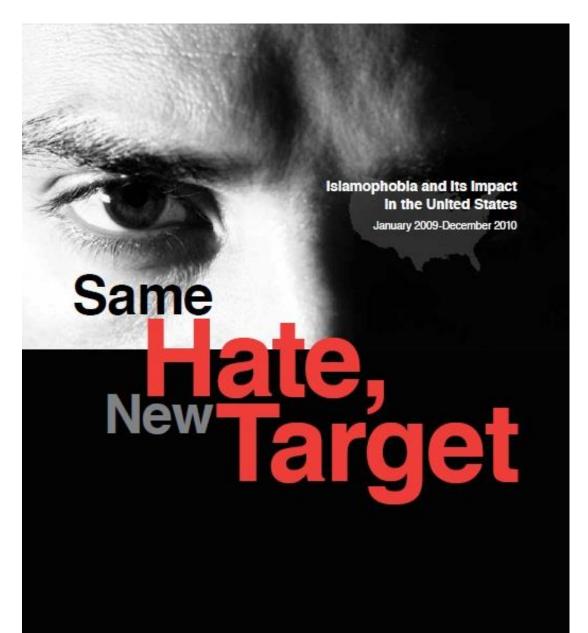
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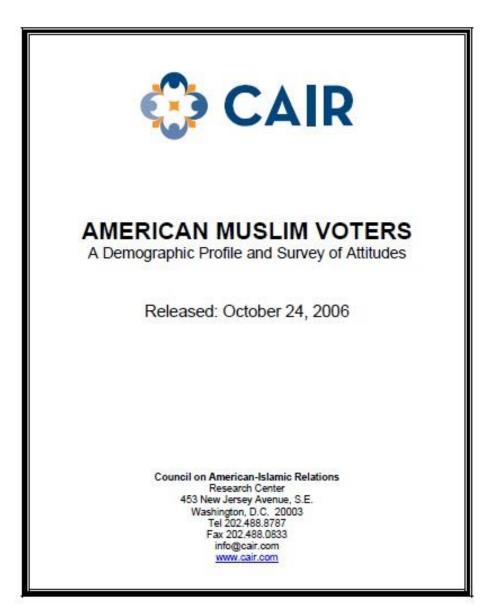




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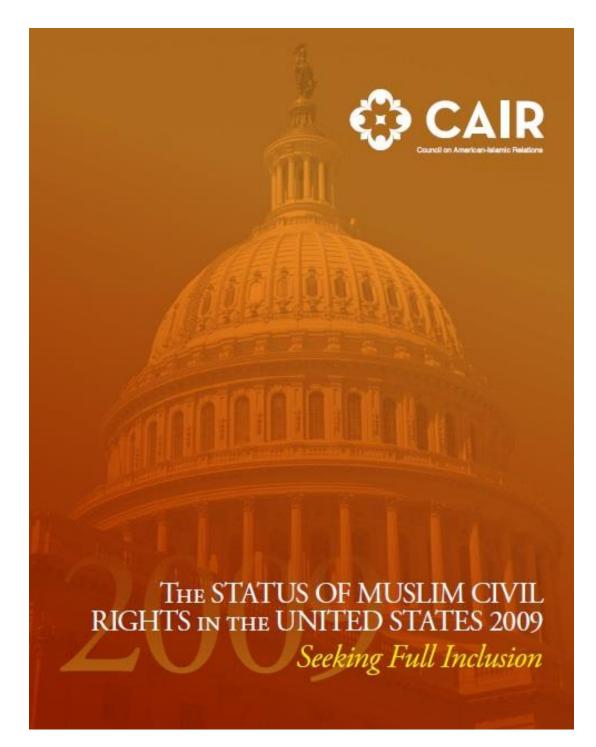
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Government Affairs

Drone Wars: The Constitutional and

Counterterrorism Implications of Targeted Killing

Drone Wars: The Constitutional and Counterterrorism Implications of Targeted Killing

WRITTEN STATEMENT OF THE COUNCIL ON AMERICAN-ISLAMIC RELATIONS ON DRONE WARS: THE CONSTITUTIONAL AND COUNTERTERRORISM IMPLICATIONS OF TARGETED KILLING

Submitted to the Senate Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights and Human Rights

Testimony Prepared by: Robert S. McCaw

Council on American-Islamic Relations (CAIR) 453 New Jersey Ave., SE Washington, DC 20003 Phone: (202) 742-6448 Fax: (202) 488-0833 Email: mccaw@cair.com Web: www.cair.com

Chairman Durbin, Ranking Member Cruz and other members of the subcommittee, the Council on American-Islamic Relations (CAIR) thanks you for holding this first-ever Senate hearing on the constitutional and counterterrorism implications of targeted drone warfare and respectfully submits this written testimony for your consideration.

