Office for Civil Rights and Civil Liberties U.S. Department of Homeland Security Washington, DC 20528

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April 26, 2011

MEMORANDUM FOR: Margo Schlanger Officer for Civil Rights and Civil Liberties

FROM:

SUBJECT:

Purpose,

Tamara Kessler

Deputy Officer for Civil Rights and Civil Liberties

David Gersten

Director for CRCL Programs

Kareem Shora
Section Lead
Community Engagement Section

CRCL Engagement Roundtable and other engagement activities in
Seattle, WA, April 21, 2011

Responding to your request for information regarding the Community Engagement Section's roundtable in Seattle, WA, held on April 21, 2011.

Summary

On April 21, 2011, Kareem Shora coordinated the second quarterly Seattle CRCL Community Engagement Roundtable that included community-based organizations (CBOs) representing Latino, Asian, South Asian, Somali, and Muslim communities, in addition to a few immigration advocacy organizations. Following the expanded roundtable format first established in Los An eles, the event was hosted by USCIS. The featured presentation was conducted by Special Counselor to the Administrator of TSA, who represented TSA during t e
meeting. A brief presentation was also provided by the US Attorney's Office in Seattle. Other agencies represented included the regional leadership for CBP, Border Patrol, and USCIS. ICE ERO officials provided an RSVP but did not attend the meeting. The meeting started at 4:00 pm and concluded around 7:30 pm PST. The next roundtable will be held in July, 2011, and the confirmed host for the meeting will be the Northwest Immigrant Rights Project.

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CRCL Seattle Community Engagement Roundtable

Shora led the second quarterly Seattle CRCL Community Engagement Roundtable hosted by USCIS located south of Seattle in Tukwila, WA. While diverse, the relative low number of community participants, when compared to the roundtable meeting held in January 2011, was partly attributed to the location and lack of available parking. Similar to the Chicago, Atlanta, and Denver formats, hosts for the Seattle roundtable will alternate between government agencies and community organizations with the next host for the July meeting confirmed as the Northwest Immigrant Rights Project.

The meeting was attended by representatives from Latino, Asian, South Asian, Somali, and Muslim communities with the strongest presence by community organizations representing the Somali community. Several immigration advocacy groups including the American Civil Liberties Union (ACLU), American Immigration Lawyers Association (AILA), and the Northwest Immigrant Rights Project, also participated. The District Director for USCIS opened the meeting and provided an overview of USCIS outreach efforts in Seattle including a recent open-house that was publicized during the January roundtable meeting.

1. TSA Presentation and Issues

(b) (6) Special Counselor to the Administrator for TSA, provided an in-depth PowerPoint presentation and discussion providing an update of the deployment of Advanced Imaging Technology (AIT), advances in Automated Target Recognition (ATR), the status
and explanation of Secure Flight, and a conversation about enhanced pat-down procedures
and privacy protections.

The TSA-focused agenda items occupied a majority of this meeting's time due ton presentation and follow-up discussion. Several community leaders from theSomali community provided examples related to alleged mistreatment by Transportation Security Officers (TSOs) in various airports. Examples included perceptions of racial and/or religious profiling when travelers are making connecting flights and allege to be regularly stopped by TSA officials while making an airline connection although they do not leave the secure area of the airport. Two examples were given of such connecting flight delays when flying from Seattle to Chicago with a connection at Denver International Airport and also at Minneapolis-St. Paul International Airport.

Another example, also from the Somali community, alleged that an individual was asked to step aside for secondary screening at a TSA checkpoint in Seattle. The individual was taken to a private room where he was told to wait. Twenty minutes later, the individual was approached by two officials who were not in uniform and did not identify themselves or their agency but questioned him for about fifteen minutes allegedly asking questions including:

a) What mosque do you attend?
b) Who is the Imam of the mosque?
c) How well do you know the imam of the mosque?

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(b) (6) explained that all TSA officials are required to provide identification and that

additional information about this matter from the community leader to determine possible CRCL equities.

s e is avai able to follow up on this issue following the meeting. Shora also requested

Finally, one member of the Somali community provided an example of a 9-year old child who is routinel stopped by TSA when travelling with his parents due to a "name check" issue. (b) (6) explained the TRIP redress process and the fact that Secure Flight should also he p as • ress concerns related to children and possible watch listing misidentifications.

2. US Attorney's Office Presentation and Issues

The US Attorney's Office participated in the Seattle roundtable for the first time represented by an Assistant US Attorney who provided a brief presentation about the USAO's efforts at enhanced outreach with the American Muslim and Arab communities. Following his presentation, Shora provided an overview of CRCL's efforts highlighting both the similarities and differences with those being undertaken by the USAO and announced that the USAO will be a regular participant in, and possibly serve as a host, for future roundtables (based on an earlier agreement with the US Attorney). Several community members raised concerns related to alleged FBI harassment of the Somali and Muslim community with examples including alleged wiretapping of local mobile phone conversations and involvement in delays for USCIS adjudication of adjustment of status and naturalization
cases.

