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Breached Surety Bonds -- Referral for Collection

The following claim against [_____] for breach of immigration bond [_____] in
the principal amount of [_____] posted on [_____] for [_____],
[_____] is herewith referred to the ICE Chief Financial Officer for collection.
Obligor A- Number
Bond Amount Date Posted Alien Last Name
Alien First Name

Please find attached a copy of a fully completed Form I-323 (Notice - Immigration Bond Breached). The information contained in Form I-323 is true and correct and is fully supported by copies of valid, executed and delivered ICE documents and other memoranda as contained in the alien's A-file including but not limited to the following:

- Form I-323 with evidence of mailing to obligor(s) checked on Part A of Form I-352 (not more than 180 days after the date of breach when required by terms of the bond form);
- Form I-352 with valid power of attorney attached;
- Form I-340 with proof of mailing in accordance with the box checked on Part A of Form I-352, (e.g. Postal Service Form 3811 ("greenie") or website tracking form). If Form I-340 was not sent within 60 days after the final order of removal, please explain delay: _____

- Based on current BMU procedures, Form I-166 was not sent to bonded alien **or**
- For aged bonds, Form I-166 was mailed to the alien no sooner than 3 days after service of Form I-340;
- A-file contains no evidence that the alien was outside the United States on the delivery date; and
- A-file contains no evidence that any of the conditions requiring cancellation of the bond listed in the General Terms and Conditions of Form I-352 exist, e.g., the death of the alien.
- If the alien was surrendered by an obligor after the demand date specified on Form I-340 but within 90 days of that date, Form I-323 has been annotated with the date the alien was surrendered and the percentage of mitigation to which the obligor is entitled.

If the bond was posted by Gonzales & Gonzales on behalf of American Surety, Amwest Surety, or FarWest Surety, the following **additional** requirements have been met:

- Any amended notice to appear was sent to the obligors;
- The A-file contains a properly completed "questionnaire & worksheet" containing the alien's photo and the alien's most current address, sent to the obligors with Form I-340; and
- Form I-340 lists a proper purpose (e.g., removal is not listed as the purpose for demanding the alien's appearance when the order of removal is not final)

The declaration of breach and the information contained in the foregoing forms comply with the most current Bond Management Procedures. Copies of the above forms or other A-file documents, including proof of occurrence or non-occurrence of an event, are available and will be furnished upon request.

I certify that the foregoing statements are true and correct. I further certify that the obligor's breach of the conditions of the bond caused the bond to be due and payable as a valid claim or debt owed to the United States.

Date: _____ Name: _____ / _____
Field Office Director Field Office Location

Signature: _____ Bond Number _____