CAIR and the American Muslim community unequivocally condemn all acts of terrorism and support our nation's war against al-Qaeda and its allied forces. While pursuing this enemy, we as a nation must ensure that the rule of law and respect for human life is preserved while responsibly targeting al-Qaeda.

Our nation's use of and growing reliance on armed drones in remote areas of Afghanistan, Pakistan, Yemen, and Somalia has raised serious questions. Has the administration established a viable legal framework and procedures to oversee the use of targeted drone



Hajj Travel Guide

As families and individuals prepare for the pious pilgrimage of Hajj this year, they are anticipating air travel that has become increasingly difficult over the years. This guide provided by CAIR-Chicago will assist you with preparation for your travels, security and airport tips, as well as points to consider upon reentry into the United States.

PREPARING FOR YOUR IOURNEY

- The Transportation Security Administration (TSA) has specific guidelines regarding what is
 permitted and what is prohibited in both checked luggage and carry-on luggage.
 - Follow this link and read closely for the difference between item allowance in checked and carry-on luggage: <u>http://www.tsa.gov/traveler-information/prohibited-items</u>
- Should you be traveling with children or relatives with special needs, the TSA provides a guide regarding procedures with medication and equipment:
 - http://www.tsa.gov/traveler-information/travelers-disabilities-and-medical-conditions
 http://www.tsa.gov/traveler-information/traveling-children
 - Place valuables such as electronics, jewelry, and personal items in carry-on luggage
- Label all electronics to avoid theft

.

- Limit the amount of electronics you are traveling with, as this may tie you up at the security checkpoints
- The TSA offers guides regarding batteries, electronics, and other personal items:
 - http://www.tsa.gov/traveler-information/safe-travel-batteries-and-devices
 - http://www.tsa.gov/traveler-information/traveling-special-items
- Limit the amount of metal and/or jewelry on your person, as this will smooth the process at the security checkpoint and limit the possibility of metallic or chemical residue setting off alarms.
 - The TSA reserves the right to open and search anything that is wrapped—keep this in mind when
- transporting wrapped gifts.
- If you would like to lock your luggage, the TSA offers a guide of approved locks:
 http://www.tsa.gov/traveler-information/baggage-locks

 http://www.tsa.gov/traveler-information/baggage-locks
- Report currency and traveler's checks in excess of \$10,000 total among your party using the FIN 105 form found on the TSA website: <u>http://www.fincen.gov/forms/files/fin105_cmir.pdf</u>
 You must do this upon your return trip as well
- If you are packing expensive items that may be questioned by customs upon your return to the U.S., pack the receipts for those items.
 - You may also register these items with customs in your home country prior to your departure from the U.S. to avoid declaration upon your return
 - Keep in mind, however, that items with readable serial numbers may be the only items accepted in this case.
- If you are a non-citizen, consult an immigration attorney prior to your departure in case you are denied reentry into the United States

AT THE AIRPORT

- Whilst in line at the security checkpoint, place any items that may set off the metal detector in your coat pockets or a pocket in your carry-on luggage. This will streamline the process.
 - Keep your ID, passport, and boarding pass on hand in case they are asked for by security personnel
- You have the right to refuse a nude body scan and may request the gender of security personnel in the event of a pat-down
- Should you be selected for additional screening:
 - Remain calm, cooperate, and smile
 - Look security personnel in the eye when appropriate (avoidance of eye contact often arouses suspicion in high-security settings)

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Bay People	
Center for Security Policy (CSP), Frank Gaffney	
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Citizens for National Security	
The Clarion Fund	
Concerned American Gitizens	
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Council on American-Islamic Relations

Definition of Islamophobia

slamophobia is fear or hatred of Islam and Muslims. It has existed for centuries, but has become more explicit, more extreme and more dangerous in the aftermath of the 9/11 terror attacks.

his phenomenon promotes and perpetuates anti-Muslim stereotyping, discrimination, harassment, and even violence. It negatively impacts the participation of American Muslims in public life.

