THE FIRST 100 DAYS
BIDEN-HARRIS ADMINISTRATION
Restoring the Rights of American Muslims & Advancing Justice for all Americans
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Top Tier Policy Reform Recommendations for the Biden-Harris Administration by the Council on American-Islamic Relations
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The United States of America was built on a set of principles and laws intended to protect people’s rights and well-being in the United States. Despite the Trump administration’s attempts to diminish the rights of religious and minority communities in the U.S., these principles continue to serve as a vision for a more equal, just, and free society.

With the November 2020 election of President-elect Joe Biden and Vice President-elect Kamala Harris, our nation is presented with an opportunity not only to undo harmful national security approaches adopted under the prior Trump, Obama, and Bush administrations – policies and programs that led to the discriminatory profiling and targeting of American Muslims by state and federal law enforcement – but to adopt new initiatives that protect and respect the rights of all U.S. citizens and residents, including Muslims.

The Council on American-Islamic Relations (CAIR), the nation’s largest Muslim civil rights and advocacy organization, welcomes the incoming Biden-Harris administration’s pledge to end the Muslim Ban on day one, include Muslims at every level of the administration, and address issues of racial and religious discrimination. CAIR plans to join other American Muslim leaders and organizations in ensuring that the new administration fulfills these promises.
In addition to these pledges, CAIR is calling on the new administration to implement – in its first 100 days -- a progressive civil rights agenda that starts with the repeal of the Muslim Ban and then pushes forward to authorize and begin the process of carrying out the following civil rights reforms:

**ENDING NATIONAL SECURITY OVERREACH**

1. Fundamentally reform the federal government’s unconstitutional Terrorist Screening Database (TSDB), commonly referred to as the “terrorism watchlist.”

2. Dismantle the TSA’s secretive Quiet Skies passenger tracking program, its international counterpart Silent Partner, and other rules-based lists, that operate without Congressional oversight to single out law-abiding Muslim travelers for official harassment and extrajudicial consequences without due process.

3. Oppose and defund the U.S. Department of Homeland Security’s (“DHS”) 2020 “Targeted Violence and Terrorism Prevention” (“TVTP”) grant program, the successor of DHS’s previous Countering Violent Extremism (“CVE”) grant program.

4. End the FBI’s use of informants to spy on American Muslim communities.

5. Reject any new domestic terrorism statutes.

6. Close the U.S. military prison at Guantanamo Bay, Cuba and ensure those detainees already cleared for release are repatriated, and those that remain in U.S. custody are provided due process and a day in court.

**ENDING BIGOTED & DISCRIMINATORY IMMIGRATION POLICIES**

7. Fulfill commitment to revoke the Muslim and Africa travel ban executive orders and related proclamations on day-one in office.

8. Work with Congress to adopt the NO BAN Act.

9. Repair the damage done by the Trump administration to the U.S. immigration system.
by reversing restrictions on the ability to travel and immigrate to the United States.

10. Work with Congress to repeal the Visa Waiver Program (VWP) Improvement and Terrorist Travel Prevention Act of 2015, re-evaluate all countries currently designated by the federal government under the VWP, and end all other discriminatory anti-Muslim “extreme vetting programs.”

11. Restore and enhance protections for asylum seekers and refugees, halt the detention of asylum seekers and other abusive practices, invest in refugee resettlement programs, and invest in humane alternatives to detention of asylum seekers and refugees.

COUNTERING RACISM IN POLICING

12. Work with Congress to adopt and pass the George Floyd Justice in Policing Act while also adopting many of the act’s provisions through administrative action.

13. Remove discriminatory loopholes in federal guidance regarding the use of racial and religious profiling by federal law enforcement agencies.

14. Create a centralized database that documents excessive use of force by law enforcement.

15. Require equal treatment of the American Muslim community by federal law enforcement and the criminal justice system.

16. Combat anti-Black and anti-people of color racism in policing by working to reduce and reinvest significant portions of federal funding for the DOJ, FBI and DHS, as well as grants for local police department programs, into resources for underfunded and overpoliced communities of color, among other policies.

DEFENDING CONSTITUTIONAL RIGHTS IN SCHOOLS, WORKPLACE, AND ELSEWHERE

17. Support the free speech of all Americans and the right to boycott without government interference.

18. Support federal and state departments of education efforts to adopt policy reforms to address religious based bullying in schools.

19. End the U.S. Department of Education’s attempts to suppress free speech on college campuses, including attempts to target Middle Eastern studies courses and punishing Palestinian student activists.

DEFENDING CONSTITUTIONAL RIGHTS OF INCARCEREES

20. Work with Congress to fundamentally reform the Prison Litigation Reform Act (PLRA) to ensure incarcerees’ constitutional right to equal access to the courts.

SUPPORTING FAITH-BASED INITIATIVES

21. Ensure American Muslims and other minorities, like all other Americans, have equal access to the COVID-19 vaccine and federal and state aid available to those impacted by the COVID-19 crisis.

22. Request the U.S. Department of Health & Human Services (HHS) provide more funding to American Muslim clinics.
23. Provide greater capital access for faith-based communities, including American Muslims.

**BUILDING A MORE INCLUSIVE REPRESENTATION OF AMERICAN MUSLIMS IN THE FEDERAL GOVERNMENT**

24. Embrace, hire, work with, and consider policy advice from American Muslims and Muslim community organizations.

25. Overhaul existing vetting practices that rely on Alt-Right and Islamophobic online resources on American Muslims and remove additional roadblocks in security clearances for Muslim candidates for positions in government.

**SUPPORTING A PROGRESSIVE AND TRANSFORMATIVE FOREIGN POLICY**

26. Support the religious freedom of Muslims overseas in China, India and Burma.

27. Adopt the U.S. Commission on International Religious Freedom’s (USCIRF) recommendation to sanction India as a violator of religious freedom for targeting Muslims.

28. Oppose the government of India’s illegal revocation of Article 370 of the Indian constitution, stripping the state of Jammu and Kashmir of its protected status and laying siege to its eight million residents.

29. Hold the Kingdom of Saudi Arabia to account for the brutal murder of Washington Post contributor, U.S. resident and human rights activist Jamal Khashoggi.

30. Hold the Kingdom of Saudi Arabia to account for the brutal murder of Washington Post contributor, U.S. resident and human rights activist Jamal Khashoggi.

31. Withdraw any U.S. military advisers to the Saudi-led coalition in Yemen and discontinue the sale of arms to the Kingdom of Saudi Arabia and the UAE.

