



The CBP Guidance on Personal Belongings Act

Senate Cosponsors: Senators Peter Welch (D-Vt.); Dick Durbin (D-Ill.); Tammy Duckworth (D-Ill.)

House Cosponsors: Representatives Delia Ramirez (D-IL-03); Raúl Grijalva (D-AZ-07); Nydia Velázquez (D-NY-07); Eleanor Holmes Norton (D-DC); Yvette Clarke (D-NY-09); Juan Vargas (D-CA-52); Daniel Goldman (D-NY-10); Cori Bush (D-MO-01); Jim McGovern (D-MA-02); Jesus García (D-IL-04); Lou Correa (D-CA-46); Robert Menendez (D-NJ-08); Nanette Barragán (D-CA-44)

Background:

Nongovernmental organizations have identified hundreds of instances where U.S. Customs and Border Protection (CBP) officials have unduly confiscated and discarded migrants' essential belongings—including medications, legal documents, and religious items. A new [report](#) published earlier this year highlighted several troubling cases, including one migrant who was forced to throw away the ashes of their father.

In April 2024, the Government Accountability Office (GAO) released a [report](#) confirming the pervasiveness of this issue and recommending CBP publish clarifying guidance. Following this report, 31 Members of Congress sent a [letter](#) to CBP elevating these concerns and urging the agency to implement GAO's recommendations. In response, CBP issued a new [directive](#) in August 2024 requiring personnel to improve the handling of migrants' personal belongings. This directive is not codified, and a future administration could roll back these protections.

Legislation:

The *CBP Guidance on Personal Belongings Act* would make CBP's August 2024 directive permanent while also expanding its protections in several important respects. Specifically, it would require CBP to develop and disseminate guidance for the handling of personal belongings of individuals arrested, restrained, or confined by the agency.

These added protections would allow such individuals to retain, and if confiscated, retrieve as many of their essential personal belongings as operationally feasible. The legislation would also help ensure that individuals maintain access to their medications unless CBP officials have identified a specific safety concern or provided an equivalent replacement medication. Importantly, the bill would also institute a monitoring regime to ensure CBP personnel compliance with the guidance.

Endorsing Organizations: The *CBP Guidance on Personal Belongings Act* is endorsed by the American Civil Liberties Union, Church World Service, Hindus for Human Rights, the Sikh Coalition, and Protect AZ Health.