



# Department of Homeland Security Office for Civil Rights and Civil Liberties

## Quarterly Reports to Congress

First Quarter, FY 2011 (October 1-December 31, 2010)

Second Quarter, FY 2011 (January 1-March 31, 2011)

September 20, 2011



**Homeland  
Security**

# Foreword

In accordance with 42 U.S.C. § 2000ee-1, I am pleased to present this Quarterly Report to Congress on the Department of Homeland Security Office for Civil Rights and Civil Liberties: First and Second Quarters of 2011.

**Pursuant to congressional requirements, this Report is being provided to the following Members of Congress:**

**The Honorable Daniel K. Inouye**

Chairman, U.S. Senate Committee on Appropriations

**The Honorable Thad Cochran**

Ranking Member, U.S. Senate Committee on Appropriations

**The Honorable Joseph I. Lieberman**

Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs

**The Honorable Susan M. Collins**

Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs

**The Honorable Dianne Feinstein**

Chairman, U.S. Senate Select Committee on Intelligence

**The Honorable Saxby Chambliss**

Vice Chairman, U.S. Senate Select Committee on Intelligence

**The Honorable Patrick J. Leahy**

Chairman, U.S. Senate Committee on the Judiciary

**The Honorable Charles Grassley**

Ranking Member, U.S. Senate Committee on the Judiciary

**The Honorable John Boehner**

Speaker of the House, U.S. House of Representatives

**The Honorable Hal Rogers**

Chairman, U.S. House of Representatives Committee on Appropriations

**The Honorable Norm Dicks**

Ranking Member, U.S. House of Representatives Committee on Appropriations

**The Honorable Peter T. King**

Chairman, U.S. House of Representatives Committee on Homeland Security

**The Honorable Bennie G. Thompson**

Ranking Member, U.S. House of Representatives Committee on Homeland Security

**The Honorable Mike Rogers**

Chairman, U.S. House of Representatives Permanent Select Committee on Intelligence

**The Honorable C.A. “Dutch” Ruppertsberger**

Ranking Member, U.S. House of Representatives Permanent Select Committee on Intelligence

**The Honorable Lamar Smith**

Chairman, U.S. House of Representatives Committee on the Judiciary

**The Honorable John Conyers, Jr.**

Ranking Member, U.S. House of Representatives Committee on the Judiciary

**The Honorable Darrell Issa**

Chairman, U.S. House of Representatives Committee on Oversight and Government Reform

**The Honorable Elijah E. Cummings**

Ranking Member, U.S. House of Representatives Committee on Oversight and Government Reform

Inquiries relating to this Report may be directed to the Office for Civil Rights and Civil Liberties at 866-644-8360 (TTY 866-644-8361) or [crcl@dhs.gov](mailto:crcl@dhs.gov). This Report and other information about the Office are available at [www.dhs.gov/crcl](http://www.dhs.gov/crcl).

Yours very truly,



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

# DHS Office for Civil Rights and Civil Liberties, FY 2011 First and Second Quarter Reports

## Table of Contents

I.	Message from the Officer for Civil Rights and Civil Liberties.....	1
II.	Legislative Language .....	2
III.	Civil Rights and Civil Liberties Impact Assessments .....	5
IV.	Investigations.....	6
V.	Acronyms .....	18

# I. Message from the Officer for Civil Rights and Civil Liberties

September 20, 2011



I am pleased to present this Quarterly Report on the activities of the Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL), as required by section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, 42 U.S.C. § 2000ee-1(f).

In recent years, CRCL's quarterly reports under the 9/11 Commission Act have substantially overlapped with our comprehensive annual report, submitted to Congress by the Secretary, pursuant to 6 U.S.C. § 345. Beginning with this report, we adopt a more focused format for quarterly reporting to ensure timely submission and reduce the redundancy between our quarterly and annual reports. Our annual reports will continue to provide additional detail, including descriptions of all civil rights investigations resolved during the fiscal year, recommendations made as a result, and responses.

This document includes information on both the first and second quarters of Fiscal Year 2011. The DHS Chief Privacy Officer provides separate quarterly reports under the 9/11 Commission Act concerning privacy advice and complaints, available at [the Privacy Office's Web site](#).

