



Homeland Security

July 12, 2012

Laura Murphy
Director, Washington Legislative Office
American Civil Liberties Union
915 15th Street, 6th Floor
Washington, D.C. 20005

Farhana Khera
President & Executive Director
Muslim Advocates
315 Montgomery Street, 8th Floor
San Francisco, California 94115

Hina Shamsi
Director, National Security Project
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, New York 10004

Re: Complaint No. 11-05-CBP-0162 (Lawrence Ho)
Complaint No. 11-03-CBP-0163 (Aun Hasan Ali)
Complaint No. 11-03-CBP-0164 (Shareef Alshinnawi)
Complaint No. 11-03-CBP-0165 (Ali Uddin Malik)
Complaint No. 11-03-CBP-0166 (Hassan Shibly)

Dear Mses. Murphy, Khera and Shamsi:

In a letter to you dated May 3, 2011, we informed you that pursuant to 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, our Office would review your allegations that U.S. Customs and Border Protection (CBP) personnel engaged in inappropriate questioning during border screening. In our letter, we informed you that CRCL had received a number of similar complaints, and that your complaint would be added to this broad investigation. We also wrote that you could expect to receive a letter from CRCL informing you how we have concluded this matter.

On April 13, 2012, four of the complainants in our investigation filed a law suit against DHS in the U.S. District Court Eastern District of Michigan Southern Division that included the same allegations and issues presented in your complaint. Since the Court will be addressing the same allegations that were made in your complaint, CRCL has decided to monitor this litigation and wait for it to conclude before finalizing our investigation regarding your specific complaint. However, be assured that CRCL will continue to advise CBP and DHS leadership on issues

related to profiling and religious liberty and, as stated previously, we will monitor the ongoing litigation to determine if any follow-up with CBP on the issues you raised is required. When the litigation concludes, CRCL will notify you by letter of how we have concluded this matter.

Thank you again for filing your complaint, inquiries like yours help the Department of Homeland Security meet its obligation to protect civil rights and civil liberties.

Sincerely,

A handwritten signature in black ink that reads "Tamara J. Kessler". The signature is written in a cursive style with a large initial "T" and "K".

Tamara J. Kessler
Acting Officer
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security