

# Council on American-Islamic Relations (CAIR)

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.cair.com/action-alerts/#Watchlist>

### Campaign and Advocacy

**About:** The Council on American-Islamic Relations Government Affairs Department represents and advocates for the interests of the American Muslim community to the United States Congress, the executive branch, and other governmental agencies and entities. The departments outreach also covers local and state governments.

We promote civic engagement by helping American Muslims connect with their elected officials, stay informed, and register to vote. The department actively monitors legislation and government activities at the local, state, and federal level and responds on behalf of the Muslim community.

CAIR representatives have testified before state legislatures and Congress and sponsored initiatives designed to bring Muslim concerns to their elected representatives. The department helps hold elected officials accountable to and aware of the American Muslim communitys concerns by meeting directly with legislators, issuing action alerts, hosting an annual Muslim Hill Day, and publishing a biennial Congressional Scorecard.

#### Issues:

**About:** Unveiled in 2011 and housed in the Department of Homeland Security (DHS), CVE was the Obama administrations attempt to take a long-term, systemic approach to counterterrorism that focused on targeting the ideological sources of violence. CVE programs task community members and civil society organizations with identifying individuals at risk for radicalization and connecting these individuals with programs designed to divert them away from extremism.

CAIR opposes CVE because it is inherently biased and primarily targets American Muslim communities. Though they sound harmless, CVE programs directly and indirectly task federal law enforcement with collecting information about, and potentially criminalizing, Muslim communities on the baseless notion that their faith might become radicalized. In securitizing community development efforts, CVE programs create a climate of fear and self-censorship, where people must watch what they say out of fear of being monitored.

An even more fundamental problem with CVE is that, despite years of research, there is no statistical evidence that it contributes to reducing extremism. Instead, CVE programs stigmatize and marginalize the Muslim community by treating all its members as suspects and by holding an entire community responsible for the actions of a few.

**Read CAIRs Factsheet on CVE and Written Statement to Congress on this Issue:**

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#### More Resources:

**About:** CAIR opposes unconstitutional and warrantless domestic spying programs such as the FBI's use of national security letters (NSL) to obtain personal internet data, proposed DHS social media information collection, and warrantless surveillance under the USA Freedom Act. Surveillance programs like these violate the protections guaranteed under the 4<sup>th</sup> Amendment. They also erode Americans trust in law enforcement and further marginalize American Muslims. CAIR advocates for the electronic and physical privacy of U.S. residents and stronger encryption protections for all.

**Read CAIRs Fact Sheet on this Issue:**

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**About:** CAIR stands in solidarity with all immigrant communities in the United States. CAIR and the American Muslim community oppose the Islamophobic, anti-immigrant, and white supremacist immigration agenda of the Trump administration and asks Congress to reject discriminatory policies that seek to limit the total number of immigrants and refugees in the U.S. CAIR supports comprehensive immigration reform that starts with a roadmap to citizenship for the nations 11 million undocumented residents and includes clear guidelines for administrative and judicial review for those appealing their immigration status; solutions to ongoing cases of processing delays for thousands of immigrants; prohibitions against racial and religious profiling and inappropriate use of force by border patrol agents; and a streamlined process for immigrants seeking asylum from conflict zones. CAIR will continue to fight for Dreamers, Temporary Protective Status (TPS) holders, and immigrants of all backgrounds to come to this country legally.

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**Burma:** In 2017, the Burmese government undertook a military-led ethnic-cleansing campaign of the Rohingya Muslims in the northern state of Rakhine, killing thousands and causing upwards of 700,000 to flee their homes for neighboring Bangladesh. The displaced Rohingya have refused to repatriate until their demands for justice, citizenship, and the ability to return to their homes are met. CAIR condemns this genocide, urges the United States to reimpose economic and diplomatic sanctions that the Obama administration previously lifted, and calls on Burmas de facto leader, Ms. Aung San Suu Kyi, to live up to her democratic ideals.

**Read CAIRs Fact Sheet on this Issue:**

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**China:** Fearing the challenge religious dogma could pose to its stranglehold on political power, the Chinese Communist Party (CCP) has a long history of persecution of all its religious groups, including the countrys Uyghur Muslim population. Recent reports by the UN, Human Rights Watch, and the U.S. State Department revealed that up to 1 million Uyghurs are being interned in detention camps where Chinese Muslims are held for actions, including peacefully expressing their identity and religion, which are not crimes under Chinese law. Some are tortured.

