

Questions About Foreign Nationals

(b)(5); (b)(7)(E)

Questions About Who Is Responsible for Consular Notification

(b)(5); (b)(7)(E)

Questions About When Consular Notification Should Be Given

(b)(5), (b)(7)(E)

(b)(5); (b)(7)(E)

Questions About How Consular Notification Should Be Given

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Withheld pursuant to exemption

(b)(5) ; (b)(7)(E)

of the Freedom of Information and Privacy Act

(b)(5); (b)(7)(E)

Questions About Failure To Notify

(b)(5); (b)(7)(E)

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Questions About Consular Access and Assistance

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Withheld pursuant to exemption

(b)(5) ; (b)(7)(E)

of the Freedom of Information and Privacy Act

(b)(5); (b)(7)(E)

Questions About Contacting the Department of State

(b)(5); (b)(7)(E)

Foreign Embassies and Consulates in the United States [In all cases, the Washington, D.C., information is for the Embassy. All other locations are Consulates. Fax numbers are given where available].

Afghanistan Washington, DC (202) 416-1620; fax (202) 416-1630

Albania Washington, DC (202) 223-4942; fax (202) 628-7342

Algeria Washington, DC (202) 265-2800; fax (202) 213-5134

Andorra New York, NY (212) 750-8064; fax (212) 750-6630 (U.N. Mission)

Angola Washington, DC (202) 785-1156; fax (202) 785-1258

Antigua and Barbuda Washington, DC (202) 362-5211; fax (202) 362-5225

Argentina Atlanta, GA (404) 880-0805; fax (404) 880-0806: Chicago, IL (312) 819-2660; fax (312) 819-2626: Houston, TX (713) 871-8935; fax (713) 871-0639: Los Angeles, CA (323) 954-9155; fax (323) 934-9076: Miami, FL (305) 373-1889; (305) 371-7108: New York, NY (212) 603-0400; fax (212) 541-7746: Washington, DC. (202) 238-6460; fax (202) 332-3171

Armenia Beverly Hills, CA (310) 657-6102; fax (310) 657-7419: Washington, DC (202) 319-1976; fax (202) 319-2982

Australia Chicago, IL (312) 645-9440; fax (312) 645-1940: Honolulu, HI (808) 524-5050; fax (808) 531-5142: Los Angeles, CA (310) 229-4800; fax (310) 277-2258: New York, NY (212) 408-8400; fax (212) 408-8401: San Francisco, CA (415) 362-6160; fax (415) 986-2775: Washington, DC (202) 797-3000; fax (202) 797-3168

Austria Chicago, IL (312) 222-1515; fax (312) 222-4113: Los Angeles, CA (310) 444-9310; fax (310) 477-9897: New York, NY (212) 737-6400; fax (212) 772-8926: Washington, DC (202) 895-6767; fax (202) 895-6750

Azerbaijan Washington, DC (202) 842-0001; fax (202) 842-0004

Bahamas, The Miami, FL (305) 373-6295; fax (305) 373-6312: New York, NY (212) 421-6420-22; fax (212) 759-2135: Washington, D.C. (202) 319-2660; fax (202) 319-2668

Bahrain New York, NY (212) 223-6200; fax (212) 319-0687: Washington, DC (202) 342-0741; fax (202) 362-2192

Bangladesh Los Angeles, CA (310) 441-9399; fax (310) 441-4458: New York, NY (212) 599-6767; fax (212) 682-9211: Washington, DC (202) 244-0183 to 8376; fax (202) 244-5366

Barbados Los Angeles, CA (213) 380-2198; fax (213) 384-2763: New York, NY (212) 867-8435; fax (212) 986-1030: Washington, DC (202) 939-9200; fax (202) 332-7467

Belarus New York, NY (212) 682-5392: Washington, DC (202) 986-1604; fax (202) 986-1805

Belgium Atlanta, GA (404) 659-2150; fax (404) 659-8474: Chicago, IL (312) 263-6624; fax (312) 263-4805: Houston, TX (713) 224-8000; fax (713) 224-1120: Los Angeles, CA (323) 857-1244; fax (323) 936-2564: New York, NY (212) 586-5110; fax (212) 582-9657: Washington, DC (202) 333-6900; fax (202) 333-3079

Belize Los Angeles, CA (323) 469-7343; fax (323) 469-7346: Washington, DC (202) 332-9636; fax (202) 332-6888

Benin Washington, DC (202) 232-6656; fax (202) 265-1996

Bhutan New York, NY (212) 826-1919; fax (212) 826-2998

Bolivia Aspen, CO (970) 923-2668; fax (970) 923-6716: Atlanta, GA (404) 522-0777; fax (404) 873-3355: Boston, MA (617) 742-1500; fax (617) 742-9130: Chicago, IL (708) 343-1234; fax (708) 343-4290: Cincinnati, OH (513) 271-5381; fax (513) 271-8189: Houston, TX (218) 497-4068; fax (218) 589-1458: Miami, FL (305) 358-3450; fax (305) 374-8636: New Orleans, LA (504) 596-2720; fax (504) 596-2800: New York, NY (212) 687-0530; fax (212) 687-0532: Phoenix, AZ (602) 231-9000; fax (602) 275-8593: San Francisco, CA (415) 495-5173; fax (415) 399-8958: Seattle, WA (206) 244-6696; fax (206) 243-3795: St. Louis, MO (314) 725-9466; fax (314) 725-9103: Washington, DC (202) 232-4828; fax (202) 232-8017

Bosnia and Herzegovina Washington, DC (202) 337-1500; fax (202) 337-1502

Botswana Washington, DC (202) 244-4990; fax (202) 244-4164

Brazil Atlanta, GA (404) 521-0061; fax (404) 521-3449: Chicago, IL (312) 464-0245; fax (312) 464-0299: Houston, TX (713) 961-3063; fax (713) 961-3070: Los Angeles, CA (213) 651-2664; fax (213) 651-1274: Miami, FL (305) 285-6200; fax (305) 285-6229: New York, NY (212) 757-3080; fax (212) 956-3794: San Francisco, CA (415) 981-8170; fax (415) 981-3628: Washington, DC (202) 238-2700; fax (202) 238-2827

Brunei Washington, DC (202) 237-1838; fax (202) 885-0560

Bulgaria Washington, DC (202) 387-7969; fax (202) 234-7973

Burkina Faso New York, NY (212) 288-7515: Washington, DC (202) 332-5577; fax (202) 667-1882

Burma (also known as **Myanmar**) New York, NY (212) 734-1311; fax (212) 737-2421; Washington, DC (202) 332-9044/45; fax (202) 332-9046

Burundi Washington, DC (202) 342-2574; fax (202) 342-2578

Cambodia Washington, DC (202) 726-7742; fax (202) 726-8381

Cameroon Washington, DC (202) 265-8790; fax (202) 387-3826

Canada Atlanta, GA (404) 532-2000; fax (404) 532-2050; Boston, MA (617) 262-3760; fax (617) 262-3415; Buffalo, NY (716) 858-9500; fax (716) 852-4340; Chicago, IL (312) 616-1860; fax (312) 616-1877; Dallas, TX (214) 922-9806; fax (214) 922-9815; Detroit, MI (313) 567-2340; fax (313) 567-2164; Los Angeles, CA (213) 346-2700; fax (213) 346-2767; Miami, FL (305) 579-1600; fax (305) 374-6774; Minneapolis, MN (612) 332-7486; fax (612) 332-4061; New York, NY (212) 596-1600; fax (212) 596-1793; Seattle, WA (206) 443-1777; fax (206) 443-9662/443-9735; Washington, DC (202) 682-1740; fax (202) 682-7726

Cape Verde Boston, MA (617) 353-0014; fax (617) 859-9798; Washington, DC (202) 965-6820; fax (202) 965-1207

Central African Republic Washington, D. C. (202) 483-7800; fax: (202)332-9893

Chad Washington, DC (202) 462-4009; fax (202) 265-1937

Chile Chicago, IL (312) 654-8780; fax (312) 654-8948; Houston, TX (713) 621-5853; fax (713) 621-8672; Los Angeles, CA (310) 785-0047; fax (310) 785-0132; Miami, FL (305) 373-8623; fax (305) 379-6613; New York, NY (212) 355-0612; fax (212) 888-5288; Philadelphia, PA (215) 829-9520; fax (215) 829-0594; San Francisco, CA (415) 982-7662; fax (415) 982-2384; San Juan, PR (787) 725-6365; (787) 721-5650; Washington, DC (202) 785-1746; fax (202) 887-5579

China Chicago, IL (312) 803-0095; fax (312) 803-0110; Houston, TX (713) 524-4311/2304; fax (713) 524-8466; Los Angeles, CA (213) 807-8088; fax (213) 380-1961; New York, NY (212) 868-7752; fax (212) 629-2698; San Francisco, CA (415) 563-4885; Washington, DC (202) 328-2500-02; fax (202) 328-2582

Colombia Atlanta, GA (404) 237-1045; fax (404) 237-7957; Beverly Hills, CA (323) 653-4299; fax (323) 653-2964; Boston, MA (617) 536-6222; fax (617) 536-9372; Chicago, IL (312) 923-1196; fax (312) 923-1197; Houston, TX (713) 527-8919; fax (713) 529-3395; Los Angeles, CA (213) 282-1137; fax (213) 383-2785; Miami, FL (305) 448-5558; fax (305) 441-9537; New Orleans, LA (504) 525-5580; fax (504) 525-4903; New York, NY (212) 949-9898; fax (212) 972-1725; San Francisco, CA (415) 495-7195; fax (415) 777-3731; San Juan, PR (809) 754-6885; fax (809) 754-1675; Washington, DC (202) 387-8338; fax (202) 232-8643

Comoros New York, NY (212) 972-8010; fax (212) 983-4712

Congo (Brazzaville) Washington, D. C. (202) 726-5500; fax (202) 726-1860

Congo (Kinshasa)(formerly **Zaire**) Washington, DC (202) 234-7690; fax (202) 234-2609

Costa Rica Atlanta, GA (770) 951-7025; fax (770) 951-7072: Chicago, IL (312) 263-2772; fax (312) 263-5807: Clearwater, FL (813) 726-1929; fax (813) 726-1807: Houston, TX (713) 266-0484; fax (713) 266-1527: Los Angeles, CA (213) 380-7915; fax (213) 380-5639: Metairie, LA (504) 887-8131; fax (504) 887-0916: Miami, FL (305) 871-7485/87; fax (305) 871-0860: New York, NY (212) 425-2620/21; fax (212) 785-6818: San Diego, CA (619) 571-6875 (phone and fax are same number): San Francisco, CA (415) 392-8488; fax (415) 392-3745: San Juan, PR (809) 282-6747; fax (809) 282-6744: Washington, DC (202) 328-6628; fax (202) 265-4795

Cote D'Ivoire (Ivory Coast) San Francisco, CA (415) 391-0176; fax (415) 391-0794: Washington, DC (202) 797-0300; fax (202) 462-9444

Croatia Los Angeles, CA (310) 477-1009; fax (310) 477-1866: Washington, DC (202) 588-5899; fax (202) 588-8936

Cuba Washington, DC (202) 797-8518; fax (202) 797-8521

Cyprus New York, NY (212) 686-6016: Washington, DC (202) 462-5772; fax (202) 483-6710

Czech Republic Los Angeles, CA (310) 473-0889; fax (310) 473-9813: Washington, DC (202) 274-9100; fax (202) 966-8540

Denmark Chicago, IL (312) 787-8780; fax (312) 787-8744: Los Angeles, CA (310) 443-2090; fax (310) 443-2099: New York, NY (212) 223-4545; fax (212) 754-1904: Washington, DC (202) 234-4300; fax (202) 328-1470

Djibouti Washington, DC (202) 331-0270; fax (202) 331-0302

Dominica New York, NY (212) 599-8478; fax (212) 808-4975: Washington, DC (202) 364-6781; fax (202) 364-6791

Dominican Republic Boston, MA (617) 482-8121; fax (617) 482-9133: Chicago, IL (773) 772-6363: Detroit, MI (810) 545-7696: Houston, TX (713) 266-0165; (713) 780-1543: Jacksonville, FL (904) 880-8950; fax (904) 880-2358: Los Angeles, CA (310) 858-7365: Mayaguez, PR (809) 833-4756; fax (809) 832-4066: Miami, FL (305) 358-3220/21; fax (305) 358-2318: Mobile, AL (334) 433-8894: New Orleans, LA (504) 522-1843; fax (504) 522-1007: New York, NY (212) 768-2480; fax (212) 768-2677: Philadelphia, PA (215) 923-3006; fax (215) 923-3007: San Francisco, CA

