



No FEAR Act

Equal Employment Opportunity (EEO) Data
Fiscal Year 2024, Second Quarter



U.S. Customs and
Border Protection

Office of the Commissioner

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EEO Data Posted Pursuant to the No Fear Act: CBP

For 2nd Quarter 2024, for period ending Mar. 31, 2023

1. Complaint Activity

Total	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Number of Complaints Filed	355	371	364	572	386	172
Number of Complainants	338	352	344	544	374	170
Repeat Filers	16	16	17	26	11	2

2. Complaints by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Race	84	100	81	87	95	43
Color	16	31	15	31	26	18
Religion	19	15	17	184	26	11
Reprisal	186	198	185	188	161	54
Sex	108	119	110	145	122	60
PDA	4	2	4	7	7	2
National Origin	70	86	56	62	76	40
Equal Pay Act	1	1	0	0	0	1
Age	95	112	95	123	105	57
Disability	102	108	101	143	92	37
Genetics	1	2	2	7	1	1
Non-EEO	15	31	48	38	36	12

3. Complaints by Issue

Note: Complaints can be filed alleging multiple issues. The sum of the issues may not be equal to the total complaints filed.

Starting in FY 2022, issues marked with:

* are reported on the new line Other Terms and Conditions of Employment.

** are reported on the new line Discipline: Other.

Issue	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Appointment/Hire	27	23	14	15	14	9
Assignment of Duties*	68	91	124	-	-	-
Awards	10	16	9	15	11	7
Conversion to Full Time/Perm Status*	0	0	0	-	-	-
Discipline: Demotion	2	2	2	1	3	2
Discipline: Reprimand**	16	20	18	-	-	-
Discipline: Suspension	10	22	17	14	20	9
Discipline: Removal	11	5	12	11	5	4
Discipline: Other	-	-	-	59	53	24
Duty Hours*	10	16	15	-	-	-
Perf. Eval. or Appraisal	11	17	16	15	16	9
Examination or Test	11	6	2	6	1	1
Harassment: Non-Sexual	166	194	175	192	127	45
Harassment: Sexual	22	14	11	18	12	5
Medical Examination	10	11	5	129	10	2
Pay Including Overtime	22	24	26	20	9	7
Promotion or Non-Selection	58	69	58	54	62	38
Reassignment: Denied	7	8	7	15	10	9
Reassignment: Directed	14	10	10	14	6	2
Reasonable Accommodation Disability	35	37	23	28	25	8
Reinstatement*	1	1	2	-	-	-
Religious Accommodation	2	5	3	14	7	2
Retirement*	4	3	3	-	-	-
Sex-Stereotyping	0	0	0	0	0	0
Telework	2	8	11	13	9	3
Termination	23	30	24	21	22	5
Terms and Conditions of Employment*	45	39	36	-	-	-
Time and Attendance	50	45	65	39	46	18
Training	16	19	10	35	24	10
Other Terms and Conditions of Employment	-	-	-	246	182	65

4. Processing Time

a. Complaints Pending During Fiscal Year

Processing Time	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Average Number of Days in Investigation	225.42	239.98	395.90	521.22	562.19	573.57
Average Number of Days in Final Action	90.36	162.90	181.86	96.41	34.55	48.52

b. Complaints Pending During Fiscal Year Where a Hearing was Requested

Processing Time	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Average Number of Days in Investigation	230.93	228.24	370.53	487.84	517.10	228.53
Average Number of Days in Final Action	60.86	94.23	68.08	65.87	28.94	47.05

c. Complaints Pending During Fiscal Year Where a Hearing was Not Requested

Processing Time	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Average Number of Days in Investigation	223.00	267.15	443.23	617.19	670.68	610.34
Average Number of Days in Final Action	175.19	361.70	368.42	168.71	45.46	50.50

5. Complaints Dismissed by the Agency

Complaints Dismissed by Agency	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Total Complaints Dismissed by Agency	41	18	14	27	165	36
Average Days Pending Prior to Dismissal	143	225	494	528	381	403.21

6. Complaints Withdrawn by Complainants

Complaints Withdrawn by Complainants	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Total Complaints Withdrawn by Complainants	50	50	48	48	89	41

