

**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND  
THE GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO  
FOR  
CRIMINAL RETURNS**

The Government of the United States and the Government of Trinidad and Tobago have reached the following understandings to standardize and improve the process they should follow when: 1) making requests or presentations for travel documents, and 2) providing advance notification of the removal of criminal aliens.

This Memorandum of Understanding (MOU) is intended to apply to criminal aliens being formally removed from the United States to Trinidad and Tobago.

Definition of Criminal Alien: The term "criminal alien" refers to an alien who is: 1) being removed on the grounds of a criminal conviction in the United States, or 2) is being removed on non-criminal grounds, but who has a criminal background.

**Part I: TRAVEL DOCUMENTS**

The United States intends to standardize its procedures for making requests or presentations for travel documents for criminal aliens as follows:

- A. **Content of the Presentation.** All requests for travel documents are to be submitted to appropriate consuls on a revised form I-217, Request for Travel Document or Passport. The I-217 sets forth pertinent biographical and citizenship information. It is to be accompanied by supporting documents, including photographs and fingerprints, and identification of the charge upon which the alien's removal is based. Travel document requests and accompanying materials are to be delivered in person or by mail.
- B. **When the Presentation is made.** Presentation of Form I-217 and supporting documents is to be made to Consuls as early as practicable in the removal process, and in most instances prior to the formal removal order being issued. When a formal removal order is issued and final, a copy should be forwarded to the Consul.
- C. **Issuance of Travel Documents.** Consuls from the countries and territories identified above intend to issue travel documents according to the following principles:
- (I) Issued travel documents should be valid for at least 60 (sixty) days;
  - (II) When a request for travel documents is made on behalf of an individual with an alien registration file or other immigration documents on file with the Department of State and the U.S. Immigration and Naturalization Service (INS), Consulates should issue travel documents within 5 (five) business days. Immigrant visa packets include identifiers of nationality used to secure permanent resident status in the United States including birth certificates, photographs, and police clearances;
  - (III) When a request for travel documents is made on behalf of individuals in possession of cédulas, passports, birth certificates, and appropriate identifying information, Consulates intend to issue travel documents within 5 (five) business days;

- (IV) When no supporting documents are available to accompany the request for documents, Consuls intend to conduct a telephonic or personal interview depending on the alien's location and issue travel documents within 30 (thirty) calendar days;
- (V) Any inability to issue a travel document within the specified time should be accompanied by a written explanation of why the document has not been issued, identify any additional information required, and what action the Embassy/Consulate intends to take to issue a travel document and the time frame.

## **Part 2:NOTIFICATION**

Upon issuance of the travel document and final order of removal, and establishment of travel itinerary, the INS intends to do as follows:

- A. **Notification to Designated Representatives of Alien Removal.** The INS Field Office nearest to where the alien is in custody intends to fax a completed Notification of Alien Removal Form to the Embassy's designated official at least 5 (five) business days (Monday-Friday) prior to the alien's travel. However, in most cases notification should occur earlier. The Notification of Alien Removal form should contain the following information:
1. The subject's name and INS registration number;
  2. The subject's date and place of birth;
  3. The subject's date, place, and class of entry to the U.S.;
  4. The subject's type of travel document and document number;
  5. The legal grounds for removal (enumerated in plain English);
  6. Special care considerations (medical, media interests, etc.);
  7. Names and titles of escorting personnel;
  8. Official passport numbers of escorts;
  9. Criminal background information based on National Crime Information Center/Deportations Automated Control System (NCIC/DACS) codes: the dates and types of convictions known to the INS.

Criminal background information should include a translated summary of prior criminal convictions, based on NCIC/DACS codes, and include date and place of conviction.

- B. **Notification to Headquarters and Overseas INS Office.** The INS Field Office intends to transmit a copy via facsimile of the Notification of Alien Removal Form to Headquarters Detention and Deportation and the Office of International Affairs at least 5 (five) business days (Monday-Friday) prior to the removal of any criminal alien. The Office of International Affairs should notify the relevant INS overseas office of the removal for additional coordination as designated by the receiving country.
- C. **Notification to Department of State Bureau of Diplomatic Security.** For all criminal cases requiring escort, INS field offices intend to notify the Bureau of Diplomatic Security at least 5 (five) business days prior to the removal of any criminal alien in order to secure country clearance.


