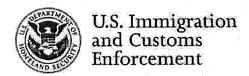
U.S. Department of Homeland Security 425 I Street, NW Washington, DC 20536



APR 1 7 2008

MEMORANDUM FOR:

Assistant Directors

Deputy Assistant Directors

Field Office Directors

Deputy Field Office Directors

FROM:

Gary E. Mead

Acting Director

SUBJECT:

Repatriation and Custody Transfer of Unaccompanied Alien

Children in ICE Custody to Foreign Government Officials

Purpose

This memorandum serves to provide a new directive to Field Office Directors (FODs) ensuring that all attempts to safeguard unaccompanied alien children (UAC) during the transfer of custody to a foreign government official or designee are documented after escorting officers/agents arrive in that foreign country.

Background

The Committee on House Appropriations recently expressed concerns regarding the possible lack of repatriation efforts made on behalf of UAC who are removed from the United States and transferred to their countries of origin. The Committee's corresponding Report 110-181 directed U.S. Immigration and Customs Enforcement (ICE) to develop and implement policies and procedures to ensure the safe and secure repatriation of UAC to their home countries.

Discussion

Therefore, effective immediately, all escorting officers who are removing UAC to a country of origin are required to have the receiving government official or designee sign form I-216, thereby indicating the safe transfer of custody for all UAC listed. Once the appropriate foreign government official or designee signs the form, the I-216 will serve to document the safe repatriation and transfer to a government authority for all UAC listed. A copy of this form will be placed in the UAC's A-files after the officer/agent returns to their field office or forwarded to the A-file controlling office.

Should the foreign government official or designee refuse to sign form I-216, the officer/agent will document the official's name (if known), date, time, port and note the refusal. A copy of this form will be placed in the UAC's A-file after the officer/agent returns to their field office or forwarded to the A-file controlling office.

This policy excludes removals to Mexico and Canada; current policy and procedures for UAC custody transfers to Mexico and Canada will remain in effect.

Attachment: (1)

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U.S. Department of Justice

Immigration and Naturalization Service

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Sheet No.

ate of Transfer		From				To			
File No.	Name of Person	Nationality	Status	Afflicted/ Dangerous	From Service Detention	Expenses of Deportation	Money and Hand Luggage	Checked Baggage	Baggage Check Numbers
					-				
			:						
Show whether de	Show whether deportation, removal, etc.		R	eceived the abov	e-listed persons	Received the above-listed persons, property and baggage checks	ggage checks		
Show whether or Show whether al	Show whether criminal, diseased, epiteptic, insane, etc of likely to attempt esca Show whether alten detained at Service expense immediately prior to transfer.	ukely to attempt escape. ely priorto transfer.		Signature		1.			
Show whether de	Show whether deportation is to be effected at Service expense or at carner expense.	camer expense.		Title					
se a separate lin	se a separate line for each person transferred.	•							
his form is to be	his form is to be executed in sufficient number of copies to allow each receiving fficer to retain one copy for his personal expense voucher and two additional	llow each recei two additiona		Flace and date					
Dies for Stateou	of final delivery.								

Form 1-216 (Rev. 8-8-56)