



**U.S. Customs and
Border Protection**

OCT 24 2012

MEMORANDUM FOR: Directors, Field Operations
Director, Preclearance Operations
Office of Field Operations

Director, Field Operations Academy
Director, Advance Training Center
Office of Training and Development

FROM: Executive Director (b) (6), (b) (7)(C)
Admissibility and Passenger Processing (b) (6), (b) (7)(C)

SUBJECT: Guidance on the Treatment of United States Citizen Minors Traveling Without Their Parent(s) or Legal Guardian(s)

A recent investigation completed by the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) has prompted Customs and Border Protection (CBP) to clarify its procedures for acceptable travel documentation required for processing of United States Citizen (USC) minors who apply for admission at air, land and sea ports of entry. When conducting inspections and examinations of arriving passengers, Customs and Border Protection (CBP) officers may encounter situations where a USC minor is travelling without his or her lawful parent(s) or legal guardian(s).

This memorandum serves to outline the acceptable proof of documentary and custodial evidence that should be presented when a USC minor is traveling into the United States with a person who is *not* a parent(s) or legal guardian(s).

All minors, regardless of alienage, should be treated with dignity, respect, and special concern for their particular vulnerability. Processing of minors should be done quickly and expeditiously as operationally feasible. A minor is a person known or reasonably believed to be less than 18 years of age. The Safety and welfare of all children is of paramount importance to CBP. [See *IFM 17.15(f)* and *Flores v. Reno Settlement, IFM Appendix 17-4*]

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Please ensure the attached interim guidance is disseminated to all ports of entry in your area of responsibility. If you have any questions regarding this memorandum or guidance, please have a member of your staff contact (b) (6), (b) (7)(C) Director Enforcement Programs Division, Admissibility and Passenger Programs, at (b) (6), (b) (7)(C)

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Weekly Muster

Week of: When Received
Topic: Guidance on the Treatment of United States Citizen Minors
Traveling Without Their Parent(s) or Legal Guardian(s)
Headquarters POC: (b) (6), (b) (7)(C)
Office: Admissibility and Passenger Programs

- A recent investigation by the Department of Homeland Security (DHS) Office for Civil Rights and Civil Liberties (CRCL) has prompted U.S. Customs and Border Protection (CBP) to clarify its policies and procedures regarding the processing of minors at ports of entry.
- When conducting inspections and examinations of arriving passengers, CBP officers may encounter situations where a United States citizen minor is traveling without his or her lawful parent(s) or legal guardian(s).
- All minors, regardless of citizenship or status, should be treated with dignity, respect, and special concern for their particular vulnerability.
 - Processing of minors should be done quickly and expeditiously as operationally feasible.
 - A minor is a person known or reasonably believed to be less than 18 years of age.
 - The safety and welfare of all children is of paramount importance to CBP [See IFM Chapter 17.15(f) and Flores v. Reno Settlement Agreement, IFM Appendix 17-4].

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