U. S. CUSTOMS AND BORDER PROTECTION
TABLE OF OFFENSES AND PENALTIES
Effective—December 9, 2020

	NATURE OF OFFENSES	EXPLANATORY NOTES/REFERENCES	RECOMMENDED PENALTY (FIRST OFFENSE)	MITIGATED RANGE	AGGRAVATED RANGE	SUBSEQUENT OFFENSES
A	Attendance Related					
A01	AWOL of one workday or less; leaving worksite without authorization.		1-day suspension	LOR	3- to 5-day suspension	3-day suspension to removal
A02	AWOL from 2 to 5 workdays.	The absences need not be consecutive.	5-day suspension	1- to 4-day suspension	6- to-14-day suspension	6-day suspension to removal
A03	AWOL for a period of more than 5 workdays.	The absences need not be consecutive.	14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
A04	Any unauthorized absence resulting in the substantial impairment of mission accomplishment.		7-day suspension	3- to 5-day suspension	10- to21-day suspension	10-day suspension to removal
A05	Failure to follow established leave procedures.	Generally leave restriction letters establish leave procedures.	2-day suspension	LOR to 1-day suspension	3- to 5-day suspension	3-day suspension to removal
A06	Failure or unexcused delay in reporting for an overtime assignment.	Includes both involuntary and voluntary overtime assignments	3-day suspension	LOR to 2-day suspension	4- to 7-day suspension	4-day suspension to removal
A07	Improper use of sick leave or other leave programs.	For example, calling in “sick” when not “sick.”	2-day suspension	LOR to 1-day suspension	3- to 5-day suspension	3-day suspension to removal

Reminder: There must be a nexus (connection) between the misconduct (on or off-duty) and the efficiency of the service

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A08	Unexcused absences; tardy.	These are brief periods of unauthorized absence for which AWOL is not charged against pay, e.g., taking excessively long breaks, overdue return after absence from the worksite for official business.	LOR	LOR	1- to 3-day suspension	1-day suspension to removal
B	Discriminatory Behavior					
B01	Use of critical, demeaning, or degrading written or verbal remarks, comments, observations, statements, or actions based on another's race, color, age, sexual orientation, religion, sex, national origin, genetic information or disability.	Can be in the form of written materials, oral statements, posted pictures, social media posts.	7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
B02	Acting or failing to act on an official matter in a manner which improperly takes into consideration an individual's membership in a protected group; taking retaliatory action against an individual involved in the EEO complaint process; failing to take appropriate		14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal

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	action to prevent or curtail prohibited discrimination or harassment of a subordinate when the supervisory employee knew or should have known the conduct was discriminatory.					
B03	Inappropriate and/or unwelcome physical behavior of a sexual nature, including teasing, jokes, gestures, display of visual material, or requests for sexual favors.	On or off-duty; Includes behavior or actions directed to employees and non-employees (such as customers, contractors, vendors, or passengers).	14-day suspension	LOR to 10-day suspension	15-day suspension to removal	15-day suspension to removal
B04	Taking, threatening to take, or implying that official action will be taken as a result of rejection or submission to a request for sexual favors.	On or off-duty. Includes behavior or actions directed to employees and non-employees (such as customers, contractors, vendors, or passengers). Quid Pro Quo situations.	Removal	30-day suspension	Removal	Removal

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B05	Engaging in the Prohibited Personnel Practice of Whistleblower Retaliation by a Supervisor.	As defined in the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017, Public Law 115-73	3-day suspension (minimum proposal required by Law)	None	4-day suspension to removal	Removal (Minimum proposal required by law)
C	Disruptive Behavior					
C01	Use of abusive, slanderous, malicious, derogatory, goading, or otherwise inappropriate language, gestures, or conduct to or about co-workers or supervisors.		5-day suspension	LOR to 4-day suspension	14-day suspension to removal	14-day suspension to removal
C02	Use of discourteous, unprofessional, derogatory, or otherwise inappropriate language, gestures, or conduct toward members of the public.	Can be in the form of written materials, oral statements, posted pictures, social media posts.	5-day suspension	LOR to 4-day suspension	7-day suspension to removal	7-day suspension to removal
C03	Fighting, threatening, attempting to inflict or inflicting bodily harm to another; engaging in dangerous horseplay; any violent act, language, gestures,		5-day suspension	1- to 4-day suspension	14-day suspension to removal	14-day suspension to removal