32. Oppose Israel’s illegal occupation of Palestinian territories.

33. Establish strict new oversight rules to severely limit and publicly detail the Pentagon’s use of drone warfare to engage in targeted killings overseas.
Currently, the watchlist includes more than one million names. And yet, not a single person who has committed an act of terrorism was on the watchlist at the time they committed their crime.
**Ending National Security Overreach**

1. **Fundamentally reform the federal government’s unconstitutional Terrorist Screening Database (TSDB), commonly referred to as the “terrorism watchlist.”** Currently, the watchlist includes more than one million names. And yet, not a single person who has committed an act of terrorism was on the watchlist at the time they committed their crime. In other words, after almost two decades, the watchlisting system has demonstrated no ability to thwart terrorism. Rather, the terrorism watchlist has been used as a tool to secretly and systematically target innocent Muslims for extrajudicial consequences without any due process or accountability. The success of this extrajudicial program depends upon secrecy and eliminating due process protections to individuals the government seeks to target; and, as such, the watchlisting system must be fundamentally reformed. At minimum, the government must adopt a TSDB inclusion standard that precludes innocent people -- persons who have not been arrested, charged, or convicted of a terrorism-related offense -- from being listed.

In 2003, then-President George W. Bush issued executive order HSPD-6. This executive order led to the creation of the Terrorism Screening Database (TSDB) — colloquially known as the “watchlist.” The watchlisting system is comprised of a set of interlocking national security programs throughout the federal government that primarily acts as a “stop-and-frisk” program that targets Muslims enhanced screening and interrogations. The watchlisting system spans the entire country and much of the world.

American Muslims that are targeted by the watchlisting system are designated as “known or suspected terrorists” without any semblance of due process. Their designation in the TSDB subjects them to segregated and enhanced processes and interrogations while traveling, places their safety at risk during routine encounters with law enforcement, results in indefinite delays in the processing of immigration applications and visas, makes them ineligible to obtain various permits, licenses and employment opportunities, and restricts them seeking certain kinds of employment or government benefits. Their designation is also disseminated to private individuals, corporations and foreign governments, resulting in far-reaching consequences that impact their daily lives.

The watchlisting system has demonized and stigmatized the Muslim community. Federal agents have arrested and handcuffed many listees, often at gunpoint and sometimes in front of their children. Customs officers have searched and seized their phones and computers as a matter of policy. At the airport, federal agents repeatedly disrupt listees’ travel plans with prolonged, frightening, and invasive detentions, screenings, and interrogations. Some Muslims targeted by the watchlisting system have been denied the right to even board their flights. Others have been subjected to intrusive
interrogations about their religious beliefs and practices. All these consequences are attributable to the watchlist and the various annotations that accompany the entries on it.

Recommendations:
- Adopting a TSDB inclusion standard that precludes innocent people -- persons who have not been arrested, charged, or convicted of a terrorism-related offense-- from being listed in the TSDB.
- Implementing due process protections for individuals listed in the TSDB.

It is surprising that, to be included on a “terror” watchlist, a criminal designation, one need not be even suspected of a terrorism-related offense. The TSDB inclusion standard that the federal government uses to populate its watchlist is satisfied whenever a person is reasonably suspected of doing something “related to” or “associated with” terrorism. We know that the federal government considers travel to most Muslim-majority countries, performing prayers at a masjid, and studying the Arabic language as conduct that is “related to” terrorism. Indeed, of the more than one million people considered for placement on the watchlist, the FBI has satisfied the watchlist’s inclusion standard more than 99 percent of the time.

We propose an inclusion standard focused on actual criminal conduct that requires individuals to be arrested, charged, or convicted of a terrorism-related offense. This standard would allow the federal government to place people on the watchlist when there is some judicial process that approves of a warrant or an indictment. By adopting this standard, the federal government could ensure that innocent people are excluded from the watchlist. Moreover, religious beliefs and practices cannot serve as a basis for inclusion on the TSDB.

CAIR notes that changing the watchlist’s inclusion standards would also minimize how many individuals will be negatively impacted by USCIS’s application of the Controlled Application Review and Resolution Program (CARRP), which imposes additional rules and review criteria that delay and deny applicants immigration benefits, with little to no public transparency, review, or accountability.

Recommendation: Ending the dissemination of the TSDB to foreign governments, private individuals and corporations, and state and local police officers.

The watchlist is disseminated to more than 60 foreign governments, more than 500 private companies, and to each of the more than 18,000 state, local, and tribal law enforcement entities across the country. It is an indiscriminate dissemination that makes none of us any safer.

The federal government does not even know how these entities are using their access to the watchlist. In particular, the designation of Americans listed on the TSDB is disseminated to foreign governments that are known for committing international crimes and human rights abuses. Nonetheless, dissemination to these governments is completely unmonitored, and foreign governments have detained and even tortured American citizens who have traveled to their countries.
This dissemination must be ended. The federal
government should impose a ban on the interna-
tional dissemination of the watchlist. It should also
ban the dissemination of the watchlist to private
companies. Tens of thousands of state and local
law enforcement agencies should not have access
to what is supposed to be highly sensitive watchlist
information.

2. Dismantle the TSA’s secretive Quiet Skies
passenger tracking program, its international
counterpart Silent Partner and other rules-
based lists, that operate without Congressional
oversight to single out law-abiding Muslim
travelers for official harassment and extrajudicial
consequences without due process.

Under the program, which was first revealed by
the Boston Globe and has been in existence in some
form since 2010, teams of federal air marshals track
American citizens not suspected of a crime and not
under investigation or on a watch list. According to
the Globe, the teams “document whether passen-
gers fidget, use a computer, have a “jump” in their
Adam’s apple or a “cold penetrating stare,” among
other behaviors. All American citizens who enter
the country are automatically screened for inclusion
in the surveillance program. Dozens of air marshals
have expressed concerns about the program.

In practice, the Quiet Skies Program is
discriminatory and thoughtless as it punishes those
who through family, community or the workplace
have relationships with individuals the federal
government has designated as a “known or suspect-
ed terrorist.” As pointed out above, the watchlist
itself is discriminatory and unconstitutional. The program must end as it imposes indiscriminate surveillance upon a designee’s family members, friends, co-workers and travel companions at airports and on airplanes.

3. Oppose and defund the U.S. Department of Homeland Security’s (“DHS”) 2020 “Targeted Violence and Terrorism Prevention” (“TVTP”) grant program, the successor of DHS’s previous Countering Violent Extremism (“CVE”) grant program. Any program, regardless of how well-intentioned, if conceived with CVE as a primary or secondary factor in its conception, planning, or execution, immediately loses all credibility because it securitizes the services offered and treats its beneficiaries as potential threats.

CVE/TVTP programs have resulted in the targeting of individuals’ political opinions and free exercise of religion. These are activities protected by the First Amendment which no government-sponsored programs should encroach upon. Law enforcement cannot be allowed to use them as a basis for law enforcement action and risk the danger of flagging innocuous activity as pre-terrorism and suppressing religious observance and speech.

While CVE/TVTP programs continue to be promoted by federal agencies as being facially neutral – not officially identifying any specific communities being targeted by the program – it is widely understood that American Muslims are the primary target of CVE/TVTP programs. Despite years of experience with CVE/TVTP programming in the U.S. and abroad, there is no evidence that these programs contribute to reducing terrorism. Such government and other related programs established to counter violent extremism which incorporate steps for “intervention” can too easily slip into policing ideology.