CAIR publishes guides explaining Muslim religious practices for educators, employers, journalists, medical professionals, and law enforcement and correctional officials. Other CAIR publications include a Civic Participation Handbook, a Muslim Community Safety Kit and a Know Your Rights and Responsibilities pocket guide.

They are all available at www.cair.com



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Legislative Fact Sheet

Racial and Religious Profiling Abuses at the U.S. Border

January 1, 2013

The Issue

- For the past several years CAIR has received numerous complaints by American citizens about Customs and Border Protection (CBP) agents repeatedly harassing them at the U.S.-Canada border.
- These complaints include being unnecessarily handcuffed, brandishing of weapons, enduring prolonged
 periods of detention, invasive and humiliating body searches, and inappropriate questions about religion.
- Agents have unlawfully asked citizens "Which mosque do you go to" "How many times a day do you pray?" "Who is your religious leader?" "Do you pray your morning prayer in the mosque?" and "Who else prays in your mosque?"
- Although community members harassed at the border have filed multiple inquires through the DHS Traveler Inquiry Program (TRIP), CBP has made no real attempt to provide any means of recourse.
- While CBP says it "strictly prohibits profiling on the basis of race or religion," its practice of religious
 questioning is well documented by CAIR, DHS internal documents, and contradicts CBP written policies.

What is being asked of members of Congress?

- Support a strong letter of inquiry to CBP Deputy Commissioner David Aguilar that seeks clarification of CBP's
 policies and practices in dealing with religious questioning, profiling, and harassment at the U.S. Border.
- Encourage CBP to adopt new policies and practices that better protect the civil and human rights of all people. Such policies include:
 - Establishing clear accountability and oversight systems that are transparent and responsive to civilian complaints, property damage and confiscation, while maintaining a zero tolerance policy that holds all CBP agents accountable who commit civil and human rights violations.
 - Banning the use of racial or religious profiling (i.e. relying to any degree on actual or perceived race, ethnicity, gender, national origin, or religion in electing which individuals are to subject to routine or spontaneous immigration enforcement activities).
 - o Banning all forms of unconstitutional religious questioning at the U.S. border by CBP agents.
 - Installing officer, hold room, and dash-board mounted cameras to record CBP operations.
 - Consulting with an independent commission composed of diverse stakeholders to oversee the implementation of federal policies and programs on the borders and in the immediate interior.

Reasons to Reform Customs and Border Protection Practices

- The First Amendment clearly protects all persons from being questioned about their personal religious beliefs, associations and practices: This right does not end at the U.S. border.
- Such religious questioning is also a violation of the 1993 Religious Freedom Restoration Act, which says the federal government cannot substantially burden a person's free exercise of religion.
- None of the complaints documented by CAIR included individuals that had ever been charged with a crime. Yet, CBP agents are asking questions that indicate a presumption that adherence to Islam is somehow inherently suspicious.
- Racial or religious profiling is presumed to be a primary motivating factor in the vast majority of complaints
 received by CAIR. Most complaints come from Americans of descent from Arab or Muslim countries.
- As a result of this invasive questioning, some individuals have been fired from their jobs for falling behind or lost prospective job, business, and educational opportunities. Other have stopped visiting their families in Canada. And some simply choose to no longer vacation in Canada or Mexico.
- Such practices endanger our national security by wasting limited resources, diverting the mission of CBP
 agents, and creating distrust between these communities and law enforcement agencies.



Written Statement of the Council on American-Islamic Relations

On

Protecting the Civil Rights of American Muslims

Submitted to the

Senate Committee on the Judiciary, Subcommittee on the Constitution, Civil Rights, Human Rights, and the Law

Testimony Prepared by: Corey P. Saylor Council on American-Islamic Relations (CAIR) 453 New Jersey Ave., SE Washington, DC 20003 Phone: (202) 384-8857 Fax: (202) 488-0833 E-mail: <u>csaylor@cair.com</u> Web: <u>www.cair.com</u>

CAIR is America's largest Muslim civil liberties and advocacy organization. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.



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What They Say About CAIR (October 2014)

AWARDS AND RECOGNITIONS

2014: CAIR-National Executive Director Nihad Awad was again named one of the world's 500 most influential by Jordan's Royal Islamic Strategic Studies Center.