(415) 982-5144; fax (415) 982-0237: San Juan, PR (787) 725-9550; fax (787) 721-7820: Washington, DC (202) 332-6280; fax (202) 265-8057

Ecuador Beverly Hills, CA (323) 658-6020/5146; fax (323) 658-1934: Chicago, IL (312) 329-0266; fax (312) 329-0359: Houston, TX (713) 622-1787; fax (713) 622-8105: Los Angeles, CA (213) 628-3014; fax (213) 689-8418: Miami, FL (305) 539-8214/15; fax (305) 539-8313: New Orleans, LA (504) 523-3229; fax (504) 523-3229: New York, NY (212) 808-0170/71; fax (212) 808-0188: Newark, NJ (201) 642-0208; fax (201) 642-0149: Philadelphia, PA (215) 925-9060; fax (215) 867-0894: San Francisco, CA (415) 957-5921/22; fax (415) 957-5923: Washington, DC (202) 234-7166; fax (202) 667-3482

Egypt Chicago, IL (312) 828-9162; fax (312) 828-9167: Houston, TX (713) 961-4915; fax (713) 961-3868: New York, NY (212) 759-7120; fax (212) 308-7643: San Francisco, CA (415) 346-3422; fax (415) 346-9480: Washington, DC (202) 966-6342; fax (202) 244-4319/244-5131

El Salvador Cambridge, MA (617) 577-9111; fax (617) 577-9876: Chicago, IL (312) 332-1393/578-5390; fax (312) 332-4446: Dallas, TX (214) 637-1018/0732; fax (214) 637-1106: Houston, TX (713) 270-6239/6270; fax (713) 270-9683: Los Angeles, CA (213) 383-5776/8580/8364/6134; fax (213) 383-8599: Miami, FL (305) 371-8850; fax (305) 371-7820: New Orleans, LA (504) 522-4266/4267; fax (504) 523-5237: New York, NY (212) 889-3608; (212) 679-2835: San Francisco, CA (415) 781-7924; fax (415) 781-1136: Santa Ana, CA (714) 542-3250/3246; fax (714) 542-3407: Washington, DC (202) 331-4032; fax (202) 331-4036

Equatorial Guinea New York, NY (914) 667-6913; fax (914) 667-6838: Washington, DC (202) 518-5700; fax (202) 518-5252

Eritrea Washington, DC (202) 319-1991; fax (202) 319-1304

Estonia New York, NY (212) 247-1450; fax (212) 262-0893: Washington, DC (202) 588-0101; fax (202) 588-0108

Ethiopia Washington, DC (202) 274-4555; fax (202) 686-9621

Fiji New York, NY (212) 687-4130; fax (212) 687-3963: Washington, DC (202) 337-8320; fax (202) 337-1996

Finland Los Angeles, CA (310) 203-9903; fax (310) 203-9186: New York, NY (212) 750-4400; fax (212) 750-4418: Washington, DC (202) 298-5800; fax (202) 298-6030

France Atlanta, GA (404) 522-4226; fax (404) 880-9408: Boston, MA (617) 266-1680; fax (617) 437-1090: Chicago, IL (312) 787-5359; fax (312) 664-4196: Houston, TX (713) 528-2181; fax (713) 528-1933: Los Angeles CA, (310) 235-3200; fax (310) 479-4813: Miami, FL (305) 372-9799; fax (305) 372-9549: New Orleans, LA (504)

523-5772; fax (504) 523-5725: New York, NY (212) 606-3689; fax (212) 606-3620/606-3614: San Francisco, CA (415) 397-4330; fax (415) 433-8357: Washington, DC (202) 944-6000; fax (202) 944-6166

Gabon Washington, DC (202) 797-1000; fax (202) 332-0668

Gambia, The New York, NY (212) 949-6640; fax (212) 949-6642: Washington, DC (202) 785-1399 ; fax (202) 785-1430

Georgia Washington, DC (202) 387-2390; fax (202) 393-4537

Germany Atlanta, GA (404) 659-4760-62; fax (404) 659-1280: Boston, MA (617) 536-4414; fax (617) 536-8573: Chicago, IL (312) 580-1199; fax (312) 580-0099: Detroit, MI (313) 962-6526; fax (313) 962-7345: Houston, TX (713) 627-7770; fax (713) 627-0506: Los Angeles, CA (323) 930-2703; fax (323) 930-2805: Miami, FL (305) 358-0290/91; fax (305) 358-0307: New York, NY (212) 308-8700; fax (212) 308-3422: San Francisco, CA (415) 775-1061; fax (415) 775-0187: Seattle, WA (206) 682-4312; fax (206) 682-3724: Washington, DC (202) 298-8140; fax (202) 298-4249

Ghana New York, NY (212) 832-1300; fax (212) 751-6743: Washington, DC (202) 686-4520; fax (202) 686-4527

Greece Atlanta, GA (404) 261-3391/261-3313; fax (404) 262- 2798: Boston, MA (617) 523-0100; fax (617) 523-0511: Chicago, IL (312) 335-3915-7; fax (312) 335-3958: Houston, TX (713) 840-7522; fax (713) 840-0614: Los Angeles, CA (310) 826-5555; fax (310) 826-8670: New Orleans, LA (504) 523-1167; fax (504) 524-5610: New York, NY (212) 988-5500; fax (212) 734-8492: San Francisco, CA (415) 775-2103; fax (415) 776-6815: Washington, DC (202) 232-8222; fax (202) 939-5824

Grenada New York, NY (212) 599-0301; fax (212) 599-1540: Washington, DC (202) 265-2561; fax (202) 265-2468

Guatemala Chicago, IL (312) 332-1587 or (312) 332-3170; fax (312) 332-4256: Coral Gables, FL (305) 443-4828-29; fax (305) 443-4830: Houston, TX (713) 953-9531/-1127/-1512; fax (713) 953-9383: Los Angeles, CA (213) 365-9251/52; fax (213) 365-9245: New York, NY (212) 686-3837; fax (212) 447-6947: San Francisco, CA (415) 788-5651; fax 788-5653: Washington, DC (202) 745-4952; fax (202) 745-1908

Guinea Washington, DC (202) 483-9420; fax (202) 483-8688

Guinea-Bissau New York, NY (212) 338-9380 or 94; fax (212) 573-6094: Washington, DC (301) 947-3958; fax (301) 947-3958

Guyana New York, NY (212) 527-3215; fax (212) 527-3229: Washington, DC (202) 265-6900/01; fax (202) 232-1297

Haiti Boston, MA (617) 266-3660; fax (617) 266-4060; Chicago, IL (312) 922-4004; fax (312) 922-7122; Miami, FL (305) 859-2003-06; fax (305) 854-7441; New York, NY (212) 697-9767; fax (212) 949-7966; San Juan, PR (809) 764-1392; fax (809) 764-3109; Washington, DC (202) 332-4090-92; fax (202) 745- 7215

Holy See Washington, D. C. (202) 333-7121; fax (202) 337-4036

Honduras Chicago, IL (773) 342 – 8289; fax (773) 342-8293; Houston, TX (713) 622-7911; fax (713) 622-6540; Los Angeles, CA (213) 383-9244/383-9317; fax (213) 383-9306; Miami, FL (305) 447-6948/447-6375; fax (305) 447-9036; New Orleans, LA (504) 522-3118; fax (504) 523-0544; New York, NY (212) 269-3611-12; fax (212) 509-8391; San Francisco, CA (415) 392-0076; fax (415) 292-6726; Washington, DC (202) 223-0185; fax (202) 223-0202

Hong Kong (See China)

Hungary Los Angeles, CA (310) 473-9344; fax (310) 479-6443; New York, NY (212) 752-0669; fax (212) 755-5986; Washington, DC (202) 362-6730; fax (202) 966-8135/686-6412

Iceland* New York, NY (212) 593-2700; fax (212) 593-6269; Washington, DC (202) 265-6653; fax (202) 265-6656

India Chicago, IL (312) 595-0405 or 1410; fax (312) 595-0416/17; Houston, TX (713) 626-2148/49; fax (713) 626-2450; New York, NY (212) 879-7800; fax (212) 988-6423 or 861-3788; San Francisco, CA (415) 668-0682/83; fax (415) 668-2073/7968; Washington, DC (202) 939-7000; fax (202) 483-3972

Indonesia Chicago, IL (312) 938-0101; fax (415) 938-3148; Houston, TX (713) 785-1691; fax (713) 708-9644; Los Angeles, CA (213) 383-5126; fax (213) 487-3971; New York, NY (212) 879-0600; fax (212) 570-6206; San Francisco, CA (415) 474-9571; fax (415) 441-4320; Washington, DC (202) 775-5200; fax (202) 775-5365

Iran Washington, DC (202) 965-4990

Iraq Washington, DC (202) 483-7500; fax (202) 462-5066

Ireland Boston, MA (617) 267-9330; fax (617) 267-6375; Chicago, IL (312) 337-1868; (fax) (312) 337-1954; New York, NY (212) 319-2555; fax (212) 980-9475; San Francisco, CA (415) 392-4214; fax (415) 392-0885; Washington, DC (202) 462-3939; fax (202) 232-5993

* Note: Call the New York number (New York, NY (212) 421-6420-22; fax (212) 759-2135) for foreign nationals that are arrested/detained in New York, New Jersey, Connecticut, and Rhode Island; all others call the Washington, DC number.

Israel Atlanta, GA (404) 875-7851; fax (404) 874-5364: Boston, MA (617) 542-0041; fax (617) 338-4995: Chicago, IL (312) 297-4800; fax (312) 297-4855: Houston, TX (713) 627-3780; fax (713) 622-2128/627-0149: Los Angeles, CA (323) 852-5500; fax (323) 852-5555: Miami, FL (305) 358-8111; fax (305) 371-5034: New York, NY (212) 499-5301; fax (212) 499-5355: Philadelphia, PA (215) 546-5556; fax (215) 545-3986: San Francisco, CA (415) 398-8885; fax (415) 398-8589: Washington, D. C. (202) 364-5500; fax (202) 364-3607

Italy Boston, MA (617) 542-0483/4; fax (617) 542-3998: Chicago, IL (312) 467-1550/51; fax (312) 467-1335: Detroit, MI (313) 963-8560; fax (313) 963-8180: Houston, TX (713) 850-7520/1; fax (713) 850-9113: Los Angeles, CA (310) 826-5998/3832 & 207-6254; fax (310) 820-0727: Miami, FL (305) 374-6322; fax (305) 374-7945: New York, NY (212) 737-9100; fax (212) 249-4945: Philadelphia, PA (215) 592-7329; fax (215) 592-9808: San Francisco, CA (415) 931-4924/292-9210; fax (415) 931-7205: Washington, DC (202) 612-4400; fax (202) 518-2151

Jamaica Miami, FL (305) 374-8431; fax (305) 577-4970: New York, NY (212) 935-9000; fax (212) 832-0411: Washington, DC (202) 452-0660; fax (202) 452-0081

Japan Agana, Guam (671) 646-1290; fax (671) 649-2620: Anchorage, Alaska (907) 279-8428; fax (907) 279-9271: Atlanta, GA (404) 892-2700; fax (404) 881-6321: Boston, MA (617) 973-9772; fax (617) 542-1329: Chicago, IL (312) 280-0400; fax (312) 280-9568: Detroit, MI (313) 567-0120; fax (313) 567-0274: Honolulu, HI (808) 536-2226; fax (808) 537-3276: Houston, TX (713) 652-2977; fax (713) 651-7822: Kansas City, MO (816) 471-0111; fax (816) 472-4248: Los Angeles, CA (213) 617-6700; fax (213) 617-6727: Miami, FL (305) 530-9090; fax (305) 530-0950: New Orleans, LA (504) 529-2101; fax (504) 568-9847: New York, NY (212) 371-8222; fax (212) 319-6357: Portland, OR (503) 221-1811; fax (503) 224-8936: Saipan (670) 234-7201; fax (670) 234-8764: San Francisco, CA (415) 777-3533; fax (415) 974-3660: Seattle, WA (206) 682-9107; fax (206) 624-9097: Washington, DC (202) 238-6700; fax (202) 328-2187

Jordan Washington, DC (202) 966-2664; fax (202) 966-3110

Kazakhstan New York, NY (212) 888-3024; fax (212) 888-3025: Washington, DC (202) 232-5488; fax (202) 232-3541

Kenya New York, NY (212) 486-1300; fax (212) 688-0911: Washington, DC (202) 387-6101; fax (202) 462-3829

Kiribati Honolulu, HI (808) 521-7703; fax (808) 542-5159 (honorary consul)

Korea, North New York, NY (212) 972-3105; fax (212) 972-3154 (U.N. Mission)

