

From: Edward Hasbrouck <edward@hasbrouck.org>
To: "CRCL" <Crcl@dhs.gov>
Subject: Re: CRCL Complaint no. 11-01-DHS-0044
Date: Mon, 31 Jan 2011 10:56:16 -0800

Thank you for your e-mail message of January 18, 2011, regarding "Complaint No. 11-01-DHS-0044." It is unclear from your letter to which of our pending, unacknowledged and unanswered complaints it refers.

We called your office today to try to get clarification, but were told that the only way to communicate with you is by e-mail, and that no one would assist us or discuss this with us by phone. But your letter of January 18, 2011, said, "You may contact CRCL ... by phone at 866-644-8360." If this is not your policy, then the statement in your letter is disingenuous at best, misleading at worst. Either your policy should be changed, or your boilerplate (and your Web site) should be changed to accurately represent your policy not to answer your phone, rather than creating a misleading false impression of accessibility.

From the statement in your letter that our complaint was received by you on October 21, 2010, and from your reference to our "complaint" in the singular, we infer that it refers to the complaint in our letter of October 21, 2010, that we had received no confirmation of docketing of our previous complaints, including nine complaints copies of which were forwarded to your office on August 10, 2010, all of which had been submitted by us to, and received by, received by DHS components on earlier dates, and should have been referred by them to your office.

We *still* have received no confirmation that any of those nine prior complaints you received on August 10, 2010 (or earlier on referral) has been docketed by you as a complaint, or the reference numbers assigned to any of them by you in your docket of complaints of human rights treaty violation by DHS and DHS components.

We are concerned by the statement in your letter that, "CRCL reviews and assesses information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department of Homeland Security."

This statement suggested that you may have mis-docketed our complaints. Our complaints are in a distinct category. Each of the nine complaints you received from us on August 10, 2010 (or earlier on referral) is a complaint of violations of international human rights treaty obligations, and should be docketed as such for purposes of reporting, including U.S. reports to the U.N. Human Rights Committee pursuant to the ICCPR.

Please confirm:

(1) that your office is, in fact, the office designated as the DHS point of contact for Executive Order 13107 (or if not, what office is), as we were informed on July 22, 2010, by Ms. Stephanie Stoltzfus, Director of the TSA Office of Traveler Specialized Screening & Outreach, but as to which designation we can still find no public or official announcement;

(2) that you received the nine complaints we forwarded to your office on August 10, 2010;

(3) what date you first received each of these complaints, either through our forwarding them

to you on August 10, 2010, or earlier on referral;

(4) that *each* of these nine complaints has been docketed by you *as a complaint of violations of international human rights treaty obligations by DHS or DHS components*; and

(5) the nine reference numbers assigned to these nine complaints in that docket.

Sincerely,

Edward Hasbrouck

On 18 Jan 2011 at 18:47, "CRCL" <CRCL <Crcl@dhs.gov>> wrote:

Subject: CRCL Complaint no. 11-01-DHS-0044
Date sent: Tue, 18 Jan 2011 18:47:04 -0500
Priority: Urgent
From: "CRCL" <Crcl@dhs.gov>
To: <edward@hasbrouck.org>

> Dear Mr. Hasbrouck:

>

> Please see the attached letter from this Office. Please disregard the letter we sent you
> earlier today, which has a typo in the date of our letter. Thank you.

>

> Sincerely,

>

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

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consultant to The Identity Project (IDP), a program of the First Amendment Project
<<http://www.papersplease.org>>

"Congress shall make no law ... abridging ... the right of the people peaceably to assemble"
(U.S. Constitution, Amendment 1)

"Everyone has the right to freedom of movement and residence within the borders of each
state. Everyone has the right to leave any country, including his own, and to return to his
country."
(Universal Declaration of Human Rights, Article 13)

"Liberty of movement is an indispensable condition for the free development of a person."
(United Nations Human Rights Committee, General Comment No. 27)