



**Homeland
Security**



LOCAL ARRANGEMENT FOR REPATRIATION OF MEXICAN NATIONALS

The Consulate of Mexico in Detroit, MI, and the Detroit Immigration and Customs Enforcement, Field Office, Office of Detention and Removal and the Office of Investigations, Office of the Special Agent In Charge, Field Office for Customs and Border Protection (Office of Field Operations and Office of Border Patrol), 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. Bi-national 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 Detroit, MI., should take appropriate actions with respect to Mexican nationals found in, detained in or repatriated from the counties of (See attachment A).

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): Detroit Office of Field Operations;
- b) Customs and Border Protection (CBP): Detroit Office of Border Patrol;
- c) Immigration and Customs Enforcement (ICE): Detroit Detention and Removal Operations (DRO); Detroit Office of Investigations (OI).

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 period longer than 72 hours. Consular notification should be made by phone at (313) 580-7426 and by fax 313-964-4522.

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.

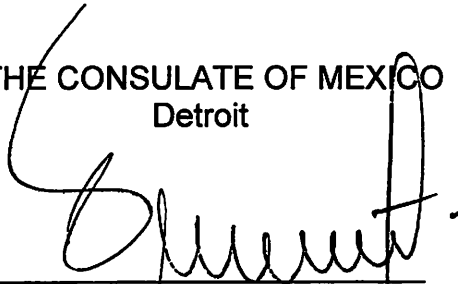
SECTION 14

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 Detroit, MI on this 13th day of February 2009, in two originals in the Spanish and English languages, being both texts equally valid.

FOR THE CONSULATE OF MEXICO IN
Detroit

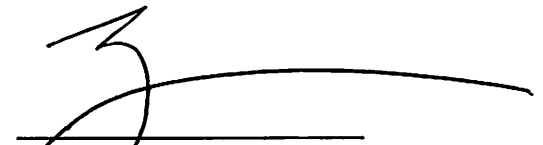


Sr. Vicente Sanchez Ventura
Consul of Mexico

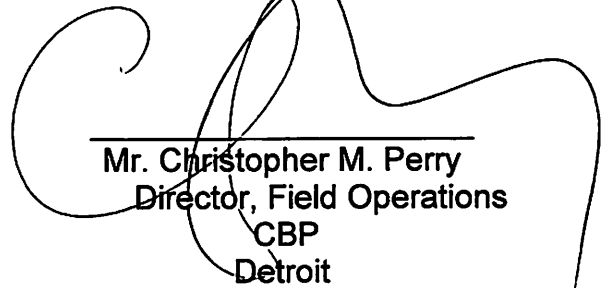
FOR THE DEPARTMENT OF
HOMELAND SECURITY OF THE
UNITED STATES OF AMERICA




Mr. Vincent J. Clausen
Field Office Director
ICE DRO, Detroit



Mr. Brian Moskowitz
Special Agent in Charge
ICE OI, Detroit



Mr. Christopher M. Perry
Director, Field Operations
CBP
Detroit



Mr. Randolph L. Gallegos
Chief Patrol Agent, CBP
Office of Border Patrol

Attachment A

CONSULAR JURISDICTION OF THE CONSULATE OF MEXICO IN Detroit

Michigan Counties

1	ALCONA	33	INGHAM
2	ALGER	34	IONIA
3	ALLEGAN	35	IOSCO
4	ALPENA	36	IRON
5	ANTRIM	37	ISABELLA
6	ARENAC	38	JACKSON
7	BARAGA	39	KALAMAZOO
8	BARRY	40	KALKASKA
9	BAY	41	KENT
10	BENZIE	42	KEWEENAW
11	BERRIEN	43	LAKE
12	BRANCH	44	LAPEER
13	CALHOUN	45	LEELANAU
14	CASS	46	LENAWEE
15	CHARLEVOIX	47	LIVINGSTON
16	CHEBOYGAN	48	LUCE
17	CHIPPEWA	49	MACKINACK
18	CLARE	50	MACOMB
19	CLINTON	51	MANISTEE
20	CRAWFORD	52	MARQUETTE
21	DELTA	53	MASON
22	DICKINSON	54	MECOSTA
23	EATON	55	MENOMINEE
24	EMMET	56	MIDLAND
25	GENESEE	57	MISSAUKEE
26	GLADWIN	58	MONROE
27	GOGEBIC	59	MONTCALM
28	GRAND TRAVERSE	60	MONTMORENCY
29	GRATIOT	61	MUSKEGON
30	HILLSDALE	62	NEWAYGO
31	HOUGHTON	63	OAKLAND
32	HURON	64	OCEANA
65	OGEMAW	75	SCHOOLCRAFT
66	ONTONAGON	76	SHIAWASSE
67	OSCEOLA	77	ST. CLAIR
68	OSCODA	78	ST. JOSEPH
69	OTSEGO	79	TUSCOLA
70	OTTAWA	80	VAN BUREN
71	PRESQUE ISLE	81	WASHTENAW
72	ROSCOMMON	82	WAYNE

