



Homeland
Security



LOCAL ARRANGEMENT FOR REPATRIATION OF MEXICAN NATIONALS

The Consulate of Mexico in Kansas City, Missouri and the Dallas Immigration and Customs Enforcement Field Offices (Office of Investigations and Office of Detention and Removal) and the Dallas 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.

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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 Kansas City, Missouri, should take appropriate actions with respect to Mexican nationals found in, detained in or repatriated from the counties listed in the ATTACHEMENT "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): Dallas Office of Field Operations;
Dallas Office of U.S. Border Patrol, Laredo Sector
- b) Immigration and Customs Enforcement (ICE): Dallas Detention and
Removal Operations (DRO); Dallas Office of Investigations

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 according with the contact list in "Attachment 1".

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.

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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.

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.

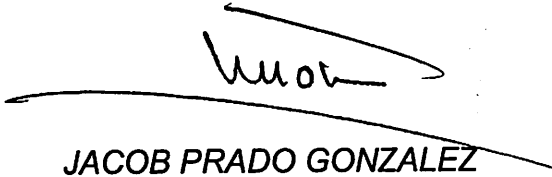
SECTION 14

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 Dallas, Texas, on this January 5, 2009, in two originals in the Spanish and English languages, being both texts equally valid.

FOR THE CONSULATE OF MEXICO IN
Kansas City, Missouri

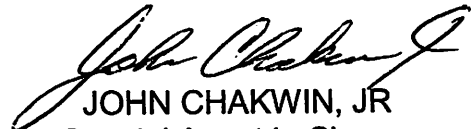


JACOB PRADO GONZALEZ
CONSUL OF MEXICO

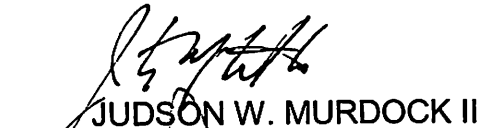
FOR THE DEPARTMENT OF
HOMELAND SECURITY OF THE
UNITED STATES OF AMERICA




NURIA T. PRENDES
Field Office Director
ICE DRO, DALLAS



JOHN CHAKWIN, JR
Special Agent in Charge
ICE OI, DALLAS



JUDSON W. MURDOCK II
Area Port Director
CBP, DALLAS



ROSENDO HINOJOSA
Acting Chief Patrol Agent
CBP/Border Patrol
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Attachment A

<p style="text-align: center;">CONSULAR JURISDICTION OF THE CONSULATE OF MEXICO IN Kansas City, Missouri</p>

OKLAHOMA COUNTIES

- | | | |
|-------------|----------------|-----------------|
| 1. ALFALFA | 11. DEWEY | 21. MAJOR |
| 2. BEAVER | 12. ELLIS | 22. ROGER MILLS |
| 3. BECKHAM | 13. GRADY | 23. STEPHENS |
| 4. BLAINE | 14. GREER | 24. TEXAS |
| 5. CADDO | 15. HARMON | 25. TILLMAN |
| 6. CANADIAN | 16. HARPER | 26. WASHITA |
| 7. CIMMARON | 17. JACKSON | 27. WOODS |
| 8. COMANCHE | 18. JEFFERSON | 28. WOODWARD |
| 9. COTTON | 19. KINGFISHER | |
| 10. CUSTER | 20. KIOWA | |

Attachment 1

DHS Participants, Dallas, Texas

Office of Detention and Removal

NURIA T. PRENDES, Field Office Director	214-905-	[REDACTED]	
[REDACTED] <small>B6 & 7C</small>	A/Deputy Field Office Director	214-905-	[REDACTED] <small>B6 & 7C</small>
[REDACTED] <small>B6 & 7C</small>	Assistant Field Director	214-905-	[REDACTED]

Office of Investigations

JOHN CHAKWIN, JR, Special Agent in Charge	972-444-	[REDACTED]	
[REDACTED] <small>B6 & 7C</small>	Deputy Special Agent in Charge	972-444-	[REDACTED] <small>B6 & 7C</small>

Customs and Border Protection

JUDSON W. MURDOCK II, Area Port Director	972-870-	[REDACTED]	
[REDACTED] <small>B6 & 7C</small>	Assistant Port Director	972-973-	[REDACTED]
[REDACTED] <small>B6 & 7C</small>	Acting Chief Patrol Agent	956-709-	[REDACTED] <small>B6 & 7C</small>
[REDACTED] <small>B6 & 7C</small>	Patrol Agent in Charge	817-555-	[REDACTED]
	U.S. Border Patrol		

Consulate of Mexico, Kansas City, Missouri

JACOB PRADO GONZALEZ, Consul of Mexico	816-421-	[REDACTED]
	816-651-	[REDACTED] <small>B6 & 7C</small>
DANIEL AGUADO ORNELAS, Department of Consular Protection and Legal Affairs	816-556-	[REDACTED]
	816-877-	[REDACTED] <small>B6 & 7C</small>

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Attachment 2

- 1. 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 daily bus run through the Ports of Entry in Laredo, Texas, Del Rio, Texas and/or Eagle Pass, Texas. Hours of repatriation will be consistent with the local agreement covering those Ports of Entry. This does not preclude the Dallas DRO Office from utilizing other methods of transportation such as the Justice Prisoner Air Transportation Service (JPATS) and other Ports of Entry in case of emergency and needs of the agency.**
- 2. The repatriation of persons of special interest to, and fugitives wanted by the Government of Mexico, should be done separately from the repatriation of other Mexican nationals. These procedures will comply with the specific procedures that both Federal governments (Washington and Mexico City) might agree to in the future.**
- 3. Under most circumstances, the bus run will continue to be staged on a daily basis at the Dallas DRO Field Office and/or the Rolling Plains Detention Center in Haskell, Texas. Any changes to the bus run will be communicated to the Consulate of Mexico in Kansas City, Missouri 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

Office of Detention and Removal

Nuria T. Prendes
Field Office Director
8101 North Stemmons Freeway
Dallas, Texas, 75247

214-905- [REDACTED] B6 & 7C

Office of Investigations

John Chakwin, Jr.
Special Agent in Charge
125 East Carpenter Freeway Suite# [REDACTED] B6 & 7C
Irving, Texas 75062

972-444- [REDACTED] B6 & 7C

Customs and Border Protection

Office of Customs and Border Protection
Judson W. Murdock II
Office of Port Director
7501 Esters Blvd. Suite# [REDACTED] B6 & 7C
Irving, Texas 75063

972-870- [REDACTED] B6 & 7C

Office of U.S. Border Patrol

[REDACTED] B6 & 7C
Acting Chief Patrol Agent
Laredo Sector
207 West Del Mar Boulevard
Laredo, Texas 78041

956-709- [REDACTED] B6 & 7C

Consulate of México, Kansas City, Missouri

Jacob Prado Gonzalez
Consul of Mexico
1600 Baltimore Avenue, Suite 100
Kansas City, Missouri 64108

816-421- [REDACTED] B6 & 7C

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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 a criminal record may also be repatriated using ICE flights operated by the Flight Operations Unit (née JPATS) in addition to the established and agreed to bus transportation routes.