7. Total Final Agency Actions Finding Discrimination

a. Final Agency Actions Finding Discrimination: Breakdown by Number

Total Final Agency Actions Finding Discrimination	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Findings Without Hearing	3	8	2	7	1	4
Findings With Hearing	1	12	0	1	8	3
Total Number of Findings	4	20	2	8	9	7

b. Final Agency Actions Finding Discrimination: Breakdown by Percentage

Total Final Agency Actions Finding Discrimination	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Findings Without Hearing	75%	40%	100%	87%	11%	57%
Findings With Hearing	25%	60%	0%	13%	89%	43%

8. Findings of Discrimination Rendered by Basis

Note: Complaints can be filed alleging multiple bases. The sum of the bases may not be equal to the total complaints filed.

a. Total Number of Findings

i. Basis Breakdown by Number

Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Race	0	4	0	0	5	2
Color	0	0	0	0	1	0
Religion	0	0	0	0	1	0
Reprisal	2	11	1	5	3	4
Sex	2	4	1	1	6	2
PDA	0	1	0	0	0	0
National Origin	0	4	0	2	2	1
Equal Pay Act	0	0	0	0	0	0
Age	1	5	0	1	3	2
Disability	1	10	0	5	1	4
Genetics	0	0	0	0	0	0
Non-EEO	0	2	0	0	1	0
Total	4	20	2	8	9	7

ii. Basis Breakdown by Percentage

Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Race	0%	20%	0%	0%	56%	13%
Color	0%	0%	0%	0%	11%	0%
Religion	0%	0%	0%	0%	11%	0%
Reprisal	50%	55%	50%	63%	44%	27%
Sex	50%	20%	50%	13%	78%	13%
PDA	0%	5%	0%	0%	0%	0%
National Origin	0%	20%	0%	25%	22%	7%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	25%	25%	0%	13%	22%	13%
Disability	25%	50%	0%	63%	11%	27%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	10%	0%	0%	11%	0%

b. Findings After Hearing

i. Basis Breakdown by Number

Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Race	0	3	0	0	4	1
Color	0	0	0	0	1	0
Religion	0	0	0	0	0	0
Reprisal	1	8	0	1	3	2
Sex	1	1	0	1	6	1
PDA	0	1	0	0	0	0
National Origin	0	4	0	1	2	0
Equal Pay Act	0	0	0	0	0	0
Age	0	3	0	0	2	1
Disability	0	6	0	1	1	1
Genetics	0	0	0	0	0	0
Non-EEO	0	0	0	0	1	0
Total	1	12	0	1	7	3

ii. Basis Breakdown by Percentage

Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Race	0%	25%	0%	0%	57%	17%
Color	0%	0%	0%	0%	14%	0%
Religion	0%	0%	0%	0%	0%	0%
Reprisal	100%	67%	0%	100%	43%	33%
Sex	100%	8%	0%	100%	86%	17%
PDA	0%	8%	0%	0%	0%	0%
National Origin	0%	33%	0%	100%	29%	0%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	0%	25%	0%	0%	29%	17%
Disability	0%	50%	0%	100%	14%	17%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	0%	0%	0%	14%	0%

c. Findings Without Hearing

i. Basis Breakdown by Number

Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Race	0	1	0	0	1	1
Color	0	0	0	0	0	0
Religion	0	0	0	0	1	0
Reprisal	1	3	1	4	0	2
Sex	1	3	1	0	0	1
PDA	0	0	0	0	0	0
National Origin	0	0	0	1	0	1
Equal Pay Act	0	0	0	0	0	0
Age	1	2	0	1	1	1
Disability	1	4	0	4	0	3
Genetics	0	0	0	0	0	0
Non-EEO	0	2	0	0	0	0
Total	3	8	2	7	2	4

ii. Basis Breakdown by Percentage

Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Race	0%	13%	0%	0%	50%	11%
Color	0%	0%	0%	0%	0%	0%
Religion	0%	0%	0%	0%	50%	0%
Reprisal	33%	38%	50%	57%	0%	22%
Sex	33%	38%	50%	0%	0%	11%
PDA	0%	0%	0%	0%	0%	0%
National Origin	0%	0%	0%	14%	0%	11%
Equal Pay Act	0%	0%	0%	0%	0%	0%
Age	33%	25%	0%	14%	50%	11%
Disability	33%	50%	0%	57%	0%	33%
Genetics	0%	0%	0%	0%	0%	0%
Non-EEO	0%	25%	0%	0%	0%	0%

