



**Homeland
Security**



LOCAL ARRANGEMENT FOR REPATRIATION OF MEXICAN NATIONALS

The Consulates of Mexico in Seattle, Washington and Portland, Oregon and the Seattle Immigration and Customs Enforcement, Field Offices (Office of Investigations and Office of Detention and Removal) and the Seattle, 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 Guánajuato 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 Consulates of Mexico in Seattle, Washington and Portland Oregon, should take appropriate actions with respect to Mexican nationals found in, detained in or repatriated from the counties of their consular jurisdiction listed in Attachment A.

The following DHS authorities should take appropriate actions with respect to Mexican Nationals found in, detained in or repatriated from the counties listed in Attachment A

a) Customs and Border Protection (CBP):

1. Seattle Office of Field Operations;
2. San Francisco Office of Field Operations;
3. Blaine Office of Border Patrol and;
4. Spokane Office of Border Patrol.

b) Immigration and Customs Enforcement (ICE):

1. Seattle Detention and Removal Operations (DRO);
2. Seattle 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 a period longer than 72 hours. Consular notification should be made by phone and fax to the appropriate numbers listed below.

Consulate of Mexico, SEATTLE, WASHINGTON

Address: 2132 Third Avenue, Seattle WA., 98121.

Telephone: (206) 448-8417

Fax: (206) 448-4771

E-mail: pgarduno@sre.gob.mx

Consulate of Mexico, PORTLAND, OREGON

Address: 1234 SW Morrison St. Portland, Oregon 97205

Telephone: (503)274-1442 Ext. 13

Fax: (503) 274-1540

E-mail: portland@sre.gob.mx

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 Seattle, Washington on this 17th day of the month of September, 2008. In two originals in the Spanish and English languages, being both texts equally valid.


FOR THE CONSULATE OF MEXICO IN
SEATTLE

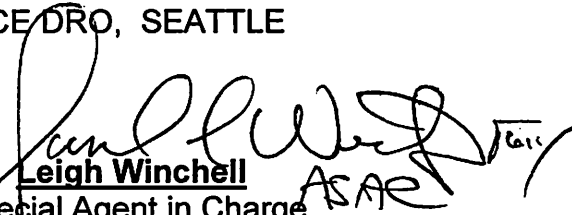

Patricia Garduño Morales
Consul


FOR THE CONSULATE OF MEXICO IN
PORTLAND, OREGON



David Simon Figueras
Deputy Consul

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

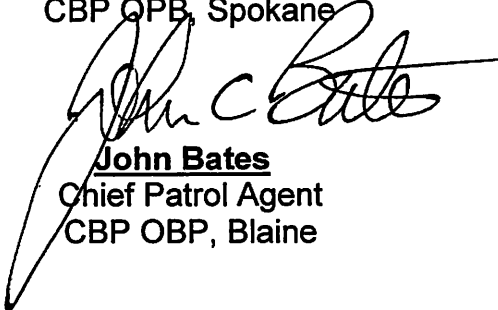

Neil Clark
Assistant Field Office Director
ICE DRO, SEATTLE


Leigh Winchell
Special Agent in Charge
ICE OI, SEATTLE


Michele James
Director of Field Operations
CBP OFO, SEATTLE


Richard Vigna
Program manager
SAN FRANCISCO


Robert L. Harris
Chief Patrol Agent
CBP QPB, Spokane


John Bates
Chief Patrol Agent
CBP OBP, Blaine

Attachment A

Consular Official Jurisdiction

Consular Jurisdiction of the Consulate of Mexico in Seattle, Washington covers all counties in the State of Washington

Consular Jurisdiction of the Consulate of Mexico In Portland, Oregon covers all counties in the State of Oregon

Attachment 1

USDHS Participants, SEATTLE, WASHINGTON

Immigration and Customs Enforcement

Detention and Removal Offices

Primary Point of Contact:

B6 & 7C

Assistant Field Office Director
Northwest Detention Center
1623 East J. Street
Tacoma, WA 98421
253-779-B6 & 7C direct telephone
253-779-6000 general telephone
253-779-6096 Fax

B6 & 7C

A. Neil Clark

Field Office Director
12500 Tukwila International Blvd
Seattle, WA 98168
206-835-B6 & 7C

