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

May 3, 2011

Homeland

Security

Re: Complaint No. 11-06-CBP-0159

Dear (b) (6)

The Office for Civil Rights and Civil Liberties received information from you on March 14, 2011, concerning your treatment by employees or officials of U.S. Customs and Border Protection at the Port Huron Port of Entry on December 28, 2009. We also received your complaint on March 24, 2011 from the Michigan Chapter of the Council on American-Islamic Relations.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Office for Civil Rights and Civil Liberties has the responsibility to review and assess complaints against Department of Homeland Security employees and officials concerning violations of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion. We will conduct an investigation of one or more of the concerns you have raised. In particular, we will review the following issues:

• Whether your referral to secondary inspection conformed to DHS policies and procedures, and to
civil rights requirements.

• Whether questioning about religious or other first-amendment protected practices occurred during
your inspection, and when such questioning is authorized under DHS policies and procedures.

• Whether current DHS policy, practice, procedures, and training with respect to questioning about
religious practices are adequately protective of constitutional rights

This Office takes allegations of violations of civil rights and civil liberties very seriously. The purpose of our review is to assess if your complaint implicates issues that should be addressed by Department of Homeland Security management. Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, our complaint process does not provide individuals with legal or procedural rights or remedies. Accordingly, this Office is not able to obtain any legal remedies or damages on your behalf. Instead, we use complaints like yours to find and address problems in DHS policy and its implementation. If you believe your rights have been violated, you may wish to consult an attorney. There may be time limitations that govern how quickly you need to act to protect your legal interests.

Please note that Federal law forbids retaliation or reprisal by any Federal employee against a person who makes a complaint or discloses information to this Office. 42 U.S.C. § 2000ee-1(c). If you believe that you or someone else is a victim of such a reprisal, please contact us immediately.

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As we begin our review of this complaint, a representative from this Office may contact you for additional information. If you have any questions concerning this complaint, you may contact this Office by phone at 866-644-8360, 866-644-8361 (TTY), or by email at crcl@dhs.gov. When you communicate with us, please include the complaint number. In addition, it is very important to notify us of any changes in your address or telephone number.

We thank you for your complaint; inquiries like yours help the Department of Homeland Security meet its obligation to protect civil rights and civil liberties. You can expect to receive a letter from us informing you how we have concluded this matter.

Sincerely,

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Officer for Civil Rights and Civil Liberties U.S. Department of Homeland Security

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