Additional information, including our prior quarterly and annual reports and our civil rights complaint contact information, are available at [www.dhs.gov/crcl](http://www.dhs.gov/crcl). Please direct inquiries regarding this Report to [crcl@dhs.gov](mailto:crcl@dhs.gov) or call the Office at 866-644-8360 (TTY 866-644-8361).

Respectfully submitted,

A handwritten signature in blue ink that reads "Margo Schlanger". The signature is written in a cursive, flowing style.

Margo Schlanger  
DHS Officer for Civil Rights and Civil Liberties

## II. Legislative Language

Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, 42 U.S.C. § 2000ee-1(f), imposes certain reporting requirements on the Officer for Civil Rights and Civil Liberties of the Department of Homeland Security, requiring a report at least quarterly on the number and types of reviews undertaken; the type of advice provided and the response given to such advice; the number and nature of complaints received by the department for alleged violations; and a summary of the disposition of such complaints, reviews, and inquiries conducted, and the impact of the activities of the Officer.

### **42 U.S.C. § 2000ee-1 Privacy and Civil Liberties Officers**

Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. No. 110-53, sec. 803, § 1062, 121 Stat. 266, 360-362.

#### **(a) Designation and functions**

... [T]he Secretary of Homeland Security ... shall designate not less than 1 senior officer to serve as the principal advisor to—

- (1)** assist the head of such department, agency, or element and other officials of such department, agency, or element in appropriately considering privacy and civil liberties concerns when such officials are proposing, developing, or implementing laws, regulations, policies, procedures, or guidelines related to efforts to protect the Nation against terrorism;
- (2)** periodically investigate and review department, agency, or element actions, policies, procedures, guidelines, and related laws and their implementation to ensure that such department, agency, or element is adequately considering privacy and civil liberties in its actions;
- (3)** ensure that such department, agency, or element has adequate procedures to receive, investigate, respond to, and redress complaints from individuals who allege such department, agency, or element has violated their privacy or civil liberties; and
- (4)** in providing advice on proposals to retain or enhance a particular governmental power the officer shall consider whether such department, agency, or element has established—
  - (A)** that the need for the power is balanced with the need to protect privacy and civil liberties;
  - (B)** that there is adequate supervision of the use by such department, agency, or element of the power to ensure protection of privacy and civil liberties; and
  - (C)** that there are adequate guidelines and oversight to properly confine its use.

**(b) Exception to designation authority**

...

**(2) Civil liberties officers**

In any department, agency, or element referred to in subsection (a) of this section ... which has a statutorily created civil liberties officer, such officer shall perform the functions specified in subsection (a) of this section with respect to civil liberties.

**(c) Supervision and coordination**

Each privacy officer and civil liberties officer described in subsection (a) or (b) of this section shall—

- (1)** report to the head of the department ...; and
- (2)** coordinate their activities with the Inspector General of such department ... to avoid duplication of effort.

**(d) Agency cooperation**

The head of each department, agency, or element shall ensure that each privacy officer and civil liberties officer—

- (1)** has the information, material, and resources necessary to fulfill the functions of such officer;
- (2)** is advised of proposed policy changes;
- (3)** is consulted by decision makers; and
- (4)** is given access to material and personnel the officer determines to be necessary to carry out the functions of such officer.

...

**(f) Periodic reports**

**(1) In general**

The privacy officers and civil liberties officers of each department, agency, or element referred to or described in subsection (a) or (b) of this section shall periodically, but not less than quarterly, submit a report on the activities of such officers—

- (A)(i)** to the appropriate committees of Congress, including the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives;
- (ii)** to the head of such department, agency, or element; and
- (iii)** to the Privacy and Civil Liberties Oversight Board; and

**(B)** which shall be in unclassified form to the greatest extent possible, with a classified annex where necessary.

**(2) Contents**

Each report submitted under paragraph (1) shall include information on the discharge of each of the functions of the officer concerned, including—

**(A)** information on the number and types of reviews undertaken;

**(B)** the type of advice provided and the response given to such advice;

**(C)** the number and nature of the complaints received by the department, agency, or element concerned for alleged violations; and

**(D)** a summary of the disposition of such complaints, the reviews and inquiries conducted, and the impact of the activities of such officer.