Korea, South Agana, Guam (671) 471-6488; fax (671) 477-6391: Anchorage, Alaska (907) 561-5488; fax (907) 563-0313: Atlanta, GA (404) 522-1611; fax (404) 521-3169: Boston, MA (617) 348-3660; fax (617) 348-3670: Chicago, IL (312) 822-9485; fax (312) 822-9849: Honolulu, HI (808) 595-6109; fax (808) 595-3046: Houston, TX (713) 961-0186; fax (713) 961-3340: Los Angeles, CA (213) 385-9300; fax (213) 385-1849: Miami, FL (305) 372-1555; fax (305) 371-6559: New York, NY (212) 752-1700; fax (212) 888-6320: San Francisco, CA (415) 921-2251; fax (415) 921-5946: Seattle, WA (206) 441-1011; fax (206) 441-7912: Washington, DC (202) 939-5634; fax (202) 342-1597

Kuwait Washington, DC (202) 966-0702; fax (202) 966-0517

Kyrgyzstan Washington, DC (202) 338-5141/42; fax (202) 338-5139

Laos Washington, DC (202) 332-6416/17; fax (202) 332-4923

Latvia Washington, DC (202) 726-8213; fax (202) 726-6785

Lebanon Detroit, MI (313) 567-0233: Los Angeles, CA (323) 467-1253/1254; fax (323) 467-2935: New York, NY (212) 744-7905: Washington, DC (202) 939-6300; (202) 939-6324

Lesotho Washington, DC (202) 797-5533; fax (202) 234-6815

Liberia New York, NY (212) 687-1025: Washington, DC (202) 723-0437; fax (202) 723-0436

Libya New York, NY (212) 752-5775; fax (212) 593-4787

Liechtenstein New York, NY (212) 599-0220; fax (212) 599-0064

Lithuania New York, NY (212) 354-7849; fax (212) 354-7911: Washington, DC (202) 234-5860; fax (202) 328-0466

Luxembourg New York, NY (212) 888-6664; fax (212) 888-6116: San Francisco, CA (415) 788-0816; fax (415) 788-0985: Washington, DC (202) 265-4171; fax (202) 328-8270

Macedonia, The Former Yugoslav Republic of New York, NY (212) 317-1727; fax (212) 317-1484: Washington, DC (202) 337-3063; fax (202) 337-3093

Madagascar New York, NY (212) 986-9491: Washington, DC (202) 265-5525; fax (202) 265-3034

Malawi Washington, DC (202) 797-1007; fax (202) 265-0976

Malaysia Los Angeles, CA (213) 892-1238; fax (213) 982-9031: New York, NY (212) 490-2722; fax 490-8576: Washington, DC (202) 328-2700; fax (202) 483-7661

Maldives New York, NY (212) 599-6195; fax (212) 972-3970 (U.N. Mission)

Mali Washington, DC (202) 332-2249, 939-8950; fax (202) 332-6603

Malta New York, NY (212) 725-2345; fax (212) 779-7097: Washington, DC (202) 462-3611/12; fax (202) 387-5470

Marshall Islands New York, NY (212) 983-3040; fax (212) 983-3202: Washington, DC (202) 234-5414; fax (202) 232-3236

Mauritania Washington, DC (202) 232-5700; fax (202) 319-2623

Mauritius Washington, DC (202) 244-1491/92; fax (202) 966-0983

Mexico Albuquerque, NM (505) 247-2147; fax (505) 842-9490: Atlanta, GA (404) 688-3258; fax (404) 521-3256: Austin, TX (512) 478-2866; fax (512) 478-8008: Boston, MA (617) 426-4942; fax (617) 426-5795: Brownsville, TX (512) 542-4431; fax (512) 542-7267: Calexico, CA (714) 357-3863; fax (714) 357-6284: Chicago, IL (312) 855-1380; fax (312) 855-9257: Corpus Christi, TX (512) 882-3375; fax (512) 882-9324: Dallas TX (214) 630-7341; fax (214) 630-3511: Del Rio, TX (512) 755-2352; fax (512) 775-9451: Denver, CO (303) 830-0523; (303) 830-0704: Detroit, MI (313) 965-1868; fax (313) 965-7720: Eagle Pass, TX (512) 773-9255; fax (512) 773-9397: El Paso, TX (915) 533-3644; fax (915) 532-7163: Fresno, CA (209) 233-3065; fax (209) 233-5638: Houston, TX (713) 524-2300; (713) 523-6244: Laredo, TX (512) 723-6369; fax (512) 723-1741: Los Angeles, CA (213) 351-6815; fax (213) 389-9186: McAllen, TX (512) 686-0243/44; fax (512) 686-4901: Miami, FL (305) 441-8780; fax (305) 441-7180: Midland, TX (915) 687-2334; fax (915) 687-3952: New Orleans, LA (504) 522-3596; fax (504) 522-3597: New York, NY (212) 689-0456; fax (212) 545-8197: Nogales, AZ (602) 287-2521; fax (602) 287-3175: Oxnard, CA (805) 483-4684: Philadelphia, PA (215) 922-4262; fax (215) 923-7281: Phoenix, AZ (602) 242-7398; fax (602) 242-2957: Sacramento, CA (916) 363-3885; fax (916) 363-0625: Salt Lake City, UT (801) 521-8502 fax (801) 521-0534: San Antonio, TX (512) 227-9145; fax (512) 227-1817: San Bernadino, CA (714) 889-9836; fax (714) 889-8285: San Diego, CA (619) 231-8414 fax (619) 231-4802: San Francisco, CA (415) 392-5554; fax (415) 392-3233: San Jose, CA (408) 294-3414; fax (408) 294-4506: San Juan, PR (809) 764-0258; fax (809) 250-0042: Santa Ana, CA (714) 835-3069: Seattle, WA (206) 448-3526; fax (206) 448-4771: St. Louis, MO (314) 436-3233; fax (314) 436-2695: Tucson, AZ (602) 882-5595; fax (602) 882-8959: Washington, DC (202) 736-1000; fax (202) 234-4498

Micronesia, Federated States of Washington, DC (202) 223-4383; fax 202-223-4391

Moldova New York, NY (212) 682-3523; fax (212) 682-6274: Washington, DC (202) 667-1130; fax (202) 667-1204

Monaco New York, NY (212) 286-0500; fax (212) 286-1574

Mongolia Washington, DC (202) 337-7117; fax (202) 298-9227

Morocco New York, NY (212) 758-2625: Washington, DC (202) 462-7982; fax (202) 265-0161

Mozambique Washington, DC (202) 293-7146; fax (202) 835-0245

Namibia Washington, DC (202) 986-0540; fax (202) 986-0443

Nauru Honolulu, HI (808) 532-7821

Nepal New York, NY (212) 370-4188/-4199; fax (212) 953-2038: Washington, DC (202) 667-4550; fax (202) 667-5534

Netherlands Chicago, IL (312) 856-0110; fax (312) 856-9218: Houston, TX (713) 622-8000; fax (713) 622-3581: Los Angeles, CA (310) 268-1598; fax (310) 312-0989: New York, NY (212) 246-1429; fax (212) 333-3603: Washington, DC (202) 244-5300; fax (202) 362-3430

New Zealand Los Angeles, CA (310) 207-1605; fax (310) 207-3605: New York, NY (212) 832-4038; fax (212) 832-7602: Washington, D. C. (202) 328-4800; fax (202) 667-5227

Nicaragua Houston, TX (713) 272-9628: Los Angeles, CA (213) 252-1170; fax (213) 252-1177: Miami, FL (305) 220-6900; fax (305) 220-8794: New Orleans, LA (504) 523-1507; fax (504) 523-2359: New York, NY (212) 983-1981; fax (212) 983-2646: San Francisco, CA (415) 765-6821; fax (415) 765-6826: Washington, DC (202) 939-6570; fax (202) 939-6542

Niger New York, NY (212) 421-3260; fax (212) 483-3169: Washington, DC (202) 483-4224-27; fax (202) 483-3169

Nigeria New York, NY (212) 850-2228; fax (212) 687-1476: Washington, DC (202) 986-8400; fax (202) 775-1385

Norway Houston, TX (713) 521-2900; fax (713) 521-9473: Miami, FL (305) 358-4386; fax (305) 374-4369: Minneapolis, MN (612) 332-3338; fax (612) 332-1386: New York, NY (212) 421-7333; fax (212) 754-0583: San Francisco, CA (415) 986-0766-8; fax (415) 986-3318: Washington, DC (202) 944-8939; fax (202) 337-0870

Oman Washington, DC (202) 387-1980; fax (202) 745-4933

Pakistan Los Angeles, CA (310) 441-5114; fax (310) 441-9256: New York, NY (212) 879-5800: Washington, DC (202) 939-6209; fax (202) 232-4142

Palau Washington, DC (202) 452-6814; fax (202) 452-6281

Panama Atlanta, GA (404) 525-2772: Houston, TX (713) 493-5997: Miami, FL (305) 371-7031: New Orleans, LA (504) 525-3458: New York, NY (212) 840-2450: Washington, DC (202) 483-1407; fax (202) 483-8416

Papua New Guinea Washington, DC (202) 745-3680; fax (202) 745-3679

Paraguay Los Angeles, CA (310) 820-5451; fax (310) 820-5461: Miami, FL (305) 477-4002: New Orleans, LA (504) 522-7424: New York, NY (212) 432-0733: Washington, DC (202) 483-6960-62; fax (202) 234-4508

Peru Chicago, IL (312) 853-6173; fax (312) 704-6969: Houston, TX (713) 781-5000; fax (713) 781-1739: Los Angeles, CA (213) 252-5910; fax (213) 252-8130: Miami, FL (305) 374-1305; fax (305) 381-6027: New York, NY (212) 481-7410; fax (212) 481-8606: Patterson, NJ (201) 278-2221; fax (201) 278-0254: San Francisco, CA (415) 362-7136; fax (415) 362-2836: San Juan, PR (787) 250-0391; fax (787) 250-0319: Washington, DC (202) 833-9868; fax (202) 659-8124

Philippines Agana, Guam (671) 646-4620; fax (671) 649-1868: Chicago, IL (312) 332-6458/59; fax (312) 332-3657: Honolulu, HI (808) 595-6316; fax (808) 595-2581: Los Angeles, CA (213) 639-0980-85; fax (213) 639-0990: New York, NY (212) 764-1330/764-1334; fax (212) 382-1146: San Francisco, CA (415) 433-6666/69; fax (415) 421-2641: Washington, DC (202) 467-9300; fax (202) 328-7614

Poland Chicago, IL (312) 337-8166; fax (312) 337-7841: Los Angeles, CA (310) 442-8500; fax (310) 442-8515: New York, NY (212) 889-8360; fax (212) 779-3062: Washington, DC (202) 232-4517; fax (202) 328-2152

Portugal Boston, MA (617) 536-8740: Los Angeles, CA (310) 277-1491: New York, NY (212) 246-4580; fax (212) 459-0190: Newark, NJ (201) 622-7300: Providence, RI (401) 272-2003/9456: San Francisco, CA (415) 346-3400: Washington, DC (202) 332-3007; fax (202) 462-3726

Qatar Washington, DC (202) 274-1600; fax (202) 237-0061

Romania Los Angeles, CA (310) 444-0043; fax (310) 445-0043: New York, NY (212) 682-9120-9122; fax (212) 972-8463: Washington, DC (202) 232-4747; fax (202) 232-4748

Russia New York, NY (212) 348-0926, 2626; fax (212) 831-9162; San Francisco, CA (415) 929-1035, fax (415) 929-0306; Seattle, WA (206) 728-1910; fax (206) 728-1871; Washington, DC (202) 939-8907; fax 202-939-8917

Rwanda Washington, DC (202) 232-2882; fax (202) 232-4544

Saint Kitts and Nevis Washington, DC (202) 686-2636; fax (202) 686-5740

Saint Lucia New York, NY (212) 697-9360; Washington, DC (202) 364-6792; fax (202) 364-6728

Saint Vincent and the Grenadines New York, NY (212) 687-4490 (UN Mission); Washington, DC (202) 364-6730; fax (202) 364-6736

Samoa New York, NY (212) 599-6196; fax (212) 599-0797

San Marino New York, NY (212) 465-1012 (UN Mission)

Sao Tome and Principe New York, NY (212) 697-4211; fax (212) 687-8389 (UN Mission); Washington, DC (202) 986-7732; fax (202) 387-5935 (honorary consul)

Saudi Arabia Houston, TX (713) 785-5577; fax (713) 785-1163; Los Angeles, CA (310) 479-6000; fax (310) 478-6646; New York, NY (212) 752-2740; fax (212) 688-2719; Washington, DC (202) 342-3800

