

The Participants should repatriate persons with special needs during daylight hours to ensure their safety. For purposes of this Arrangement, "persons with special needs" may include, but are not limited to, unaccompanied minors, the elderly, pregnant women, and individuals who are mentally or medically incapacitated. The Mexican participants should make every effort to have the appropriate representatives receive such persons upon repatriation from the United States. Repatriation of such persons should generally be arranged in a timely manner.

SECTION 12

If additional preparation is required to receive an unaccompanied minor or an individual with medical, mental or other special needs, the DHS Participants should provide the information specified in Attachment 4 to the Mexican Participants.

ARRANGEMENT'S EVALUATION

SECTION 13

Based on the framework of Article 5 of the MOU, when specific circumstances so require and if deemed feasible, the Repatriation Technical Working Group will explore bilateral mechanisms for repatriation of Mexican nationals to their places of origin, conforming to the agreed principles.

The Participants may also propose special programs for consideration by the Repatriation Technical Working Group.

The Participants should develop local procedures to implement approved special programs.

SECTION 14

The Participants should meet no less than two times per year to review the arrangement and discuss repatriation issues. The Participants should refer to the Repatriation Technical Working Group: (a) unresolved issues; (b) best practices; (c) new or emerging repatriation issues, and (d) proposed changes in, or proposed termination of, the local repatriation arrangement.

The local repatriation procedures should be reviewed and updated in consultation with the Repatriation Technical Working Group at least on an annual basis.

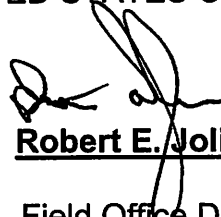
Signed in Albuquerque, New Mexico on this **January 12, 2008** in two originals in the Spanish and English languages, being both texts equally valid.

FOR THE CONSULATE OF MEXICO IN
Albuquerque, New Mexico



Gustavo Adolfo De Unánue Aguirre
Cónsul Titular

FOR THE DEPARTMENT OF
HOMELAND SECURITY OF THE
UNITED STATES OF AMERICA



Robert E. Jolicoeur

Field Office Director
Detention and Removal Operations
Immigration and Customs Enforcement
El Paso, Texas

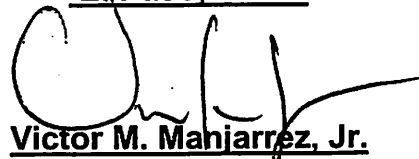


Julio M. Velez

Acting Special Agent in Charge
Office of Investigations
Immigration and Customs Enforcement
El Paso, Texas



Ana B. Hinojosa
Director Field Operations
Office of Field Operations
Customs and Border Protection
El Paso, Texas



Victor M. Manjarrez, Jr.
Chief Patrol Agent
Office of Border Patrol
Customs and Border Protection
El Paso, Texas

Attachment A

**CONSULAR JURISDICTION OF THE CONSULATE OF MEXICO IN
Albuquerque, New Mexico**

<u>New Mexico</u> COUNTIES	CITY
1 BERNALILLO	ALBUQUERQUE
2 CATRON	QUEMADO
3 CIBOLA	GRANTS
4 COLFAX	RATON
5 CURRY	CLOVIS
6 DE BACA	MESA
7 GUADALUPE	SANTA ROSA
8 HARDING	MOSQUERO
9 LOS ALAMOS	LOS ALAMOS
10 LINCOLN	CARRIZOZO
11 MCKINLEY	GALLUP
12 MORA	MORA
13 QUAY	TUCUMCARI
14 RIO ARRIBA	TIERRA ARAMILLA
15 ROOSEVELT	PORTALES
16 SANDOVAL	BERNALILLO
17 SAN JUAN	FARMINGTON
18 SAN MIGUEL	LAS VEGAS
19 SANTA FE	SANTA FE
20 SOCORRO	SOCORRO
21 TAOS	TAOS
22 TORRANCE	ESTANCIA
23 UNION	CLAYTON
24 VALENCIA	BELEN

Attachment 1

1. Notification of detention of Mexican nationals and Consular access.

Consulate of Mexico in Albuquerque, New Mexico

Department of Protection and Security

Name	Charge	E-mail personal	Cell phones	Office Telephone
Gustavo de Unánue	Cónsul Titular	[REDACTED] B6 & 7C	(505)453- [REDACTED] B6 & 7C	(505)242- [REDACTED] B6 & 7C
Sergio Morales	Encargado del Depto de Protección.	[REDACTED] B6 & 7C	(505)270- [REDACTED] B6 & 7C	(505)247- [REDACTED] B6 & 7C
David Espinoza	Depto. Protección	[REDACTED] B6 & 7C	(505)270- [REDACTED] B6 & 7C	(505)247- [REDACTED] B6 & 7C
Ivonne García	Depto. Protección	[REDACTED] B6 & 7C	(505)270- [REDACTED] B6 & 7C	(505)247- [REDACTED] B6 & 7C
Oscar Corral	Depto. Protección	[REDACTED] B6 & 7C	(505)270- [REDACTED] B6 & 7C	(505)247- [REDACTED] B6 & 7C

2. Names, positions and contact information of the Officers responsible of receiving Mexican nationals and coordinating repatriation activities.