Chinas Xinjiang province, home to the Uighurs, is now one of the worst surveillance states in the world. CAIR condemns Chinas persecution of all faith communities and has sent two letters directly to President Xi Jinping calling on him to respect religious freedom.

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## **Other Resources:**

**About:** The Muslim Ban 3.0, issued by President Donald Trump in September 2017, blocks foreign nationals from seven countries (Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen) from traveling to the United States. Despite the inclusion of two non-Muslim majority countries, the ban is an undoubtedly bigoted and discriminatory attempt to keep Muslims out of the United States. In her dissent to the Supreme Courts recent ruling upholding the ban, Justice Sotomayor wrote: A reasonable observer would conclude that the Proclamation was driven primarily by anti-Muslim animus, rather than by the Governments asserted national-security justifications. Even before being sworn into office, then-candidate Trump stated that Islam hates us.

CAIR stands with all immigrant communities and condemns the Islamophobic, anti-immigrant, and white supremacist immigration agenda of the Trump administration.

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**About:** Religious profiling is the practice of using religious beliefs to target an individual without trustworthy information linking that person to a crime. CAIR strongly opposes profiling of any kind as a violation of the 1<sup>st</sup>, 4<sup>th</sup>, and 14<sup>th</sup> Amendments. In addition to violating fundamental civil rights, religious profiling diverts valuable law enforcement resources away from following actual leads and preventing illegal acts.

While the new 2014 DOJ guidelines for the use of race by law enforcement agencies extend the existing ban on federal law enforcement profiling based on religion, national origin, gender, sexual orientation, and gender identity, it retains exemptions for Department of Homeland Security agents use of religion, national origin, and other characteristics to profile at airports and the border. It also allows the FBI to map minority communities to place informants. CAIR supports the passage of the End Racial and Religious Profiling Act (ERRPA) which would prohibit law enforcement officers at the federal, state, local, or tribal level from considering race, ethnicity, national origin, religion, gender, gender identify, or sexual orientation in their decision-making.

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**About:** The Terrorist Screening Database (TSDB), commonly referred to as the terrorist watchlist, is the federal governments list of known or suspected terrorists. The Department of Homeland Security (DHS) pulls the Selectee and No-Fly lists from the TSDB. Individuals listed on the Selectee list are singled out for additional screening, while those on the No-Fly List are prohibited from boarding flights altogether.

CAIR supports reforming the federal terrorist screening database and No-Fly List to require thorough nominating standards, accountability, and due process. CAIR condemns the widespread government practice of placing names on watch lists without providing individuals with any notice of the factual basis for their placement and without offering a meaningful opportunity to contest the designation. Placing U.S. citizens who have never been charged with or convicted of a single crime, let alone suspected of committing a terrorist act, on either list constitutes a violation of due process and their civil liberties as Americans. Both lists disproportionately target Muslims and there is no transparency surrounding an individuals placement on either of the two lists.

CAIR calls on Congress to investigate and reform the Federal Terrorist Screening Database to ensure American citizens who are wrongly placed on the federal terrorist watch lists are afforded the constitutional right to due process and the ability to effectively challenge inappropriate watch list designations. In a case filed by CAIR challenging the No-Fly List, Federal Judge Anthony J. Trenga found that the inability to fly effectively limits educational, employment and professional opportunities, and being placed on the list is life defining and life restricting across a broad range of constitutionally protected activities and aspirations.

Because of these concerns, CAIR also believes that common-sense gun safety reform does not include support for No Fly, No Buy, a legislative proposal that would ban gun sales to people placed on the governments federal watchlist.

No Fly, No Buy legislation would not have prevented any of the recent shootings including Orlando, San Bernardino, and Squirrel Hill because the shooters were not on any government watchlist. Republican legislators, backed by groups like CAIR and the American Civil Liberties Union ultimately voted down the No Fly, No Buy legislation in past years because it violated due process rights and because of the high error rates of placement on such watch lists.