The key to diminishing the appeal of extremist inspired violence, which preys on the hopelessness, helplessness, and perceived injustices of the disenfranchised, is to let communities naturally express their dissent and criticism through healthy alternatives without government involvement or intervention.

Communities should be left alone to naturally develop and conduct their own engagement, lead-
ership, and youth development programs—without strings attached. These programs are best designed to equip participants to articulate their views and advocate for themselves through democratic processes.

The Biden-Harris administration needs to respond to the concerns of American Muslims about CVE/TVTP – the primary community this national security program was designed to profile and monitor – and provide a clean break from the policies of past administrations by:

- **Ending CVE/TVTP:** Work with Congress to stop funding CVE/TVTP and require all federal agencies, state governments, and law enforcement agencies involved with the program to disband all programs funded by CVE/TVTP grants.

- **Expanding government services but de-link this expansion from law enforcement:** Governments at all levels should expand outreach to all communities, especially marginalized ones, to provide services including mental health treatment, job training, and youth sports leagues. However, this should be routine programming and not in any way classified as part of a national security program.

- **Preserving First Amendment Values:** CVE/TVTP results in the targeting of individuals’ political opinions and free exercise of religion. These are activities protected by the First Amendment which no government-sponsored programs should encroach upon. Law enforcement cannot be allowed to use them as a basis for law enforcement action and risk the danger of flagging innocuous activity as pre-terrorism and suppressing religious observance and speech.

4. **End the FBI’s use of informants to spy on American Muslim communities.** CAIR fully supports law enforcement counterterrorism investigations that are based on credible information, carried out to prevent criminal acts of violence, or to halt material support to would-be terrorists. CAIR believes that responsible enforcement of counterterrorism programs is what truly keeps Americans safe. American Muslims have a religious and civic duty to report information about possible crimes to law enforcement and have a proven track record of doing so.

During the last two decades, the FBI has built a network of 15,000 registered informants, many of whom are paid to infiltrate American Muslim communities.

In most cases, FBI informants are not patriotic citizens working with law enforcement to make our society more secure. Many are criminals who engage in further criminal activities to get their own criminal charges lowered or dismissed (usually earning money in the process).

Some unlucky immigrants are even pressured by the FBI to act as informants out of fear of deportation or placement on the terror watchlist. Driven by the desire to get charges dropped, to make money, or anxiety over being deported, informants can easily drift into acting as agent-provocateurs.

One such example is career criminal Craig Monteilh, who acted as an informant in the Muslim community in Southern California. His behavior among Muslim youth provoked so much
suspicion that the Muslim community contacted CAIR, which then reported him to law enforcement. The FBI, however, did nothing because Monteilh was on their payroll. He eventually blew his own cover in claiming that the FBI did not pay him all of his provocateur wages.

CAIR notes in December 2020, the U.S. Supreme Court ruled in favor of three Muslims who were told by the FBI that they would only be removed from the No-Fly List if they agreed to become FBI informants against their community. The court affirmed the right of those three Muslim individuals to obtain damages against federal officials who violate the Religious Freedom Restoration Act, known as RFRA.

CAIR believes that it is the inherent right of every American Muslim to worship freely in their mosques and community centers without the First Amendment chilling effect of being afraid there is an FBI informant posing as a fellow congregant recording every spoken word in their mosques and community centers. Moreover, CAIR believes that it is morally wrong for the FBI to use the threat of being placed on the unconstitutional watchlist to compel Muslims into spying on their own communities.

CAIR is calling on the Biden-Harris to end the FBI’s use of informants to wrongfully target American Muslim communities without any credible evidence of criminal wrongdoing. Without breaks on such practices, our nation risks the FBI operating against American values – and like secret police in other nations.

5. Rejection of any new domestic terrorism statutes. The U.S. already has enough laws on the books to investigate or charge those who plan or carry out politically motivated acts of violence or hate. It is important to note that the Homeland Security Advisory Council on Preventing Targeted Violence Against Faith-Based Communities 2019 report did not endorse new domestic terrorism laws. American Muslims strongly oppose any new domestic terrorism designations or new charges in response to the growing threat of violence from white supremacist groups. New standards created to go after white supremacists planning or carrying out acts of violence have the potential to be abused by future administrations. Like the current French government’s anti-Muslim political targeting and shutting down of Muslim-led nonprofit advocacy, charity and faith groups, the Muslim community generally agrees that future administrations in the U.S. could use such standards to falsely designate perceived political opponents or wrongly attribute the criminal actions of individuals to those political opponents.

6. Close the U.S. military prison at Guantanamo Bay, Cuba and ensure those detainees already cleared for release are repatriated, and those that remain in U.S. custody are provided due process and a day in court. CAIR condemned President Donald Trump’s executive order that kept the U.S. military prison at Guantanamo Bay open, revoking the Obama administration’s 2009 order to close the facility. We are now calling on the Biden-Harris administration to end this deeply discredited military detention strategy. The prison’s
severely mismanaged military tribunals have yet to convict a single defendant, at a time when our civilian courts routinely try terrorism cases.

Guantanamo Bay subverts the criminal justice system by not giving these 40 incarcerated men their due process and day in court. Those determined to be innocent should be released and sent back to their families. The accused should be given a fair trial, consistent with our nation’s constitutional values. Only the guilty should be sentenced, providing closure to their victims. Our government should not prolong the imprisonment of detainees already cleared for release.

CAIR cautions the Biden-Harris administration against the closure of the prison by simply creating a comparable facility with the same inadequate judicial processes inside the United States.
The U.S. immigration system under the Trump administration adopted several restrictive programs and policies, with many of these initiatives having discriminatory motivations.
Ending Bigoted and Discriminatory Immigration Policies

7. Fulfill commitment to revoke the Muslim and Africa travel ban executive orders and related proclamations on day-one in office. American Muslims are calling for the immediate revocation of the Muslim and Africa Travel Ban executive orders and welcome the Biden-Harris administration’s pledge to end these travel bans.

On January 31, 2020, the Trump administration expanded the Muslim Ban to Burma, Eritrea, Kyrgyzstan, Nigeria, Sudan, and Tanzania. On Burma, Eritrea, Kyrgyzstan and Nigeria, the restrictions will apply to immigrant visas — for those seeking to live or work in the U.S. permanently. For Sudan and Tanzania, the restrictions were placed on diversity visas. Iran, Syria, Libya, Venezuela, North Korea, Yemen, and Somalia were already subject to the travel ban, and remain so.

The White House must work towards immediately reversing these executive orders and repairing the damage that has already been caused by unjustly separating family members, depriving students of educational opportunities, and blocking skilled workers from accepting jobs in the United States.

