The below information has been reviewed and is returned for whatever administrative action or inquiry you consider appropriate. Should any administrative or personnel action result from your response to this information, you are requested to report the final result of that action within 30 business days of its conclusion.

If your review of this matter discloses evidence of previously unreported criminal misconduct that is reportable under Management Directive 0810.1, you are required to notify this office of that information before any additional investigative steps are taken.

Summary of new complaint for your review:

On March 24, 2011, CRCL received fax mail correspondence from Council on American-Islamic Relations (CAIR), Michigan on behalf of Mr. (b) (6) alleging that on January 2010, at the Lewiston New York border crossing, after attending the Reviving the Spirit in Islam Conference, he was asked inappropriate questioning that pertains to religion and religious practices.

Allegedly, after an hour, a plain clothed officer asked him, are you Muslim; do you pray five times a day; in the mosque; are there any extremists in our mosques; have you lived outside the U.S.; and do you know any extremists? Then, her states that an hour later, two FBI agents arrived and questioned him because the "underwear guy from Nigeria had just tried to blow up a plane." Allegedly, the FBI agents asked him all of the questions listed above and about Mr. Harper's stay in Saudi Arabia and if that was where he converted to Islam. He states he was subject to similar questions in Miami in April 2010.

Thank you.
Program Analyst
Compliance Branch
Office for Civil Rights & Civil Liberties
Department of Homeland Security
(phone)
Summary Prepared By: (b) (6) Date Prepared: March 30, 2011

**Identifying Information**

<table>
<thead>
<tr>
<th>Complainant/Individual’s FN:</th>
<th>(b) (6)</th>
<th>MN:</th>
<th>LN: (b) (6)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual’s Alien number:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Third Party’s FN (Written By):</td>
<td>(b) (6)</td>
<td>Third Party’s LN (Written By):</td>
<td>(b) (6)</td>
</tr>
<tr>
<td>Third Party’s Organization:</td>
<td>Council on American-Islamic Relations (CAIR), Michigan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Source Name/Office/Agency (e.g., other DHS component, government agency, or NGO referring the complaint to CRCL, not representing the complainant)</td>
<td>Council on American-Islamic Relations (CAIR)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If the Complaint file would be more appropriately labeled with a phrase other than an individual complainant’s name, type that tagline/name here:

**Special Category (check any that apply)**

- [ ] Sexual Abuse (PREA)
- [ ] Language Issues
- [ ] Recipients of Federal Financial Assistance
- [ ] Medical Issues
- [ ] Mental Health Issues
- [ ] DHS Traveler Redress Inquiry Program (TRIP)
- [ ] Deaths – Further Action
- [ ] Deaths – No Further Action
- [ ] ICE 287(g) Program
- [ ] ICE Secure Communities Program
- [ ] DHS OIG Referral to CRCL
- [ ] CBP Referral to CRCL
- [ ] ICE Referral to CRCL
- [ ] FPS Referral to CRCL
- [ ] Other (please specify)

**Allegation**

<table>
<thead>
<tr>
<th>Received by DHS:</th>
<th>March 24, 2011</th>
<th>Received by CRCL:</th>
<th>March 24, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allegation Type:</td>
<td>Civil Right/Civil Liberty</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Incident Date:  
(If this is a recurring incident or condition, list date range[s]): January 2010  
Time of Incident:  

Summary of Allegation(s):  
On March 24, 2011, CRCL received fax mail correspondence from Council on American-Islamic Relations (CAIR), Michigan on behalf of Mr. [b] [6], alleging that on January 2010, after attending the Reviving the Spirit in Islam Conference, he was asked inappropriate questioning that pertains to religion and religious practices.

Allegedly, after an hour, a plain clothed officer asked him, are you Muslim; do you pray five times a day; in the mosque; are there any extremists in our mosques; have you lived outside the U.S.; and do you know any extremists? Then, her states that an hour later, two FBI agents arrived and questioned him because the "underwear guy from Nigeria had just tried to blow up a plane." Allegedly, the FBI agents asked him all of the questions listed above and about Mr. Harper's stay in Saudi Arabia and if that was where he converted to Islam. He states he was subject to similar questions in Miami in April 2010.

Compliance Director's Recommendation:  
COMMENTS: On [DATE], Jeffrey Blumberg, Director, Compliance Branch, directed that this matter be opened as a complaint, and recommended that it be handled as a [referred, retained, short form] Complaint assigned to [NAME].

Allegation Details  
<table>
<thead>
<tr>
<th>Primary Issue: Discrimination/Profiling</th>
<th>Primary Basis: Religion/Ethnicity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secondary Issue: Treatment</td>
<td>Secondary Basis:</td>
</tr>
</tbody>
</table>

Select additional Secondary Issues and Secondary Bases if necessary. Add additional rows to the table above.

Categories from which to Select Allegation Issues and Bases

Allegation Issue Categories:
Abuse of Authority/Color of Law
Conditions of Detention
Discrimination
Due Processing/Administrative Processing
Profiling
Treatment
Unaccompanied Minors

Allegation Basis Categories:
Age
Citizenship (specify)
Color (specify whether dark, medium or light complexion)
Detainee
Disability (mental)
Disability (physical)
Harassment
Inappropriate touching
Limited English Proficiency
National Origin (specify)
Non-Detainee
Race (specify race)
Racial Harassment
Referral to secondary
Religion (specify religion)
Retaliation
Rude, unprofessional conduct
Sex (specify whether male or female)
Sexual Harassment
Ethnicity (specify ethnicity. "Hispanic/Latino" is a selection in this category.)
Other (please specify)

*If the complaint involves an Unaccompanied Minor as a complainant/victim, the Primary Issue is Unaccompanied Minors.*

**Involved Parties**

Component Selection List: DHS HQ, DHS, CBP, FEMA, FLETC, ICE, TSA, USCG, USCIS, USSS

| Component(s) Referenced (If complaint involves multiple components, list DHS): | CBP |
| Component(s) Involved (list all that apply, based on the above checklist): | CBP |
| Individual(s) (list name, title/position, and employment location. State if the individual is a subject of the complaint.): | 1. |

**Location(s) of Incident(s)**

Incident Location Type (check all that apply):

- [ ] Airport
- [ ] Airplane
- [ ] BCIS Facility
- [ ] Border and Fixed Checkpoint
- [ ] Government Building
- [ ] Seaport
- [ ] Ship
- [ ] Street Stop
- [ ] Place of Business
- [ ] Residence
- [ ] Detention IGSA
- [ ] Detention SPC
- [ ] Detention CDF
- [ ] Other (please specify)

Incident Location (list name of airport or port of entry or other location):

| City: | State: |

*If this complaint involves more than one incident location, list each location separately.*
If the alleged incident occurred outside the U.S., identify the city and county where it occurred.

Notes

Notes: