



**American-Arab Anti-Discrimination Committee**  
Celebrating 25 Years of Dedicated Service to Civil  
and Human Rights

## **US Federal Government Policies Continue to Focus the Spotlight of Suspicion on the Arab-American Community**

*(ADC Sample Cases January to April 2006)*

### **1) NSEERS Problems Continue to Haunt the Arab-American Community**

The domestic "call-in" phase of the "Special Registration Program" or NSEERS (National Security Entry-Exit Registration System) continues to haunt the Arab-American community due to its many residual and lingering effects. One recent example is of an Arab physician in Texas and his application for a green card. The physician and his attorney were told by immigration authorities that his "special registration" (NSEERS) number does not match his name.

Apparently this was a mistake made when the physician, a Syrian citizen, initially complied with the special registration requirements back in 2002. He was on vacation in his native country during the summer of 2005 when this mistake was discovered by US authorities. He was told that it was corrected prior to his re-entry into the US. Unfortunately, when his immigration attorney contacted US Citizenship and Immigration Service (USCIS) later during the summer, he was told that the matter was referred to US Immigration and Customs Enforcement (ICE) for "clearance."

For seven months, the Arab physician's situation did not change while awaiting the clearance. His attorney was unable to get any progress from anyone at the Department of Homeland Security (DHS) on why there seems to be such a delay. The ADC Legal Department filed an inquiry with the appropriate officials at ICE Headquarters in Washington, DC. The physician's case was cleared within three weeks.

### **2) Immigration Enforcement Impacts Arab-Americans' Daily Lives**

Recently, the ADC Legal Department came to the aid of an Arab Doctor in Massachusetts, after ICE agents arrested him in front of his staff and patients, and charged him with falsifying information on his green card application. ICE alleged that the Doctor's marriage to his US citizen wife was fraud. Held for almost four months in jail, ICE refused to release him on bond pending his prosecution in court. As a result, the ADC Legal Department filed an administrative request with ICE Headquarters in Washington, DC. The Doctor

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was released within three weeks as a result of ADC's action. However, his medical practice is now in jeopardy due to his four month detention in jail.

### **3) School Attacks Against Muslim Student**

The literature teacher of an Arab-American Muslim high school student in Texas asked that her class read book excerpts that highlighted a non consensual sexual act by a Muslim boy on another Muslim boy. After reading these excerpts, the student's classmates began harassing him verbally, via cell phone text messages, and through internet messages on his "myspace.com" profile. The harassment escalated until the student was physically beaten by his classmates. Following the attack, his mother immediately transferred him to another school to protect him. This caused the family to sell their home and relocate to another town. The ADC Legal Department took action by contacting the school district's Board of Trustees to seek disciplinary action against the teacher, and has contacted the FBI to pursue criminal charges against the attackers for their race- and religion-motivated attack. The FBI has not opened an investigation and the US Department of Education is yet to address this case.

### **4) Hate Crime Shooting of Arab American**

The ADC Legal Department is working with the FBI in a case where an Arab-American man was shot by a man who had been yelling racial slurs outside a Middle Eastern takeout restaurant in Alabama. Apparently, the suspect was inside the restaurant causing problems and acting hostile, so much so that he had to be physically removed. He threatened to return and within an hour, did so with a .22-caliber rifle and fired into the Arab customer's van that was parked outside the Middle Eastern restaurant. The victim, waiting with his family for their order, was shot in the head. The suspect, a 23 year old white male, was later arrested by police and both local and federal law enforcement are now involved in the investigation. ADC has also requested that the US Department of Justice Civil Rights Division investigate the crime.

### **5) Hate Crime Attack Against Arab-American**

An Arab-American man in New Jersey had been renting a room although he had faced tensions with the landlord in the past. One rainy night, the man was locked out of his room and the landlord refused to allow him in. He stayed out in the rain until 7am when a hooded man walked up to him and began to kick and beat him.

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He was dragged to the porch and the attacker yelled a number of insults including, "You ----- Arab, what the ---- do you think you are? This is my house! No Arabs allowed here."

On the porch, the landlord got involved as well, as it turned out the attacker was his son. He later pulled out a knife and threatened the Arab man, and said he would kill him if he did not move out of "his house" within an hour. While local police did not seem to react, the ADC Legal Department contacted the FBI that is now looking into the matter but has not opened an investigation.