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	or conduct toward members of the public or co-workers.					
D	Drugs and Alcohol					
D01	Drinking alcoholic beverages while on duty.	Examples of aggravating factors include: training exercise involved; weapons involved; supervisory position; bringing alcohol to workplace; degree of intoxication; injury/harm to persons or property.	15-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
D02	Consuming alcoholic beverages when carrying a weapon while off-duty.		15-day suspension	LOR to 10-day suspension	15-day suspension to removal	15-day suspension to removal
D03	Refusing or failing to submit to, or interfering with, a properly ordered or authorized drug test.	Includes substituting, adulterating, or otherwise tampering with a test sample.	Removal	N/A	N/A	N/A
D04	Reporting for duty under the influence of alcoholic beverages or medication, whether prescribed or over the counter, or being so impaired as to be unable to properly perform assigned duties when on duty or subject to overtime.		14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal

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D05	Operating a Government owned or leased vehicle, on or off-duty, or a privately owned vehicle, on duty, while under the influence of alcohol, drugs, or other intoxicants.		Removal	N/A	N/A	N/A
D06	Operating a Government owned or leased vehicle while distracted.	Includes texting while driving.	3-day suspension	LOR to 2-day suspension	5- to 7-day suspension	5-day suspension to removal
D07	Possession, use, sale, or distribution of illegal drugs or controlled substances.	Applies to on-duty and off- duty situations.	Removal	N/A	N/A	N/A
D08	Operating a privately owned vehicle, off duty, while intoxicated or under the influence of alcohol, drugs, or other intoxicants.	Includes offenses such as driving while under the influence of alcohol, driving while intoxicated, reckless driving, and endangerment. When a firearm is present in the vehicle, this may be an aggravating factor.	12-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
D09	Unauthorized possession of alcoholic beverages on Government-owned or leased property (including GOVs), on or off duty.		3-day suspension	LOR to 2-day suspension	5- to 7-day suspension	5-day suspension to removal
E	Ethical and Integrity-Related					
E01	Making misstatements or misrepresentations; failing to provide honest and complete		Removal	15-day suspension to removal	Removal	N/A

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	information or displaying lack of candor in any official inquiry or proceeding, including background investigations; failure to provide material fact or pertinent information.					
E02	a) Making careless misstatements or misrepresentations; b) Failing to provide honest and complete information.	Includes statements or documents related to employment, promotion, travel, attendance logs or records, leave forms, transactions with the public, or any other official record.	5-day suspension	LOR to 4-day suspension	7- to 14-day suspension	7-day suspension to removal
E03	Material and intentional falsification.	Includes committing perjury, providing false testimony, and knowingly making a false statement or accusation. For employees in positions with potential to testify in court, this violation often jeopardizes their ability to serve as federal witnesses. See 18 U.S.C. § 1001; LaChance v. Erickson, 522 U.S. 262 (1998); Brogan v. United States, 522 U.S. 398 (1998).	Removal	N/A	N/A	N/A

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E04	Accepting or soliciting a bribe; agreeing to accept or solicit a bribe.	"Bribe" includes anything of value, loans, or personal gain to the employee or employee's family, which an employee agrees to or actually accepts or solicits for performing or failing to perform any official act or duties.	Removal	N/A	N/A	N/A
E05	Failing to promptly report an offer of a bribe or attempted bribe.	Regardless of personal involvement or lack thereof.	21-day suspension	10- to 14-day suspension	22-day suspension to removal	22-day suspension to removal
E06	Use of position or authority for other than official purposes.	On or off-duty. Includes reprisal against an employee for providing information or testimony, or otherwise participating in an official investigation or inquiry; directing subordinates to perform work not related to official duties; and attempting to use one's position to avoid an arrest, legal citation or traffic citation.	14-day suspension	1- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E07	Use of public office for private gain.	Applies to situations not covered by other categories within the Table.	21-day suspension	10- to 14-day suspension	22-day suspension to removal	22-day suspension to removal
E08	Criminal or non-criminal, infamous, immoral or notoriously disgraceful conduct; conduct that results	Applies to situations not covered by other categories within the Table. May be on or off-duty; includes	30-day suspension	10- to 21-day suspension	31-day suspension to removal	31-day suspension to removal