B6 & 7C

B6 & 7C

Deputy Field Office Director
12500 Tukwila International Blvd
Seattle, WA 98168
206-835-B6 & 7C

B6 & 7C

B6 & 7C

Assistant Field Office Director, Seattle
12500 Tukwila International Blvd
Seattle, WA 98168
206-835-B6 & 7C (o)
206-786-B6 & 7C (c)

B6 & 7C

B6 & 7C

Assistant Field Office Director, Portland
511 NW Broadway Ave
Portland, OR 97209
503-326-
B6 & 7C

B6 & 7C

Office of Investigations

Primary Point of Contact: Duty Agent
206-553-6785
206-553-4179 Fax

Leigh Winchell
Special Agent in Charge
1000 Second Avenue
Seattle, WA 98104
206-553-
B6 & 7C

B6 & 7C

Deputy Special Agent in Charge
1000 Second Avenue
Seattle, WA 98104
206-553-
B6 & 7C

Customs and Border Protection (CBP), Office of Border Patrol

Blaine Sector (BLW)

Primary Point of Contact: Blaine Sector Headquarters
2410 Nature's Path Way
Blaine, WA 98230
360-332-9200 (main number, business hours Mon – Fri)
360-332-9224 (communications center, 24/7)
360-332-9263 Fax

John Bates
Chief Patrol Agent, Blaine
2410 Nature's Path Way
Blaine, WA 98230
360-332-9200
360-332-9263 Fax

Spokane Sector (SPW)

Primary Point of Contact: Spokane Sector Headquarters
Sector Command Center
10710 North Newport Highway
Spokane, WA 99218
509-353-2747 (communications center, 24/7)
509-353-2750 Fax

Robert L. Harris
Chief Patrol Agent, Spokane (includes Eastern Washington)
10710 North Newport Highway
Spokane, WA 99218
509-353-2747
Fax: 509-353-2750

Customs and Border Protection - Office of Field Operations

Washington:

Michele James
Director of Field Operations
1000 Second Avenue, Suite [REDACTED] B6 & 7C
Seattle, WA 98104
Office: 206-553-[REDACTED] B6 & 7C
Blackberry: 206-409-[REDACTED] B6 & 7C
Fax: 206-553-1401

[REDACTED] B6 & 7C
Asst Director, Border Security and Facilitation
1000 Second Avenue, Suite [REDACTED] B6 & 7C
Seattle, WA 98104
Office: 206-553-694-[REDACTED] B6 & 7C
Blackberry: 206-321-[REDACTED] B6 & 7C

Charles Stemple
Program Manager, Border Security and Facilitation
1000 Second Avenue, Suite [REDACTED] B6 & 7C
Seattle, WA 98104
Office: 206-553-6944 [REDACTED] B6 & 7C

Service Port- Seattle, WA
1000 Second Ave., Suite 2100
Seattle, WA 98104
Port Director: Roland Suliveras
General Phone: 206-553-0770
General Fax: 206-553-2940
Operational Hours: 8:00am-4:30PM (Pacific)
Weekdays (Monday-Friday)

Service Port- Blaine, WA
9901 Pacific Highway
Blaine, WA 98230
Port Director: Margaret Fearon
General Phone: 360-332-5771
General Fax: 360-332-4701
Operational Hours: Twenty Four (24) Hours a Day
Seven (7) Days a Week

Oregon and Alaska:

B6 & 7C

Assistant Director – Border Security
33 New Montgomery, Suite B6 & 7C
San Francisco, CA 94105
415-744-1530 B6 & 7C
415 744-7008 Fax

B6 & 7C

Border Security Coordinator
33 New Montgomery, Suite B6 & 7C
San Francisco, CA 94105
415-744-1530 B6 & 7C
415-744-7008 Fax

Allen Joe
Program Manager - Immigration Policy
Office of Field Operations - San Francisco
33 New Montgomery, Suite B6 & 7C
415-744-1530 B6 & 7C
415-744-7008

Consulate of Mexico, SEATTLE, WASHINGTON

Patricia Garduño Morales
Consul.