8. Work with Congress to adopt the NO BAN Act. American Muslims support the Congressional passage and signing into law of the National Origin-Based Anti-discrimination for Non-immigrants Act (NO BAN Act), a comprehensive bill repealing the Muslim Ban. In July 2020, CAIR applauded the U.S. House of Representatives for voting to pass the NO BAN Act (H.R. 2486, formerly H.R. 2214) and urged U.S. Senate Republican leadership to support the bill.

The NO BAN Act includes three critical components to ensure that no future administration would adopt such a discriminatory travel ban:

- Legally repeals each iteration of the Muslim Ban – including one that specifically targeted refugees for extreme vetting – as well as an asylum ban issued after the Supreme Court’s ruling that relied on the same authority as the Muslim Ban;
- Amends the Immigration Nationality Act’s nondiscrimination provision to explicitly prohibit discrimination based on religion and to apply all nondiscrimination protections to immigrant and nonimmigrant visa applicants alike;
- Responsibly limits overly broad executive authority to issue future bans by, among other things, imposing stricter requirements and mandatory reporting to Congress.

9. Repair the damage done by the Trump administration to the U.S. immigration system by reversing restrictions on the ability to travel and immigrate to the United States. The U.S. immigration system under the Trump administration adopted several restrictive programs and policies, with many of these initiatives having discriminatory motivations. To undo the Trump
Ending Bigoted & Discriminatory Immigration Policies

administration’s disastrous assault on the movement of travelers, workers and those seeking residency and citizenship, CAIR is calling on the Biden-Harris administration to adopt the following reforms:

- Lift all obstacles and restrictions placed by the Trump administration to the processing of green card and citizenship applications.
- Revoke the current executive order limiting Green Cards in response to the coronavirus.
- Dismantle Trump administration’s Denaturalization Task Force.
- Accept at least 125,000 refugees per year as previously pledged by President-elect Biden on the campaign trail. At present, the Trump administration has set a cap of admitting no more than 15,000 refugees per year in 2021.
- Lowering the overall processing times for visa applicants, especially from Muslim countries that have been targeted by discriminatory “extreme vetting programs.” That includes dismantling the USCIS’s application of the CAARP, as referenced previously, which has been used to routinely target Muslims, Arabs, Middle-Easterners and South Asians.
- Dismantle the Trump administration’s “public charge test” which seeks to break up traditional family and support networks in immigrant communities by imposing a financial litmus test on U.S. citizens wanting to take care of their elderly or ill parents in need of relocating from abroad.
- Undoing the Trump administration’s proposed revisions to USCIS’s naturalization exam that would make the test longer and harder to pass for immigrants seeking citizenship. USCIS is currently proposing to expand the test from 10 to 20 questions and changing the passing score from 6 out of 10 to 12 out of 20.
- Rescind the Trump administration’s 81% increase in the cost of fees paid to USCIC for U.S. citizenship naturalization and the unprecedented $50 fee in the Application for Asylum and for Withholding of Removal. The $50 fee makes the U.S. one of only four other counties in the world that charges would be asylum seekers.
- Protect Dreamers and create a pathway to citizenship for all undocumented immigrants residing in America. CAIR applauds the Supreme Court and lower federal courts for standing firm against the Trump administration’s many attempts to harm Dreamers, some of the most dynamic and success-oriented members of our society. While ensuring Dreamers remain protected, CAIR is calling on the Biden-Harris administration to work with the U.S. Congress to pass the Dream and Promise Act along with other comprehensive immigration reform.

10. Work with Congress to repeal the Visa Waiver Program (VWP) Improvement and Terrorist Travel Prevention Act of 2015, re-evaluate all countries currently designated by the federal government under the VWP, and end all other discriminatory anti-Muslim “extreme vetting programs.”

Lurking beneath the Muslim and Africa Travel Ban executive orders exist a discriminatory framework of anti-immigrant and anti-Muslim immigration laws and other discriminatory anti-Muslim extreme vetting programs and policies that need to be overturned. Overturning the Muslim and Africa
Travel Ban without addressing these flawed underlying programs would be substituting one form of discrimination for another. That is because this act and related extreme vetting programs have had a similar lasting effect of separating Muslim families and impacting American commerce and education.

On December 18, 2015, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015 became law as part of the Consolidated Appropriations Act 2016. At that time, more than half the nation’s governors declared Syrian refugees were not welcome in their states as the U.S. rejected those fleeing war and persecution. By doing so America abandoned our ideals and projected our fears onto the world.

CAIR notes the initial policy framework of the Muslim Ban was a combination of prior DHS and the State Department extreme vetting programs, which primarily targeted visa applicants from Muslim countries, with the implementation of the Visa Waiver Program Improvement and Terrorist Travel Prevention Act

This act as it places a higher burden on Muslim travelers from VWP countries seeking to come to the US— even if they worked for well-known humanitarian organizations or news outlets in those listed countries. Subjected to DHS and the State Department’s “Extreme Vetting Programs,” Muslim travelers who have visited those listed countries, or hold dual citizenship, have endured extremely long administrative holds on their visa applications, doubling or tripling of their paperwork, in some cases lasting years, or resulting in the arbitrary rejection of their applications.

Today, the act continues to impact travelers that are:

- Nationals of Visa Waiver Program countries who have traveled to or been present in Iran, Iraq, North Korea, Sudan, Syria, Libya, Somalia and Yemen on or after March 1, 2011 (with limited exceptions for travel for diplomatic or military purposes in the service of a VWP country).
- Nationals of VWP countries who are also nationals of Iran, Iraq, North Korea, Sudan, or Syria.

Until the act can be repealed, CAIR is calling on the Biden-Harris administration to use the legal authority it has under this act to review and consider delisting countries currently designated by the act.

11. Restore and enhance protections for asylum seekers and refugees, halt the detention of asylum seekers and other abusive practices, invest in refugee resettlement programs, and invest in humane alternatives to detention of asylum seekers and refugees.

The federal government must allow asylum seekers due process instead of throwing them in ICE detention centers for endless periods of time as if they were criminals. Seeking asylum is a human right, including for South Asians who are fleeing India’s nationalist government and ruling party, which has discriminated and harassed Sikhs and other religious minorities, causing them to flee for their lives to the U.S. only to end up in ICE facilities. In April 2016, the Obama administration deported 85 Muslim asylum seekers, some of whom were on a hunger strike, from Bangladesh,
India, and Nepal. More recently, in January and February of 2019, a group of detained asylum seekers from India, known as the “El Paso 9”, made headlines after they went on hunger strike and were brutally force fed by ICE for nearly a month. ICE’s actions moved 49 members of Congress to send a letter to DHS’s Office of Inspector General (OIG) in February 2019 demanding an investigation into the agency’s use of force feeding.
Countering Racism in Policing

12. Work with Congress to adopt and pass the George Floyd Justice in Policing Act while also adopting many of the act’s provisions through administrative action. On Jun 3, 2020, CAIR welcomed the passage of the George Floyd Justice in Policing Act by the US House of Representatives. While no one congressional reform package can ever fully address the systemic problem of police killings, violence, and profiling targeting Black Americans and other minority communities, CAIR views the Justice in Policing Act as a good first step.

