

**Lehigh University Required¹ Protocol for Faculty or Staff
For Calls or Visits by Immigration and Customs Enforcement (ICE),
Federal Bureau of Investigation (FBI) or Another Government Agency**

The United States government, through certain federal agencies, may attempt to contact University employees for immigration-related information about a particular international student, staff or faculty member. The inquiry could come in the form of a telephone call (see A below), letter (see B below), or visit to campus, either scheduled or unscheduled (see C below). The purpose of the inquiry could be routine in nature (for example, confirming information in the Student and Exchange Visitor Program (SEVIS) database, as required to maintain immigration status) or not common (international student, staff or faculty member allegedly involved in a criminal or national security matter), or something in between. The University has developed the protocol below to assist University employees in responding to such a request.

****If you have any questions or concerns about this protocol or are generally unsure about what to do after reading below, please contact the Office of International Students and Scholars at 610-758-4859 or the Office of General Counsel at 610-758-3572.**

A. If you receive a telephone call from ICE, the FBI or another government agency requesting information about you or another individual:

1. Make a written summary of the telephone conversation (time, date and nature of call)
2. Inform the government agent that the University has protocols in place to make sure that ICE/FBI inquiries are addressed, and assure him/her that the request will be addressed in a timely manner.
3. Ask the agent to fax or email a written inquiry on ICE or FBI letterhead and ask that it be faxed or emailed to the Office of International Students and Scholars (OISS) at fax: 610-758-5156 or intnl@lehigh.edu. If the agent refuses to do so, ask for the agent's name and telephone number and let them know that you will contact OISS and have someone call them.
4. Once your telephone call with the agent ends, call OISS at 8-4859 to inform them about the telephone conversation and to provide them with any additional information/context.
5. In order to respect the privacy of any individuals involved, please do not share the details of the conversation with others unless it is a University official with a legitimate "need to know". The University (OISS, in consultation with the OGC and, if it is a criminal matter, the University Police) will

¹ This protocol reflects consideration of the legal requirements regarding compliance with government subpoenas and other official government agency information requests, as well as consideration of individual rights to privacy. All University employees are required to abide by this protocol.

examine the letter to ensure that it meets legal requirements and will respond accordingly.

B. If you receive a written request (email, letter, document request, etc.) from ICE, the FBI or another government agency requesting information about you or another individual:

1. Call OISS at 8-4859 to inform them about the written request and to provide them with any additional information/context.
2. Send the written request by fax (610-758-5156) or email (intl@lehigh.edu) to OISS, with a copy to the Office of General Counsel at 610-758-3802 or inogc@lehigh.edu.
3. In order to respect the privacy of any individuals involved, please do not share the details of the written request with others unless it is a University official with a legitimate “need to know”. The University (OISS, in consultation with the OGC and, if it’s a criminal matter, the University Police) will examine the request to ensure that it meets legal requirements and will respond accordingly.

C. If you receive an unexpected visit from ICE, the FBI or another government agency requesting information about you or another individual:

1. Inform the agent that the University has protocols in place to make sure that ICE/FBI inquiries are addressed, and assure him/her that the request will be addressed in a timely manner.
2. Typically, the agent will show you photo identification. If not, you should ask to see photo identification.
3. If the agent asks for information about (a) you or (b) another individual, inform the agent that, in accordance with University protocol, if (a): you would like a member of the Office of International Students and Scholars (OISS) to be present if disclosing information about yourself or, if (b): that you are not authorized to release information about other individuals and will need to contact OISS. Ask the agent to wait while you contact the OISS.
 - a. Contact OISS at 610-758-4859, indicate that you have an urgent immigration situation, an ICE/FBI agent is at your office, and that you need to speak with someone from OISS immediately.
 - b. An OISS staff member will determine whether he/she will come to your office or whether to direct the agent to come to OISS.
4. If the agent provides you with a subpoena or search warrant, inform the agent that you are not authorized to review the document and ask the agent to wait while you contact the Office of General Counsel (OGC).
 - a. Contact OGC at 610-758-3572, indicate that you have an urgent immigration situation, an ICE/FBI agent is at your office, and that you need to speak with one of the attorneys immediately.

- b. An OGC attorney will determine whether he/she will come to your office or whether to direct the agent to come to the OGC.
 - c. OGC will review the subpoena or search warrant to ensure that it meets legal requirements and will respond accordingly.
 - d. To the extent that the document provided involves a potential criminal matter, OGC will contact the University Police. Otherwise, OGC will contact OISS to inform them of the situation.
- D. In order to respect the privacy of any individuals involved, please do not share the details of the conversation with others unless it is a University official with a legitimate “need to know”. The University (the OGC and, if it’s a criminal matter, the University Police) will examine the letter to ensure that it meets legal requirements and will respond accordingly.