Senegal Washington, DC (202) 234-0540; fax (202) 332-6315

Serbia and Montenegro Washington, DC (202) 332-0333; fax (202) 332-3933

Seychelles New York, NY (212) 972-1785; fax (212) 972-1786

Sierra Leona Washington, DC (202) 939-9261 fax (202) 483-1793

Singapore Los Angeles, CA (714) 476-2330; fax (714) 476-8301; San Francisco, CA (415) 928-8508; fax (415) 673-0883; Washington, DC (202) 537-3100; fax (202) 537-0876

Slovakia Washington, DC (202) 965-5160; fax (202) 965-5166

Slovenia Washington, DC (202) 332-9332; fax (202) 667-4563

Solomon Islands New York, NY (212) 599-6192; (UN Mission); fax (212) 661-8925

Somalia New York, NY (212) 599-6193 (UN Mission)

South Africa Chicago, IL (312) 939-7929 & 7932; fax (312) 939-2588: Los Angeles, CA (323) 651-0902; fax (323) 651-5969: New York, NY (212) 213-4880; fax (212) 213-0102: Washington, DC (202) 232-4400; fax (202) 232-3402

Spain Boston, MA (617) 536-2506/27; fax (617) 536-8512: Chicago, IL (312) 782-4588; fax (312) 782-1635: Houston, TX (713) 783-6200; fax (713) 783-6166: Los Angeles, CA (213) 938-0158; fax (213) 938-2502: Miami, FL (305) 446-5511/12/13; fax (305) 446-0585: New Orleans, LA (504) 525-4951 & 7920; fax (504) 525-4955: New York, NY (212) 355-4080; fax (212) 644-3751: San Francisco, CA (415) 922-2995/96 fax (415) 931-9706: San Juan, PR (809) 758-6090; fax (809) 763-0190: Washington, DC (202) 728-2330; fax (202) 728-2302

Sri Lanka Los Angeles, CA (323) 634-0479/1079/1082; fax (323) 634-1095: Washington, DC (202) 483-4025-4028; fax (202) 232-7181

Sudan New York, NY (212) 421-2680: Washington, DC (202) 338-8565; fax (202) 667-2406

Suriname Miami, FL (305) 593-2697; fax (305) 599-1034: Washington, D. C. (202) 244-7488; fax (202) 244-5878

Swaziland Washington, DC (202) 234-5002; fax (202) 234-8254

Sweden Los Angeles, CA (310) 445-4008; fax (310) 473-2229: New York, NY (212) 583-2550; fax (212) 755-2732: Washington, DC (202) 467-2600; fax (202) 467-2699

Switzerland Atlanta, GA (404) 870-2000; fax (404) 870-2011: Chicago, IL (312) 915-0061; fax (312) 915-0388: Houston, TX (713) 650-0000; fax (713) 650-1321: Los Angeles, CA (310) 575-1145; fax (310) 576-1982: New York, NY (212) 758-2560; fax (212) 207-8024: San Francisco, CA (415) 788-2272; fax (415) 788-1402: Washington, DC (202) 745-7900; fax (202) 387-2564

Syria Washington, DC (202) 232-6313; fax (202) 234-9548

Taiwan—Taipei Economic and Cultural Representative Office (TECRO) Agana, Guam (671) 472-5865; fax (671) 472-5869: Atlanta, GA (404) 872-1234; fax (404) 873-3474: Boston, MA (617) 737-2050; fax (617) 737-1684: Chicago, IL (312) 616-0100; fax (312) 616-1490: Honolulu, HI (808) 595-6347; fax (808) 595-6542: Houston, TX (713) 626-7445; fax (713) 626-1202: Kansas City, MO (816) 531-1298; fax (816) 531-3066: Los Angeles, CA (213) 389-1215; fax (212) 383-3245: Miami, FL (305) 443-8917; fax (305) 444-4796: New York, NY (212) 317-7300; fax (212) 754-1549: San Francisco, CA (415) 362-7680; fax (415) 362-5382: Seattle, WA (206) 441-4586; fax (206) 441-4320: Washington, DC (202) 895-1800; fax (202) 363-0999

Tajikistan New York, NY (212) 472-7645/744-2196

Tanzania Washington, DC (202) 939-6125; fax (202) 797-7408

Thailand Chicago, IL (312) 236-2447-48; fax (312) 236-1906: Los Angeles, CA (323) 962-9574-77; fax (323) 962-2128: New York, NY (212) 745-1770; fax (212) 754-1907: Washington, DC (202) 944-3600; fax (202) 944-3611

Togo Washington, DC (202) 234-4212; fax (202) 232-3190

Tonga Honolulu, HI (808) 521-5149; fax (808) 521-5264 (honorary consul): San Francisco, CA (415) 781-0365; fax (415) 781-3964: New York (917) 369-1025; fax (917) 369-1024

Trinidad and Tobago Miami, FL (305) 374-2199; fax (305) 374-3199: New York, NY (212) 682-7272; fax (212) 986-2146: Washington, DC (202) 467-6490; fax (202) 785-3130

Tunisia Washington, DC (202) 862-1850; fax (202) 862-1858

Turkey Chicago, IL (312) 263-0644; fax (312) 263-1449: Houston, TX (713) 623-5849; fax (713) 623-6639: Los Angeles, CA (323) 937-0118; fax (323) 932-0061: New York, NY (212) 949-0160; fax (212) 983-1293: Washington, DC (202) 612-6700; fax (202) 612-6744

Turkmenistan Washington, DC (202) 588-1500; fax (202) 588-0697

Tuvalu (See Listing for United Kingdom)

Uganda Washington, DC (202) 726-7100-02; fax (202) 726-1727

Ukraine Chicago, IL (312) 642-4388; fax (312) 642-4385: New York, NY (212) 371-5690; fax (212) 371-5547: Washington, DC (202) 333-0606; fax (202) 333-0817

United Arab Emirates Washington, DC (202) 955-7999; fax (202) 337-7029

United Kingdom Atlanta, GA (404) 542-5856: Boston, MA (617) 248-9555; fax (617) 248-957: Cleveland, OH (216) 621-7674: Dallas, TX (214) 637-3600: Houston, TX (713) 659-6270; fax (713) 659-7094: Los Angeles, CA (310) 477-3322; fax (310) 575-1450: Miami, FL (305) 374-1522: Orlando, FL (407) 426-7855; fax (407) 426-9343: New York, NY (212) 752-8400; fax (212) 754-3062: San Francisco, CA (415) 981-3030; fax (415) 434-2018: Seattle, WA (206) 622-9255: Washington, DC (202) 588-6500; fax (202) 588-7870

Uruguay Coral Gables, FL (305) 443-9764; fax (305) 443-7802: New York, NY (212) 753-8581; fax (212) 394-5777: Santa Monica, CA (310) 394-5777; fax (310) 394-5140: Washington, DC (202) 331-1313-16; fax (202) 331-8142

Uzbekistan New York, NY (212) 754-7403; fax (212) 486-7998: Washington, DC (202) 887-5300; fax (202)293-6804

Vanuatu New York, NY (212) 593-0144; fax (212) 593-0219 (U.N. Mission)

Venezuela Baltimore, MD (301) 962-0362-64: Boston, MA (617) 266-9355/68: Chicago, IL (312) 236-9655: Houston, TX (713) 961-5141: Miami, FL (305) 577-4214; fax (305) 372-5167: New Orleans, LA (504) 522-3284: New York, NY (212) 826-1660: Philadelphia, PA (215) 627-7900: San Francisco, CA (415) 421-5172: San Juan, PR (809) 725-4055: Washington, DC (202) 342-2214; fax (202) 342-6820

Vietnam San Francisco, CA (415) 922-1577; fax (415) 922-1848: Washington, DC (202) 861-0737; fax (202) 861-0917

Yemen Detroit, MI (313) 271-0840: San Francisco, CA (415) 989-3636: Washington, D. C. (202) 965-4760; fax (202) 337-2017

Zambia New York, NY (212) 758-1110; fax (212) 972-7360: Washington, DC (202) 265-9717-19; fax (202) 332-0826

Zimbabwe Washington, DC (202) 332-7100; fax (202) 483-9326

UNITED STATES DISTRICT COURT
for the

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To:

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place:	Date and Time:
--------	----------------

You must also bring with you the following documents, electronically stored information, or objects (*blank if not applicable*):

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

PROOF OF SERVICE

This subpoena for *(name of individual or organization)* _____
was received by me on *(date)* _____.

I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

ICE Directive 17013.1: **Disclosure to Prosecutors of Potential Impeachment Information Concerning ICE Employees (ICE *Giglio* Policy)**

Issue Date: June 28, 2018
Effective Date: June 28, 2018
Superseded: None.
Federal Enterprise Architecture Number: 301-112-002b

1. **Purpose/Background.** This Directive sets forth U.S. Immigration and Customs Enforcement (ICE) policy and procedures for responding to U.S. Department of Justice (DOJ) requests for potential impeachment information related to ICE employees who may serve as a witness or affiant for the Government in a federal criminal proceeding.

On March 29, 2016, the U.S. Department of Homeland Security (DHS) issued Policy Statement 047-04: “Department Policy Regarding the Disclosure to Prosecutors of Potential Impeachment Information Concerning Department of Homeland Security Witnesses” (DHS *Giglio* Policy) to set a uniform Department standard for the disclosure of potential impeachment information to DOJ. The intent of the policy is to ensure that prosecutors receive sufficient information to meet obligations under *Giglio v. United States*, 405 U.S. 150 (1972), while protecting the legitimate privacy rights of DHS employees.

The exact parameters of potential impeachment information are not easily determined. Potential impeachment information either casts a substantial doubt upon the accuracy of any evidence, including witness testimony, on which the prosecutor intends to rely to prove an element of any crime charged; or might have a significant bearing on the admissibility of evidence. This information may include, but is not strictly limited to: (a) specific instance(s) of conduct of a witness for the purpose of attacking the witness’s credibility or character for truthfulness; (b) evidence in the form of opinion or reputation as to a witness’s character for truthfulness; (c) prior inconsistent statements; and (d) information that may be used to suggest that a witness is biased.

2. **Policy.** All responses to a request for potential impeachment information regarding ICE employees will conform to all applicable laws, regulations, and guidance from DOJ, including the relevant U.S. Attorney’s Office, and DHS. Upon request from DOJ, the ICE Office of Professional Responsibility (OPR) will complete a thorough and comprehensive review of appropriate systems and provide potential impeachment information to DOJ in a timely manner.

After an initial *Giglio* request is made, ICE will proactively notify DOJ if new potential impeachment information about the ICE employee arises during the pendency of the specific criminal case or investigation, in which the employee is a potential witness or affiant. Except for information pertaining to a pending or open investigation, employees

will be notified when potential impeachment information from their agency records are disclosed to DOJ. Employees may address any concerns about possible errors or inaccuracies in the information provided to DOJ by submitting Privacy Act amendment requests to the Office of Information Governance and Privacy.

This Directive is not intended to replace the obligation of employees to inform prosecutors of potential impeachment information prior to providing a sworn statement or testimony in any investigation or case. ICE employees have an individual obligation to disclose potential impeachment information to prosecutors during the normal course of investigations and/or preparation for hearings or trials. ICE employees should disclose all potential impeachment information so that the prosecutor can assess the information in light of the ICE witness' role, the facts of the case, and known or anticipated defenses.

ICE employees whose position requires them to be able to testify in legal proceedings and whose credibility to serve as a witness in legal proceedings is impaired, as determined by DOJ, may be subject to administrative or disciplinary action, up to and including removal.

This Directive applies to all ICE personnel who may serve as a witness or affiant for the Government in a federal criminal proceeding; however, ICE employees and offices are encouraged to follow the same policies and procedures related to disclosure of potential impeachment information for state criminal proceedings where an ICE employee may serve as a witness or affiant. Employees providing a sworn statement or testifying as a witness for the Government in a state criminal proceeding must consult with the local Office of Chief Counsel to ensure compliance with all state level requirements.

