LOCAL ARRANGEMENT FOR REPATRIATION OF MEXICAN NATIONALS

The Consulate General of Mexico in Chicago, Illinois, the Consulate of Mexico in Indianapolis, Indiana, the Consulate of Mexico in Saint Paul, Minnesota ("the Consulate") and the Chicago Immigration and Customs Enforcement Field Offices (Office of Investigations and Office of Detention and Removal) and the Chicago Field Office for Customs and Border Protection, of the Department of Homeland Security (DHS) of the United States of America ("the United State"), 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;


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 General of Mexico in Chicago, Illinois should take appropriate actions with respect to Mexican nationals found in, detained in or repatriated from the counties in Attachment 1.1.

The Consulate of Mexico in Indianapolis, Indiana should take appropriate actions with respect to Mexican nationals found in, detained in or repatriated from the counties in Attachment 1.2.

The Consulate of Mexico in Saint Paul, Minnesota should take appropriate actions with respect to Mexican nationals found in, detained in or repatriated from the counties in Attachment 1.3.

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): Chicago Office of Field Operations;

b) Immigration and Customs Enforcement (ICE): Chicago Detention and Removal Operations (DRO); Chicago 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 by phone to the Mexican Consulate General in Chicago at 1-888-755-5511 and by fax 312 491 9237.

SECTION 5

The Participants have listed in Attachment 2 the names and titles of, and contact information for, their officials who are responsible for the delivery to, or reception of Mexican nationals, 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 2 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 3. 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 4 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 5 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.
FOR THE CONSULATE GENERAL OF MEXICO IN CHICAGO

MANUEL RODRIGUEZ ARRIAGA
CONSUL GENERAL

FOR THE CONSULATE OF MEXICO IN INDIANAPOLIS

JUAN MANUEL SOLANA MORALES
CONSUL

FOR THE CONSULATE OF MEXICO IN SAINT PAUL

ANA LUISA FAJER FLORES
CONSUL

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

GLENN TRIVELINE
ACTING FIELD OFFICE DIRECTOR
IMMIGRATION AND CUSTOMS ENFORCEMENT
DETENTIONS AND REMOVALS

GARY HARTWIG
SPECIAL AGENT IN CHARGE
IMMIGRATION AND CUSTOMS ENFORCEMENT
OFFICE OF INVESTIGATIONS

DAVID J. MURPHY, JR.
DIRECTOR OF FIELD OPERATIONS
CUSTOMS AND BORDER PROTECTION

Signed in Chicago, Illinois on this 16th day of December 2008, in two originals in the Spanish and English languages, being both texts equally valid.
## CONSULAR JURISDICTION OF THE CONSULATE GENERAL OF MEXICO IN CHICAGO

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## CONSULAR JURISDICTION OF THE CONSULATE OF MEXICO IN INDIANAPOLIS

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111 TRIGG
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113 UNION
114 WARREN
115 WASHINGTON
116 WAYNE
117 WEBSTER
118 WHITLEY
119 WOLFE
120 WOODFORD
CONSULAR JURISDICTION OF THE CONSULATE OF MEXICO IN
SAINT PAUL

WISCONSIN COUNTIES

1. ASHLAND
2. BARRON
3. BAYFIELD
4. BURNETT
5. CHIPEWA
6. CLARK
7. DOOR
8. DOUGLAS
9. DUNN
10. EAU CLAIRE
11. FLORENCE
12. FOREST
13. IRON
14. LANGLADE
15. LINCOLN
16. MARATHON
17. MARINETTE
18. MONOMINEE
19. OCONTO
20. ONEIDA
21. PEPIN
22. PIERCE
23. POLK
24. PRICE
25. RUSK
26. SAWYER
27. SHAWANO
28. ST. CROIX
29. TAYLOR
30. VILAS
31. WASHBURN
Attachment 2

DHS Participants, Chicago, Illinois

Immigrations and Customs Enforcement, Detention and Removals
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Deputy Field Office Director 816-880 B6 & 7C

Immigrations and Customs Enforcement, Office of Investigations
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Deputy Special Agent in Charge 630-5744100