Telephone: 206-374 B6 & 7C
Fax: 206-448-4771
E-mail: pgarduno@sre.gob.mx

Roberto Caldera Arroyo
Consul in charge of Protection Department

Telephone: 206- 448- [REDACTED] B6 & 7C
Fax: 206-448-4771
E-mail: rcaldera@sre.gob.mx

Ernestina Sanchez Olivares
In charge of Immigration Affairs

Telephone: 206-448- [REDACTED] B6 & 7C
Fax: 206-448-4771
E-mail: esanchez@qwestoffice.net

Consulate of Mexico, PORTLAND, OREGON

David Simon Figueras
Deputy Consul.

Telephone: 503- 274-1442 [REDACTED] B6 & 7C
Fax: 503- 274-1540
E-mail: portland@sre.gob.mx

Sergio Kayakawa León
In charge of Protection Department.

Telephone: 503- 274-1442 [REDACTED] B6 & 7C
Fax: 503- 274-1540
E-mail: shayakawa@sre.gob.mx

Antonio Ramirez Subiria
In charge of Immigration Affairs

Telephone: 503- 274-1442 [REDACTED] B6 & 7C
Fax: 503- 274-1540
E-mail: aramirezs@sre.gob.mx

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 the Northwest Detention Center, 1623 East J Street, Tacoma, WA 98421 and depart from Boeing Field, Seattle, Washington every Wednesday and Saturday morning. Any changes to the JPATS schedule will be communicated to the Consulate General of Mexico in Seattle, Washington in advance of the flight.

Any Issues pertaining to these arrangements should be sent to the attention of:

For DHS:

B6 & 7C

Assistant Field Office Director
Northwest Detention Center
1623 East J. Street
Tacoma, WA 98421
253-779

B6 & 7C

B6 & 7C

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, SEATTLE, WASHINGTON

Immigration and Customs Enforcement

Office of Detention and Removal

A. Neil Clark
Field Office Director
12500 Tukwila International Blvd
Seattle, WA 98168

206-835- [REDACTED] B6 & 7C

Office of Investigations

Leigh Winchell
Special Agent in Charge
1000 Second Avenue
Seattle, WA 98104

206-553- [REDACTED] B6 & 7C

Customs and Border Protection

Office of Field Operations

Michele James
Director of Field Operations, Seattle (includes Washington)
1000 Second Avenue, Suite [REDACTED] B6 & 7C
Seattle, WA 98104

206-553- [REDACTED] B6 & 7C

Richard Vigna
Director of Field Operations, Portland (includes Oregon and Alaska)
33 New Montgomery Street
Suite [REDACTED] B6 & 7C
San Francisco, CA 94105

415-744- [REDACTED] B6 & 7C

Office of Border Patrol

Robert L. Harris

509-353- B6 & 7C

Chief Patrol Agent, Spokane (includes Eastern Washington)
10710 North Newport Highway
Spokane, WA 99218

John Bates

360-332 B6 & 7C

Chief Patrol Agent, Blaine (includes Western Washington)
2410 Nature's Path Way
Blaine, WA 98230

Consulate of Mexico, SEATTLE, WASHINGTON

Patricia Garduño Morales

206-374- B6 & 7C

Consul

2132 Third Avenue, Seattle Wa. 98121

pgarduno@sre.gob.mx

Consulate of Mexico, PORTLAND, OREGON

David Simon Figueras

503-274-1442 B6 & 7C

Deputy Consul

1234 South West, Morrison Street,

Portland, Oregon, 97205

portland@sre.gob.mx

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 18 years with criminal record will be repatriated via the Justice Prisoner Alien Transport System (JPATS).

The repatriation of people with special needs will be informed using the following format.

NOTIFICATION OF REPATRIATION OF A PERSON WITH SPECIAL NEEDS

TO: Consulate of _____ in _____, _____
(Country) (City) (State)

The following foreign national, whom we understand to be a national of your country, will be repatriated on _____.

Personal Information:

Name: _____
Date of Birth: _____
Place of Birth: _____
Case number: _____
Situation: _____

1. The person requires medical/special treatment? No _____ Yes _____
Specify _____

2. The person has criminal charges? No _____ Yes _____
Specify _____

Parent's information:

Mother/Father's last name, name: _____
Telephone: _____

Flight Details

Place of Departure: _____
Hour of Departure: _____
Place of Arrive: _____
Hour of Arrive: _____

Contact Information:

Officer in charge (DHS): _____
Telephone: _____
Fax: _____
E-mail: _____

Comments:

IMPORTANT:

Any notification should be 5 (five) days prior of the day of repatriation.