3. **Definitions.** The following definitions apply for purposes of this Directive only:
 - 3.1. **Principal Field Officer:** Homeland Security Investigations (HSI) or OPR Special Agent in Charge or Deputy Special Agent in Charge, Enforcement and Removal Operations (ERO) Field Office Director or Deputy Field Office Director, and Office of Principal Legal Advisor (OPLA) Chief Counsel or Deputy Chief Counsel.
 - 3.2. **Giglio Request:** Written request from DOJ to review and disclose agency records of an ICE employee for potential impeachment information.
 - 3.3. **Potential Impeachment Information:** Generally defined as, impeaching information which is material to the defense; it includes all information without regard to the date of the information, whether it occurred on or off duty, the level of discipline issued, or the specifics of the allegation or charge against the ICE employee. It includes information that casts a substantial doubt upon the accuracy of any evidence (including witness testimony) on which the prosecutor intends to rely to prove an element of any crime charged, or might have a significant bearing on the admissibility of evidence. Such information may include, but is not limited to:

- 1) Any finding of misconduct that reflects upon the truthfulness or possible bias of the employee, including a finding of lack of candor during a criminal, civil, or administrative inquiry or proceeding;
- 2) Any past or pending criminal charge brought against the employee;
- 3) Any allegation of misconduct bearing upon truthfulness, bias, or integrity that is the subject of a pending investigation;
- 4) Prior findings by a judge that an employee has testified untruthfully, knowingly made a false statement in writing, engaged in an unlawful search or seizure, illegally obtained a confession, or engaged in other misconduct;
- 5) Any misconduct finding or pending misconduct allegation that either casts a substantial doubt upon the accuracy of any evidence, including witness testimony, that the prosecutor intends to rely on to prove an element of any crime charged, or that might have a significant bearing on the admissibility of prosecution evidence. This includes findings or allegations that relate to substantive violations concerning an employee's failure to:
 - a) Follow legal or ICE requirements for the collection and handling of evidence, obtaining statements, recording communications, and obtaining consent to search;
 - b) Comply with ICE procedures for supervising the activities of a cooperating individual; or
 - c) Follow mandatory protocols with regard to the forensic analysis of evidence.
- 6) Information that may be used to suggest the employee is biased¹ for or against the defendant; or
- 7) Information that reflects the employee's ability to perceive and/or recall the truth is impaired.

3.4. Unsubstantiated Allegations. Allegations that cannot be substantiated, are not credible, or have resulted in the exoneration of an employee generally are not considered to be potential impeachment information. However, upon request, such information which reflects upon the truthfulness or bias of the employee, to the extent maintained by the agency, will be provided to DOJ under the following circumstances:²

¹ *United States v. Abel*, 469 U.S. 45, 52 (1984) (noting that “[b]ias is a term used in the ‘common law of evidence’ to describe the relationship between a party and a witness which might lead the witness to slant, unconsciously or otherwise, his testimony in favor of or against a party. Bias may be induced by a witness’ like, dislike, or fear of a party, or by the witness’ self-interest.”).

² The agency is responsible for advising the prosecuting office, to the extent determined, whether any aforementioned allegation is unsubstantiated, not credible, or resulted in the employee's exoneration.

- 1) When DOJ advises ICE OPR that it is required by a court decision in the district where the investigation or case is being pursued;
- 2) When a federal prosecutor, magistrate judge, or judge made the allegation;
- 3) The allegation received publicity;
- 4) DOJ and ICE OPR agree that such disclosure is appropriate, based upon exceptional circumstances involving the nature of the case or the role of the agency witness; or
- 5) Disclosure is otherwise deemed appropriate by OPR.

4. Responsibilities.

4.1. ICE Employees are responsible for:

- 1) Informing prosecutors of potential impeachment information as early as possible, before providing a sworn statement or testimony in any criminal investigation or case;
- 2) Consulting with their supervisor and agency counsel, as appropriate, to determine whether information may constitute potential impeachment information; and
- 3) Complying with the provisions of this Directive and any further documents that may be issued to implement the Directive.

4.2. Office of Professional Responsibility (OPR) is responsible for responding to all initial *Giglio* requests from DOJ, and managing and overseeing the ICE *Giglio* request process in accordance with the DHS *Giglio* Policy. This includes:

- 1) Oversight and review of all employee misconduct, administrative inquiry, and related documents for potential impeachment information concerning ICE employees;
- 2) Ensuring information provided to DOJ meets the definition of potential impeachment information as outlined in section 3.3 of this Directive;
- 3) Processing, tracking, responding to, and documenting initial *Giglio* requests from DOJ pertaining to all ICE employees;
- 4) Notifying the Principal Field Officer, who will then make appropriate notifications to DOJ in their AOR, if new potential impeachment information becomes available that was not previously shared by OPR with DOJ;
- 5) Notifying DOJ immediately upon becoming aware of errors in or updates to any potential impeachment information previously provided by OPR and documenting this notification;

- 6) Ensuring annual notification and training is provided to ICE personnel regarding their responsibilities under the DHS and ICE *Giglio* Policies;
- 7) Maintaining and updating a standard operating procedure for processing *Giglio* requests;
- 8) Notifying Principal Field Officers when OPR provides DOJ with potential impeachment about ICE employees; and
- 9) Notifying employees when ICE provides potential impeachment information about them to DOJ. This notification should occur concurrently with the disclosure to DOJ and should contain a statement that a copy of the potential impeachment information may be obtained from their Principal Field Officer upon request. Employees will not be notified if the information pertains to a pending or open investigation.

4.3. Office of Human Capital (OHC) is responsible for:

- 1) Reviewing, upon OPR's request, agency and related files of ICE employees identified in misconduct cases for potential impeachment information and providing the information timely to OPR;
- 2) Notifying OPR of potential impeachment information concerning ICE employees provided to OHC during the initiation of a case; and
- 3) Routinely providing OPR with a list of all employees who have transferred to a new office.

4.4. Office of the Principal Legal Advisor (OPLA) is responsible for referring any *Giglio* requests it receives to OPR, and providing advice to ICE employees, OPR, and Principal Field Officers on whether information may constitute potential impeachment information.

4.5. Principal Field Officers are responsible for:

- 1) Consulting and notifying DOJ, as appropriate, regarding:
 - a) Potential impeachment information for ICE employees who transfer into the PFO's area of responsibility when the employee first begins meaningful work on a case or matter within the prosecuting district and prior to assigning the transferred employee to a case where it is likely that the employee will serve as a potential witness or affiant;
 - b) New potential impeachment information related to ICE employees in the PFO's area of responsibility, when it becomes available during the pendency of a criminal case or investigation in which the employee is a potential witness or affiant;

- c) When an ICE employee in the PFO's area of responsibility with potential impeachment information retires or is reassigned to a position in which he or she will no longer serve as a witness or affiant so DOJ can remove the information from its systems; and
 - d) Errors in, or updates, to any potential impeachment information previously provided, upon learning of such errors or updates.³
- 2) When notified of a DOJ determination that the employee's credibility has been impaired and that the employee is no longer permitted to serve as a witness in criminal proceedings:
- a) Notifying OHC, OPLA, and OPR; and
 - b) Notifying the affected employee, in coordination with OHC, OPLA, and OPR;
- 3) Upon request, providing employees with copies of the content of any potential impeachment information that they or OPR have provided to DOJ, except for information pertaining to pending or ongoing investigations; and
- 4) Documenting all disclosures made to DOJ in accordance with section 4.5(1) of this Directive.

5. Procedures/Requirements. None.

6. Recordkeeping. The records described above will be maintained by OPR. Under the proposed records retention schedule for OPR records, ICE has requested approval from the National Archives and Records Administration (NARA) for the records to be retained as follows:

- a) Negative responses will be cut off at the end of the fiscal year in which response was provided to DOJ, and destroyed 5 years after cutoff or 5 years after completion of the specific criminal case in which the employee was a potential witness or affiant, whichever is later.
- b) Positive responses will be cut off at the end of the fiscal year in which the response or proactive disclosure was made to the Assistant U.S. Attorney, and destroyed 10 years after cutoff, or 10 years after the employee retires or separates from DHS occurs, whichever is later.

Until the proposed records retention schedule is approved by NARA, these records must be maintained as permanent and not destroyed.

7. Authorities/References.

³ Requests to correct inaccuracies pursuant to the Privacy Act should be submitted to the ICE Privacy Officer.

FOR OFFICIAL USE ONLY

- 7.1. *United States Attorneys' Manual*, Section 9-5.100 Policy Regarding the Disclosure to Prosecutors of Potential Impeachment Information Concerning Law Enforcement Agency Witnesses (“*Giglio Policy*”), July 2014, or as updated.
- 7.2. DHS Policy Directive 047-04, Policy Regarding the Disclosure to Prosecutors of Potential Impeachment Information Concerning Department of Homeland Security Witnesses, dated March 29, 2016, or as updated.
- 7.3. *Giglio v. United States*, 405 U.S. 150 (1972).
- 7.4. *Brady v. Maryland*, 373 U.S. 83 (1963).
- 7.5. *United States v. Henthorn*, 931 F.2d 29 (9th Cir. 1991).
- 7.6. *United States v. Abel*, 469 U.S. 45, 52 (1984).
8. **Attachments.**
 - 8.1. DHS Policy Directive 047-04, Policy Regarding the Disclosure to Prosecutors of Potential Impeachment Information Concerning Department of Homeland Security Witnesses, dated March 29, 2016.
 - 8.2. *United States Attorneys' Manual*, Section 9-5.100 Policy Regarding the Disclosure of Prosecutors of Potential Impeachment Information Concerning Law Enforcement Agency Witnesses (“*Giglio Policy*”), as updated July 2014.
9. **No Private Right.** This document provides only internal ICE policy guidance, which may be modified, rescinded, or superseded at any time without notice. It is not intended to, does not, and may not be relied upon to create or diminish any rights, substantive or procedural, enforceable at law or equity by any party in any criminal, civil, or administrative matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigative prerogatives of ICE.



Thomas D. Homan
Acting Director
U.S. Immigration and Customs Enforcement



U.S. Immigration
and Customs
Enforcement

June 17, 2009

MEMORANDUM TO: All ICE Employees

FROM: Peter S. Vincent *PSV*
Principal Legal Advisor

SUBJECT: The Use of Electronic Messaging and Investigative Reports

Electronic messaging allows rapid communications with our colleagues and partners. Although electronic messages are often intended as a quick, informal communication, all employees of U.S. Immigration and Customs Enforcement (ICE) are reminded that it is the substance of a message and not the transmission method that triggers potential discovery obligations. ICE employees who may be witnesses may not engage in internal substantive written discussions through electronic messaging. These internal substantive discussions must be captured through Reports of Investigation (ROI's).

The Jencks Act, 18 U.S.C. § 3500, and Federal Rule of Criminal Procedure 26.2 require that once a witness has testified for the government and before the cross-examination is conducted, the defendant is entitled to receive any statements of that witness which relate to the subject matter of the witness's testimony. Statements include not only a formal investigative report, but also substantive electronic communications that are relevant to a witness's testimony. "Substantive" communications include reports about investigative activity, discussions of the relative merits of evidence, characterizations of potential testimony, and issues relating to credibility. Records of an investigative agency, such as ICE, are deemed by law to be "in the possession of the United States" under the Jencks Act. Therefore, these communications may be discoverable. Substantive electronic communications between ICE employees and any witness can become "Jencks" for the witness and could be discoverable.

Electronic messaging may not be used for substantive communications because these communications are often not as complete as formal investigative reports. Additionally, informal opinions may not appropriately reflect the position of the agency or provide a complete picture of the situation, and could potentially hinder prosecutorial efforts. Thus, while substantive communications must occur by an ROI, an ROI may still be transmitted to United States Attorney's offices electronically. Electronic messaging may still be used to communicate efficiently concerning non-substantive matters, such as scheduling a witness interview or making travel arrangements. However, employees must use caution when communicating about such non-substantive matters not to permit the discussions to turn to matters of substance.

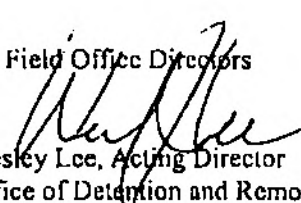
Substantive electronic messages that are potentially subject to disclosure must be preserved for production and review by the attorney prosecuting the case, as he or she will make the final determination as to what constitutes discoverable material under Jencks or the Federal Rule. Adequate preservation includes ensuring that email statements stored in electronic and/or paper files are easily retrievable upon demand.



**U.S. Immigration
and Customs
Enforcement**

MEMORANDUM FOR: All Field Office Directors

MAY 18 2005

FROM: 
Wesley Lee, Acting Director
Office of Detention and Removal

SUBJECT: Alien Witnesses and Informants Pending Removal

Purpose

The Office of Detention and Removal Operations (DRO), in consultation with the Office of Investigations (OI) and the Office of the Principle Legal Advisor, is issuing this guidance for cases of aliens pending removal from the United States for whom there is an interest from another law enforcement agency (LEA). The interest may be for any of the following:

- o An alien on behalf of which an application for an S-visa has been filed by a federal or state LEA;
- o An alien for whom the Department of Justice (DOJ), Office of Enforcement Operations (OEO) has indicated possible placement in the Witness Protection Program;
- o For use of the alien as an informant by another LEA.