- CAIR is urging the Biden-Harris administration to work with leaders in the U.S. Senate to hold a vote and pass this important act. To date, Senate Republicans, have introduced the Justice Act, an alternative bill which does little to reform police practices at the federal level.

- In the meantime, CAIR encourages the Biden-Harris administration to adopt through administrative action and executive order several of the act’s priorities, including:
  - Changing the federal standard for the use of force by federal officers to require force can only be used when needed to prevent impending death or serious bodily injury.
  - Banning federal law enforcement and local and state police officers on federal taskforces from using chokeholds and other harmful tactics that result in asphyxiation, which resulted in the death of George Floyd.
  - Banning federal law enforcement from requesting no knock warrants in drug cases, which resulted in the death of Breonna Taylor, or participating in such raids with state and local police.
  - Establishing a national police misconduct registry to ensure police officers cannot avoid accountability by changing departments and requiring state and local law enforcement agencies to report use-of-force incidents to the DOJ.
  - Working with congress to change U.S. code 18, section 242 to better enable prosecutors to successfully hold law enforcement accountable for the deprivation of civil rights and civil liberties.
  - Ending the federal transfer of military equipment to state and local police.
  - Mandating a DOJ review of and issuance of recommendations on police accreditation standards.
  - Requiring federal law enforcement officers to wear body-worn cameras.
  - Assisting State and local law enforcement agencies in purchasing body-worn cameras and securely storing and maintaining recorded data for law enforcement officers.
  - Strengthening of DOJ Civil Rights Division’s Pattern or Practice Investigations to reform serious patterns and practices of excessive force, biased policing and other unconstitutional practices by law enforcement.
  - Finding ways to encourage state attorneys general to create an independent process to investigate misconduct or excessive use of force.

Relatedly, CAIR also calls on the Biden-Harris...
administration to work with Congress to pass legislation that prohibits police officers that invoke qualified immunity, in connection with claims of excessive use of force, from benefitting from free legal representation.

13. **Remove discriminatory loopholes in federal guidance regarding the use of racial and religious profiling by federal law enforcement agencies.** Since late 2014 and early 2015, CAIR, the Congressional Asian Pacific American Caucus (CAPAC), the Leadership Conference on Civil and Human Rights (LCCHR), and Human Rights Watch, and many other civil rights groups, have called for the removal of “Muslim and Hispanic carve-outs” from the DOJ’s then updated Guidance Regarding the Use of Race by Federal Law Enforcement Agencies that authorize the Department of Homeland Security (DHS) to discriminate at airports and at borders, and allows the Federal Bureau of Investigation (FBI) to “map” minority communities to spy by the placement of informants.

In the most definitive critique of the memo, in February 2015, LCCHR and more than 80 civil and human rights groups, including CAIR, wrote to President Barak Obama seeking the memo’s complete overhaul.

CAIR is calling on the Biden-Harris administration to update this guidance by removing all loopholes, prohibiting FBI mapping of minority communities, stopping related domestic spying programs based on racial and religious profiling, and following the overall recommendations of the LCCHR coalition letter to President Obama.

14. **Create a centralized database that documents excessive use of force by law enforcement.** Every year, an untold number of unarmed individuals, including many people of color, die at the hands of police officers across the United States. The officers responsible for such deaths rarely face an independent investigation, termination, or prosecution.

Furthermore, no single official database tracks these deadly incidents at the federal level, nor does the Justice Department automatically investigate all of them. Only when a death is captured on cell phone video does the wider public take notice of this all-too common and widespread problem, sometimes leading to federal action.

In order to reduce the prevalence of police brutality, especially against people of color, the Justice Department should:

a. Establish an official and comprehensive database that tracks use-of-force incidents resulting in the death of unarmed suspects or civilians, and

b. Automatically investigate every such incident to determine whether a federal prosecution for a civil rights violation is appropriate.

**Tracking & Documenting Deadly Force Against Unarmed Individuals:** The Federal Bureau of Investigation established a pilot program database designed to track use-of-force incidents in 2017. On Jan. 1, 2019, the database became fully operational and accessible nationwide. Law enforcement agencies can submit detailed information
regarding three types of use-of-force incidents:

- When a fatality of a person occurs connected to use of force by a law enforcement officer
- When there is serious bodily injury to a person connected to use of force by a law enforcement officer
- In the absence of either death or serious bodily injury, when a firearm is discharged by law enforcement at or in the direction of a person (FBI – National Use of Force Data Collection)

However, use of the database is completely voluntary. Local and state law enforcement agencies do not have to report data about these incidents to the federal government. Much like the FBI’s statistics on hate crimes, data regarding use-of-force incidents is therefore incomplete and undercounted.

Although private organizations have attempted to track and document these incidents, their ability to effectively and comprehensively do so is hampered by limited access to both information and resources.

Given the persistent and widespread nature of police violence against unarmed individuals, the federal government must develop a system to document the worst of these incidents. At the very least, the Department of Justice (DOJ) should fully document and investigate every deadly use-of-force incident against unarmed individuals.

As for how to gather this information: the federal government should condition any aid, grants, training or other assistance to local law enforcement agencies on their agreement to submit regular and complete data regarding deadly use-of-force incidents against unarmed individuals. This should help dramatically increase the number of law enforcement agencies which track and report data regarding these incidents.

Automatically Launching Federal Investigations of Deadly Force Against Unarmed Individuals:

Far too often, local police officers investigate other local police officers, and local district attorneys review cases involving officers they work with on a regular basis. Impacted communities cannot trust the results of these inherently flawed local internal investigations.

The Justice Department should therefore require U.S. Attorney offices across the country to establish a task force of prosecutors who identify and automatically investigate every deadly use-of-force incident against unarmed individuals. This process should be automatic; it should not take a viral video of a deadly incident to spur a federal investigation.

If the U.S. Attorney ultimately determines that an actionable violation of civil rights law has occurred, his or her office should pursue the case to the full extent of the law, especially if local authorities have failed to take appropriate action.