Paso Del Norte Port of Entry

Regional Office of the National Migration Institute in the State of Chihuahua

Lic. Julieta Núñez González
Regional Head Officer of the INM

Phone. [REDACTED] B6 & 7C

Fax (011-52) (656) 616-7010

E mail: [REDACTED] B6 & 7C

3. Names, positions and contact information of the Officers in charge of receiving information of the repatriation of ex-convicts

On behalf of Mexico

Legal Office of the Attorney General of Mexico in El Paso, Texas.

Lic. José Humberto López Portillo

Wells Fargo Bank Plaza

221 N. Kansas St., Suite 1104

El Paso, TX, 79901

Telephone (915) 545- [REDACTED] B6 & 7C

Fax (915) 545- [REDACTED] B6 & 7C

E-mail [REDACTED] B6 & 7C

Copy of the notification should be sent to:

Consulado de México en el Paso, Texas

Departamento de Protección y Seguridad

Vicecónsul Arturo Salgado Benítez

Tels. (915) 533- [REDACTED] B6 & 7C (915) 544- [REDACTED] B6 & 7C (915) 577- [REDACTED] B6 & 7C

Extensión [REDACTED] B6 & 7C

Celular de guardia (915) 549- [REDACTED] B6 & 7C

Fax (915) 532-7163

Correo electrónico: [REDACTED] B6 & 7C

-AND-

Regional Office of the National Migration Institute in the State of Chihuahua

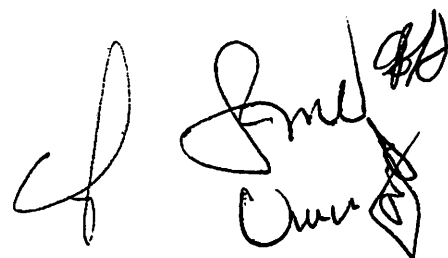
Lic. Julieta Núñez González

Regional Head Officer of the INM

Phone [REDACTED] B6 & 7C

Fax (011-52) (656) 616-7010

E mail: [REDACTED] B6 & 7C



On behalf of the United States

4. Names, positions and contact information of the Officers responsible of delivering the Mexican nationals and coordinating repatriation activities.

Customs and Border Protection (CBP)

Office of Field Operations

Arthur D. Gonzales

Assistant Director

Border Security and Facilitation

Tel. (915) 633- [REDACTED]

B6 & 7C

Fax (915) 633-7249

E-mail: [REDACTED]

B6 & 7C

Guillermo G. Rivas

Port Director

Albuquerque Port of Entry

Border Security and Facilitation

Tel. (575) 589- [REDACTED]

B6 & 7C

Fax (575) 589-0332

E-mail: [REDACTED]

B6 & 7C

Border Patrol, El Paso Sector

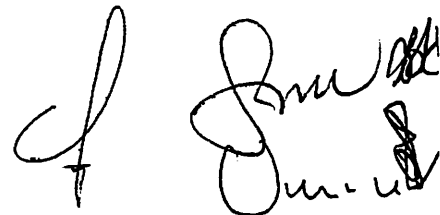
Michael Przybyl

Assistant Chief Patrol Agent

Tel. (915) 834- [REDACTED]

B6 & 7C

Cell (915) 208- [REDACTED]



B6 & 7C

Supervisory Border Patrol Agent

International Liaison Officer

Tel. (915) 834-

B6 & 7C

Cell (915) 526-

Fax (915) 782-4339

B6 & 7C

Supervisory Border Patrol Agent

International Liaison Officer

Tel. (915) 834-

B6 & 7C

Cell (915) 526-

Fax (915) 782-4339

Border Patrol, El Paso Sector Stations

Truth or Consequences Border Patrol Station

TBD

Patrol Agent in Charge

Tel. (575) 744-

B6 & 7C

Fax (575) 744-5029

Albuquerque Border Patrol Station

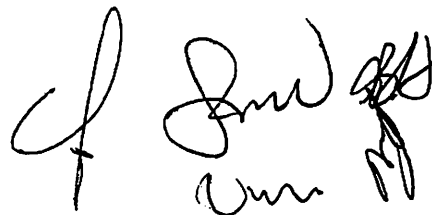
TBD

Patrol Agent in Charge

Tel. (505) 744-

B6 & 7C

Fax (505) 744-5029

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Immigration and Customs Enforcement (ICE)

Office of Detention and Removal Operations (DRO)

B6 & 7C

Assistant Field Office Director

Tel. (505) 764-

B6 & 7C

Cell. (505) 453-

Fax (505) 241-0461

B6 & 7C

Supervisory Detention & Deportation Officer

Tel. (505) 764-

B6 & 7C

Cell (505) 975-

Fax (505) 241-0460

B6 & 7C

Detention Operations Supervisor

Tel. (505) 764-

B6 & 7C

Cell (505) 975-

Fax (505) 241-0454

Deportation Officer Duty Officer (505) 228-

B6 & 7C

Juvenile Deportation Officer (505) 228-

B6 & 7C

Office of Investigations (OI)