Discussion

Frequently, DRO field offices receive requests from LEAs to stay the removal of an alien who may be needed as an informant or a witness in a criminal matter. The majority of these cases involve aliens who have been convicted of serious crimes and are subject to mandatory detention. As the mission of DRO is to remove aliens and detention is used for the purpose of effecting removal, the liability for not removing aliens for which a travel document is available rests with DRO. In addition, DRO must follow congressional mandates and statutes to remove criminal aliens. As such, DRO will seek to obtain a removal order for all categories of aliens mentioned in this memorandum prior to any release or transfer of custody to another agency. The possibility of issuing a stay of removal or deferred action may be considered only when compelling reasons exist. Cases of

~~Limited Official Use~~

Alien Witnesses and Informants Pending Removal
Page 2

detained aliens for which removal is not foreseeable are to be handled under the established Post Order Custody Review procedures. Disposition of aliens who have not been placed in removal proceedings will be made by OI based on the specifics of the case.

Action

Effective immediately, the below procedures are to be followed by all field offices in these types of cases:

Aliens Pending an 'S' Visa

Federal and state LEAs may request an S-visa on behalf of an alien through DOJ/OEO, when there is a need for information provided by the alien witness or informant in criminal or counter-terrorism matters. Before the application is sent to OEO, it requires the approval of the local United States Attorney, as well as the headquarters of the LEA. Once the application is certified by OEO, it is sent to ICE for a final decision pursuant to 8 CFR § 214.2(t). When HQOI is notified of the filing of an S-visa for a particular alien, HQOI will issue written notification to HODRO and coordinate the issuance of deferred action for the alien. If the alien is detained (b)(7)(E)

(b)(7)(E) The
(b)(7)(E) (b)(7)(E)
(b)(7)(E)

Aliens Authorized for the Witness Security Program by OEO

Aliens may be granted relocation services or some form of "limited services" by DOJ/OEO. One such limited service may be if OEO considers that the alien's life may be in danger outside the United States. Once OEO provides written notification to DRO that the alien has been approved for the Witness Security Program under 18 USC 3521, OEO will identify the LEA (b)(7)(E)

(b)(7)(E) DRO (b)(7)(E)
(b)(7)(E) (b)(7)(E)
(b)(7)(E) HQOI will coordinate with HODRO for the issuance of
deferred action by HQOI. (b)(7)(E)
(b)(7)(E)
(b)(7)(E)

(b)(7)(E) HODRO will make a final determination regarding execution of the removal order and advise the local field office. OEO's request not to remove in and of itself may not be sufficient to postpone or cancel the removal. HODRO will notify OEO two weeks prior to any anticipated removal of the alien. If OEO or an LEA requires the presence of an alien who was removed from the United States, they may request that the alien be paroled back into the United States under INA § 212(d)(5). This may be accomplished by the LEA coordinating with the Office of International Affairs, Parole and Humanitarian Assistance Branch.

— Limited Official Use —

Other Detained Alien Informants

For any other alien for whom an LEA is seeking to use an informant, usually for a temporary time-period, a letter from the appropriate LEA headquarters management official to HQDRO is required.

The letter must address the following: (b)(7)(E)

(b)(7)(E)

(b)(7)(E)

(b)(7)(E)

Once this information is provided, the final decision will be coordinated between HQDRO, HQOI, and local DRO. If the request is approved, the LEA (b)(7)(E)

(b)(7)(E)

HQOI will coordinate the issuance of a

deferred action notice (b)(7)(E)

(b)(7)(E)

Conclusion

The disposition of informants and witness cases pending removal are to be coordinated closely with HQDRO. As soon as the local field office is notified regarding an interest in the alien from another agency, HQDRO is to be notified. HQDRO will also work closely with HQOI in order to protect the interests of ICE. DRO offices are to ensure that the appropriate documentation involving the transfer of custody is maintained in the alien's A-file. It is important that DRO offices ensure that files, DACS records, and documentation from OEO or other LEAs in such cases are properly safeguarded, as they are law enforcement sensitive.

Any questions may be addressed to

(b)(6); (b)(7)(C)

HQDRO Custody

Determination Unit.

~~Limited Official Use~~

UNITED STATES DISTRICT COURT

for the

United States of America
v.

Case No.

Defendant

WARRANT FOR THE ARREST OF A WITNESS
OR MATERIAL WITNESS IN A PENDING CRIMINAL CASE

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before this court (name of person to be arrested) _____, a person

- who has been served with a subpoena to appear in this case and has failed to do so.
who is a material witness for which proceedings are necessary pursuant to 18 U.S.C. § 3144.

YOU ARE FURTHER COMMANDED to detain this witness until this court orders discharge from custody.

Date: _____ Issuing officer's signature

City and state: _____ Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____ at (city and state) _____

Date: _____ Arresting officer's signature
Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of witness: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which witness may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates *(name, relation, address, phone number)*: _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

UNITED STATES DISTRICT COURT
for the

United States of America
v.

Case No.

Defendant

ORDER TO DETAIN A DEFENDANT TEMPORARILY UNDER 18 U.S.C. § 3142(d)

At the time of the alleged offense, the defendant was not a United States citizen or a person lawfully admitted for permanent residence, or, alternatively, the defendant was on release pending trial for a state or federal felony; on release after conviction for any type of offense, state or federal; or on probation or parole. This court finds that the defendant, if released, may flee or pose a danger to another person or the community.

IT IS ORDERED: The defendant must be detained temporarily under 18 U.S.C. § 3142(d) until (date)

The attorney for the government is directed to notify the appropriate court, probation or parole officer, state or local law enforcement officer, or the United States Citizenship and Immigration Services so that a detainer may be placed on the defendant or custody may be transferred. If no action is taken by the above date, the defendant must be brought before this court on that date for further proceedings.

Date:

Judge's signature

Printed name and title

**Operations Manual ICE Performance Based National
Detention Standards
(PBNDS)
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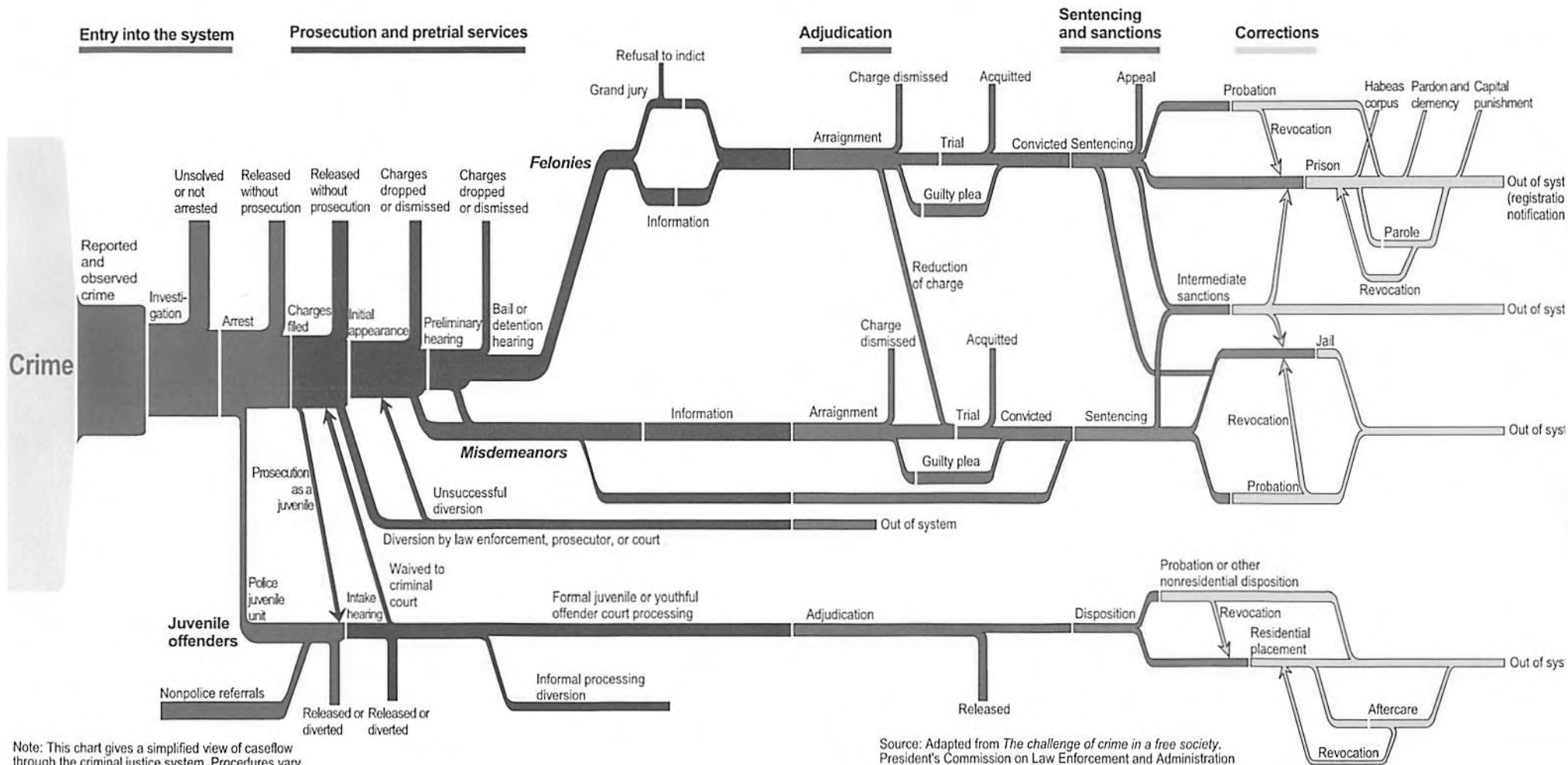
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Last Modified: Tuesday, May 17, 2011

Post-Arrest Obligations Chapter Student Drive Reference Index

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PA-16	Operations Manual ICE Performance Based National Detention Standards Index, 5-17-2011.

What is the sequence of events in the criminal justice system?



Note: This chart gives a simplified view of caseload through the criminal justice system. Procedures vary among jurisdictions. The weights of the lines are not intended to show actual size of caseloads.

Source: Adapted from *The challenge of crime in a free society*. President's Commission on Law Enforcement and Administration of Justice, 1967. This revision, a result of the Symposium on the 30th Anniversary of the President's Commission, was prepared by the Bureau of Justice Statistics in 1997.

UNITED STATES DISTRICT COURT
for the

United States of America
v.

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)
)
)
)
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)

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of _____ in the county of _____ in the
_____ District of _____, the defendant(s) violated:

Code Section

Offense Description

This criminal complaint is based on these facts:

Continued on the attached sheet.

Complainant's signature

Printed name and title

Sworn to before me and signed in my presence.

Date:

Judge's signature

City and state:

Printed name and title

UNITED STATES DISTRICT COURT

for the

United States of America
v.

Case No.

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)
)
)

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay
(name of person to be arrested) _____,
who is accused of an offense or violation based on the following document filed with the court:

- Indictment Superseding Indictment Information Superseding Information Complaint
- Probation Violation Petition Supervised Release Violation Petition Violation Notice Order of the Court

This offense is briefly described as follows:

Date: _____

Issuing officer's signature

City and state: _____

Printed name and title

Return

This warrant was received on (date) _____, and the person was arrested on (date) _____
at (city and state) _____.

Date: _____

Arresting officer's signature

Printed name and title

This second page contains personal identifiers provided for law-enforcement use only and therefore should not be filed in court with the executed warrant unless under seal.

(Not for Public Disclosure)

Name of defendant/offender: _____

Known aliases: _____

Last known residence: _____

Prior addresses to which defendant/offender may still have ties: _____

Last known employment: _____

Last known telephone numbers: _____

Place of birth: _____

Date of birth: _____

Social Security number: _____

Height: _____ Weight: _____

Sex: _____ Race: _____

Hair: _____ Eyes: _____

Scars, tattoos, other distinguishing marks: _____

History of violence, weapons, drug use: _____

Known family, friends, and other associates (*name, relation, address, phone number*): _____

FBI number: _____

Complete description of auto: _____

Investigative agency and address: _____

Name and telephone numbers (office and cell) of pretrial services or probation officer (*if applicable*): _____

Date of last contact with pretrial services or probation officer (*if applicable*): _____



Homeland Security

APR 18 2012

MEMORANDUM FOR: Assistant Directors
Deputy Assistant Directors
Special Agents in Charge
Attachés

FROM: James A. Dinkins
Executive Associate Director
Homeland Security Investigations

SUBJECT: HSI Implementation of DNA Sample Collection

On December 10, 2008, the U. S. Department of Justice (DOJ) published a final rule amending regulations on DNA Sample Collection. Under this rule, effective January 9, 2009, all federal law enforcement agencies are required to take DNA samples from "individuals who are arrested, facing charges, or convicted, and from non-United States persons who are detained under the authority of the United States." The DOJ final rule can be found using the following link: <http://www.gpo.gov/fdsys/pkg/FR-2008-12-10/pdf/E8-29248.pdf#page=1>.