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	in a felony or misdemeanor conviction (or finding of not guilty by reason of insanity), guilty or no contest plea, or equivalent or similar legal result or action (the misconduct shall not be deemed "mitigated" by a plea arrangement, suspended sentence, parole in lieu of confinement, sentence limited to time served, probation or other modification of penalty attached to the conviction or associated with the crime). Applies to conduct which casts the agency and person(s) in such a light that it calls into question the ability to further perform their duties in an unbiased manner.	misconduct that may be related to the mission of CBP, may include misconduct that receives adverse news media attention or concern by other governmental entities. Criminal misconduct under this provision may include behaviors addressed elsewhere in this Table, such as improper acceptance of money or gifts; if the conduct is addressed through criminal processes, use this offense and range of penalty rather than the other provision. NOTE: Conduct that results in a felony or misdemeanor indictment or warrant for arrest pending further court proceedings may result in an indefinite suspension until the matter is resolved.				
E09	Knowingly and inappropriately associating with sources of information, illegal aliens, or persons connected with criminal activities.	On or off-duty; includes social, romantic, sexual, financial (including acceptance of gifts), or business relationship. See the CBP Standards of Conduct—Section 7.3.6 (Inappropriate Association)	Removal	14- to 45-day suspension	Removal	Removal

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E010	Knowingly and inappropriately assisting in activities which jeopardize the agency's mission.	Can be in the form of physical activities, written materials, oral statements, posted pictures, social media posts.	Removal	N/A	N/A	N/A
E11	Conducting or participating in gambling activity while on duty or in uniform, on Government premises or while using Government property.	Includes gambling on the Internet; does not include purchase of legal lottery sold on Government-controlled property or purchase of raffle tickets sold by officially recognized organizations, e.g., CFC or employee recreation associations	10-day suspension	LOR to 7-day suspension	14-day suspension to removal	14-day suspension to removal
E12	Covering up, attempting to conceal, removing, or destroying defective work, without authorization.		Removal	10- to 21-day suspension	Removal	Removal
E13	Borrowing any sum of money from a subordinate employee, securing a subordinate's endorsement on a loan, or otherwise having a subordinate assume the financial responsibility of a superior.	Amount borrowed could be an aggravating or mitigating factor.	5-day suspension	LOR to 4-day suspension	14-day suspension to removal	14-day suspension to removal

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E14	Failure to report the employment of family members who hold positions that CBP employees themselves are prohibited from holding in outside employment.	A family member is defined as spouse, child, or other relative, by marriage or blood, who is dependent upon the employee and/or resides in the employee's household.	1-day suspension	LOR	3- to 5- day suspension	3-day suspension to removal
E15	Failure to obtain prior written approval before engaging in outside employment. Failure to respond to a written request to engage in outside employment in a timely manner.		3-day suspension	LOR to 2-day suspension	4- to 7-day suspension	4-day to removal
E16	Direct or indirect solicitation, or acceptance, of a gift from a subordinate.		10-day suspension	3- to 5-day suspension	14-day suspension to removal	14-day suspension to removal
E17	Direct or indirect bidding, or purchase at auction or sale, of Government property under direction or incident to the function of CBP.		7-day suspension	LOR to 5-day suspension	14-days to removal	14-day suspension to removal
E18	Directly or indirectly soliciting a gift or accepting a gift, from a prohibited source, or given because of an employee's official position.		5-day suspension	LOR to 4-day suspension	6-day suspension to removal	6-day suspension to removal