## **Part 3:TRAVEL ARRANGEMENTS**

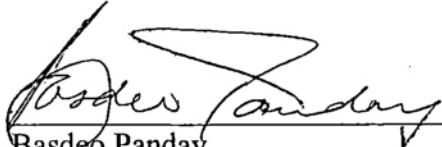
- A. **Clearances for U.S. Government or Chartered Flights.** Normally, criminal aliens should be returned within the framework of this MOU by means of commercial airline flights. When the number of criminal aliens to be returned to a given place or places warrants such approach, the INS intends to consult with

government owned or chartered aircraft to land in their territories to return the criminal aliens. The INS intends to also work with U.S. diplomatic and consular missions to seek flight clearances through normal diplomatic channels. Authorities in the countries and territories identified above, and their diplomatic and consular representatives in the United States, expect to take all reasonable steps to facilitate flight clearances, landing rights, and all other necessary permits and permissions for these flights.

- B. **Use of Flight Passenger Manifests.** When criminal aliens are to be returned via U.S. government owned or chartered aircraft as provided for in paragraph (A) above, consuls from the countries and territories identified above are willing to accept the flight passenger manifest from the INS as advance notification for purposes of admitting the returned aliens into their territory. This manifest is to be provided to the responsible government in ample time for these individuals to be eligible for travel documents.

Signed at Port of Spain, June 12, 2000

  
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Janet Reno  
Attorney General  
United States of America

  
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Basdeo Panday  
Prime Minister  
Republic of Trinidad and Tobago

JOINT STATEMENT ON LAW ENFORCEMENT COOPERATION  
BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
AND THE GOVERNMENT OF THE  
REPUBLIC OF TRINIDAD AND TOBAGO

The Government of the United States of America and the Government of the Republic of Trinidad and Tobago (hereinafter the Participants),

NOTING the occasion of the historic visit of the Attorney General of the United States, Janet Reno, to Trinidad and Tobago to co-chair the Caribbean-United States-European-Canada Criminal Justice and Law Enforcement Conference, representatives of the governments of the United States of America and the Republic of Trinidad and Tobago, meeting in Port of Spain, and wishing to emphasize their successful cooperation in law enforcement;

RECALLING the United States/Caribbean Summit Declaration of May 1997 in Bridgetown, Barbados and particularly the justice and security provisions therein;

REAFFIRMING the spirit of cooperation as expressed in the treaties on Mutual Legal Assistance and on Extradition, signed at Port of Spain on March 4, 1996;

RECOGNIZING the peril posed by the international drug trade, money laundering, smuggling of contraband and other international crime to the well being of present and future generations of both countries and throughout the Caribbean region;

RECALLING the numerous years of mutual struggle against the bane of drug trafficking and other international crime;

NOTING with pride the progress made on many law enforcement fronts by activities including, but not limited to, the training in the detection and interdiction of precursor and essential chemicals, the improvement in document security, the steps to modernize court proceedings, and the efforts to convert seized assets to rehabilitation purposes;

REAFFIRMING their determination to strengthen and augment cooperative efforts in law enforcement and drug rehabilitation activities between the law enforcement agencies of the Republic of Trinidad and Tobago and their counterpart entities in the United States;

The Participants intend to pursue the following objectives:


- Regional interagency cooperation in the detection and interdiction of drug shipments through the territory, air space, or territorial waters of the partners;
- Further expansion of counterdrug technical assistance in such fields as identification and training in the detection and interception of diverted precursor and essential chemicals, prevention of drug abuse and in rehabilitation of drug abusers;
- Use of the facilities of appropriate agencies of the United States of America and the Republic of Trinidad and Tobago to prevent laundering

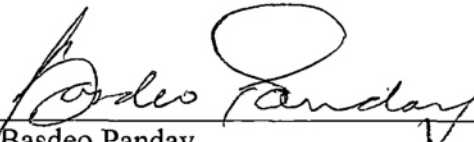
of the proceeds of drug trafficking and other criminal activities and to detect and prosecute those who engage in such illegal conduct;

- Coordination in all aspects of police training and cooperation;
- Continued implementation of the treaties on mutual assistance and extradition, including the prompt return of fugitives from justice in accordance with due process of law to face trial and such punishments as may be meted out by the courts of our countries;
- Cooperation in implementing technical enhancements and assistance to facilitate prosecutorial functions and expedite judicial proceedings.

Activities under this memorandum are intended to be conducted in a manner consistent with the policies and commitments made under existing multilateral and bilateral agreements to which the United States and Trinidad and Tobago are signatories. The objectives set forth herein are not intended to create or imply any financial commitment on the part of either Participant other than those already in place or agreed to between the Participants.

Signed at Port of Spain, June 12, 2000

  
Janet Reno  
Attorney General  
United States of America

  
Basdeo Panday  
Prime Minister  
Republic of Trinidad and Tobago