

**U.S. Customs and Border Protection**  
**Security Seal/Hologram Program Procedures**  
(Updated Sep 2010)

Definition of CBP Security Area (19 CFR 122.181)

The term "CBP security area" means the Federal Inspection Services area at any airport accommodating international air commerce designated for processing passengers, crew, their baggage and effects arriving from, or departing to, foreign countries, as well as the aircraft, deplaning area, ramp area, international cargo facilities, and other restricted areas designated by the Port Director.

**SECURITY PROVISIONS (19 CFR 122.181)**

CBP access seal/hologram required: With the exception of all federal and uniformed state and local law enforcement personnel, international aircraft passengers and crew, all persons located at, operating out of, or employed by any airport accommodating international air commerce or its tenant or contractors, including air carriers, who have unescorted access to the CBP security area, must openly display or produce upon demand an approved access seal/hologram issued by CBP.

1. The approved CBP access seal/hologram must be in the possession of the person in whose name it is issued whenever the person is in the CBP security area.
2. The approved CBP access seal/hologram must be used only in that person's employment according to the description of the duties submitted by the employer.
3. The CBP access seal/hologram remains the property of CBP, and any bearer must immediately surrender it upon demand by any authorized CBP Officer.
4. Each approved CBP access seal issued will remain valid for 2 years.
5. Retention of an approved CBP access seal beyond the applicable 2 year period will be subject to the reapplication provisions.

Note: **Access to CBP security zone areas is for the explicit purpose of conducting business that facilitates the processing of passengers, crew, baggage and cargo through the CBP process.** Internal airline or non airline business involving personnel meeting and greeting passengers or crew members for non-federal inspection purposes will not be conducted prior to the clearance of CBP unless prior approval is granted by CBP on a case by case basis.

### ***Employers Responsibility***

Employers operating in CBP airport security areas shall advise all employees of the provisions of CBP regulation relative to those areas, require employees to familiarize themselves with those provisions and insure employee compliance.

The employer must have a CBP bond on file (CBP form 301, or airport security bond) in order to have employees work inside CBP security areas.

The employer shall also advise the Port Director of any changes of employment.

### ***Security Zones***

CBP security access areas are divided into two types of zones that require the following seals/holograms:

#### **Security Zone One – Black CBP seals/holograms**

BLACK (zone one) security seals/holograms provides access to the following areas:

1. The Federal inspection Service area (FIS)
2. Jetways and vestibules to all arriving International flights
3. The interior of the international aircraft prior to CBP clearance (this only applies to the carrier agent who is meeting the flight)
4. Doors that are designated entry points into the FIS
5. Any other place where there is contact with international passengers or crew that have not cleared CBP
6. All areas that are authorized for security zone two

#### **Security Zone Two – Red CBP seals/holograms**

RED (zone two) security seals/holograms provides access to the following areas:

1. The aircraft interior after the complete deplaning of all arriving international passengers and crew and after CBP clearance
2. The immediate area surrounding and under the arriving/departing international aircraft (the footprint of the aircraft)
3. CBP Bonded areas of warehouses on airport property
4. Any other place where international cargo or international baggage that has not been cleared by CBP must be handled.

Note: CBP Security seals/holograms DO NOT TRANSFER from job to job or station to station.

## **APPLICATION PROCEDURES**

The application for a CBP seal/hologram must be completed on a CBP form 3078 and signed by the applicant. The application must be completed (typed) in full and contain a recent quality photograph of the applicant.

The application must be supported by a written request and justification from the employer and must specifically state the CBP security zone that access is requested. The justification must clearly indicate that the employee's job duties require them to have regular and reoccurring access to a specific security zone.

***New Applicants/employees that have not been issued SIDA badges:*** To start the application process, new applicants/employees, requesting approval for access to CBP restricted areas must report to the CBP Security Office and submit an application for a security seal/hologram prior to receiving a SIDA badge.

The following documents must be provided to the CBP Security Office:

1. Typed and signed application: CBP form 3078 with CBP form 3078 appendix
2. Proof of citizenship (birth certificate, current passport, resident alien card) or proof of work authorization (work visa)
3. Clear photograph
4. Letter from the employer requesting authorization
5. Fingerprint check results
6. Criminal history record, if any, in a sealed envelop

If all documents and application requirements are met, the CBP Security Office will generally process the application and provide approval within 10-14 business days from receipt of the application. Applicants that require additional CBP reviews/checks due to background issues may take up to 30 days to complete the application process. The CBP Security Office will notify Department of Aviation and the applicant's employer of all approved applications through email on a CBP company letterhead. The email message may include approval for several employees and also provide the following information:

***Name of employee(s)***  
***Name of Company***  
***Type of Seal (Zone 1 – Black or Zone 2 – Red)***  
***Clearance Date***

Upon receipt of the email message from the CBP Security Office, the employer will provide the employee with a copy of the clearance letter. The employee will then take the clearance letter to DOA as part of the process in receiving the CBP security access seal. The clearance letter will be the same type clearance letter

as currently provided to DOA for fingerprint results and will include the same information listed above.