By conducting an independent investigation and filing federal charges when appropriate, the federal government can help instill confidence in our judicial system and deter future civil rights violations.
15. Require equal treatment of the American Muslim community by federal law enforcement and the criminal justice system. According to the Institute for Social Policy Understanding’s (ISPU) “Equal Treatment Report: Measuring the Legal and the Media Responses to Ideologically Motivated Violence in the United States,” prosecutors sought three times the sentence length for Muslim perpetrators compared to perpetrators not identified as Muslim for similar plots of attempted ideologically driven violence. Additionally, Muslim perpetrators received four times the average sentence as their non-Muslim counterparts for attempted plots of similar conduct. Moreover, undercover law enforcement or an informant provided the means of the crime (such as a firearm or inert bomb) in a majority (two-thirds) of convictions in plots involving a perceived Muslim perpetrator, but in a small fraction (two out of twelve) of those involving a non-Muslim perpetrator. The DOJ also issues press releases from its national office in the perceived Muslim perpetrator violent plots examined six times more often than in the perceived non-Muslim perpetrators violent plots.
16. Combat anti-Black and anti-people of color racism in policing by working to reduce and reinvest significant portions of federal funding for the DOJ, FBI and DHS, as well as grants for local police department programs, into resources for underfunded and overpoliced communities of color, among other policies.

Police violence is now a leading cause of death for Black men. One recent study found that 1 in 1,000 Black men can expect to die at the hands of a police officer. Public health experts have also described police violence as a serious public health issue.

To address this systemic threat of racist police violence, CAIR is requesting the Biden-Harris administration work with Congress, within federal law enforcement agencies, and local cities and states across the county, to reevaluate the scope and purpose of their police departments, identify ways to decriminalize non-violent offenses, and otherwise radically transform the way cities serve and protect their communities.

Too often, law enforcement is asked to address non-law enforcement related matters such as mental health crises, homelessness, youth development, substance abuse, regulatory violations, and housing issues. The role of law enforcement in these and other situations must be curtailed, and investment in local communities must be prioritized.

In reevaluating how to create more just federal, state and city budgets, CAIR encourages the Biden-Harris administration to work with elected officials to explore every option for reform that scales down and demilitarizes police forces. This includes addressing the interconnected issues of criminal justice and sentencing reform and ending the use of private prisons.

CAIR also recognizes that states and cities are the laboratories of democracy. A just budget in New York may look very different from a just budget in Minneapolis because the cities have different needs. Communities impacted by police violence must be empowered to take the lead in developing budgets and solutions that address their own safety, public health and development needs.

We ask that the Biden-Harris administration to work with cities across the country to invest in social services to address many of the root causes that contribute to situations in which the police are called.

“If the U.S. Attorney ultimately determines that an actionable violation of civil rights law has occurred, his or her office should pursue the case to the full extent of the law, especially if local authorities have failed to take appropriate action.”
17. Support the free speech of all Americans and the right to boycott without government interference. So far, 30 states across the country have adopted legislation or executive orders restricting the protected First Amendment rights of Americans who participate in the international Boycott, Divestment, and Sanctions (BDS) movement. In turn, CAIR has filed several lawsuits that have successfully sought injunctions against the continuing enforcement of state laws that criminalize the BDS movement and CAIR is seeking those laws to be declared unconstitutional and unenforceable.

The BDS movement is a global campaign promoting Palestinian human rights and opposing Israeli governmental policies in the West Bank and Gaza by calling for various forms of peaceful boycotts against Israel.

At the federal level, Congress continues to consider the “Israel Anti-Boycott Act,” a law that would effectively criminalize and penalize certain types of free speech on BDS and has already adopted anti-BDS movement resolutions. Last year, the White House issued an executive order that chills academic freedom by conflating the vile bigotry of anti-Semitism with First Amendment-protected criticism of the Israeli government’s human rights abuses. American Muslims call upon federal and state governments to undo all restrictions and reaffirm the right of all to engage in boycotts, including BDS.

CAIR and other progressive advocacy groups continue to urge local and state governments, Congress and the White House to reaffirm the right of all Americans to engage in boycotts. Throughout our nation’s history, Americans have engaged in many important morally driven boycotts, including the Boston Tea Party and the boycott of apartheid South Africa.

Relatedly, CAIR and other progressive groups have called for the revocation of last year’s executive order that seeks to chill academic freedom by conflating the vile bigotry of anti-Semitism with First Amendment-protected criticism of the Israeli government’s human rights abuses.

Again, CAIR and other progressive advocacy groups continue to urge state and federal governments to reaffirm the right of all Americans to engage in boycotts, including BDS.

18. Support federal and state departments of education efforts to adopt policy reforms to address religious based bullying in schools.

In a study conducted by the Institute for Social Policy and Understanding (ISPU) on a nationally representative sample of American families, 42% of Muslims, 23% of Jews, and 6% of Catholics reported that at least one of their children had been bullied in the past year because of their religion. And, shockingly, in 25% of the cases involving
Muslim students, a teacher or administrator at school perpetrated the bullying.

A 2019-2020 survey published this year by CAIR California found that 568 students across the Central Valley, Sacramento, Los Angeles, San Diego, and San Francisco areas found that nearly 40% of those surveyed experienced discrimination or Islamophobia while in college.

According to study, about 35% of students were uncomfortable with the representation of Islam in class textbooks and materials, and 25% reported they were uncomfortable with how a professor or instructor discussed the religion.

About 19% of surveyed students also said they experienced discrimination from school personnel, including unfair grades, unjustified stops by school police, retaliation by administrators, and denial of school services.

19. **End the U.S. Department of Education’s attempts to suppress free speech on college campuses, including attempts to target Middle Eastern studies courses and punishing Palestinian student activists.** Numerous Muslim, Arab and civil rights organizations have pledged to oppose a recent Trump administration executive order that attempts to have the Department of Education suppress academic freedom by conflating the vile bigotry of anti-Semitism with First Amendment-protected criticism of the Israeli government’s human rights abuses against Palestinians. We call for the reversal of this executive order and other related policies and for greater protections of student activists that support the civil and human rights of Palestinians.
Defending Constitutional Rights of Incarcerees

20. Work with Congress to fundamentally reform the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a) ("PLRA") to protect incarcerated's constitutional right to equal access to the courts. The PLRA was enacted by Congress in 1996 for the purpose of restricting the ability of incarcerated to file lawsuits challenging their confinement conditions. As a result, the PLRA has resulted in de facto immunity that has allowed correctional facilities to engage in widespread and egregious civil rights violations against incarcerated while escaping accountability and liability.

On the one hand, correctional facilities have been given free rein to institute their own grievance procedures that incarcerated are required to exhaust before they can file a lawsuit challenging their confinement conditions. Otherwise, lawsuits filed pro se can be dismissed by a court sua sponte without the correctional facility ever having to answer or defend the claims. On the other hand, attorneys' fees are subject to caps and restrictions such that attorneys are deterred from accepting and investing in lawsuits that do not have a high likelihood of success.

The inevitable result has been a proliferation of jailhouse lawyers -- who without any background in the law have been forced to litigate and advocate for themselves. Even then, incarcerated filing lawsuits pro se are subject to a stringent three-strikes provision, whereby in the event that they file three lawsuits that are deemed by a court to be frivolous, malicious, or that fail to state a claim, the incarcerated is required to pay the entire court filing fee up front for all future lawsuits unless they are at threat of immediate harm. Moreover, incarcerated are not entitled to collect damages for mental or emotion harm. Rather, they must prove physical harm to be entitled to damages.