**(g) Informing the public**

Each privacy officer and civil liberties officer shall—

**(1)** make the reports of such officer, including reports to Congress, available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

**(2)** otherwise inform the public of the activities of such officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.

**(h) Savings clause**

Nothing in this section shall be construed to limit or otherwise supplant any other authorities or responsibilities provided by law to privacy officers or civil liberties officers.



### III. Civil Rights and Civil Liberties Impact Assessments

The CRCL Impact Assessment Section, in the Programs and Compliance Branch, undertakes in-depth examinations of the civil rights and civil liberties implications and effects of selected DHS programs and provides suggestions for improvements to those programs. The following Civil Rights and Civil Liberties Impact Assessments were underway or completed during the first and second quarters of FY2011:

1. ***Border Search of Electronic Devices:*** At Secretary Napolitano's direction, the Impact Assessment Section is collaborating with CBP and ICE to examine the civil rights and civil liberties impact of those Components' policies relating to border searches of electronic devices. The Section is continuing to develop a report and recommendations.
2. ***State and Major Urban Area Fusion Centers (Fusion Centers):*** Section 511 of the Implementing Recommendations of the 9/11 Commission Act requires CRCL to conduct a follow-up to the Fusion Center Impact Assessment released in December 2008. CRCL is working with the DHS Office of Intelligence and Analysis (I&A) State and Local Program Office to complete a new impact assessment that reflects current support for fusion centers.
3. ***Future Attribute Screening Technology:*** CRCL has underway an impact assessment on the Future Attribute Screening Technology program (FAST), an initiative of DHS's Science and Technology Directorate (S&T) to develop innovative, non-invasive technologies to enhance the screening of individuals in transportation venues and at special events or other secure areas. We plan to complete this assessment in FY 2011.

## IV. Investigations

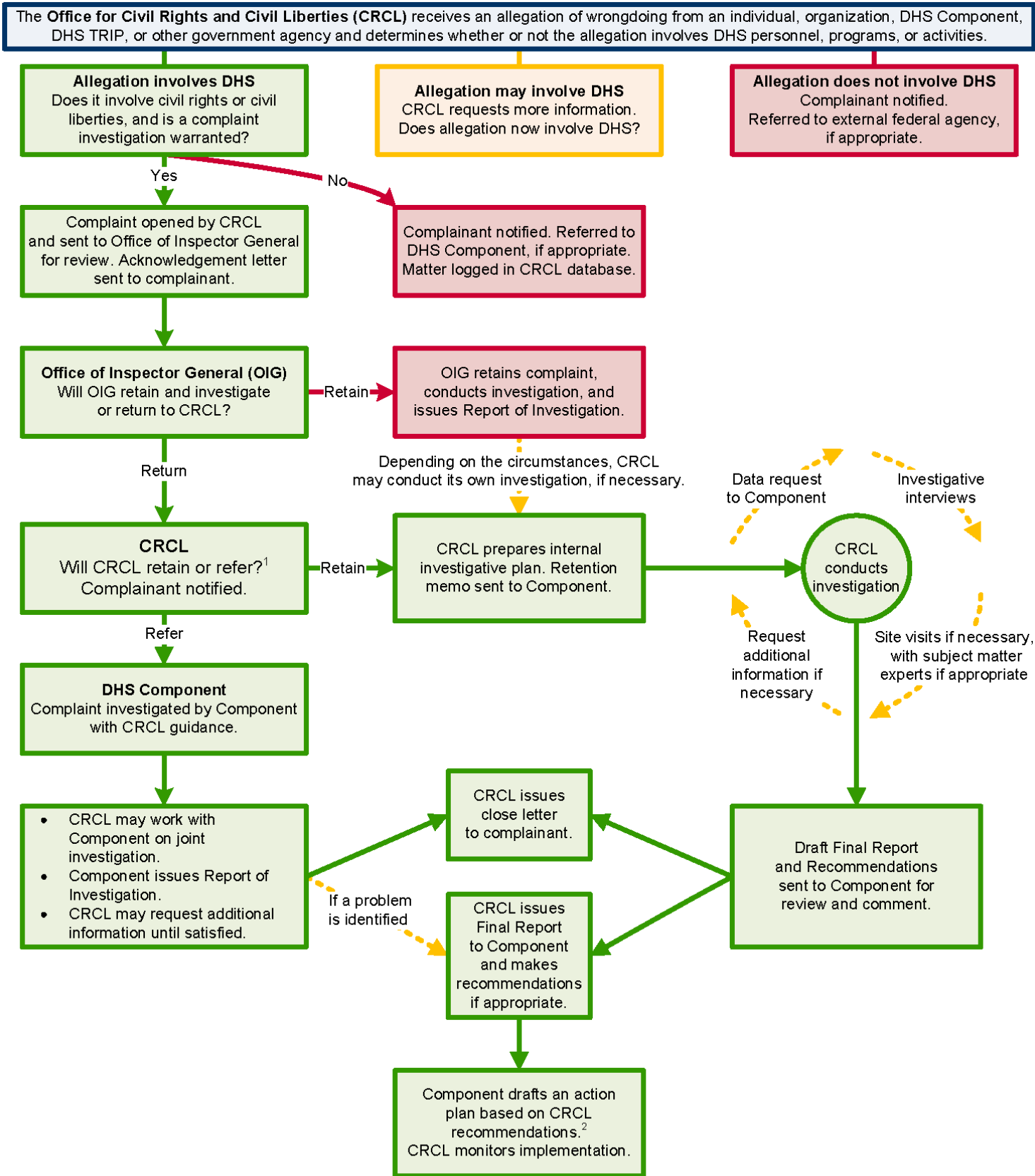
CRCL investigates complaints concerning:

