



Office for Civil Rights and Civil Liberties

Summary of CRCL's Recommendations and CBP's Response *Disability Discrimination During Preclearance Inspection*

On November 4, 2022, U.S. Customs and Border Protection (CBP) responded to a Recommendation Memorandum issued in August 2022 by the Office for Civil Rights and Civil Liberties (CRCL) about interactions with travelers with mental health conditions during preclearance inspection. CBP concurred with CRCL's three recommendations.

Background

In December 2021, CRCL opened a complaint from an individual with an anxiety disorder who alleged that CBP discriminated against him during his preclearance inspection at Montreal Trudeau International Airport. The complainant alleged that a Supervisory CBP Officer (SCBPO) made inappropriate comments about his anxiety disorder and made inaccurate assumptions about his mental health that resulted in CBP denying him admission to the United States.

Investigation

CRCL reviewed records related to the complainant's inspection and written statements from the SCBPO who interacted with him. CRCL also reviewed CBP policies, procedures, and training materials covering preclearance inspections, grounds of inadmissibility, and interactions with individuals with disabilities. CRCL concluded that CBP's determination that the complainant was inadmissible was based on grounds unrelated to his mental health but also found that the SCBPO asked the complainant inappropriate questions and made unnecessary comments concerning his mental health during the inspection.

Recommendations

On August 22, 2022, CRCL sent CBP a Recommendation Memorandum with three recommendations regarding guidance and training related to CBP's interactions with individuals with mental health conditions. On November 4, 2022, CBP concurred with all three recommendations.

CBP agreed to issue guidance to its workforce relating to strategies for communicating with individuals with disabilities and to update its future iterations of its training with scenario-based training addressing interactions with individuals with mental health conditions.

CRCL provides the public with documents related to complaint investigations. After it has been prepared and reviewed, CRCL will post a redacted version of this Recommendation Memorandum on our [website](#) that will contain additional information about the complaint investigation and CRCL's findings and recommendations.

January 30, 2024