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E19	Engaging in activity that creates a conflict of interest with the mission of CBP.	For example, serving as an officer in an organization with or without pay, when it creates a financial conflict of interest. See 5 CFR 2635 (Subpart D); 5 CFR 2635 (Subpart E); 18 USC 205	14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E20	Engaging in political activity which violates the Hatch Act.	Applies to cases where the action has been deferred to CBP by the Office of Special Counsel (OSC). Alleged Hatch Act violations are referred to OSC for investigation and, if warranted, prosecution before the Merit Systems Protection Board (MSPB). When a violation is found, MSPB may order a penalty such as removal, suspension, reduction in grade, reprimand.	30-day suspension	10- to 21-day suspension	31-day suspension to removal	31-day suspension to removal
E21	Soliciting for, or giving, a gift or donation to a superior official in violation of 5 CFR 2635.302.		3-day suspension	LOR to 2-day suspension	4- to 7-day suspension	4-day suspension to removal
E22	Creating the appearance of a conflict of interest or of violating the law or the ethical standards of conduct.	Applies to situations not covered by other categories within the Table.	7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal

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E23	Engaging in prohibited outside employment.	Among other prohibited duties, no CBP employee will work for a Customs broker, international carrier, bonded warehouse, foreign-trade zone, cartman, or law firm engaged in the practice of customs or immigration law, any businesses or service organizations which assist aliens, or other companies engaged in services related to Customs or Immigration matters. This prohibition includes employment in the importation department of a business, employment in any private capacity related to the importation or exportation of merchandise or agricultural products requiring inspection, and employment related to immigration.	14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E24	Inappropriate Relationships in the Workplace / Nepotism.		14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E25	Failure to honor just debts or legal obligations in a prompt and timely manner.	Includes untimely payment of Government-sponsored travel card bills.	7-day suspension	LOR to 5-day suspension	10- to 21-day suspension	10-day suspension to removal

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E26	Using CBP identification, including badges and credentials, to attempt to coerce, intimidate, or deceive, or for personal gain.	On or off duty.	5-day suspension	1- to 4-day suspension	14-day suspension to removal	14-day suspension to removal
E27	Interfering with employees' rights, or taking reprisal against employees for exercising their rights to file or participate in a grievance or appeal, or for their affiliation or non-affiliation in labor unions.		14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E28	Time and attendance fraud.		21-day suspension	10- to 14-day suspension	22-day suspension to removal	22-day suspension to removal
E29a	Arrest on or off duty, for a non-felony.	Nexus is required. Violation of law resulting in on or off-duty arrest (domestic/foreign). Does not include domestic violence or alcohol-related driving arrests.	14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E29b	Arrest on or off duty, for a felony.	Nexus is required. Violation of law resulting in on or off-duty arrest (domestic/foreign). Does not include domestic violence or alcohol-related driving arrests.	30-day suspension to removal	14- to 29-day suspension	Removal	Removal

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E30	Domestic Violence	Refer to the CBP Domestic Violence Directive for additional guidance.	30-day suspension	14- to 29-day suspension	Removal	Removal
E31	Solicitation or acceptance of sexual activity for pay.	Whether on duty or off-duty, regardless of the legality of the act in the jurisdiction where act occurred.	30-day suspension	14-to 29-day suspension	Removal	Removal
E32	Disclosure of proprietary or source selection information regarding a procurement action.		14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E33	Entering into an unauthorized procurement commitment or personal services contract.		10-day suspension	3- to 7-day suspension	14-day suspension to removal	14-day suspension to removal
E34	Performing official duties that affect an entity with whom the employee is seeking employment.	5 CFR 2635 (Subpart F)	14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
E35	Unauthorized selling or attempting to sell goods or services at a CBP or DHS worksite or while on duty.		LOR	LOR	1-to 3-day suspension	1-day suspension to removal
E36	Knowingly working on a matter that will affect a person or organization with whom the employee has a covered	5 CFR 2635.502	14-day suspension	7- to 10-day suspension	15-day suspension to removal	15-day suspension to removal

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	relationship					
F	Failure/Refusal to Follow Orders					
F01	Failure to promptly and fully comply with lawful/proper (as determined by the supervisor) directions, instructions or assignments of a supervisor or other management official. Failure to follow policies, procedures, practices, protocols, regulations or rules.		7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
F02	Willful and intentional refusal to obey a proper order of a superior, a regulation, policy, rule, or procedure.	Includes insubordination and failure to report for required training or for duty as detailed, transferred, or reassigned	14-day suspension	5- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
G	Inquiries or Investigations					
G01	Failing or refusing to give oral or written statements, testimony, or otherwise failure to cooperate in connection with any official inquiry,	Includes matters such as EEO, CRCL, OIG, management inquiries.	Removal	N/A	N/A	N/A