On March 25, 2009, Department of Homeland Security (DHS) Secretary Janet Napolitano directed each DHS Operational Component to create an implementation plan to ensure compliance with the DNA sample collection obligations. In accordance, Homeland Security Investigations (HSI) has established the following Special Agents (SA) procedures regarding DNA Sample Collection.

HSI Special Agents (SA) will perform DNA sampling only on suspects taken into custody on criminal charges. If an individual is arrested for a criminal and administrative violation of law, that individual will be swabbed. Persons arrested for administrative violations of law only, will not be swabbed. All costs associated with DNA sampling will be borne by the Federal Bureau of Investigations (FBI) laboratory located in Quantico, Virginia.

To support this implementation, all HSI SA employees were required to complete training on collecting DNA samples no later than Wednesday, February 29, 2012. Upon successful completion of this training, HSI SAs will DNA swab all subjects arrested for a criminal violation of law.

To maintain consistency with the training, all SAs in DNA sampling pilot locations (Special Agent in Charge (SAC) (b)(6); (b)(7)(C)) have been required to complete the online training. The DNA Sample Collection training is accessed via the following link: (b)(7)(E)

Additionally, each SAC office was requested to designate an HSI employee as a Point of Contact (POC) for the FBI Laboratory in the event of a rejected DNA sample. This same POC will coordinate within the SAC Area of Responsibility offices and provide the notification to HSI personnel, ensure access to the Computer Based Training (CBT), order kits for their offices/sub-offices, and serve as a POC for any questions from HQ staff. The names of designees must be submitted to (b)(7)(E)@dhs.gov.

SUBJECT: HSI Implementation of DNA Sample Collection

Page: 2

Information on the HSI DNA program can be found at the following link:

(b)(7)(E)

If you have any questions or concerns, please feel free to contact National Program Manager

(b)(6); (b)(7)(C)

Law Enforcement Systems, who may be reached via e-mail at

(b)(6); (b)(7)(C)

@dhs.gov or by phone at (b)(6); (b)(7)(C)

or management inquiries to (b)(6); (b)(7)(C)

(b)(6);

Unit Chief, Information Sharing and Infrastructure Management via e-mail at

(b)(6); (b)(7)(C)

@dhs.gov or phone at (b)(6); (b)(7)(C)

Prompt Presentment Review

Criminal Complaint (rule 3)
Present essential facts of offense
charged, under oath, to magistrate

↓
If PC established

↓
Arrest Warrant issued (rule 4 (a) & (b))
- D's name
- Describes offense
- Command to arrest
- Bring without unnecessary delay
- Signed by magistrate

↓
SA performs arrest
Show warrant to D or
Tell of W's existence

Return warrant to magistrate

Corley Rule
statements
after 6 hours

No Criminal Complaint
*magistrate does not make PC
determination before arrest*

↓
If PC established

↓
Arrest in Public Exception
(Warrant Exception)

↓
SA performs arrest
Promptly prepare criminal
complaint (rule 5(b))

Gerstein Rule

48 Hour Rule

Initial Appearance
- Present to magistrate **without unnecessary delay** (rule 5(a))
- Rule 5(d) – judge explains
- nature of charges
- right to counsel
- pretrial release options
- right to a PH
- right to remain silent
- right to consult with counsel
- teleconference available (rule 5(f))
- Juveniles – present **forthwith** (ASAP)
- provide juvenile with *Miranda* warnings
- immediately notify AUSA and
parents/guardian of custody
- provide parents/guardian with *Miranda*
and nature of charges against juvenile

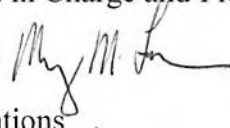
5(a) Prompt
Presentment
Rule

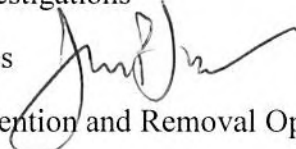


U.S. Immigration
and Customs
Enforcement

OCT 1 2007

MEMORANDUM FOR: All Special Agents in Charge and Field Office Directors

FROM: Marcy M. Forman 
Director
Office of Investigations

John P. Torres 
Director
Office of Detention and Removal Operations

SUBJECT: DRO/OI Protocols and Handling Unaccompanied Alien Children

On August 20, 2007, the Office of Investigations (OI) and Office of Detention and Removal Operations (DRO) jointly issued protocols providing national guidance to DRO Field Office Directors (FODs) and OI Special Agents in Charge (SACs) regarding a myriad of issues. The protocols did not specifically address the handling of unaccompanied alien children. Section 462 in Title IV of the Homeland Security Act defines the term "unaccompanied alien child" to mean a child who "(A) has no lawful immigration status in the United States; (B) has not attained 18 years of age; and (C) with respect to whom- (i) there is no parent or legal guardian in the United States; or (ii) no parent or legal guardian in the United States is available to provide care and physical custody."

While the apprehension and arrest of alien juveniles rests with U.S. Immigration and Customs Enforcement (ICE), DRO, and U.S. Customs and Border Protection (CBP), the responsibility for detaining and placement of unaccompanied alien children rests with the Office of Refugee Resettlement (ORR) within the Department of Health and Human Services. ORR has limited facilities to house children and has not yet developed a transport infrastructure. DRO Field Office Juvenile Coordinators (FOJCs) are responsible for coordinating the actual placement of juveniles with ORR. Both OI and DRO face formidable challenges and liability attempting to secure juveniles until ORR can find placements.

On September 10, 2007, DRO issued guidance to the FODs instructing them to support OI when a juvenile alien has been arrested and processed for immigration proceedings. DRO supervisors were instructed to have FOJCs immediately respond when OI makes notification that an alien juvenile has been arrested and processed for removal proceedings. FOJCs are then responsible for obtaining and facilitating the placement of an alien juvenile to the appropriate ORR shelter or facility. FOJCs will make all required travel and/or transportation arrangements to facilitate the juvenile's temporary transfer into DRO custody pending final ORR placement.

DRO will provide priority attention to unaccompanied alien children, including placement to an ORR-approved facility within 72 hours locally, and within 5 days outside of the local area of responsibility (AOR).

Juveniles with criminal adjudications who are identified as “accompanied” will be placed in an approved ICE secure juvenile facility. If a juvenile has been convicted as an adult, FOJCs are to provide the detaining facility and DRO office with complete information regarding the conviction(s) and prior to, or as soon as possible following, the placement of the alien in an ICE facility. FOJCs will also assist with mandatory reunification efforts of any releasable alien juvenile to a family member or legal guardian per applicable provisions of 8 CFR § 236.3.

SACs will administratively process all unaccompanied juveniles prior to transfer to DRO custody. To facilitate this transfer, the current contact list for FOJCs is attached. The FOJCs may be unable to respond to simultaneous calls within their AOR. Therefore, SACs will meet with FODs to identify and remedy transportation deficiencies within their AOR and will jointly identify solutions using the coordination, de-confliction, transportation, and conflict resolution portions of the DRO/OI protocols.

OI and DRO will continue to work with CBP and ORR on a long-term solution of handling unaccompanied children and will issue further guidance as appropriate.

**Detention and Removal Operations
Juvenile Coordinator Contact List - Sept 2007**

Field Office	Primary FOJC Name	Jack-Up FOJC Name	Desk Phone	Ext#	Cell Phone	SDDO	Fax Number	Mailing Address
ANCHORAGE	(b)(6); (b)(7)(C)	(b)(6); (b)(7)(C)	(b)(6); (b)(7)(C); (b)(7)(E)					620 E. 10th Street, (b)(7)(E) Anchorage, Alaska 99501
ATLANTA								77 Forsyth St, NW, (b)(7)(E) Atlanta, GA 30303
BALTIMORE								31 Hopkins Plaza, Suite (b)(7)(C) Baltimore, Maryland 21201
BOSTON-CT,VT,ME								119 W. Naylor Mill Road Salisbury, Maryland 21801
BOSTON-MA,RI,NH								450 Main Street, Room (b)(7) Hartford, CT 06103
BUFFALO								JKF Federal Building, Rm (b)(7) Boston, MA 02203
CHICAGO								130 Delaware Avenue Buffalo, NY 14202
CLEVELAND								101 W. Congress Blvd. Chicago, IL 60605
DALLAS								1240 E. 9th Street, Suite (b)(7) Cleveland, OH 44199
DENVER								3101 North Stemmons Freeway, Dallas, TX 75247
DETROIT								1730 Paris Street Denver, CO 80239
EL PASO								1901 East 30th Avenue Aurora, CO 80010
HARLINGEN								333 Mt. Elliott Detroit, MI 48207
HOUSTON								3915 Montana Avenue El Paso, TX 79925
KANSAS								1717 Zoy Street Harlingen, TX 78552
LOS ANGELES								26 Northpoint Houston, TX 77060
MIAMI								747 NW Conant Avenue Kansas City, MO 64153
MEMPHIS								14 Civic Center Plaza Santa Ana, CA 92701
NEWARK	(b)(6); (b)(7)(C); (b)(7)(E)	One Rivera Square, Suite (b)(7)(E) 333 S. Miami Avenue, Miami, FL 33130						
		842 Virginia Run Cove Memphis, TN 38122						
		570 Hemisphere Center Suite (b)(7)(E) US Routes 1 & 9 South, Newark, NJ 07114						

Field Office	Primary FOJC Name	Back-Up FOJC Name	Desk Phone	Ext#	Cell Phone	SDDO	Fax Number	Mailing Address
NEW YORK	(b)(6); (b)(7)(C); (b)(7)(E)							6 Federal Plaza, Rm (b)(7)(E) NY, NY 10278
NOL (BP)								1655 Southfork Avenue Baton Rouge, LA 70816
NEW ORLEANS								250 Poydras St, Suite (b) New Orleans, LA 70113
OMAHA								717 Avenue H Omaha, NE 68110
PHILADELPHIA								243 County Welfare Road Leesport, PA 9533
PITTSBURGH								000 Sidney Street, Suite (b)(7) Pittsburgh, PA 5203
PHOENIX								035 N. Central Avenue Phoenix, AZ 85004
PORTLAND								11 NW Broadway Portland, OR 97209
SALT LAKE CITY								272 S. College Dr., Ste (b)(7) Salt Lake City, UT 84123
SAN ANTONIO								800 Skyway Drive Helena, MT 49602
SAN DIEGO								940 Four Winds Drive San Antonio, TX 8239
SAN FRANCISCO								80 Front Street, Suite (b)(7) San Diego, CA 92101
SAN JUAN								30 Sansome Street San Francisco, CA 4111
SEATTLE								2500 Tukwila International Blvd., Seattle, WA 98168
ST. PAUL								00 East 8th Street Sioux Falls, SD 57103
TAMPA								901 Metro Drive, Suite (b)(7) Bloomington, MN 5425
WASHINGTON								524 West Cypress Street Tampa, FL 33607
HQ/DRO/Nat'l JC								675 Prosperity Avenue Fairfax, VA 22031
								01 I Street, NW, Suite (b)(7)(E) Washington, DC 0536

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ICE Policy System (IPS)

OFFICE OF PRIMARY INTEREST: OFFICE OF INVESTIGATIONS

DISTRIBUTION:	ICE
DIRECTIVE NO.:	7-3.0
ISSUE DATE:	February 13, 2006
EFFECTIVE DATE:	February 13, 2006
REVIEW DATE:	February 13, 2009
SUPERSEDES:	See Section 3 below.

**DIRECTIVE TITLE: CONSULAR NOTIFICATION OF DETAINED OR
ARRESTED FOREIGN NATIONALS**

1. **PURPOSE and SCOPE.** This Directive establishes policy and procedures for notifying consulates concerning the arrest and detention of foreign nationals by U.S. Immigration and Customs Enforcement (ICE).
2. **AUTHORITIES/REFERENCES.**
 - 2.1. **Authorities.**
 - 2.1.1. Article VI, clause 2, of the United States Constitution
 - 2.1.2. International Law: Article 36 of the Vienna Convention on Consular Relations (VCCR)
 - 2.1.3. 8 CFR 236.1 (e), "Privilege of Communication"
 - 2.2. **References.**
 - 2.2.1. Department of State Web site: <http://travel.state.gov/law/nolify.html>
 - 2.2.2. International Social Service Fact Sheet, "Vienna Convention Compliance"
 - 2.2.3. Border and Transportation Security Memorandum entitled, "Detention Prioritization and Notice to Appear Documentary Requirements," dated October 18, 2004.
3. **SUPERSEDED/CANCELLED POLICY/SUMMARY OF CHANGES.** United States (U.S.) Customs Service Directive 4510-022 entitled, "Consular Notification of Detained or Arrested Foreign Nationals," dated May 19, 2000, and all other directives, memoranda, bulletins, manuals, handbooks, and other guidelines and procedures relating to this subject and issued by the former U.S. Customs Service or Immigration and Naturalization Service no longer apply to ICE. All other issuances on this subject issued by ICE prior to the date of this Directive are hereby superseded.