3. CBP Issues

The CBP Area Port Director provided follow-up on old business from the January meeting by announcing that CBP and CRCL have partnered to conduct cultural awareness training scheduled in May partly based on valuable input provided by community stakeholders. This was viewed as a quick and responsive "deliverable" by CBP and CRCL based on the discussion in January and was welcomed with clapping from the community leaders present. Several community participants approached both Shora and the CBP Area Port Director following the meetin_ acknowledging the responsiveness of DHS to their requests related to such training. (b) (6) will be conducting the training in May and will include CBP, Border Patrol, and possib y ICE and USCIS. CBP made it clear during the announcement that this is part of continuing training efforts and similar to training the agency conducted for its officers recently addressing local tribal cultural awareness and border law enforcement issues.

4. USCIS/CBP Issues

One concerning issue related to USCIS and CBP was presented during the meeting. A community leader who has raised the six-year delay in his naturalization petition, indicated that recently he was contacted by two CBP officers in reference to a family member who attempted to visit him from London, UK, but was not permitted by enter the US and was returned to London. The individual indicated that the two CBP officers contacted him about three times asking questions. He further indicated that he was visited to his home and place

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of work by the CBP officers and after the third time he indicated to them that he had provided all the information he had about this family member (his brother-in-law). In February, the individual indicated that he was again visited by the CBP officers and was told that the officers were "aware" that he was facing some immigration delays for naturalization and that if he cooperated with them they can ensure that the delays are "addressed" within 30-days.

Following the meeting, Shora was approached by the USCIS District Director about this example. She indicated that CBP had actually contacted USCIS requesting that they arrange for an interview with this individual to assisting in having some questions answered related to this issue. The District Director indicated that USCIS refused CBP's request as it would not be appropriate. The District Director also indicated that she had spoken to the CBP Area Port Director about the matter.

5. Other Issues*

*Since ICE ERO was not represented during the meeting, CRCL requested that while ICE-
specific issues may be raised, those issues will be tabled until the July meeting to allow ICE
the opportunity to be present during the discussion.

Two organizations representing the Latino community and one immigrant advocacy group raised issues related to ICE enforcement operations including a recent death of an allegedly mentally ill individual during an ICE operation where ICE officers were requested by local law enforcement agencies. The groups indicated that while they do not have details they will provide them to CRCL once they are available. Shora plans on following up with local ICE ERO about the matter. The same groups again raised the issue of Border Patrol being utilized by local law enforcement agencies for Spanish interpretation and translation and the fact that this continues to raise fear and apprehension within the Latino community causing many to fear calling local police/911 during an emergency (an issue identified during the January meeting). CRCL will follow up and, at the request of the groups, coordinate a future town hall meeting with the Latino community to include Border Patrol and ICE ERO.

Finally, Shora provided a presentation about the new CRCL Compliance Branch newly revised complaint process using two new handout documents provided by the Compliance Branch. The new improvements and transparency in explaining the process of a CRCL complaint was welcomed by the community and advocacy participants and a request was made for a similar document that would provide a "road map" of available civil rights and civil liberties complaint avenues for both DHS agencies and other federal agencies.

Recommended Follow-Up

Internal CRCL Coordination:

1. Community Engagement (Kareem) to coordinate with Compliance Branch to
provide follow up to the request of a "road map" of filing civil rights/civil i.erties complaints
within DHS and other federal agencies.

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2. Community Engagement (Kareem) to coordinate with Compliance Branch (b) (6) to follow up on the recent complaints filed by the Northwest Immigrant Rights Project.
3. Community Engagement (Kareem) to coordinate with Compliance Branch (b) (6) on the issues identified related to:

a. Alleged religious questioning by non-uniformed officials of a Somali community leader at
TSA security checkpoint in Seattle (to be coordinated with (b) (6) or her designee).
b. Alleged recent death of a mentally ill individual and ICE invo vement in Seattle area.
c. Alleged questioning of Somali community leader with a current six-year USCIS naturalization delay by CBP and alleged request by CBP to have USCIS use their interviews for non-
adjudicative questioning (per the USCIS District Director).
4. Community Engagement (Kareem) to coordinate with Impact Assessment (b) (6) on the pending request from January 2011 to have CRCL conduct a feature presentation a o out the Impact
Assessment process — possibly schedule for the July 2011 roundtable meeting.

Other Coordination:

1. Follow up with ICE ERO in Seattle to ensure future participation in roundtables.
2. Follow up with US Attorney's Office on future coordination in Seattle.
3. Follow up with local organizations on Latino community town hall event in coordination with One America which offered to host such an event.

4. Confirm exact date in July with the Northwest Immigrant Rights Project for the next quarterly roundtable.

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