DOA will cross reference the clearance letter with the email message from CBP and if the employee is identified in the email message, DOA will issue a new SIDA badge with an integrated security access seal/hologram upon receipt of the clearance letter. DOA will maintain clearance letters in their files. The clearance letters will not be returned to employees by DOA.

CBP will not provide individual letters directly to the employees. All employees requesting individual letters from the CBP Security Office will be referred to their employer/company representative. It is the responsibility of the employer/company to provide clearance letters to their respective employees and to coordinate with DOA regarding the issuance of SIDA badges and CBP security access seals.

***New Applicants/employees that have been issued new SIDA badges***

All CBP security access seals/holograms will be issued by DOA under the authorization and guidelines provided by the CBP Security Office. The applicant/employee must report to the CBP Security Office and submit a new application to start the application process prior to going to DOA to renew/update his/her SIDA badge (***refer to the procedures above***).

All applicants/employees that were previously issued a CBP security seal from the CBP Security Office will maintain their seals until the expiration of their SIDA badges. The physical security seals that were previously issued by the CBP Security Office have been phased out.

***Renewal Application Process for CBP Security Access Seal:***

Applicants/employees that currently have a CBP security access seal and are renewing their SIDA badges due to expiration must report to the CBP Security Office to start the renewal application process at least 30 days prior to expiration of their SIDA badge. The process will consist of submitting a new, complete application in the same manor as explained in the first section of the application procedures. These requirements must be completed before a CBP seal/hologram is approved/authorized, and prior to going to DOA to renew the SIDA badge. New SIDA badges with the hologram will not be given to applicants that have not been cleared by the CBP Security Office. Upon completion of the CBP security seal application renewal process, the CBP Security Office will send an email message on CBP company letterhead to DOA and the employer/company indicating that the applicants/employees have been approved for a CBP security access seal/hologram. More than one employee may be included on the clearance letter, and the following information will be provided:

***Name of employee(s)***  
***Name of Company***  
***Type of Seal (zone 1 – Black or zone 2 – Red)***  
***Clearance Date***

Upon receipt of the email message from CBP Security Office, the employer will provide the employee with a copy of the clearance letter to take with them to DOA. The clearance letter will be the same type clearance letter as currently provided to DOA for fingerprint results and will include the information listed above.

DOA will cross reference the clearance letter with the email message sent from the CBP Security Office to verify that the employee is authorized to have the security access seal. DOA will then issue a new SIDA badge with an integrated CBP security access seal/hologram. DOA will maintain a copy of all clearance letters in their files. The clearance letters will not be returned to employees by DOA.

In some cases where the CBP security seal/hologram is renewed once a year or less, an employer can submit a renewal form en lieu of a new application. The CBP Security Office will have final determination whether an applicant can utilize a renewal form.

Note: When an employee no longer requires access to the CBP security area due to a change in duties, termination of employment, or other reason, the employer shall notify CBP immediately and return the SIDA badge with the security seal/hologram.

### ***Denial of Access***

Access to the CBP security area will not be granted and an approved CBP access seal/hologram will not be issued to any person whose access will endanger the revenue or the security of the area or pose an unacceptable risk to public health, interest or safety, national security, or aviation security.

Evidence of a pending or past investigation establishing probable cause to believe that the applicant has engaged in any conduct that relates to or which could lead to a conviction for a disqualifying offense.

If an applicant has been arrested for or charged with a disqualifying offense, and disposition of the arrest or charge is pending, approval of a CBP seal/hologram will be withheld until an investigation has been conducted and the disposition has been resolved.

An applicant may be denied a CBP security seal/hologram for any disqualifying offenses which an applicant has been convicted of, or found not guilty of by

reason of insanity, or has committed any act of omission involving, during the preceding 5 year period (or any longer period as may be appropriate in a specific area) prior to the application or at any time while in possession of the CBP seal/hologram.

The employee may file a written appeal of the final notice of denial of access with the Port Director within 10 calendar days following receipt of the final notice of revocation or suspension.