- abuses of civil rights, civil liberties, and racial, ethnic, or religious profiling, 6 U.S.C. § 345(a)(1);
- compliance with constitutional, statutory, regulatory, policy, and other requirements relating to the civil rights or civil liberties of individuals affected by the programs and activities of the Department, 6 U.S.C. § 345(a)(4);
- possible abuses of civil rights or civil liberties, unless the Inspector General of the Department determines that any such complaint or information should be investigated by the Inspector General, 6 U.S.C. § 345(a)(6); and
- department, agency, or element actions, policies, procedures, guidelines, and related laws and their implementation to ensure that such department, agency, or element is adequately considering civil liberties in its actions, 42 U.S.C. § 2000ee-1(a)(2).

Under these authorities, CRCL reviews and assesses any type of civil rights or human rights complaints. These matters arise in a variety of contexts, which we designate in the tables that follow as “situations,” and raise one or more issues. The tables set forth here identify investigations by the *primary* situation and issue involved.

Our process for addressing complaints we receive is shown in Illustration 1.

### Illustration 1. Flow Chart of CRCL Investigations Process



<sup>1</sup> Urgent complaints and other appropriate complaints are handled using less formal channels of investigation (a “short form” complaint process) to expedite processing.

<sup>2</sup> If Component does not concur with CRCL recommendations, the matter will be resolved by a Departmental resolution process.

CRCL initiates investigations based on complaints received from the general public and non-governmental organizations (NGOs) by U.S. mail, email, fax, and the CRCL telephone hotline, as well as through the DHS Traveler Redress Inquiry Program (DHS TRIP). Incidents that might merit investigation are also forwarded to CRCL from other offices at DHS and other government agencies. **Table 1**, below, indicates investigations opened during the first and second quarters by primary civil rights *issue* raised, *situation* in which the investigation arose, and the DHS *Component* that was the primary subject of the investigation.

