

CITY AND COUNTY OF SAN FRANCISCO
OFFICE OF THE CITY ATTORNEY



DAVID CHIU
邱信福
City Attorney

October 6, 2026

Transmitted Via Email

Clint Lamm
Acting Port Director
U.S. Customs and Border Protection
555 Battery Street
San Francisco, CA 94111

Nicolle James
Assistant Port Director
U.S. Customs and Border Protection
International Terminal, 2nd Floor
San Francisco International Airport
San Francisco, CA 94128

Re: Public Reports regarding CBP Detentions of Passengers at San Francisco International Airport

Dear Acting Port Director Lamm and Assistant Port Director James,

We write on behalf of the City and County of San Francisco, including its Airport Commission, (“City”) to express concerns about reports that U.S. Customs & Border Protection (“CBP”) is detaining travelers at San Francisco International Airport (“SFO”) for multiple days without adequate sleeping arrangements, medical care, and access to counsel.

As an international port of entry, SFO is required by law to provide CBP with facilities for immigration and customs processing, including space to temporarily detain passengers denied entry into the United States. Pursuant to those requirements, SFO has provided CBP with the Federal Inspection Services (“FIS”) space. CBP has control over the FIS and over decisions about whether to admit foreign travelers into the United States. However, the City expects that CBP will exercise this authority in a manner that is consistent with law and that respects the rights and dignity of all travelers arriving or transiting through SFO.

Recent reporting from the San Francisco Chronicle and other news organizations has raised substantial concerns about CBP’s conduct in the FIS. According to public reporting, between January and July 2026, CBP detained at least 25 individuals in the FIS for more than three days. Reports found that nineteen of these individuals were lawful permanent residents and eighteen of these individuals were subsequently transferred to another ICE detention facility. In addition, it has been reported that CBP is using the FIS to hold people who were detained elsewhere in California, including in at least one case transporting an individual from Fresno to SFO, holding him for several days, and then transferring him to another detention facility.

It has also been reported that CBP has failed to provide adequate accommodations for people held for such an extended period of time. In particular, individuals held in the FIS reported having to sleep upright in chairs under lights that remained on 24 hours a day. In addition, the public reporting raises significant concerns about CBP's lack of medical screening or monitoring for individuals held in the FIS, and the inability to contact family members or counsel.

The City is deeply troubled by these reports. Holding individuals for days on end in the conditions described in public reporting is inhumane, unacceptable, and antithetical to the values of the City. CBP's conduct has also generated significant fear and confusion for travelers and for Bay Area residents.

Because CBP maintains exclusive control over access to, and the day-to-day operations of, the FIS and bears responsibility for respecting the legal rights of those in its custody, it has an obligation to the public to provide transparency regarding the conditions under which those individuals are being held.

The City therefore requests that CBP confirm whether it already does, or will commit to, taking the following steps to address the needs of individuals held in the FIS:

(1) For all individuals held in the FIS:

- a. Provide access to medical screening, by a licensed medical professional as appropriate, to identify any physical or mental illness or injury requiring treatment during the time the individual will be held in the FIS;
- b. Provide access to over-the-counter medication and, in the case of individuals with a prescription, the right to access and take prescription medication as required by the prescription during the time the individual will be held in the FIS;
- c. Provide access to licensed medical professionals for treatment of any physical or mental illness required during the time the individual is held in the FIS; and
- d. Provide access to a telephone on a daily basis so that a detainee may call family and/or legal counsel.

(2) For individuals held in the FIS for over 24 hours:

- a. Provide adequate resting accommodations and clean bedding (including a pillow, sheet, and blanket);
- b. Provide access to clean clothing and undergarments;
- c. Provide access to bathing; and
- d. Provide a sleeping space where the lights can be dimmed at night.

In addition, by separate letter, the City is submitting a request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, seeking records related to CBP's use of the FIS at SFO to detain individuals.

We would appreciate a response by October 15, 2026. We are also available to schedule a meeting to further discuss the City's concerns.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Nakornkhet".

Mike Nakornkhet
Airport Director
San Francisco International Airport

A handwritten signature in blue ink, appearing to read "David Chiu".

David Chiu
City Attorney
City and County of San Francisco