**6) Hate Crime Attack on Hijab-wearing Pregnant Arab-American Woman**

An Arab-American Muslim woman, two months pregnant, who wears the hijab was walking with her 10-month old baby from a relative's house to her home in Massachusetts when a man and his dog approached them. When the woman asked the man to restrain his dog, he allegedly proceeded to curse at her and verbally harass her, calling her a terrorist. He allegedly continued to yell, followed her, and then pulled off her hijab and beat her until she was unconscious. The police found her attacker but allegedly did not arrest him. The ADC Legal Department is working with the woman and her family to ensure that the FBI and the police investigate this crime as a hate crime.

**7) Border "Watch List" Adversely Affects Arab-Americans**

A major difficulty is encountered by many Arab-Americans who face problems with US Customs and Border Protection (CBP) upon returning home from travel abroad. This is a typical problem that members of the Arab-American community encounter due to "false positive" challenges associated with the CBP "Watch List." The following is a description of what took place in one case that was addressed by the ADC Legal Department:

"My name is Dr. C. I am a very hard working physician and a US citizen. I was coming back home from a trip to an Arab country through a European country. An airline agent called my name and told me that the US Department of Homeland Security (DHS) wants to interview me. I waited for almost one hour and no one showed up. I missed my flight and my family was forced to leave me. I had to stay in a hotel at my own expense that evening. No one from DHS interviewed me. The next day, I took the same flight to the US. Upon arrival, two uniformed officers were waiting for me. They took me to a checkpoint and began

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asking me all kinds of questions going back all the way to when I came to the US in the early 1980's. Their questions focused mostly on money. I routinely, and legally, send money back home to my family to help support them.

My family spent their savings on sending me to the US in order to continue my medical training and become the successful physician I am today. I explained to the officers that I am proud to be a US citizen, and that this fact has helped me in my professional success. I was then permitted to enter and return home after about three hours. More recently, I took my family on vacation outside the US. When we returned, the Department of Homeland Security officers stopped me on the border where I was again asked the same questions while my family waited. We were held for 2 1/2 hours and then they fingerprinted me and took my photo before they permitted us to return back home."

**8) "Watch List" False-positive Problems Repeated with no Solution**

The Federal Government faces confusion over names in the multiple "watch lists" used by many agencies. One case involves an Arab-American physician, who was detained at least five times over the past two years. The gentleman, who reentered the US after visiting a close family relative in Canada, was repeatedly stopped by US Custom and Borders Protection (CBP) officers for fingerprinting, questioning, and a body search. The delays lasted at least three to four hours, and he has yet to be given any reason for this treatment.

In late April, the gentleman was again stopped and handcuffed. He was detained for over four hours, and then permitted to return home with no reason given for his detention. On another visit earlier in April, the physician called ahead to the local CBP office to advise them of his travel plans. A CBP supervisor told him that he should advise the border officers of his past experiences, and provide documentation of his identity. He was also given the name and phone number of the supervisor on-duty at the border entry point should he face difficulties. However, when he attempted to follow these suggestions, he was again detained and questioned. When he made attempts to provide the information of the CBP supervisor with whom he spoke, he was ignored. ADC has filed a complaint with the Department of Homeland Security (DHS) in Washington, DC. An investigation is now pending and ADC continues to follow-up with DHS to see whether additional legal steps are necessary.

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**9) FBI Questioning of Arab-Americans Hurts Trust of Government**

ADC was contacted by an Arab-American man who is being repeatedly questioned by local FBI agents at his residence in California. He is a US citizen, has a clean criminal record and has been living in the US for more than 30 years. Along with many Arab Americans, he was questioned at his residence immediately following the attacks of September 11, 2001. The FBI agents allegedly asked him about his religion, his travels to and from New York City and whether he knew anything pertaining to the attacks. They also allegedly asked him if anyone in his home had passed away recently, inappropriately implying that one of his relatives (in this case his young son or his wife) or one of his house guests (of which he had none) participated in the horrendous attacks on our nation. Satisfied that he had no involvement in the September 11 attacks, they did not contact him again until a few years later.

In the last two years, FBI agents visited his residence on numerous occasions. During their visits, they allegedly asked questions such as: "Are you a Sunni or Shiite Muslim?"; "What do you think of your Imam?"; "What do you think of the Israeli-Palestinian conflict?"; "What is your nationality?" In addition, the gentleman was never informed of his right to counsel and was subjected to numerous FBI interviews well after he was cleared of any wrongdoing. FBI agents should not ask interviewees questions about their faith, political beliefs, or race or ethnicity.

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