Pursuant to 6 U.S.C. § 345(a)(6) and internal DHS policies, CRCL begins the investigation process by referring all matters to the DHS Office of Inspector General (OIG). The OIG then determines whether or not it will investigate the case; in this Report, such cases are designated *OIG retained*. If the OIG declines to investigate the complaint, it is referred back to CRCL for appropriate action, at which point CRCL determines whether the case should be retained for CRCL's own investigation (*CRCL retained*) or referred to the relevant DHS Component(s) (*CRCL referred*). Retained cases may be subject to a *full investigation* or *short-form* resolution. A small number of cases are subject to a *joint investigation*, combining CRCL's investigative resources with those of the relevant Component(s). Investigations at any other stage (such as clerical steps between these stages) are noted as *in process*.<sup>\*</sup> **Tables 2a** and **2b** describe all investigations (not only investigations opened in FY 2011) that were in process as of the last day of the first and second quarters, respectively, under these categories.

For the rare cases that OIG retains for investigation, once OIG completes its investigation, the matter returns to CRCL. We may then close the matter or retain it for our own investigation. There were no such matters for the first quarter; **Table 3** lists cases previously retained by OIG that returned to CRCL during the second quarter.

If a case is referred to a Component for investigation, the Component issues a Report of Investigation to CRCL at the completion of the investigation; if retained, CRCL conducts its own investigation and drafts its own investigative report. When the investigation, whether conducted by CRCL or the Component involved, is complete, CRCL *closes* the matter and provides senior leadership of the relevant Component(s) with its conclusions and any recommendations for improving policy, practice, or training arising from the investigation. At that time, we also notify the complainant of the result of our investigation. **Table 4** provides investigations closed during the first and second quarters, by issue, situation, and Component principally involved.

Beginning in FY 2010, CRCL has asked DHS Components to formally concur (or non-concur) with our recommendations, and to provide concrete action plans for implementing accepted recommendations. A single matter may result in multiple recommendations (or none at all), and a Component may accept some, all, or none of the recommendations. **Tables 5a** and **5b** indicate the current status of recommendations resulting from investigations closed in the first and second quarters, respectively. Because Components will require some time to respond to our recommendations, this information may not always be available in time to report on a same-quarter basis. Therefore, in the future we expect to report this information only for investigations that have been closed for one full quarter. Our Annual Report will include much more detail about the investigations that led to recommendations, what those recommendations were, and responsive action taken.

\* The *in process* categories include more than a few cases where Reports of Investigation (ROIs) have been received from Components and are currently under review within CRCL. For our purposes, these investigations remain *in process* until we have completed our review and response to the ROIs.

**Table 1. Investigations opened, by quarter (as of March 31, 2011)**

	TOTAL, YTD	1Q2011	2Q2011
<b>By issue</b>			
Abuse of authority/misuse of official position	8	2	6
Breach of confidentiality	2	1	1
Conditions of detention	47	13	34
Disability accommodation	2	1	1
Discrimination/profiling	47	10	37
Due process	7	4	3
Excessive force	19	10	9
Fourth Amendment (search and seizure)	5	1	4
Human rights	1	1	
Inappropriate questioning/inspection conditions	4	3	1
Intimidation/threat/improper coercion	1	1	
Language access (limited English proficiency)	1	1	
Legal access	2	2	
Medical/mental health	24	8	16
Religious accommodation (other religious issues covered by inappropriate questioning, discrimination)	3	2	1
Retaliation	1	1	
Sexual assault/abuse	3		3
TSA AIT and TSA pat-downs	9	3	6
<b>Total by issue</b>	<b>186</b>	<b>64</b>	<b>122</b>
<b>By situation</b>			
287 (g)	4		4
CBP detention/hold room/CBP deferred inspection site	8	1	7
DHS law enforcement activity	11	7	4
DHS regulatory/rule processing	1	1	
DHS supported activity (not 287(g))	2		2
Federal government building or area	3	2	1
Immigration benefit application processing	1		1
Immigration detention	79	23	56
Political demonstration/rally	1		1
Port of entry/CBP checkpoint	39	9	30
Screening (non-watch list)	13	6	7
Secure Communities	2		2
Unaccompanied minor	19	13	6
Visa processing	2	2	
Watch list/aviation security	1		1
<b>Total by situation</b>	<b>186</b>	<b>64</b>	<b>122</b>
<b>By Component</b>			
DHS (multi-component or headquarters unit)	8	6	2
CBP	70	23	47
ICE	89	27	62
TSA	15	6	9
USCIS	4	2	2
<b>Total by Component</b>	<b>186</b>	<b>64</b>	<b>122</b>

