employee must within 24 hours advise
the port director in writing of the fact
of, and basis for, the suspension.

(c) Additional employer responsibilities.
If an employer becomes aware of any
change in the circumstances of its em-
ployee as described in paragraph (b) of
this section, the employer must imme-
diately advise the port director of that
fact even though the employee may
have separately reported that fact to
the port director under paragraph (b) of
this section. In addition, each em-
ployer must submit to the port direc-
tor during the first month of each cal-
endar quarter a report setting forth a
current list of all its employees who
have an approved Customs access seal.
The quarterly report must list sepa-
rately all additions to, and deletions
from, the previous quarterly report.
Moreover, each employer must take
appropriate steps to ensure that an em-
ployee uses an approved Customs ac-
cess seal only in connection with ac-
tivities relating to his employment.

§ 122.185 Report of loss or theft of Cus-
toms access seal.
The loss or theft of an approved Cus-
toms access seal must be promptly re-
ported in writing by the employee to
the port director. The Customs access
seal may be replaced, as provided in
§ 122.182(f).

§ 122.186 Presentation of Customs ac-
cess seal by other person.
If an approved Customs access seal is
presented by a person other than the
one to whom it was issued, the Cus-
toms access seal will be removed and
destroyed. An approved Customs access
seal may be removed from an employee
by any Customs officer designated by
the port director.

§ 122.187 Revocation or suspension of
access.
(a) Grounds for revocation or suspen-
sion of access—(1) General. The port di-
rector:
(i) Must immediately revoke or sus-
pend an employee’s access to the Cus-
toms security area and demand the im-
mediate surrender of the employee’s
approved Customs access seal for any
ground specified in paragraph (a)(2) of
this section; or
(ii) May propose the revocation or
suspension of an employee’s access to
the Customs security area and the sur-
render of the employee’s approved Cus-
toms access seal whenever, in the judg-
ment of the port director, it appears
for any ground not specified in para-
graph (a)(2) of this section that contin-
ued access might pose an unacceptable
risk to public health, interest or safe-
ty, national security, aviation safety,
the revenue, or the security of the
area. In this case the port director will
provide the employee with an oppor-
tunity to respond to the notice of pro-
posed action.
(2) Specific grounds. Access to the
Customs security area will be revoked
or suspended, and surrender of an ap-
proved Customs access seal will be de-
manded, in any of the following cir-
cumstances:
(i) There is probable cause to believe
that an approved Customs access seal
was obtained through fraud, a material
omission, or the misstatement of a ma-
terial fact;
(ii) The employee is or has been con-
victed of, or found not guilty of by rea-
son of insanity, or there is probable
cause to believe that the employee has
committed any act or omission involv-
ing, an offense listed in § 122.183(a)(4);
(iii) The employee has been arrested
for, or charged with, an offense listed
in § 122.183(a)(4) and prosecution or
other disposition of the arrest or
charge is pending;
(iv) The employee has engaged in any
other conduct that would constitute a
ground for denial of access to the Cus-
toms security area under § 122.183;
(v) The employee permits the ap-
proved Customs access seal to be used
by any other person or refuses to open-
ly display or produce it upon the prop-
er demand of a Customs officer;
(vi) The employee uses the approved
Customs access seal in connection with
a matter not related to his employ-
ment or not constituting a duty de-
derived in the written justification re-
quired by § 122.182(c)(1);