2014: CAIR-National Executive Director Nihad Awad was included among Arabian Business Magazine's annual "500 most powerful Arabs in the world."

2014: CAIR-San Francisco Bay Area Executive Director Zahra Billoo received an Unsung Hero Award from the National Lawyers Guild-SF Chapter.

2014: CAIR-San Francisco Bay Area Government Relations Consultant and CAIR-Calif. Board Secretary Sameena Usman received an Asian Pacific Islander American Leadership Award from Calif. Assembly Member Bob Wieckowski.

2014: CAIR-Mich. Executive Director Dawud Walid received the 2014 Booker T. Washington Social Justice Award from the Dr. Martin Luther King Jr. Task Force, Inc.

2014: CAIR-Minn. Board Chair Kausar Hussain received the Outstanding Contribution Award from the Council on Asian-Pacific Minnesotans (CAPM).

2014: CAIR-Minn. Executive Director Lori Saroya was awarded a 2014 Bush Fellowship by the Minnesota-based Bush Foundation.

2014: CAIR-Los Angeles' Communications Coordinator Yasmin Nouh received a "Women Making a Difference" award from Calif. State Senator Lou Correa.

2014: Zainab Chaudry, Co-Founder and Chair of CAIR-Md. Outreach office, received a governor's citation signed by Governor Martin O'Malley for her work with the South Asian Community at the Governor's Pan Asian Summit.

2013: CAIR-National Executive Director Nihad Awad received the Prophet Ibrahim Interfaith Award from the National Islamic Committee on Scouting.

2013: CAIR-Mich. Staff Attorney Lena Masri was honored by the Federal Bar Association for her extensive "pro bono legal services on behalf of poor and indigent clients in the Eastern District of Michigan."

DAFTAR ORGANISASI MUSLIM AMERIKA

- ADAMS (All Dulles Area Muslim Society)
- Al-Fatiha Foundation
- Alianza Islámica
- AlMaghrib Institute
- Alpha Lambda Mu
- American Islamic Congress
- American Islamic Forum for Democracy
- American Muslim Council
- American Muslim Health Professionals
- American Muslims for Palestine
- American Muslims Intent on Learning and Activism
- American Society of Muslims
- As-Sunnah Foundation of America
- Association of Islamic Charitable Projects of North America
- Center for Islamic Information and Education
- Center for Islamic Pluralism
- Congressional Muslim Staffer Association
- Council on American–Islamic Relations
- Council on Islamic Education
- Dar al-Islam (organisation)
- Diyanet Center of America
- Dream Deferred Essay Contest
- Federation of Islamic Medical Associations
- Fiqh Council of North America
- Free Muslim Coalition Against Terrorism
- Hizb ut-Tahrir America
- Inner-City Muslim Action Network
- International Institute of Islamic Thought
- Islamic Association of Palestine

- Islamic Center of New England
- Islamic Circle of North America
- Islamic Information Center
- Islamic Medical Association of North America
- Islamic Society of Boston
- Islamic Society of Greater Dayton
- Islamic Society of Greater Manchester
- Islamic Society of North America
- Islamic Supreme Council of America
- Islamic Thinkers Society
- IslamInSpanish
- Latino American Dawah Organization
- List of Islamic Society of North America conventions
- Malaysian Islamic Study Group
- Minaret of Freedom Institute
- Moorish Science Temple of America
- The Mosque Cares
- Muslim American Public Affairs Council
- Muslim American Society
- Muslim Brotherhood in the United States
- Muslim Consumer Group
- Muslim Legal Fund of America
- Muslim Mosque, Inc.
- Muslim Public Affairs Council
- Muslim Reform Movement
- Muslim Student Union
- Muslim Students' Association
- Muslim Urban Professionals
- Muslims for America
- Muslims for Progressive Values
- Muslims in New York City Project
- National Association of Muslim Lawyers

- North American Islamic Trust
- Peaceful Families Project
- Progressive Muslim Union
- Quranic Literacy Institute
- Revolution Muslim
- Somali Institute for Peace and Justice in Minneapolis
- U.S. Council of Muslim Organizations
- UMAA
- Women's Islamic Initiative in Spirituality and Equality
- Young Muslim Association