The PLRA has created a perfect storm that turns a blind eye to the abuses and civil rights violations that correctional facilities systematically and blatantly inflict against their incarcerated with impunity. At the same time, the PLRA has successfully thwarted meaningful and equal access to the courts to challenge confinement conditions and reform discriminatory policies. The PLRA is a flagrant violation of the U.S. Constitution that must be fundamentally reformed.
Supporting Faith-Based Initiatives

21. Ensure American Muslims and other minorities, like all other Americans, have equal access to the COVID-19 vaccine and federal and state aid available to those impacted by the COVID-19 crisis. Like all other Americans, Muslims have been impacted in multiple ways by the COVID-19 crisis: physically, psychologically, and of course financially. CAIR is calling for the Biden-Harris administration to ensure that all minority and disadvantage communities are guaranteed equal access to the planned release of the COVID-19 vaccine. Any American unable to pay for the vaccine should be given free doses. Below is a summary of the unique ways Muslims have responded to and experienced this global pandemic:

- Americans who are Muslim are only 1% of the population but make up a disproportionate segment of frontline workers during this pandemic. For example, in Michigan, 15% of all doctors are Muslim, and in New York City, one of the hardest hit areas of our country, Muslims make up a full 10% of the city’s medical doctors.
- Muslims also make up a staggering 40% of all New York City cab drivers, an under-recognized group of essential workers risking their health every day by transporting often ill customers to doctor appointments or the pharmacy.
- A third of Muslim families are low income (living at or below the poverty line), a larger percentage than any other major faith community in America. Low-income people have been among the hardest hit by the COVID-19 pandemic.
- Economically disadvantaged Americans are the most likely to be frontline workers, to lack access to proper healthcare, and to have no cash or credit cushion should they lose their job, magnifying the negative impact of the COVID-19 crisis on poor families.
- After racial data for COVID-19 patients in many states became available, it has become clear that COVID-19 is disproportionately impacting Black communities across the nation — including and especially Black Muslims, who make up between a quarter and a third of American Muslims overall. The National Black Muslim COVID Coalition (BMCC) was organized to directly address this issue. Black and Arab Muslims are the most likely to report lower income, and Muslims as a faith group are the most likely of any faith community to report living at or below the poverty line.

22. Request the U.S. Department of Health & Human Services (HHS) provide more funding to American Muslim clinics. American Muslim leaders are calling for HHS to proportionally fund Muslim and other minority health clinics like the level of support HHS already provides to Christian and Jewish community clinics. This goal can be archived in part through better community engagement and targeting of Muslim and other minority health clinics to apply for federal funding.
23. Provide greater capital access for faith-based communities, including American Muslims. Minority businesses especially in African American communities have traditionally lacked resources to invest in entrepreneurial ventures due to historic denial of economic opportunity supported by both the American government and the private sector. For Muslims this can be exacerbated by restrictions on interest-based financing. As such, CAIR recommends the Biden-Harris administration adopt the following reforms:

• Create within the Treasury and/or Commerce Departments a grant program to develop faith-based financing tools to support working and asset purchases for religiously observant businesses.

• Provide CRA credit to banks that create faith-based financing tools for business and individual needs.

• Provide parity of tax treatment to faith-based financial products in comparison to traditional interest-based products. Example: If the interest portion of a home mortgage is tax deductible for the borrower, any corresponding profit portion of a faith-based production paid by the borrower should also be tax deductible for the borrower.
Building a More Inclusive Representation of American Muslims in the Federal Government

24. **Embrace, hire, work with, and consider policy advice from American Muslims and Muslim community organizations.** CAIR welcomed President-elect Biden's pledge to appoint Muslims at every level of his administration. American Muslim leaders are now calling for action on these words during the transition and after the inauguration. At present, American Muslims are not well represented in the U.S. government and are calling for the appointment of a Muslim to a White House cabinet level position, director of a federal agency, to the federal judiciary (attorneys and judges), as U.S. ambassadors, and to other presidential and agency task forces and committees.

25. **Overhaul existing vetting practices that rely on Alt-Right and Islamophobic online resources on American Muslims and remove additional roadblocks in security clearances for Muslim candidates for positions in government.** Nearly all American Muslim civil society organizations, leaders and activists have been wrongly targeted by misinformation campaigns led by anti-Muslim hate groups, commonly referred to as the U.S. Islamophobia Network. In turn, these misinformation campaigns have been widely embraced by alt-right political groups and politicians who pand for their votes. These misinformation campaigns have led national law enforcement agencies, elected officials and past Republican and Democratic presidential administrations to incorrectly rely on such misleading and false online content in their vetting processes when considering which U.S. Muslim civil society organizations and leaders with whom to work and meet. This has negatively impacted how and who the government interacts with from the Muslim community - as well as hurting the prospects of Muslim candidates seeking jobs, appointments or other positions within the federal government.

Additionally, many American Muslims in security clearance processes have experienced unclear and endless delays. This process needs to be reviewed and corrected. American Muslims are calling for a temporary advisory presidential task force to ensure an end to the government relying on discriminatory misinformation and blacklisting of individuals and organizations that result in limiting community engagement and security clearances for government positions. Fair and formal standards must be established to ensure the use of authoritative content in determining federal appointments, administration engagements and collaboration for effective policy development and implementation.
Nearly all American Muslim civil society organizations, leaders and activists have been wrongly targeted by misinformation campaigns led by anti-Muslim hate groups.
Supporting a Progressive and Transformative Foreign Policy

26. **Support the religious freedom of Muslims overseas in China, India and Burma.** There is no disagreement in the U.S. that China, India and Burma have instituted national-level policies violating religious freedom and security of Muslim minority religious communities that reside in those countries.

China has imprisoned more than 1 million Uyghur Chinese Muslims in concentration camps for practicing their Islamic faith and turned the Xinjiang Uyghur Autonomous Region into a surveillance state that monitors every detail about daily Uyghur life.

The U.S. Commission on International Religious Freedom (USCIRF) recently cited the Indian government for using “its strengthened parliamentary majority to institute national-level policies violating religious freedom across India, especially for Muslims. Most notably, it enacted the Citizenship (Amendment) Act, which provides a fast track to Indian citizenship for non-Muslim migrants from Afghanistan, Bangladesh, and Pakistan already residing in India.”

In its 2020 Annual Report, USCIRF recommends that China, India and Burma be listed by the State Department as “countries of particular concern” (CPCs).

Burma’s (Myanmar) government and military has led a campaign of genocide targeting Rohingya Muslims in the northern state of Rakhine, killing thousands and forcing upwards of a million to flee their homes for neighboring Bangladesh and surrounding countries.

The question remains how much considerable pressure the U.S. is willing exert on these countries to better secure the rights and safety of their Muslim citizens. CAIR continues to support the blacklisting of companies that benefit from these countries’ religious and human rights abuses, as well as enacting visa bans on all officials linked to these targeted abuses.