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	investigation, or proceeding.					
G02	Interfering with an official inquiry, investigation, or administrative or adjudicatory proceeding.	Includes attempting to influence others involved in an inquiry, releasing information regarding an official inquiry or proceeding when one knows or should know not to do so.	Removal	N/A	N/A	N/A
H	Misuse of Property					
H01	Improper or negligent operation of Government owned or leased property.	Willfulness or intent is not required; includes automobiles, and other equipment.	7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
H02a	Loss or damage to conveyances.	Includes GOVs, vessels, aircraft, ATVs, horses. Penalty may be mitigated or aggravated based on the extent of damage, and degree of fault.	5-day suspension	LOR to 4-day suspension	7- to 14-day suspension	7-day suspension to removal
H02b	Losing or damaging high-risk property (excluding firearms and ammunition).	Includes, but is not limited to, badges/credentials, PRDs, busters, night vision goggles, body armor, optics, portable radios, x-ray/density testing equipment, RIID, weapon scope. Penalty may be mitigated or aggravated based on relative value of property, extent of damage, and degree of fault.	3-day suspension	LOR to 2-day suspension	4- to 7-day suspension	4-day suspension to removal

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H02c	Losing or damaging Government property or equipment - other	Penalty depends on value of property, extent of damage, and degree of fault.	1 day suspension	LOR	2- to 5-day suspension	2-day suspension to removal
H03	Using Government property, information, property under Government custody, or the property of others, for other than official purposes; using Government-sponsored travel card for other than official travel.	Includes querying TECS or other confidential or sensitive databases for other than official purposes and using any Government-sponsored credit card for other than official and authorized purposes.	14-day suspension	LOR to-10 day suspension	15-day suspension to removal	15-day suspension to removal
H04	Unauthorized use of law enforcement equipment, resources and application of techniques.	Includes the use of electronic sensing devices. This charge carries a higher penalty than misuse of other Government property as it could potentially jeopardize a law enforcement operation.	21-day suspension	7- to 14-day suspension	22-day suspension to removal	22-day suspension to removal
H05	Willful misuse of (or authorizing the misuse of) any Government-owned or - leased passenger vehicle (including aircraft and seagoing vessel); authorizing the use of Government vehicle for other than official purposes.	Federal law mandates that an employee who willfully uses or authorizes the use of a Government owned or leased passenger motor vehicle or aircraft for other than official purposes shall be suspended from duty and pay for a minimum of one month.	30-day suspension	N/A	31-day suspension to removal	31-day suspension to removal

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		31 U.S.C. § 1349				
H06	Use of Government property or software systems to access, view or transmit sexually explicit material.		30-day suspension	14- to 21-day suspension	31-day suspension to removal	31-day suspension to removal
H07	Unauthorized personal use of Government computers, software systems, fax machines, telephones, copiers, etc.	Includes use that interferes with one's work or the work of others, and/or excessive personal use of such equipment or systems.	14-day suspension	LOR to 10-day suspension	15-day suspension to removal	15-day suspension to removal
I	Neglect of Duty					
I01	Delay in carrying out orders, work assignments, instructions of superiors, policies, or procedures.		2-day suspension	LOR to 1-day suspension	3- to 5-day suspension	3-day suspension to removal
I02	Failure to follow applicable laws, rules, regulations, or policies in the performance of duties.		7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal

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I03	Interference with other employees in the performance of official duties.		3-day suspension	LOR to 2-day suspension	4- to 7-day suspension	4-day suspension to removal
I04	Inattention to duty where there is no potential danger to life or property or potential loss of revenue.	E.g., sleeping on the job.	2-day suspension	LOR to 1-day suspension	3- to 5-day suspension	3-day suspension to removal
I05	Failure to comply with policy or delegated authority in administering disciplinary action.	May involve taking improper disciplinary action to preclude appropriate action.	7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
I06	Negligent or careless performance of assigned duties where an inspection or other CBP enforcement function is substantially and negatively impacted.		7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
I07	Failure to observe established policies or procedures in the apprehension or detention of suspects, violators, or illegal aliens.		7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
I08	Inattention to duty when damage or loss to human life, property, or revenue occurs.		14-day suspension	5- to 10-day suspension	15-day suspension to removal	15-day suspension to removal

