

Muster

Date: Week of January 21, 2008

Topic: Consular Notification

Reference: US Department of State, Consular Notification and Access, Consular Notification Directive 4510-22;  
8 CFR 236.1(c)

Headquarters POC: (b) (6), (b) (7)(C)  
Admissibility and Passenger Programs  
Office of Field Operations

This muster is a reminder to all CBP officers regarding how and when consular notification becomes necessary at a port of entry.

Although inadmissibility proceedings do not normally qualify for consular notification, there are circumstances when notification must be accomplished. When the detention of an alien exceeds 24 hours or when the alien is turned over to another agency including Immigration and Customs Enforcement (ICE), the following will apply:

- If the alien is a citizen of one of the countries listed as a mandatory notification, CBP must notify consular officials without delay.
- If notification is not mandatory, CBP must offer to notify the alien's consular officials of the arrest/detention.
- If the alien asks that consular notification be conducted, CBP must notify consular officials without delay.

If the need to contact consulate officials is outside of their normal operating hours, CBP officers must contact the consulate in one of two ways:

1. Leave a detailed message for consular officials.
2. Facsimile. A fax sheet is located at the following internet address:  
[http://travel.state.gov/law/consular/consular\\_737.html#notification](http://travel.state.gov/law/consular/consular_737.html#notification)

In the event that consular notification is completed via facsimile, the fax sheet shall be incorporated into the A-file as evidence. When the alien is offered consular notification, the I-213 must be annotated in the appropriate area. In addition, the time and date of the attempts to contact consular officials must be annotated on the I-213. Ensure that consular officials understand what agency has custody of an alien in the event that CBP transfers the alien to another agency.

CBP personnel are reminded that the guiding principle for consular notification is that notification is a mutual obligation between the United States and foreign governments. In general, CBP officers should treat aliens as you would want an American citizen to be treated in a similar situation in a foreign country. The full text of the Department of State's handbook Consular Notification and Access can be found on the Internet at [http://travel.state.gov/consul\\_notify.html](http://travel.state.gov/consul_notify.html).

~~Law Enforcement Sensitive  
For Official Use Only~~