**Read CAIRs Fact Sheet on This Issue:**

**Read Recent News Related to This Issue:**

CAIR Applauds House Judiciary Committees Passage of NO BAN Act (WASHINGTON, D.C., 2/12/20) The Council on American-Islamic Relations (CAIR), the nations largest Muslim civil rights and advocacy organization, today applauded the U.S. House Judiciary Committees passage of Rep. Judy Chus National Origin-Based Antidiscrimination for Nonimmigrants Act or the NO BAN Act a comprehensive bill repealing the Muslim Ban. CAIR is now calling on all Americans to urge House Speaker Nancy Pelosi and their elected U.S. Representatives to

(WASHINGTON, D.C., 7/27/2018) CAIR is urging American Muslims to take advantage of the upcoming August recess during which members of Congress return home to spend time with their constituents by requesting meetings to advocate on state and national issues of importance, including: dismantling President Trumps Muslim Ban executive order; opposing limits on campus free speech and boycotts; protecting immigrant communities by supporting Dreamers, TPS holders and opposing new restrictions; and, recognizing the

(WASHINGTON, D.C., 7/19/18) The Council on American-Islamic Relations (CAIR), the nations largest Muslim civil rights and advocacy organization, today called on Congress, the Trump administration and the international community to take concrete steps against the adoption of an apartheid law by Israel stating that the Jewish people have an exclusive right to national self-determination, with no mention of either equality or minority rights. ACT NOW: Tell Congress to Cut Nearly \$4 Billion in U.S. Taxpayer

(WASHINGTON, D.C., 6/18/18) The Council on American-Islamic Relations (CAIR), the nations largest Muslim civil liberties and advocacy organization, announced today its opposition to the falsely titled Anti-Semitism Awareness Act of 2018, [S. 2940/H.R. 5924] which incorrectly conflates legitimate First Amendment protected discussion on American campuses about Israels human rights abuses against Palestinians with the vile bigotry of anti-Semitism. CAIR is also calling on all Americans to urge their elected representatives in Congress to oppose

(WASHINGTON, D.C., 6/18/18) The Council on American-Islamic Relations (CAIR) today called on American Muslim voters and all other Americans concerned about family values to contact their elected representatives to voice opposition to the Trump administrations recently-introduced policy to break apart families at the border and place children in detention. IMMEDIATE ACTION REQUESTED: Click on CAIRs Action Alert to Contact Your elected Representatives on This Important Issue: [https://oneclickpolitics.com/messages/edit?promo\\_id=4430](https://oneclickpolitics.com/messages/edit?promo_id=4430) Criticism of the policy has come

(WASHINGTON, D.C., 5/7/2018) The Council on American Islamic Relations (CAIR), the nations largest Muslim civil rights and advocacy organization, is again calling on all Americans who respect the Constitution and value human rights to tell their Senators and members of the Senate Select Committee on Intelligence to oppose the confirmation of Gina Haspel as the new CIA director. Haspel is scheduled to appear before the committee on Wednesday and reportedly considered withdrawing from the

*if it walks like a duck, swims like a duck, and quacks like a duck, its a duck. The intent of these [anti-foreign law] bills is to target a particular religion and group of people for disfavored treatment. Montana Governor Steve Bollock*

**About:** Anti-Muslim foreign law bills, also publicly referred to as anti-Sharia bills, would prohibit state courts or private mediators from considering foreign bodies law including, but not limited to, Sharia, Catholic Canon, and Jewish Halacha, if in conflict with a state or federal law. However, attempts by state and federal legislatures to outlaw the use of foreign law in judicial proceedings are irrelevant due to the Constitutions Supremacy Clause, which states that no body of law may supersede U.S. law. These anti-foreign law bills are just a way of marginalizing Muslim communities and promoting anti-Muslim and anti-immigrant fearmongering. CAIR opposes such bills and actively seeks to educate lawmakers about their true nature.

Anti-Muslim foreign law bills started appearing in state legislatures in 2011 as part of a concerted campaign called American Laws for American Courts (ALAC) led by noted anti-Muslim bigot David Yerushalmi. Yerushalmi himself admitted that these laws were intended to vilify Muslims, stating: If this thing passed in every state without any friction, it would have not served its purpose. The purpose was heuristic to get people asking this question, What is Sharia?

Anti-Muslim foreign law legislation infringes on the constitutionally-protected right to choose Islamic marriage contracts, implement Islamic wills, or to be buried according to ones religious beliefs. These laws could also negatively impact the validation of international adoptions and foreign marriages and may bar any state court from considering Catholic Canon law and Jewish Halacha law, which are considered by many courts to be a type of foreign law.

While most anti-foreign law bills are facially neutral and do not overtly mention Sharia (Islamic religious principles and practices), although some certainly do, the omission does not hide the true intent of these discriminatory and unconstitutional bills.

To rebuke these anti-Muslim bills, CAIR encourages Muslim community members and allies to introduce in their state legislatures resolutions that reaffirm: 1) Each states history of embracing individuals right to practice the faith of their choice within the law and free of government interference; and, 2) recognize the contributions of each states Muslim citizens.

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