B6 & 7C

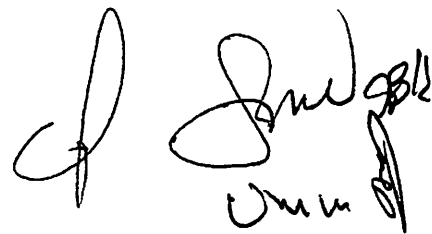
Resident Agent in Charge

Tel. (505) 241-

B6 & 7C

Cell (505) 220-

Fax (505) 346-7918

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B6 & 7C

Assistant Special Agent in Charge

Tel. (915) 231- [redacted] B6 & 7C

Cell. (915) 720- [redacted]

Fax (915) 231-3227

Duty Telephone (24 hours) 1-800-973-2867

DHS Participants, CITY, STATE

Office of Investigations

Roberto G. Medina Special Agent in Charge **915-231-** [redacted] B6 & 7C

[redacted] B6 & 7C Acting Deputy Special Agent in Charge **915-231-** [redacted] B6 & 7C

Office of Detention and Removal

Robert E. Jolicoeur Field Office Director **915-225-** [redacted] B6 & 7C

[redacted] B6 & 7C Deputy Field Office Director **915-225-** [redacted] B6 & 7C

Customs and Border Protection

Ana B. Hinojosa Director of Field Operations **915-633-** [redacted] B6 & 7C

[redacted] B6 & 7C Assistant Director of

Field Operations

[redacted] B6 & 7C Chief Patrol Agent **915-834-** [redacted] B6 & 7C

Consulate of México, Albuquerque, New Mexico

Gustavo Adolfo de **Consul Titular** **505-242-** [redacted] B6 & 7C

Unanue Aguirre

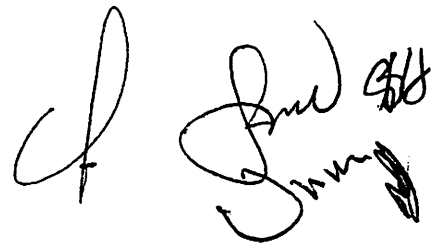
Daniel Dominguez Cantú **Deputy Consul** **505-242-** [redacted] B6 & 7C

Sergio Morales Téllez **Protection and Legal Affairs** **505-247-** [redacted] B6 & 7C

Attachment 2

The participants have agreed to closely coordinate repatriations in a safe, humane, and orderly manner. In the interest of all participants, it is agreed that the primary vehicle for effecting repatriation will continue to be the ground transportation system of the El Paso Field Office coordinated by the Albuquerque Resident Office. The secondary mode of transportation will be the Justice Prisoner Alien Transport System (JPATS).

Under most circumstances, JPATS flights will continue to be staged at Albuquerque, New Mexico and depart Albuquerque, New Mexico Airport Friday morning. Any changes to the JPATS schedule will be communicated to the Consulate of Mexico in Albuquerque, New Mexico in advance.

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Attachment 3

The Participants agree to report any incidents or allegations involving employees, in writing, as soon as possible, after the incident or allegation occurs. The relevant points of contact for matters of concern are listed below. In case of an emergency, reports may be made telephonically and followed by a written report.

DHS Participants, CITY, STATE

Office of Investigations

Roberto G. Medina
Special Agent in Charge
4191 N. Mesa
El Paso, TX 79902
915-231- [REDACTED] B6 & 7C

Office of Detention and Removal

Robert E. Jolicoeur
Field Office Director
1545 Hawkins Boulevard
El Paso, Texas 79925
915 225- [REDACTED] B6 & 7C

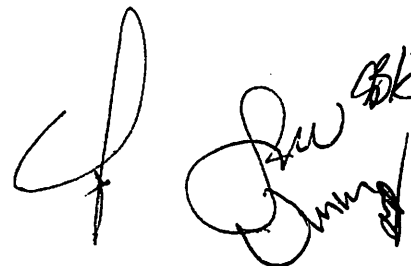
Customs and Border Protection

Guillermo G. Rivas
Office of Port Director
Santa Teresa Port of Entry
Santa Teresa, New México
575 531- [REDACTED] B6 & 7C

Ana B. Hinojosa
Office of Port Director
915-633-7300 ex [REDACTED] B6 & 7C

Consulate of México, Albuquerque, New Mexico

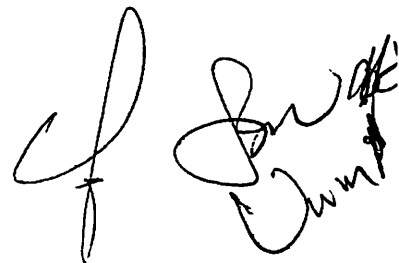
Consul Gustavo De Unánue
1610 4th Street NW
Albuquerque, New Mexico
505 242- [REDACTED] B6 & 7C



Attachment 4

For all cases requiring additional preparation to receive an unaccompanied minor or an individual with medical, mental or other special needs, the DHS participants should coordinate directly with the Mexican Consulate to make the necessary arrangements prior to the removal.

It is also agreed that unaccompanied minors 17 years with criminal record will be repatriated via the Justice Prisoner Alien Transport System (JPATS).

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