**Table 2a.** Investigations in process as of December 31, 2010 (end Q1)

	Grand Total	In Process	OIG Retained	CRCL Retained		Joint Investigation	CRCL Referred
				Full Investigation	Short Form		
<i>By issue</i>							
Abuse of authority/misuse of official position	16	3		6	1	2	4
Breach of confidentiality	4				2		2
Conditions of detention	82	12	1	19	12	1	37
Disability accommodation	1			1			
Discrimination/profiling	35	2		6	3	6	18
Due process	16			4	4		8
Excessive force	34	2	6	8	4	2	12
Fourth Amendment	6			4	2		
Free speech/association	2			1			1
Human rights	1	1					
Inappropriate questioning/ inspection conditions	13	1		1	4	1	6
Intimidation/threat/improper coercion	6	1		2			3
Language access (limited English proficiency)	1				1		
Medical/mental health	40	2		13	11		14
Religious accommodation (other religious issues covered by inappropriate questioning, discrimination)	5				3		2
Retaliation	5			1		1	3
Sexual assault/abuse	2			2			
TSA AIT and TSA pat-downs	10			2	1	1	6
<b>Total by issue</b>	<b>279</b>	<b>24</b>	<b>7</b>	<b>70</b>	<b>48</b>	<b>14</b>	<b>116</b>

Table 2a continued (Investigations in process as of December 31, 2010)

	Grand Total	In Process	OIG Retained	CRCL Retained		Joint Investigation	CRCL Referred
				Full Investigation	Short Form		
<b>By situation</b>							
287 (g)	2					2	
CBP detention/hold room/CBP deferred inspection site	7	1		2	1		3
DHS law enforcement activity	22	1		9	5	5	2
DHS regulatory/rule processing	1	1					
DHS supported activity (not 287(g))	12			6			6
Federal government building or area	7				1		6
Immigration benefit application processing	9			1	1	1	6
Immigration detention	140	14	2	34	27	2	61
Political demonstration/rally	2			1			1
Port of entry/CBP checkpoint	20	2	1	3	4	1	9
Screening (non-watch list)	21	1		2	2	3	13
Unaccompanied minor	31	4	4	11	4		8
Visa processing	4				3		1
Watch list/aviation security	1			1			
<b>Total by situation</b>	<b>279</b>	<b>24</b>	<b>7</b>	<b>70</b>	<b>48</b>	<b>14</b>	<b>116</b>
<b>By Component</b>							
DHS (multi-component or headquarters unit)	18	2		9	4	1	2
CBP	60	7	5	17	9	5	17
FEMA	2						2
ICE	166	14	2	39	30	6	75
TSA	20	1		2	2	2	13
USCG	1			1			
USCIS	11			2	3		6
USSS	1						1
<b>Total by Component</b>	<b>279</b>	<b>24</b>	<b>7</b>	<b>70</b>	<b>48</b>	<b>14</b>	<b>116</b>

**Table 2b.** Investigations in process as of March 31, 2011 (end Q2)

	Grand Total	In Process	OIG Retained	CRCL Retained		Joint Investigation	CRCL Referred
				Full Investigation	Short Form		
<i>By issue</i>							
Abuse of authority/misuse of official position	22	7		6	2	2	5
Breach of confidentiality	5				3		2
Conditions of detention	125	36	1	20	23	2	43
Disability accommodation	2	1		1			
Discrimination/profiling	62	29		5	6	6	16
Due process	19	2		4	5		8
Excessive force	43	9	7	8	4	3	12
Fourth Amendment	10	4		4	2		
Free speech/association	2			1			1
Human rights	1	1					
Inappropriate questioning/inspection conditions	14	1	1	1	4	1	6
Intimidation/threat/improper coercion	6	1		2			3
Language access (limited English proficiency)	1				1		
Medical/mental health	53	12	1	13	13		14
Religious accommodation (other religious issues covered by inappropriate questioning, discrimination)	6				3		3
Retaliation	5			1		1	3
Sexual assault/abuse	5	2		2	1		
TSA AIT and TSA pat-downs	16	2		2	2	1	9
<b>Total by issue</b>	<b>397</b>	<b>107</b>	<b>10</b>	<b>70</b>	<b>69</b>	<b>16</b>	<b>125</b>