ICE Directive: Consular Notification of Detained or Arrested Foreign Nationals

4. **BACKGROUND.**

In 1963, the Vienna Convention on Consular Relations was created and accepted by most countries in the world, including the United States, to provide a set of basic obligations for all foreign consulate offices. It establishes how a host country should treat foreign nationals traveling or living in that country and enables foreign consulates to provide assistance to their country's citizens.

5. **DEFINITIONS.**

- 5.1. **The Vienna Convention on Consular Relations (VCCR)**, of which the United States is a signatory, is a multilateral treaty dealing with the arrest, detention, death, guardianship, or trusteeship of foreign nationals. VCCR requires that foreign nationals who are arrested or detained by "competent authorities," herein ICE officers, be advised of the right to have their consular official notified of the fact as soon as it becomes feasible.
- 5.2. For the purposes of consular notification, a **Foreign National** is any person in the United States who is not a U.S. citizen, for example an undocumented alien or a lawful permanent resident (LPR) with a resident alien card (U.S. Citizenship and Immigration Services Form I-551), also known as the Permanent Resident Card. Undocumented aliens have the same rights under the VCCR as LPR aliens.
- 5.3. A **Consular Officer**, as defined by the Department of State (DOS), is a citizen of a foreign country employed by a foreign government and authorized to provide assistance on behalf of that government to that government's citizens in a foreign country.
- 5.4. **Competent Authorities** are those officials responsible for consular notification and legal action affecting the foreign national and who are competent, within their legal authorities, to give the notification required. The person closest to the foreign national's situation, e.g., the law enforcement officer who actually made the arrest or was responsible for the foreign national's detention, should have direct responsibility for proper consular notification.

6. **POLICY.**

- 6.1. **Mandatory Notification.** It is ICE policy, pursuant to VCCR, sanctioned under the authority of the Constitution of the United States, Article VI, Clause 2, and 8 CFR 236.1(e), that all ICE officers must comply with the mandatory notification of foreign consulates following the arrest, detention, death, guardianship, or trusteeship of a foreign national by ICE, regardless of the latter's request. The mandatory countries of notification are listed in 8 CFR 236.1(e), and on the following DOS Web site: <http://travel.state.gov>. DOS can provide resources and literature free of charge (postage included) to law enforcement and Government agencies in the United States through their Web site.
- 6.2. **Notification.** It is also ICE policy that notification to the consular officials be made within 24 to 72 hours of the arrest (or as appropriate for cooperating defendants), detention, guardianship, or trusteeship of the foreign national in ICE custody. ICE is responsible for providing the advisement (if applicable) to the foreign national and any notification to the foreign consulates with respect

to arrests, detentions, guardianship, or trusteeship. Further, the obligation to notify a consular official of a particular detention or arrest may exist independently of the foreign national's visa or immigration status in the United States.

- 6.3. **Death of a Detainee.** In the event that a foreign national dies while in ICE custody, ICE officials must notify the appropriate consular officials immediately.
- 6.4. **Guardianship or Trusteeship.** When a guardianship or trusteeship is being considered with respect to a foreign national in ICE custody who is a minor or incompetent, ICE officials must notify the appropriate consular officials within 24 hours.
- 6.5. **Asylum Cases.** In special circumstances, e.g., asylum cases, DOS mandates that if the foreign national is from a "mandatory notification" country, notification must be given regardless of whether the foreign national objects or claims to be afraid. Under no circumstances should the fact that a foreign national has applied for asylum or withholding of removal be revealed to the foreign national's consular officer or government.
7. **RESPONSIBILITIES.**
- 7.1. The Assistant Secretary of ICE is responsible for the oversight of the policy set forth in this Directive.
- 7.2. The Directors of all ICE Program Offices are responsible for complying with the policy and procedures set forth in this Directive.
- 7.3. All ICE Principal Field Officers are responsible for the acquisition and distribution of the DOS brochure entitled, "Consular Notification and Access: Instructions for Federal, State, and Local Law Enforcement and Other Officials Regarding Foreign Nationals in the United States and the Rights of Consular Officials to Assist Them," or for accessing the DOS Web site as stated in Section 6.1 of this Directive. Inquiries for additional information on this subject should be forwarded to the Senior Coordinator for Consular Notification at (b)(6); (b)(7)(C) or the Office of the Assistant Legal Advisor for Consular Affairs at (b)(6); (b)(7)(C). Urgent phone calls after regular business hours can be directed to the DOS Operations Center at (b)(6); (b)(7)(C). (Note: These phone numbers are subject to change from the issue date of this Directive. It is the responsibility of ICE Officers to obtain the current telephone numbers of the aforementioned offices.)
- 7.4. ICE officers are responsible for complying with the policy and procedures set forth in this Directive only when a foreign national is in ICE custody.
- 7.5. If a foreign national requests that his or her consular official(s) be notified, ICE officials must do so "without delay" or, as defined by DOS, "without deliberate delay," and the notification should occur as soon as reasonably possible under the circumstances (see Section 8.1.1). If a foreign national's detention in a hospital or other medical facility pursuant to ICE authority exceeds 24 hours, notice to the foreign national's consulate shall be made as set forth in this Directive.

- 7.6. ICE officials responsible for the arrest or detention of a foreign national requiring consular notification, or of a foreign national requesting consular notification, will document or place the proof of the consular notification into their respective case management file and/or system. These records will document all foreign national advisements and notifications to foreign consular representatives, including the time and date the foreign national was advised of his or her right, whether or not the foreign national requested consular notification, and the time and date of any optional or required notification.

8. PROCEDURES.

8.1. Notification to a foreign national.

- 8.1.1. The arresting or detaining officer will determine the foreign national's country by using all available information. Once it is determined that the detained subject is a foreign national, ICE officials responsible for the arrest or detention of the foreign national should ascertain if a bilateral agreement with the United States requires notification, as per 8 CFR 236.1(e). If such an agreement exists, the detainee should be informed that the local consulate will be notified. It is not necessary to follow consular notification procedures when an alien is detained only momentarily, e.g., during a traffic stop or a routine interview during an investigation. If the arresting official detains the foreign national in any setting for more than 4 hours, consular notification is required.
- 8.1.2. A person who is a national/citizen of two or more countries should be treated in accordance with the rules applicable to each of those countries. No consular notifications will be made in cases where U.S. citizens are claiming dual nationalities even if the other country requires mandatory notification.
- 8.1.3. The advisement of the foreign national's right to consulate notification can be provided either in writing or orally, although it is strongly recommended that the advisement be made in writing, preferably in English. Translations can be used in lieu of English and can be found in Part Four of the DOS brochure mentioned in Section 7.3, or on the following Web site: <http://www.travel.state.gov>.
- 8.1.4. The DOS recommended advisement of nationals of countries requiring mandatory notification reads as follows:
- “Because of your nationality, we are required to notify your country’s consular representatives here in the United States that you have been arrested or detained. After your consular officials are notified, they may call or visit you. You are not required to accept their assistance, but they may be able to help you obtain legal counsel and may contact your family and visit you in detention, among other things. We will be notifying your country’s consular officials as soon as possible.”
- 8.1.5. If it is determined that the detainee is not a citizen of a country requiring mandatory notification, as per 8 CFR 236.1(e) or DOS, the foreign national must be informed without delay of the option to have his or her government's consular representatives notified of the detention. If requested, the notification should be done as soon as reasonably possible under the circumstances.
- 8.1.6. The DOS recommended advisement of nationals of countries not in the mandatory requirement listing reads as follows:

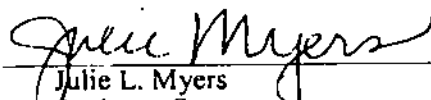
“As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country’s consular representatives here in the United States. A consular official from your country may be able to help you obtain legal counsel, and may contact your family and visit you in detention, among other things. If you want us to notify your country’s consular officials, you can request this notification now, or at any time in the future. After your consular officials are notified, they may call or visit you. Do you want me to notify your country’s consular officials?”

8.2. Notification to consular officials.

- 8.2.1.** DOS would normally expect notification to consular officials by ICE to have been made within 24 to 72 hours following the arrest (or as appropriate with cooperating defendants), detention, guardianship, or trusteeship of a foreign national in ICE custody. In the case of emergencies (such as a death or serious accident), efforts should be made to contact consular officials immediately. Telephone and facsimile numbers for foreign embassies or consulates in the United States can be found at <http://www.travel.state.gov>. (Note: If DOS receives a complaint that consular notification was not provided by ICE as required under this Directive, it may request relevant facts from ICE management and discuss the matter with the foreign government involved. Subsequently, DOS will apologize on behalf of the U.S. Government for the failure to provide consular notification, intervene to ensure that consular access is permitted, and improve future compliance.)
- 8.2.2.** ICE officials responsible for the arrest or detention of a foreign national must make their consular notification via telephone or facsimile. A list of consular office telephone and facsimile numbers can be found in Part Six of the DOS brochure or on the DOS Web site under “Consular Notification and Access” (see the Web site address in Section 2.2.1). The facsimile notification should be sent with an official ICE facsimile cover. The DOS suggested facsimile notification format is attached to this Directive and available on the DOS Web site.
- 8.2.3.** Under VCCR, the reasons for the detention do not have to be provided in the initial communication. Unless requested specifically by the consular officer, the arresting officer does not have to provide the reasons for the detention. However, some bilateral agreements require that the reason for the detention or arrest be provided upon request. If a consular official insists that he or she is entitled to information about the foreign national, guidance can be sought from the Senior Coordinator for Consular Notification (b)(6); (b)(7)(C) or the Office of the Assistant Legal Advisor for Consular Affairs at (b)(6); (b)(7)(C). Urgent phone calls after regular business hours can be directed to the DOS Operations Center at (b)(6); (b)(7)(C). (Note: As noted in Section 7.3 of this Directive, the listed phone numbers are subject to change. ICE Officers are responsible for obtaining the new telephone numbers of the aforementioned offices.)
- 8.2.4.** Under VCCR, ICE is mandated to participate in the consular notification process when a foreign national is arrested or detained even though law enforcement officials of the foreign national’s country are aware of the arrest or detention and are helping to investigate the crime in which the foreign national was allegedly involved.

- 8.2.5. If an ICE Program Office responsible for the arrest of the foreign national fails to provide consular notification, that Program Office should provide consular notification as soon as possible to ensure that the foreign government was given the opportunity to provide consular assistance for the remaining period of custody.
- 8.2.6. Once the initial consular notification has been made by the arresting ICE Program Office, the Office of Detention and Removal Operations (DRO) will be fully responsible for notifying and responding to consular officials for all additional information and additional notifications that might be required if the foreign national is placed in the custody of ICE DRO.
9. **ATTACHMENT.** "Facsimile for Notifying Consular Offices of Arrests or Detentions."
10. **NO PRIVATE RIGHT STATEMENT.** This Directive is an internal policy statement of ICE. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable by any party against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.

Approved


Julie L. Myers
Assistant Secretary

**FACSIMILE FOR NOTIFYING CONSULAR OFFICERS
OF ARRESTS OR DETENTIONS**

Date: _____ **Time:** _____

To: Embassy/Consulate of _____ in _____, _____
 (Country) (City) (State)

Fax: (____) _____ (see http://www.travel.state.gov/law/consular/consular_745.html for phone/fax nos.)

Subject: NOTIFICATION OF ARREST/DETENTION OF A NATIONAL OF YOUR COUNTRY

From:

Name: _____

Office: _____

Street Address: _____

City: _____ **State:** _____ **Zip Code:** _____

Telephone: (____) _____ **Fax:** (____) _____

We arrested/detained the following foreign national, whom we understand to be a national of your country, on _____, _____.

Mr./Mrs./Ms.: _____

Date of Birth: _____

Place of Birth: _____

Passport Number: _____

Date of Passport Issuance: _____

Place of Passport Issuance: _____

To arrange for consular access, please call (____) _____ between the hours of _____ and _____. Please refer to case number _____ when you call.

Comments/Charges (optional):