### ***Revocation or Suspension of Access***

The Port Director must immediately revoke or suspend or propose such action of an employee's access to the CBP security area for the following reasons:

1. There is probable cause to believe that an approved CBP access seal/hologram was obtained through fraud, a material omission, or the misstatement of a material fact.
2. The employee is or has been convicted of, or found not guilty by reason of insanity, or there is probable cause to believe that the employee has committed any act or omission involving an offense listed in 19 CFR 122.183(a)(4).
3. The employee has been arrested for, or charged with an offense listed in 19 CFR 122.183(a)(4) and prosecution or other disposition of the arrest or charge is pending.
4. The employee permits the approved CBP access seal/hologram to be used by any other person or refuses to openly display or produce it upon the demand of a CBP Officer.
5. The employee uses the approved CBP access seal/hologram in connection with a matter not related to his employment or not constituting a duty described in the written justification required by 19 CFR 122.182 (c)(1).
6. The employee refuses or neglects to obey any proper order of a CBP Officer or any CBP order, rule, or regulation.
7. For the bond holder, if the bond required by 122.182(c) is determined to be insufficient in amount or lacking sufficient sureties, and a satisfactory new bond with good and sufficient sureties is not furnished within a reasonable time.
8. The employee no longer requires access to the CBP security area for an extended period of time at the airport of issuance because of a change in duties, termination of employment, or other reason.
9. The employee or employer fails to provide the notification of a change in circumstances as required under 19 CFR 122.184(b) or (c) or the employee fails to report the loss or theft of a CBP access seal/hologram.
10. Any cause which would justify a suspension or revocation of access is under 19 CFR 122.182 or 19 CFR 122.187.

The employee may file a written appeal of the final notice of revocation or suspension with the Port Director within 10 calendar days following receipt of the final notice of revocation or suspension.

### **ESCORTING PROCEDURES**

Meeting and or escorting of non sealed personnel by sealed personnel is prohibited in all CBP zones unless the following conditions are met:

1. CBP security personnel on a case by case basis must approve prior authorization.
2. All escorted personnel must provide their name, date of birth, and other information as requested, for the basis of a security check.

#### **A. FIS escorting**

All persons being escorted in the FIS must be issued and wear the CBP visitor badge at all times and remain with their sealed escort at all times (sealed escorts may only escort up to 5 visitors). Visitor badges are issued by the CBP Security Office. All visitors will be required to leave a form of ID with the Security Officers prior to being granted access to the CBP security areas (the ID will be returned when they depart the area).

#### **B. Airport Warehouse escorting**

Sealed cargo personnel, with prior CBP authorization, may escort unsealed personnel in their warehouse as long as the escorted (unsealed) person does not come into contact with bonded freight. Visitors requiring access to the CBP controlled cargo area will be issued a visitor's pass by the CBP cargo office and must remain with a sealed individual at all times (1 sealed escort can escort up to 5 unsealed individuals).

#### **C. Ramp escorting**

No prior authorization from CBP is needed to escort on the common ramp/tarmac area. However, the following applies:

1. Cargo deliveries/pickups: Drivers delivering or picking up international freight on the ramp area are not authorized to handle or interact with any international cargo except for the cargo they are picking up/dropping off.
2. Any person being escorted on the ramp/tarmac area at no point and time can come into contact with an international aircraft. (They cannot be inside of the footprint of the aircraft) In addition, any person being escorted cannot come in contact with, drive, handle, or otherwise manipulate any piece of international freight or bag.
3. All ramp escorting must abide by DOA rules and guidelines.

Note: All escorting is subject to the rules and regulations of the FAA, TSA and the Department of Aviation.

### **Temporary CBP Seal/ Identification Badge**

If the individual has an official need to be in a “Customs Bonded Area” on a temporary basis, that individual may request a temporary ID/seal from CBP. All requests for temporary seal/identification badges must be submitted in a formal written request to the CBP Security Office for consideration. The request must contain the name(s), DOB, and SSN, if applicable and a detailed description of the work to be performed and completion date. In addition to submitting a formal written request to CBP for a temporary seal/identification, it will be necessary to provide the security office with a photo copy of the applicant’s Department of Aviation (DOA) issued SIDA badge (if more than 2 days).

***A CBP issued Temporary Seal/ID does not allow the individual permission to be on airport premises.*** The individual will need permission from DOA to be on airport premises. Depending on the project and its length of time, CBP Temporary Seal/ID’s will not be issued for more than 60 days [19 CFR 122.88(b)]. If the project exceeds 60days, the situation will be re-evaluated and a decision will be made if an extension will be allowed.

Procedures for requesting CBP Temporary Seal/ID:

1. If the individual is requesting access for 3 days or less:
  - You must get prior approval from DOA
  - In addition to submitting a formal written request, you must provide CBP with a copy of the **approved** Escort Request Form from DOA (only for ATL badge holders without escort authorization)
2. If the individual is requesting access that exceeds 3 days:
  - The person must apply to receive an ATL badge.
  - In addition to submitting a formal written request, you must provide CBP with a copy of the individual’s ATL issued SIDA badge.
3. **If the individual is in the process of applying for a customs security seal/hologram, CBP will not issue temporary seal/ID.**
4. All Temporary seal/ID requests should be submitted to the CBP Security Office at least two business days in advance. Any requests received without prior notice is not guaranteed to be ready upon the date requested.
5. Temporary Seal/ID’s must be returned to the CBP Security Office within two business days when the individual no longer requires access to a Customs Bonded facility or CBP restricted area.

