1300 Pennsylvania Avenue NW
Washington, DC 2 0 2 2 9

February 7, 2011

US. Customs and
Border Protection

DIS-2:OT:CTE:FD PH
2011F04125

Nusrat Choudhury, Staff Attorney
American Civil Liberties Union Foundation
125 Broad Street, 18thFloor
New York, NY 10004

Dear Nusrat Choudhury:

This is a final response to your Freedom of Information Act (f DIA) request to U.S. Customs and Border Protection (CBP). Your request asked for:

1. All records created since September 11, 2001 pertaining to CBP's authority to question
an individual during inspection at a port of entry to the United States about political
views or opinions, religious beliefs, associations, and religious practices and charitable
giving.

a.

h. CBP audit and review of compliance with its policies governing such questioning and documents generated in the course of, or as the result of, any audits or
reviews;

i. Intelligence directives related to the stopping and questioning of travelers
(whether created by or disseminated by CBP) about protected information;

j. Any protocols for engaging FBI or other law enforcement agencies during the questioning of a traveler during inspection at a port of entry.

2. All records created since September 11, 2001 regarding the questioning of individuals during inspection at ports of entry about their political beliefs or views, religious beliefs, associations, religious practices and charitable giving.

a. Statistics reflecting the number of individuals subject to such questioning both in absolute terms and as a proportion of the total number of travelers;

b. Statistics reflecting the number of individuals subjected to questioning in response
to an intelligence directive or watch list, including the number of individuals
within this group who were subsequently referred to further law enforcement
action;

c. Statistics reflecting the real or perceived religion, race, ethnicity, and/or national origin of individuals selected for such questioning, and any requirement for DHS
or its components to collect, track and/or publicly report such data;

d. Complaints about, investigations of, disciplinary actions related to, and reported legal problems regarding such questioning of individuals by CBP officers;

e. The process and/or procedures that individuals may use to determine whether and what information about their protected political beliefs or views or religious beliefs, associations, and charitable giving has been entered into government
databases, how to correct any errors, and how to challenge decisions to retain
such information;

f. The names of the terrorist watch lists and law enforcement databases that are
accessed by CBP officers and used to identify individuals for questioning about
protected information.

A search of CBP databases produced a total of 18 pages of records responsive to your request. CBP has determined that nine pages of the records are partially released, pursuant to Title 5 U.S.C. § 552 (b)(2), (b)(6), (b)(7)(C) and (b)(7)(E). The remaining nine pages are denied in full under Title 5 U.S.C. § 552 (b)(2) and (b)(7)(E).

Exemption (b)(2) protects information applicable to internal administrative and personnel matters, such as operating rules, guidelines, and manual of procedures of examiners or

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This office may be reached at (202) 325-0150. Please notate file number 2011F04125 on any future correspondence to CBP related to this request.

Sincerely,

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Director, Ft 1 A1 ivision
Office of International Trade

Enclosure(s)

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