73 SAGINAW

83 WEXFORD

74 SANILAC

Ohio Counties

1 ALLEN

25 SENECA

2 ASHLAND

26 STARK

3 ASHTABULA

27 SUMMIT

4 COLUMBIANA

28 TRUMBULL

5 CRAWFORD

29 VAN

6 CUYAHOGA

30 WERT

7 DEFIANCE

31 WAYNE

8 ERIE

32 WILLIAMS

9 FULTON

33 WOOD

10 GEAUGA

34 WYANDOTTE

11 HANCOCK

12 HENRY

13 HURON

14 LAKE

15 LORAIN

16 LUCAS

17 MAHONING

18 MEDINA

19 OTTAWA

20 PAULDING

21 PORTAGE

22 PUTNAM

23 RICHLAND

24 SANDUSKY

Attachment 1

DHS Participants, Detroit, MI

Office of Detention and Removal

Vincent J. Clausen, Field Office Director

313-568-

B6 & 7C

B6 & 7C

Assistant Field Office Director

313-446-

Office of Investigations

Brian Moskowitz, Special Agent in Charge

313-226-

B6 & 7C

B6 & 7C

National Program Manager

313-226-

Customs and Border Protection

Office of Field Operations

Christopher M. Perry, Director

313-496-

B6 & 7C

B6 & 7C

Assistant Director

313-496-

Office of Border Patrol

Randolph L. Gallegos, Chief Patrol Agent

586-239-

B6 & 7C

Deputy Chief Patrol Agent

586-239-

B6 & 7C

Consulate of México, Detroit, MI

Vicente Sanchez Ventura, Cónsul
645 Griswold, Suite 830
Detroit, MI 48226
313-965- [REDACTED] B6 & 7C

Jorge Sanchez Cataño, Deputy Consul
645 Griswold, Suite 830
Detroit, MI 48226
313-965- [REDACTED] B6 & 7C

Rocío Magali Maciel, Department of Protection
645 Griswold, Suite 830
Detroit, MI 48226
313-964- [REDACTED] B6 & 7C

Ana M. Reyes, Department of Protection
645 Griswold, Suite 830
Detroit, MI 48226
313-965- [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 utilization of the Justice Prisoner Alien Transport System (JPATS).

Under most circumstances, JPATS flights will continue to be staged at Detroit, Mi. and depart Toledo, Oh. every Tuesday morning. Any changes to the JPATS schedule will be communicated to the Consulate of Mexico in Detroit, MI in advance.

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, Detroit, MI

Office of Detention and Removal

Vincent J. Clausen
Field Office Director
333 Mt. Elliott
Detroit, Mi. 48207
313-568- [REDACTED] B6 & 7C

Office of Investigations

Brian Moskowitz
Special Agent in Charge
477 Michigan Ave.
Detroit, Mi. 48226
313-226- [REDACTED] B6 & 7C

Customs and Border Protection

Office of Field Operations

Christopher M. Perry
Director, Field Operations
211 West Fort St., Suite [REDACTED] B6 & 7C
Detroit, Mi. 48226
313-496- [REDACTED] B6 & 7C

Office of Border Patrol

Randolph L. Gallegos
Chief Patrol Agent
P.O. Box 450040
26000 South Street
Selfridge ANG, Mi. 48045
586-239- [REDACTED] B6 & 7C

Consulate of México in Detroit, MI

Vicente Sanchez Ventura
Consul
645 Griswold, Suite 830
Detroit, Mi. 48226
313-965-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 of age with a criminal record will be repatriated via the Justice Prisoner Alien Transport System (JPATS).