

Secretary Janet Napolitano
Department of Homeland Security
U.S. Department of Homeland Security
Washington, DC 20528

January 8, 2010

Dear Secretary Napolitano:

We the undersigned organizations object to the Transportation Security Administration's screening standards issued on January 3, 2010. These standards mandate enhanced security measures for individuals coming from 14 countries, those identified as state sponsors of terrorism, and other "countries of interest."

With the exception of Cuba, this directive targets individuals, including US citizens, traveling from Muslim-majority or Middle Eastern countries with no regard as to whether the passenger poses an individualized threat. Implementation of this policy will result in racial and ethnic profiling, a practice that the DHS has repeatedly disavowed. For instance, on the TSA website, it explicitly states, "TSA does not conduct ethnic or religious profiling, and employs multiple checks and balances to ensure profiling does not happen."¹

Importantly, profiling on the basis of ethnicity and national origin is also an unreliable means of identifying criminal behavior. These new procedures parallel the National Security Entry/Exit Registration System (NSEERS), put into effect shortly after 9/11. Despite tracking at least 83,000 individuals from Middle Eastern and Muslim-majority countries, the NSEERS program did not result in a single terrorism conviction. Neither NSEERS nor the new TSA standards, make us safer because they divert attention and resources away from legitimate leads and identifying suspicious behavior.

All of us are concerned about the security of our nation. However, security policies based on ethnic and religious profiling are both ineffective and contrary to Constitutional principles. Terrorism is neither ethnically nor geographically confined.

We respectfully request that you withdraw the new security directive that targets all individuals traveling from specific countries, and that we be provided a copy. We also respectfully request a meeting with you to directly express our concerns.

Sincerely,

American Arab Anti-Discrimination Committee (ADC)
Arab American Institute (AAI)
Asian American Justice Center (AAJC)
Asian Law Caucus (ALC)
Association of Muslim American Lawyers (AMAL)
Bay Area Association of Muslim Lawyers (BAAML)
Bill of Rights Defense Committee
Chaya
Georgia Association of Muslim Lawyers
Islamic Medical Association of North America (IMANA)
Islamic Society of North American (ISNA)
Japanese American Citizen's League (JAACL)
MAI Family Services

¹ "Religious and Cultural Needs." *Transportation Security Administration*. Available at: http://www.tsa.gov/travelers/airtravel/assistant/editorial_1037.shtm Last accessed January 5, 2010.

Muslim Advocates
Muslim Bar Association of Illinois
Muslim Bar Association of New York (MuBANY)
Muslim Bar Association of Southern California (MBASC)
Muslim Public Affairs Council (MPAC)
New England Muslim Bar Association (NEMBA)
New Jersey Muslim Lawyers Association (NJMLA)
Ohio Muslim Bar Association (OMBA)
Pakistani American Public Affairs Committee (PAKPAC)
Rights Working Group (RWG)
Sikh Coalition
Somali Diaspora Network, Inc (SDN)
South Asian Americans Leading Together (SAALT)
South Asian Network (SAN)

CC: Deputy Secretary Jane Holl Lute, Department of Homeland Security
Assistant Secretary Juliette Kayyem, Department of Homeland Security
Assistant Attorney General Thomas Perez, Department of Justice
Special Counsel Kimberley Walton, Transportation Security Administration
Director Jennifer Carmichael, Office of Civil Rights and Liberties,
Transportation Security Administration
Director Stephanie Stoltzfus, Office of Specialized Screening and Outreach,
Transportation Security Administration
Assistant Secretary Arif Alikhan, Policy, Department of Homeland Security
Acting Officer Stephen Shih, CRCL, Department of Homeland Security