9. Findings of Discrimination Rendered by Issue

a. Total Number of Findings by Issue

i. Issue Breakdown by Number

Issue	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Appointment or Hire	0	2	0	0	0	0
Assignment of Duties*	1	2	0	-	-	-
Awards	1	1	0	0	0	0
Conversion to Full Time or Perm Status*	0	0	0	-	-	-
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand**	0	1	0	-	-	-
Discipline: Suspension	0	0	0	0	0	1
Discipline: Removal	0	0	0	1	0	0
Discipline: Other	-	-	-	0	0	1
Duty Hours*	0	0	0	-	-	-
Perf. Eval. or Appraisal	1	1	0	0	0	0
Examination or Test	0	0	0	0	0	0
Harassment: Non-Sexual	1	10	2	3	4	4
Harassment: Sexual	0	3	0	0	1	0
Medical Examination	0	1	0	0	0	0
Pay Including Overtime	0	0	0	0	0	1
Promotion or Non-Selection	1	1	0	1	5	4
Reassignment: Denied	0	0	0	0	0	1
Reassignment: Directed	1	1	0	0	0	0
Reasonable Accommodation Disability	1	0	0	2	0	1
Reinstatement*	0	0	0	-	-	-
Religious Accommodation	0	0	0	0	0	0
Retirement*	0	0	0	-	-	-
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	1	0	0	0	1
Termination	0	1	0	0	1	0
Terms and Conditions of Employment*	0	1	0	-	-	-
Time and Attendance	1	1	0	1	2	3
Training	0	0	0	0	2	0
Other Terms and Conditions of Employment	-	-	-	2	2	1
Total	4	20	2	8	9	7

ii. Issue Breakdown by Percentage

Issue	FY 2018	FY 2019	FY 2020	FY 2021	FY 2023	FY 2024 (through 3/31/24)
Appointment or Hire	0%	10%	0%	0%	0%	0%
Assignment of Duties*	25%	10%	0%	-	-	-
Awards	25%	5%	0%	0%	0%	0%
Conversion to Full Time or Perm Status*	0%	0%	0%	-	-	-
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand**	0%	5%	0%	-	-	-
Discipline: Suspension	0%	0%	0%	0%	0%	14%
Discipline: Removal	0%	0%	0%	13%	0%	0%
Discipline: Other**	-	-	-	0%	0%	14%
Duty Hours*	0%	0%	0%	-	-	-
Perf. Eval. or Appraisal	25%	5%	0%	0%	0%	0%
Examination or Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	25%	50%	100%	38%	44%	57%
Harassment: Sexual	0%	15%	0%	0%	11%	0%
Medical Examination	0%	5%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	14%
Promotion or Non-Selection	25%	5%	0%	13%	56%	57%
Reassignment: Denied	0%	0%	0%	0%	0%	14%
Reassignment: Directed	25%	5%	0%	0%	0%	0%
Reasonable Accommodation Disability	25%	0%	0%	25%	0%	14%
Reinstatement*	0%	0%	0%	-	-	-
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement*	0%	0%	0%	-	-	-
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	5%	0%	0%	0%	14%
Termination	0%	5%	0%	0%	11%	0%
Terms and Conditions of Employment*	0%	5%	0%	-	-	-
Time and Attendance	25%	5%	0%	13%	22%	43%
Training	0%	0%	0%	0%	22%	0%
Other Terms and Conditions of Employment*	-	-	-	25%	22%	14%