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I09	Intentional or reckless disregard of rules governing arrests, searches, or seizures.		30-day suspension	14- to 21-day suspension	31-day suspension to removal	31-day suspension to removal
J	Personal Appearance					
J01	Failure to maintain a neat, clean and businesslike appearance or to comply with uniform dress standards while on duty.		1-day suspension	LOR	2- to 3-day suspension	2-day suspension to removal
K	Personal Search and Detention Violations					
K01	Failure to follow personal search policies and procedures.	Includes failing to obtain proper authorization to conduct search; improperly authorizing a personal search, etc. Personal Search Handbook	14-day suspension	5- to-10-day suspension	15-day suspension to removal	15-day suspension to removal
K02	Failure to Follow Electronic Media Search Policies and Procedures.	Includes failing to obtain proper authorization to conduct search; improperly authorizing a personal search, etc. Personal Search Handbook	14-day suspension	5- to 10-day suspension	15-day suspension to removal	15-day suspension to removal
K03	Sexual abuse of a detainee in willful violation of the CBP Policy on Zero Tolerance of	PREA Guidelines.	Removal	30 days to Removal	Removal	Removal

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	Sexual Abuse and Assault.					
L	Reporting Responsibilities/Obligations					
L01	Failure to promptly report one's own arrest to superiors and/or appropriate investigative office.		7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
L02	Failure to promptly report law enforcement and judicial contact to superiors and/or appropriate investigative office.	Applicable to employees who exercise law enforcement authority.	7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
L03	Concealing or failing to report missing, lost, or damaged Government property or funds or property or funds in the Government's custody or care.		5-day suspension	LOR to 4-day suspension	15-day suspension to removal	15-day suspension to removal
L04	Failing to report an accident or injury to a person, including oneself, or damage to property occurring on duty or arising from acts committed or occurring within the scope of employment.		5-day suspension	LOR to 4-day suspension	7- to 14-day suspension	7-day suspension to removal

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L05	Failing to promptly report violations of laws enforced by CBP. Failure to report information concerning violation of any law, policy, or procedure by a CBP employee.		14-day suspension	7- to-10-day suspension	15-day suspension to removal	15-day suspension to removal
M	Safety/Health					
M01	Failure to observe and/or enforce safety and health regulations, rules, signs, and instructions, or to perform duties in a safe manner; failure to wear protective clothing and equipment, including vehicle safety restraints.		2-day suspension	LOR to 1-day suspension	3- to 5-day suspension	3-day suspension to removal
M02	Endangering the safety of, or causing injury to, any person through carelessness or failure to follow instructions.		10-day suspension	3- to 7-day suspension	14-day suspension to removal	14-day suspension to removal
M03	Willful or reckless disregard for the safety of others.		30-day suspension	14- to 21-day suspension	31-day suspension to removal	31-day suspension to removal
M04	Violation of local traffic laws of any state or political subdivision while operating a	Does not apply to authorized surveillance or other law enforcement operations.	2-day suspension	LOR to 1-day suspension	3- to 5-day suspension	3-day suspension to removal

	NATURE OF OFFENSES	EXPLANATORY NOTES/REFERENCES	RECOMMENDED PENALTY (FIRST OFFENSE)	MITIGATED RANGE	AGGRAVATED RANGE	SUBSEQUENT OFFENSES
	Government-owned or leased vehicle.					
N	Security Violations					
N01	Violation of security procedures covering information, documents, records, or other material that is classified, SSI, FOUO, or otherwise sensitive to the Government.	The type of sanction imposed is based on several considerations, including: (1) Severity of the incident; (2) Intent of the person committing the security violation or infraction; (3) Extent of training the person(s) has received; and (4) Frequency of which the individual has been found responsible in the commission of other such security violations and infractions. DHS Instruction 121- 01-011, Chapter 5, Section 8 DHS MD 11056.1, Sensitive Security Information.	5-day suspension	LOR to 4-day suspension	14-day suspension to removal	14-day suspension to removal

