

IMMIGRATION POLICY NATIONAL SECURITY BORDER SECURITY

# Exclusive: Customs and Border Protection Gains an Extra Layer of Secrecy

*By gaining a “security agency” designation, the border police can further shield themselves from public view.*

*By Ken Klippenstein*

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A Customs and Border Protection vehicle patrols the border fence in El Paso, Texas. (*Jinitzail Hernández / CQ Roll Call via AP Images*)

**U**nder President Trump, US immigration authorities have pushed for extraordinary privileges and increased secrecy from the public.

On Friday, the Trump administration quietly designated the entire Customs and Border Protection (CBP) agency, which polices US borders, as a “Security Agency,” according to an internal memo obtained by *The Nation*. This follows repeated attempts by federal immigration authorities to dramatically expand their reach in recent years.

The memo, which was signed by CBP’s Acting Commissioner Mark Morgan and dated January 31, places CBP under the same designation as highly secretive intelligence and law enforcement agencies like the FBI and Secret Service. This grants CBP greater secrecy by exempting certain records from disclosure to the public.



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The memo states: “I am pleased to announce CBP has been designated as a Security Agency under Office of Personnel Management’s (OPM) official Data Release Policy, effective immediately. Previously, only frontline law enforcement, investigative, or intelligence positions held this designation. This policy change now protects all CBP employee names from subsequent responses to Freedom of Information Act requests or other public disclosures for CGP employee data.”

CBP did not respond to multiple requests for comment.

Irvin McCullough, national security analyst with the Government Accountability Project, warned that the designation would result in less transparency for CBP.

McCullough noted that “CBP is the second DHS [Department of Homeland Security] component that the Trump administration has added to the more restrictive list”—after the Office of Intelligence and Analysis.

“It puts their employees in the same category as FBI agents,” he continued. “The problems we’ve seen out of our immigration agencies over the past few years show that we need more transparency, not less. Why is there such a rush to restrict this information from the public? Given their track record, the burden is on them to explain exactly why they need these restrictions.”

The memo was provided to *The Nation* by a CBP contractor who requested anonymity to avoid professional reprisal. The contractor was critical of CBP's new classification, saying, "Designating all of CBP a Security Agency exempt from OPM's disclosure policy is simply absurd. There's no need for the average CBP employee to have their name and position redacted from FOIA requests. This is another example of the current administration making it even more difficult to obtain pertinent information via official channels and claiming it's related to security in some way."

Under President Trump, immigration agencies have pushed for expanded powers and secrecy. For example, in February, *The Daily Beast's* Betsy Swan reported that Immigration and Customs Enforcement (ICE) sought to join the US Intelligence Community, which would grant them extraordinary new privileges like spying powers and secrecy measures. While the effort was ultimately rebuffed, as Swan reported in a subsequent article, ICE was granted enhanced intelligence capabilities.

An intelligence community official told *The Nation* that ICE was recently assigned at least one National Security Agency (NSA) detailee. The official described it as odd that a law enforcement agency like ICE, which is not an intelligence community member, would need help from a sophisticated intelligence agency like the NSA.

The CBP memo attributes its new Security Agency designation to a Twitter account that was posting employee information this past summer, which it concedes was already available via open records.

The memo states: “This past summer, CBP and DHS became aware of a Twitter user posting employee information commonly found in the OPM Open Government releases of salary information for Federal Employees. The information posted on Twitter was considered by OPM to be public information, and is available through several Federal employee salary database search websites. This is but one of the many examples of where the disclosure of CBP employees’ information was harmful.”

While not immediately clear which incident the memo is referring to—CBP did not respond to requests for comment—an alleged CBP e-mail was posted to a message board in July referencing a Twitter user “doxxing” CBP and ICE employees. (CBP did not immediately respond to a request for comment about the e-mail on the message board.)

The e-mail read:

CBP has become aware of a Twitter account called @BanalGovJobsBot that has been posting employee name, salary, occupation, and work location information for CBP and ICE employees, followed by a statement that those employees are

“part of the bureaucracy that is locking children and families in concentration camps at the border.”

The source of this information appears to be from Office of Personnel Management (OPM) Open Government releases of salary information for Federal Employees who are not exempt due to specific Law Enforcement or National Security concerns. At this time, this salary data is considered by OPM to be public information, and is available through several Federal employee salary database search sites on the public Internet. Although this information is currently considered public, given the current political climate the specific targeting and naming of any CBP employee could lead to cyber-attacks, harassment, discrimination, or even physical threats to safety.

The Twitter account referenced, [@BanalGovJobsBot](#), is currently suspended.

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