b. Findings After Hearing

i. Issue Breakdown by Number

Issue	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Appointment or Hire	0	2	0	0	0	0
Assignment of Duties*	1	1	0	-	-	-
Awards	1	1	0	0	0	0
Conversion to Full Time or Perm Status*	0	0	0	-	-	-
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand**	0	0	0	-	-	-
Discipline: Suspension	0	0	0	0	0	3
Discipline: Removal	0	0	0	0	0	0
Discipline: Other**	-	-	-	0	0	0
Duty Hours*	0	0	0	-	-	-
Perf. Eval. or Appraisal	0	1	0	0	0	0
Examination or Test	0	0	0	0	0	0
Harassment: Non-Sexual	0	6	0	1	4	2
Harassment: Sexual	0	0	0	0	1	0
Medical Examination	0	1	0	0	0	0
Pay Including Overtime	0	0	0	0	0	1
Promotion or Non-Selection	1	1	0	0	4	1
Reassignment: Denied	0	0	0	0	0	1
Reassignment: Directed	0	1	0	0	0	0
Reasonable Accommodation Disability	0	0	0	0	0	0
Reinstatement*	0	0	0	-	-	-
Religious Accommodation	0	0	0	0	0	0
Retirement*	0	0	0	-	-	-
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	0	0	0	0	0
Termination	0	0	0	0	0	0
Terms and Conditions of Employment*	0	0	0	-	-	-
Time and Attendance	1	0	0	0	2	1
Training	0	0	0	0	2	0
Other Terms and Conditions of Employment*	-	-	-	0	2	0
Total	1	12	0	1	7	3

ii. Issue Breakdown by Percentage

Issue	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Appointment or Hire	0%	17%	0%	0%	0%	0%
Assignment of Duties*	100%	8%	0%	-	-	-
Awards	100%	8%	0%	0%	0%	0%
Conversion to Full Time/Perm Status*	0%	0%	0%	-	-	-
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand**	0%	0%	0%	-	-	-
Discipline: Suspension	0%	0%	0%	0%	0%	100%
Discipline: Removal	0%	0%	0%	0%	0%	0%
Discipline: Other**	-	-	-	0%	0%	0%
Duty Hours*	0%	0%	0%	-	-	-
Perf. Eval. or Appraisal	0%	8%	0%	0%	0%	0%
Examination or Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	0%	50%	0%	100%	57%	67%
Harassment: Sexual	0%	0%	0%	0%	14%	0%
Medical Examination	0%	8%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	33%
Promotion or Non-Selection	100%	8%	0%	0%	57%	33%
Reassignment: Denied	0%	0%	0%	0%	0%	33%
Reassignment: Directed	0%	8%	0%	0%	0%	0%
Reasonable Accommodation Disability	0%	0%	0%	0%	0%	0%
Reinstatement*	0%	0%	0%	-	-	-
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement*	0%	0%	0%	-	-	-
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	0%	0%	0%	0%	0%
Termination	0%	0%	0%	0%	0%	0%
Terms and Conditions of Employment*	0%	0%	0%	-	-	-
Time and Attendance	100%	0%	0%	0%	29%	33%
Training	0%	0%	0%	0%	29%	0%
Other Terms and Conditions of Employment*	-	-	-	0%	29%	0%

c. Findings Without Hearing

i. Issue Breakdown by Number

Issue	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Appointment or Hire	0	0	0	0	0	0
Assignment of Duties*	0	1	0	-	-	-
Awards	0	0	0	0	0	0
Conversion to Full Time or Perm Status*	0	0	0	-	-	-
Discipline: Demotion	0	0	0	0	0	0
Discipline: Reprimand**	0	1	0	-	-	-
Discipline: Suspension	0	0	0	0	0	1
Discipline: Removal	0	0	0	1	0	0
Discipline: Other**	-	-	-	0	0	1
Duty Hours*	0	0	0	-	-	-
Perf. Eval. or Appraisal	1	0	0	0	0	0
Examination or Test	0	0	0	0	0	0
Harassment: Non-Sexual	1	4	2	2	0	2
Harassment: Sexual	0	3	0	0	0	0
Medical Examination	0	0	0	0	0	0
Pay Including Overtime	0	0	0	0	0	0
Promotion or Non-Selection	0	0	0	1	1	3
Reassignment: Denied	0	0	0	0	0	0
Reassignment: Directed	1	0	0	0	0	0
Reasonable Accommodation Disability	1	0	0	2	0	1
Reinstatement*	0	0	0	-	-	-
Religious Accommodation	0	0	0	0	0	0
Retirement*	0	0	0	-	-	-
Sex-Stereotyping	0	0	0	0	0	0
Telework	0	1	0	0	0	0
Termination	0	1	0	0	1	0
Terms and Conditions of Employment*	0	1	0	-	-	-
Time and Attendance	0	1	0	1	0	2
Training	0	0	0	0	0	0
Other Terms and Conditions of Employment*	-	-	-	2	0	1
Total	3	8	2	7	2	4