For work that will require 1 day or less access, a visitor badge can be issued. These can be obtained from the CBP Security Office or the CBP Cargo office.

CBP temporary seal/ID badges issued by CBP are for customs seal purposes only and should only be used to operate in and around Customs Bonded facilities or CBP security restricted areas. Issuance of such badges does not negate the employer or employees responsibility to obtain permission from and comply with TSA and DOA rules and requirements.

**All personnel that perform work with a CBP temporary seal/ID or one day visitor badge must be escorted by a sealed employee at all times.**

The temporary CBP access seal/ID may be revoked and access to the CBP security area denied at any time if the holder of the temporary CBP access seal refuses or neglects to obey any order of a CBP Officer, or any CBP order, rule or regulation or if continuation of the privileges would endanger the revenue or pose a threat to the CBP security area.

### **Reports**

DOA will provide the CBP Security Office weekly reports identifying individuals that were issued CBP security access seals/holograms. This weekly reports will be used by the security office staff to track the number of security seals issued by DOA, and to verify that security seals have been issued to only authorized personnel.

Each company will continue to submit mandatory quarterly reports on their company letterhead. CBP will use the quarterly reports to identify, track and monitor the issuance of security seals. Quarterly reports must be submitted no later than seven (7) business days after the end of each quarter. When submitting quarterly reports, the employers/companies shall list separately, all employees (names, SIDA badge numbers and CBP issued seal numbers) who have approved access to CBP security zones and identify the level of access (zone 1 or zone 2) granted to each employee. Additionally, employers/companies shall list separately, all deletions and additions (names, SIDA badge numbers and CBP issued seal numbers, when applicable) and report any airport denials because of crimes that precluded the issuance of SIDA identification cards under TSA Regulations.

### **Bond Liability**

Any failure on the part of a principal to comply with the conditions of the bond requirement under 19 CFR 122.182(c), including a failure of an employer to comply with any requirement applicable to the employer under this subpart, will constitute a breach of the bond and may result in a claim for liquidated damages under the bond.

## **Fines Penalties and Restrictions**

It is the responsibility of each employer, including airline station and station managers operating in CBP security access areas to advise all employees of the provisions and CBP regulations relative to those areas, require the employees to familiarize themselves with those provisions and ensure employee compliance.

Failure to comply with the requirements below shall be considered a default of the conditions of the employers bond and shall make the employer liable for liquidated damages. Any reference to a flight in this section is referring to an international flight.

- Airport personnel are not authorized to board an aircraft while examinations by CBP Officers are being conducted
- Non-essential airline personnel may not be present in the jet-way, except when necessary to clear flights
- Airline internal business will not be conducted in the jet-way
- All passengers and crew must depart the aircraft and clear CBP unless they possess a specific duty waiver from the CBP Supervisor
- Crew members must remove all personal baggage and crew bags for CBP clearance
- Duty free merchandise must be locked and secured with a CBP Bonded Seal while the aircraft is on the ground
- Unsecured duty free merchandise is subject to CBP penalties
- The general declaration, stores list and any other pertinent documentation must be presented for CBP clearance as soon as practical after the arrival of the flight (as soon as practical means no later than 2 hours after the arrival of the flight)
- Anyone entering or leaving the CBP security zone one area by any other access or departure point than those approved by CBP will be subject to a \$1,000 fine per offense.
- All security seals/holograms must be openly displayed with photo and facing outward and be in the possession of the person in whose name it was issued.
- All CBP security seals/holograms remain the property of the US Customs and Border Protection and any bearer must surrender it upon demand by any authorized CBP Officer

The following violations could result in the assessment of liquidated damages:

### Employee/Employer Violations

- Failure to openly display or produce, upon demand, CBP approved identification card, strip, or seal/hologram.

- Entry into an unauthorized area (example, employees with zone two access enter into a zone one and/or entry to zone one area by other than designated points)
- Entry into a CBP security zone for purposes other than to perform duties associated with work or in an off duty status
- Unauthorized use and possession of an approved CBP seal/hologram by another employee or individual
- Removing any bags or articles from a CBP zone one area without prior CBP clearance/approval
- Allowing any person(s) without proper security clearance to access a CBP security area

#### Employer Violations

- Failure to perform employment history background checks and maintain records for one year
- Failure to notify CBP that employee(s) no longer requires access to the security areas.
- Failure to return CBP approved ID card, strip, or seal
- Failure to report the loss or theft of an approved CBP seal/hologram
- Failure to comply with required audits or supply required security reports