	NATURE OF OFFENSES	EXPLANATORY NOTES/REFERENCES	RECOMMENDED PENALTY (FIRST OFFENSE)	MITIGATED RANGE	AGGRAVATED RANGE	SUBSEQUENT OFFENSES
N02	Unauthorized disclosure of information, documents, records, or other material that is classified, SSI, FOUO, or otherwise sensitive to the Government.	The type of sanction imposed is based on several considerations, including: (1) Severity of the incident; (2) Intent of the person committing the security violation or infraction; (3) Extent of training the person(s) has received; and (4) Frequency of which the individual has been found responsible in the commission of other such security violations and infractions. DHS Instruction 121- 01-011, Chapter 5, Section 8 DHS MD 11056.1, Sensitive Security Information.	21-day suspension	7- to 14-day suspension	22-day suspension to removal	22-day suspension to removal
N03	Careless and/or negligent handling of PII, or other materials covered by the Privacy Act.		1-day suspension	LOR	3- to 5-day suspension	3-day suspension to removal

	NATURE OF OFFENSES	EXPLANATORY NOTES/REFERENCES	RECOMMENDED PENALTY (FIRST OFFENSE)	MITIGATED RANGE	AGGRAVATED RANGE	SUBSEQUENT OFFENSES
N04	Unauthorized disclosure of PII or other materials covered by the Privacy Act.		3-day suspension	LOR to 2-day suspension	4- to 7-day suspension	4-day suspension to removal
O	Theft					
O01	Unauthorized use, removal, or possession of a thing of value belonging to another employee or private citizen; colluding with others to commit such acts.		14-day suspension	LOR to 10-day suspension	15-day suspension to removal	15-day suspension to removal
O02	Actual or attempted theft, or other unauthorized taking of funds or property owned or controlled by the Government; colluding with others to commit such acts.	Conversion of seized property to personal use or sale may result in removal for a first offense.	Removal	21- to 30-day suspension	Removal	Removal
P	Weapons Related					
P01	Failure to report the discharge of a firearm or use of a weapon as required by applicable policy.	For this and all subsequent items in this section, "weapon" refers to, but is not limited to, authorized firearms, batons, and chemical spray.	2-day suspension	LOR to 1-day suspension	3- to 5-day suspension	3-day suspension to removal
P02	Failure to follow CBP policy on weapons storage.	Damage or theft caused by carelessness may be an aggravating factor. For example, improperly storing a weapon in a POV resulting in theft; improper firearm storage where children are present.	14-day suspension	LOR to 10-day suspension	15-day suspension to removal	15-day suspension to removal

	NATURE OF OFFENSES	EXPLANATORY NOTES/REFERENCES	RECOMMENDED PENALTY (FIRST OFFENSE)	MITIGATED RANGE	AGGRAVATED RANGE	SUBSEQUENT OFFENSES
P03	Inappropriate display of a weapon.	Includes inappropriate brandishing.	7-day suspension	LOR to 5-day suspension	14-day suspension to removal	14-day suspension to removal
P04	Unauthorized or illegal possession of a weapon or ammunition.	E.g., unauthorized possession at a training facility.	14-day suspension	LOR to 10-day suspension	15-day suspension to removal	15-day suspension to removal
P05	Accidental discharge of a weapon.	Causing the unintentional discharge of a weapon.	2-day suspension	LOR to 1-day suspension	3- to 14-day suspension	3-day suspension to removal
P06	Intentional unauthorized discharge of a weapon.	Purposefully or willfully discharging a weapon in violation of the use of force policy.	30-day suspension	14- to 21-day suspension	31-day suspension to removal	31-day suspension to removal
Q	Other					
Q01	Filming, recording or monitoring of phone calls, conversations, meetings, electronic communications, etc. without management authorization.		14-day suspension	LOR to 10-day suspension	15-day suspension to removal	15-day suspension to removal