Table 2b continued (Investigations in process as of March 31, 2011)

	Grand Total	In Process	OIG Retained	CRCL Retained		Joint Investigation	CRCL Referred
				Full Investigation	Short Form		
<b>By situation</b>							
287 (g)	6	4				2	
CBP detention/hold room/CBP deferred inspection site	14	6	1	2	2		3
DHS law enforcement activity	26	5		9	5	5	2
DHS regulatory/rule processing	1	1					
DHS supported activity (not 287(g))	14	1		6	1		6
Federal government building or area	8				2		6
Immigration benefit application processing	10	1		1	1	1	6
Immigration detention	192	50	4	34	38	4	62
Political demonstration/rally	3	1		1			1
Port of entry/CBP checkpoint	50	26	1	3	6	1	13
Screening (non-watch list)	28	2		2	4	3	17
Secure Communities	2				2		
Unaccompanied minor	37	10	4	11	4		8
Visa processing	4				3		1
Watch list/aviation security	2			1	1		
<b>Total by situation</b>	<b>397</b>	<b>107</b>	<b>10</b>	<b>70</b>	<b>69</b>	<b>16</b>	<b>125</b>
<b>By Component</b>							
DHS (multi-component or headquarters unit)	20	3		9	4	2	2
CBP	107	43	6	17	15	5	21
FEMA	2						2
ICE	224	57	4	39	41	7	76
TSA	29	2		2	6	2	17
USCG	1			1			
USCIS	13	2		2	3		6
USSS	1						1
<b>Total by Component</b>	<b>397</b>	<b>107</b>	<b>10</b>	<b>70</b>	<b>69</b>	<b>16</b>	<b>125</b>

**Table 3.** Matters previously retained by OIG returned during 2Q2011

	Received from OIG	Closed by CRCL	Retained for additional CRCL investigation
<i>By issue</i>			
Abuse of authority/misuse of official position	2	2	
Excessive force	1	1	
<b>Total by issue</b>	<b>3</b>	<b>3</b>	<b>0</b>
<i>By situation</i>			
Immigration detention	2	2	
Port of entry/CBP checkpoint	1	1	
<b>Total by situation</b>	<b>3</b>	<b>3</b>	<b>0</b>
<i>By Component</i>			
CBP	1	1	
ICE	2	2	
<b>Total by Component</b>	<b>3</b>	<b>3</b>	<b>0</b>

**Table 4.** Investigations closed, by Quarter (as of March 31, 2011)

	TOTAL, YTD	1Q2011	2Q2011
<b><i>By issue</i></b>			
Abuse of authority/misuse of official position	4	1	3
Conditions of detention	15	4	11
Disability accommodation	1	1	
Discrimination/profiling	12	5	7
Due process	2	1	1
Excessive force	9	3	6
Free speech/association	1		1
Inappropriate questioning/inspection conditions	6	3	3
Inappropriate-touch/search of person (non-TSA)	5	3	2
Intimidation/threat/improper coercion	3		3
Legal access	2		2
Medical/mental health	8	2	6
Religious accommodation (other religious issues covered by inappropriate questioning, discrimination)	1		1
Retaliation	1		1
Sexual assault/abuse	1	1	
TSA AIT and TSA pat-downs	2	1	1
<b>Total by issue</b>	<b>73</b>	<b>25</b>	<b>48</b>
<b><i>By situation</i></b>			
287 (g)	1	1	
CBP detention/hold room/CBP deferred inspection site	1	1	
DHS law enforcement activity	3		2
DHS supported activity (not 287(g))	1	1	1
Federal government building or area	3		3
Immigration benefit application processing	1	1	
Immigration detention	28	6	22
Port of entry/CBP checkpoint	29	13	16
Screening (non-watch list)	2	1	1
Unaccompanied minor	4	1	3
<b>Total by situation</b>	<b>73</b>	<b>25</b>	<b>48</b>
<b><i>By Component</i></b>			
DHS (multi-component or headquarters unit)	4	2	2
CBP	35	14	21
FEMA	1	1	
ICE	30	7	23
TSA	2	1	1
USSS	1		1
<b>Total by Component</b>	<b>73</b>	<b>25</b>	<b>48</b>