ii. Issue Breakdown by Percentage

Issue	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Appointment or Hire	0%	0%	0%	0%	0%	0%
Assignment of Duties*	0%	13%	0%	-	-	-
Awards	0%	0%	0%	0%	0%	0%
Conversion to Full Time or Perm Status*	0%	0%	0%	-	-	-
Discipline: Demotion	0%	0%	0%	0%	0%	0%
Discipline: Reprimand**	0%	13%	0%	-	-	-
Discipline: Suspension	0%	0%	0%	0%	0%	25%
Discipline: Removal	0%	0%	0%	14%	0%	0%
Discipline: Other**	-	-	-	0%	0%	25%
Duty Hours*	0%	0%	0%	-	-	-
Perf. Eval. or Appraisal	33%	0%	0%	0%	0%	0%
Examination or Test	0%	0%	0%	0%	0%	0%
Harassment: Non-Sexual	33%	50%	100%	29%	0%	50%
Harassment: Sexual	0%	38%	0%	0%	0%	0%
Medical Examination	0%	0%	0%	0%	0%	0%
Pay Including Overtime	0%	0%	0%	0%	0%	0%
Promotion or Non-Selection	0%	0%	0%	14%	50%	75%
Reassignment: Denied	0%	0%	0%	0%	0%	0%
Reassignment: Directed	33%	0%	0%	0%	0%	0%
Reasonable Accommodation Disability	33%	0%	0%	29%	0%	25%
Reinstatement*	0%	0%	0%	-	-	-
Religious Accommodation	0%	0%	0%	0%	0%	0%
Retirement*	0%	0%	0%	-	-	-
Sex-Stereotyping	0%	0%	0%	0%	0%	0%
Telework	0%	13%	0%	0%	0%	25%
Termination	0%	13%	0%	0%	50%	0%
Terms and Conditions of Employment*	0%	13%	0%	-	-	-
Time and Attendance	0%	13%	0%	14%	0%	50%
Training	0%	0%	0%	0%	0%	0%
Other Terms and Conditions of Employment*	-	-	-	29%	0%	25%

10. Pending Complaints Filed in Previous Fiscal Years by Status¹

a. Total Complaints and Complainants

Pending Complaints Filed in Previous Years by Status	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Total Complaints from Previous Fiscal Year	458	515	496	447	485	621
Total Complainants	416	465	437	405	454	579

b. Number of Complaints Pending

Status	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Investigation	52	65	137	245	313	428
ROI Issued, Pending Complainant's Action	1	2	13	5	9	26
Hearing	331	334	256	180	140	155
Final Agency Action	71	96	88	18	22	11
Appeal with EEOC Office of Federal Operations ²	152	178	189	216	161	196

11. Complaint Investigations

Complaint Investigation	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024 (through 3/31/24)
Pending Complaints Where Investigations Exceed Required Time Frames	9	59	188	321	354	(Unknown) ³

¹ In accordance with 29 CFR §1614.703(f), CBP will publicly post the additional data required by 5 USC §2301.301(b)(9)(C) and §2301.301(b)(11) after the EEOC posts an updated No FEAR reporting template on its website.

² Department of Homeland Security's Office of Civil Rights and Civil Liberties enters appeal-level events in DHS's EEO complaints management system for CBP's cases. CBP has noted that CRCL has not yet entered the appeal closure events for many of CBP's completed cases.

³ DHS transitioned to a new EEO complaints management system ("ETK-EEO") in October 2023 and does not have access to the previous EEO complaints management system (iComplaints). CBP is currently unable to generate the Complaint Investigation section of CBP's quarterly No FEAR Act data report in ETK-EEO.