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Assistant Director 312-983- B6 & 7C
Immigration Affairs Program Manager 312-983- B6 & 7C

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Ext. B6 & 7C

Ioana Navarrete Pellicer Consul for the Protection Department 312-738- B6 & 7C

Benjamin Peñaflor Immigration Affairs 312-738-2383
ext. B6 & 7C

Consulate of Mexico in Indianapolis, Indiana
Juan Manuel Solana Morales Consul 317-951 B6 & 7C
Martín Alcalá Salgado Deputy Consul 317-951 B6 & 7C
Erendira Quintero Protection Department 317-951 B6 & 7C

Consulate of Mexico in Saint Paul, Minnesota
Ana Luisa Fájer Flores Consul 651-771-5494
Ex. B6 & 7C
Ricardo Hernández Lecanda Deputy Consul 651-771-5494
Ex. B6 & 7C

- 16 -
Attachment 3

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 Flight Operations, formerly known as the Justice Prisoner Alien Transport System (JPATS).

Under most circumstances, Flight Operations will continue to be staged at Broadview Service and Staging Area (BSSA) and depart O'Hare International Airport every Tuesday and Friday mornings. Any changes to the Flight Operations schedule will be communicated to the Consulate General of Mexico in Chicago in advance.
Attachment 4

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, Chicago Illinois

Office of Detention and Removal

Acting Field Office Director, 101 W. Congress Parkway Room B6 & 7C Chicago, Illinois 60605

Office of Investigations

Gary Hartwig 630- 574-4100
Special Agent in Charge 1 Tower Lane Suite B6 & 7C Oakbrook Terrace, IL 60181

Customs and Border Protection

Dave Murphy 312- 983-9100
Director of Field Operations 610 S Canal St, B6 & 7C Floor Chicago, Illinois 60607

Consulate General of México, Chicago, Illinois

Manuel Rodríguez Arriaga 312-738-2383
Consul General 204 S Ashland Avenue Ext: B6 & 7C Chicago, Illinois 60607

Consulate of Mexico in Indianapolis, Indiana

Juan Manuel Solana Morales 317-9514832
Consul 39 West Jackson Place, Suite 103 Indianapolis, IN 46225

Consulate of Mexico in Saint Paul, Minnesota

Ana Luisa Fajer Flores 651-771-5494 Ext. B6 & 7C
Consul 797 East 7th Street Saint Paul, MN 55106
Attachment 5

For all cases requiring additional preparation to receive an unaccompanied minor or an individual with medical, mental or other special needs, including pregnant women 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 Flight Operations.
## CONSULAR JURISDICTION OF THE CONSULATE GENERAL OF MEXICO IN CHICAGO

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Attachment 1

DHS Participants, Chicago, Illinois

Office of Investigations

Elissa A Brown  Special Agent in Charge  (630) 574-4100
   Deputy Special Agent in Charge  (630) 574-4100

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   Deputy Field Office Director  (312) 385-1701

Customs and Border Protection

Robert Gomez  Director of Field Operations  (312) 983-
   Assistant Director of  (312) 983-
      Field Operations

Consulate General of México, Chicago, Illinois

Carlos Sada  Cónsul General  (312) 738-2383
   Ext:  B6 & 7C

Rita Vargas  Cónsul in Charge of the Department of Corrections  (312) 738-2023

Jacobo Tellez  Vice Consul in Charge of Immigration Affairs  (312) 738-2023
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 Broadview Service Staging Area (BSSA) and depart O'Hare International Airport every Friday morning. Any changes to the JPATS schedule will be communicated to the Consulate General of Mexico 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, Chicago Illinois

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Elissa A Brown
Special Agent in Charge
PO Box

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Office of Detention and Removal
Field Office Director, Deborah Achim
10 W Jackson, Rm 553
Chicago, Illinois 60604

Customs and Border Protection
Office of Customs and Border Protection
Office of Port Director, Carl Ambroson
610 S Canal St., 3rd Floor
Chicago, Illinois 60607

Consulate General of México, Chicago, Illinois
Consulate General of México
Cónsul General Carlos Sada
204 S Ashland Avenue
Chicago, Illinois 60607
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).