



Homeland Security

Edward Hasbrouck, Consultant
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August 13, 2010

Dear Mr. Hasbrouck:

Thank you for your letter dated August 10, 2010 alleging violations of the International Covenant on Civil and Political Rights in regulations issued and systems of records maintained by the U.S. Department of Homeland Security (DHS).

Before we undertake to assess your complaints, we have a clarifying question. Are you asking us to accept as complaints the comments provided by the Identity Project on six Notices of Proposed Rulemaking (NPRMs) and two System of Records Notices (SORNs)? They are:

- United States Visitor and Immigrant Status Indicator Technology Program (“US-VISIT”); Enrollment of Additional Aliens in US-VISIT, 71 Fed. Reg. 42605 (proposed July 27, 2006), docket no. DHS 2005-0037
- Documents Required for Travelers Arriving in the United States at Air and Sea Ports-of-Entry From Within the Western Hemisphere, 71 Fed. Reg. 46155 (proposed Aug. 11, 2006), docket no. USCBP-2006-0097-0001 (as well as the associated Regulatory Assessment, “The Western Hemisphere Travel Initiative Implemented in the Air and Sea Environments,” docket no. USCBP-2006-0097-0002)
- Passenger Manifests for Commercial Aircraft Arriving in and Departing From the United States; Passenger and Crew Manifests for Commercial Vessels Departing From the United States, 71 Fed. Reg. 40035 (proposed July 14, 2006), docket no. USCBP-2005-0003-0003 (as well as the associated Regulatory Assessment, docket no. USCBP-2005-0003-0005)
- Documents Required for Travelers Departing From or Arriving in the United States at Sea and Land Ports-of-Entry From Within the Western Hemisphere, 72 Fed. Reg. 35088 (proposed June 26, 2007), docket no. USCBP-2007-0061-0001 (as well as the associated Regulatory Assessment, “The Western Hemisphere Travel Initiative Implemented in the Land Environment,” docket no. USCBP-2007-0061-0002)
- Secure Flight Program, 72 Fed. Reg. 48356 (proposed Aug. 23, 2007), docket no. TSA-2007-28572
- Changes to the Visa Waiver Program to Implement the Electronic System for Travel Authorization (ESTA) Program, 73 Fed. Reg. 32440 (proposed June 9, 2008), docket no. USCBP-2008-2003 (as well as the associated Regulatory Assessment, docket no. USCBP-2008-0003-0003).

- DHS/CBP-006, Automated Targeting System (ATS), 71 Fed. Reg. 64543 (proposed Nov. 2, 2006).
- DHS/CBP-007, Border Crossing Information (BCI), 73 Fed. Reg. 43457 (proposed July 25, 2008), docket no. DHS-2007-0040.

CRCL does not normally receive complaints in the form of comments to NPRMs or SORNs. Perhaps we received the wrong attachments to your letter? Can you clarify?

Thank you again for your correspondence.

Sincerely,

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