What is the difference between United States Customs and Border Protection, the Office of Field Operations and Border Patrol?

The Department of Homeland Security was created to ensure the protection of the United States. **U.S. Customs and Border Protection (CBP)** is a component of the Department of Homeland Security (DHS) charged with securing our borders and facilitating trade.

CBP is tasked with inspections at U.S. ports of entry and with preventing illegal entries between the ports of entry. While its primary mission is preventing terrorists and terrorist weapons from entering the United States, CBP is also responsible for apprehending individuals attempting to enter the United States illegally including those with a criminal record, stemming the flow of illegal drugs and other contraband, protecting United States agricultural and economic interests from harmful pests and diseases, and protecting American businesses from intellectual property theft.

**Office of Field Operations (OFO)** is a component of CBP. Its officers screen all foreign visitors, returning U.S. citizens and imported cargo that enters the U.S. at more than 300 land, air and sea ports.

**Border Patrol (BP)** is a component of CBP. Its agents work along borders BETWEEN ports of entry. CBP's Border Patrol is responsible for securing almost 7,000 miles of border between the U.S. and its Canadian and Mexican neighbors, as well as other coastal areas.

What are CBP Short Term Hold facilities?

When Border Patrol agents or Field Officers encounter an individual either at the port of entry or along the border they may need to hold the person while they are determining their authorization to enter the United States. This person would be held at a CBP short term hold facility. Other reasons to hold a person include to process a credible fear claim, or while they are waiting for another agency to transfer the person to another facility (such as an Immigration and Customs Enforcement (ICE) facility or U.S. Marshalls facility). (See below for the difference between ICE and CBP detention facilities).

How long are people held in these facilities?

These facilities are intended to hold a person for less than 72 hours. Often, due to delays in transport or a lack of long term immigration detention capacity around the country, people are held for much longer, up to two weeks.
Who is held in these short term facilities?

Any traveler who must wait while CBP determines their ability to enter the United States. This includes U.S. citizens, unaccompanied children traveling alone, families with small children or babies, women who have been victims of violence, trafficked persons and even pregnant women.

Currently, there are no public, enforceable standards that govern the conditions and procedures in CBP facilities that are used to detain travelers, including pregnant women, families with small children, and unaccompanied children.

What is the difference between short-term custody facilities along the border and interior immigration facilities?

Customs and Border Protection short-term custody facilities are only intended to hold travelers for less than 72 hours. If it is determined that a person must be transferred to a detention facility for a longer amount of time, Immigration and Customs Enforcement (ICE) will transport them to facilities designed for longer term detention. Unaccompanied children are taken to facilities run by the Office of Refugee Resettlement, an agency of the Department of Health and Human Services. Adults are taken to facilities owned or contracted by ICE for the pendency of their immigration court case.

What laws or regulations prescribe requirements for the short term hold facilities?

These facilities meet the U.S. General Services Administration requirements that all federal buildings must meet. There are no publicly available standards for treatment of individuals in these facilities such as requiring medical treatment, food or access to a telephone. CBP has policy memos designed for internal use that govern the standards and conditions for their facilities. These memos are not public and they are not enforceable.

What is the difference between the standards in CBP short term hold facilities and ICE long term detention facilities?

The conditions in ICE facilities are governed by the 2011 Performance Based National Detention Standards to reflect ICE's ongoing effort to tailor the conditions of immigration detention to its unique purpose while maintaining a safe and secure detention environment for staff and detainees. In developing the revised standards, ICE incorporated the input of many agency employees and stakeholders, including the perspectives of nongovernmental organizations and ICE field offices. PBNDS 2011 is crafted to improve medical and mental health services, increase access to legal services and religious opportunities, improve communication with detainees with limited English proficiency, improve the process for reporting and responding to complaints, and increase recreation and visitation. CBP has never created public standards.