**Table 5a.** Results of investigations closed in 1Q2011

	Grand Total	No Recommendation	Recommendations Made			
			Awaiting Response	All Accepted	Some Accepted	All Rejected
<b><i>By issue</i></b>						
Abuse of authority/misuse of official position	1	1				
Conditions of detention	4	4				
Disability accommodation	1		1			
Discrimination/profiling	5	5				
Due process	1	1				
Excessive force	3	2		1		
Inappropriate questioning/ inspection conditions	3	3				
Inappropriate-touch/search of person (non-TSA)	3	3				
Medical/mental health	2	2				
Sexual assault/abuse	1	1				
TSA AIT and TSA pat-downs	1	1				
<b>Total by issue</b>	<b>25</b>	<b>23</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b><i>By situation</i></b>						
287 (g)	1	1				
CBP detention/hold room/CBP deferred inspection site	1	1				
DHS supported activity (not 287(g))	1		1			
Immigration benefit application processing	1	1				
Immigration detention	6	6				
Port of entry/CBP checkpoint	13	12		1		
Screening (non-watch list)	1	1				
Unaccompanied minor	1	1				
<b>Total by situation</b>	<b>25</b>	<b>23</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b><i>By Component</i></b>						
DHS (multi-component or headquarters unit)	2	2				
CBP	14	13		1		
FEMA	1		1			
ICE	7	7				
TSA	1	1				
<b>Total by Component</b>	<b>25</b>	<b>23</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>

**Table 5b.** Results of investigations closed in 2Q2011

	Grand Total	No Recommendation	Recommendations Made			
			Awaiting Response	All Accepted	Some Accepted	All Rejected
<i>By issue</i>						
Abuse of authority/misuse of official position	3	3				
Conditions of detention	11	11				
Discrimination/profiling	7	6			1	
Due process	1	1				
Excessive force	6	6				
Free speech/association	1	0	1			
Inappropriate questioning/ inspection conditions	3	3				
Inappropriate-touch/search of person (non-TSA)	2	2				
Intimidation/threat/improper coercion	3	3				
Legal access	2	2				
Medical/mental health	6	5	1			
Religious accommodation (other religion is covered by inappropriate questioning and discrimination)	1	1				
Retaliation	1	1				
TSA AIT and TSA pat-downs	1	1				
<b>Total by issue</b>	<b>48</b>	<b>45</b>	<b>2</b>		<b>1</b>	
<i>By situation</i>						
DHS law enforcement activity	2	2				
DHS supported activity (not 287(g))	1	1				
Federal government building or area	3	1	2			
Immigration detention	22	21			1	
Port of entry/CBP checkpoint	16	16				
Screening (non-watchlist)	1	1				
Unaccompanied minor	3	3				
<b>Total by situation</b>	<b>48</b>	<b>45</b>	<b>2</b>		<b>1</b>	
<i>By Component</i>						
DHS (multi-component or headquarters unit)	2		2			
CBP	21	21				
ICE	23	22			1	
TSA	1	1				
USSS	1	1				
<b>Total by Component</b>	<b>48</b>	<b>45</b>	<b>2</b>		<b>1</b>	

## V. Acronyms

CBP	U.S. Customs and Border Protection
CRCL	Office for Civil Rights and Civil Liberties
DHS	Department of Homeland Security
FAST	Future Attribute Screening Technology
FEMA	Federal Emergency Management Agency
ICE	U.S. Immigration and Customs Enforcement
LEP	Limited English proficiency
OIG	Office of the Inspector General
S&T	Science and Technology Directorate
TRIP	Traveler Redress Inquiry Program
TSA	Transportation Security Administration
USCG	U.S. Coast Guard
USCIS	U.S. Citizenship and Immigration Services
USSS	U.S. Secret Service