CAIR recommends that the U.S. end all military aid to Burma and India until their state campaigns of religious violence and oppression come to an end. The U.S. should also make all aid to India and Burma conditional on reform. We also call on the Biden-Harris administration to investigate India, China and Burma for crimes against humanity, as well as consider designating China and Burma’s crimes as genocide.

27. **Adopt the U.S. Commission on International Religious Freedom’s (USCIRF) recommendation to sanction India as a violator of religious freedom for targeting Muslims.** CAIR endorses the USCIRF 2020 Annual Report condemnation of India’s violations of religious rights, particularly those of its Muslim community. The USCIRF report decried the “sharp downward turn in India” whereby the Indian “national govern-
ment used its strengthened parliamentary majority to institute national-level policies violating religious freedom across India, especially for Muslims.”

USCIRF’s 2020 Annual Report found in part that:

“India took a sharp downward turn in 2019. The national government used its strengthened parliamentary majority to institute national-level policies violating religious freedom across India, especially for Muslims. Most notably, it enacted the Citizenship (Amendment) Act, which provides a fast track to Indian citizenship for non-Muslim migrants from Afghanistan, Bangladesh, and Pakistan already residing in India. According to government officials’ statements, this law is meant to provide protection for listed non-Muslim religious communities—but not for Muslims—against exclusion from a nationwide National Register of Citizens and the resulting detention, deportation, and potential statelessness. The national and various state governments also allowed nationwide campaigns of harassment and violence against religious minorities to continue with impunity and engaged in and tolerated hate speech and incitement to violence against them. Based on these developments, in this report USCIRF recommends CPC designation for India.” CPCs are countries where the government engages in or tolerates “particularly severe” violations of religious freedom.

CAIR is calling on the Biden-Harris administration to implement the recommendations of the report that concludes that the United States government should:

- Strengthen the U.S. Embassy’s and consulates’ engagement with religious communities, local officials, and police, especially in regions impacted by religiously motivated violence;
- Increase U.S. partnerships with Indian law enforcement to build capacity to protect religious minorities, houses of worship, and other holy sites, and confront religious-based hate crimes; and
- Allocate funding to support civil society to create a monitoring and early warning system in partnership with police to challenge hate speech and incitement to violence.

The Biden-Harris administration should also work with Congress to continue holding hearings highlighting religious freedom conditions in India and U.S. policy toward India.

28. Oppose the government of India’s illegal revocation of Article 370 of the Indian constitution, stripping the state of Jammu and Kashmir of its protected status and laying siege to its eight million residents. CAIR is calling on the Biden-Harris administration’s State Department to pressure the Indian government to lift all curfews in Kashmir, end the communications and internet restrictions; release all detained children, protestors, and elected Kashmiri political leaders; reduce Indian security forces in the region; and immediately reinstate the protected status for Jammu and Kashmir.

those individuals’ assets and/or barring their entry into the United States under human rights-related financial and visa authorities, citing specific religious freedom violations;
29. Work with international partners to end the wholesale slaughter and mass displacement of the Syrian people. The U.S. should join international partners in implementing real measures - not just symbolic or reactionary steps - that will protect Syrian civilians on the ground from the brutal Assad regime and its allies. That includes establishing no-fly zones and safe-zones for civilians, and imposing economic and diplomatic sanctions on any individual, group or government that has a role in perpetuating the tyranny of the Assad government. In winding down the conflict and mediating a lasting peace, the U.S should:
   • Hold the Assad regime accountable for the war crimes it has committed.
   • Keep all political and economic pressure on the Assad regime.
   • Pressure Russia and Iran to stop supporting the Assad regime.
   • Engage with the Syrian opposition and support their demands for democracy and freedom
   • Demand a U.N.-administered free election to choose a new government.

30. Hold the Kingdom of Saudi Arabia to account for the brutal murder of Washington Post contributor, U.S. resident and human rights activist Jamal Khashoggi. While it is reported that the CIA has concluded Crown Prince of Saudi Arabia Mohammed bin Salman ordered the killing of U.S. resident and Washington Post contributor Jamal Khashoggi, the U.S. government has failed to respond to this brutal murder (and arguably pushed the crime under the rug) and instead prioritized U.S. trade, military and political relations with the kingdom. CAIR calls for the declassification of the CIA’s report on the killing, including the public release of a reported audio recording of the assassination, and CAIR calls for the U.S. to hold Crown Prince of Saudi Arabia Mohammed bin Salman accountable.

31. Withdraw any U.S. military advisers to the Saudi-led coalition in Yemen and discontinue the sale of arms to the Kingdom of Saudi Arabia and the UAE. The War in Yemen represents one of the worst ongoing humanitarian crises in the world today. It is time for the United States to withdraw military advisors and military aid provided to the Saudi-led coalition. The U.S. should push for a
ceasefire so that humanitarian organizations can enter and alleviate the suffering of Yemeni civilians. The U.S. must support democracy in Yemen, acting as a mediator to not leave the fate of the Yemenis to be decided by the governments of Kingdom of Saudi Arabia, the UAE, Iran, or Houthis rebels.

32. **Oppose Israel’s illegal occupation of Palestinian territories.** CAIR supports the 1978 U.S. State Department opinion, and the international consensus, that the Israeli settlements violate international law. To that end, CAIR believes the U.S. government should be more proactive in supporting the end of the illegal Israeli occupation of Palestinian lands. Palestinians must be able to enjoy freedom, self-determination, statehood, and have the right of being able to return to their land and towns as per U.N. Resolutions 194 & 242.

CAIR rejects the current U.S. policy stance that no longer views Israeli settlements in the occupied West Bank as “inconsistent with international law.” CAIR also condemns President Trump’s recognition, on behalf of the United States, of Jerusalem as the capital of Israel, and the moving of the U.S. embassy from Tel Aviv to Jerusalem.

Palestinians and Muslims worldwide also remain concerned about Israel’s overt plans of annexation and denial of religious rights for Muslims and Christians, and the ongoing Israeli effort to alter the religious landscape of Jerusalem, the West Bank and occupied territories. CAIR is particularly concerned that since 2000, an estimated 10,000 or more Palestinian children have been detained by Israeli security forces in the West Bank and prosecuted in the Israeli military court system.

CAIR believes that the U.S. rejecting international law and the rights of the Palestinian people who suffer under an illegal occupation contradicts our nation’s claimed support for justice and human rights. If the U.S. continues to maintain the Trump administration’s lopsided foreign policy positions on Israel and Palestine, it will be the end of the possibility of a two-state solution.

CAIR is therefore calling on the Biden-Harris administration to move the U.S. Embassy back to Tel Aviv and prohibit the United States from formally recognizing or providing aid to any area of the occupied West Bank annexed by Israel in violation of international law. That includes prohibiting the use of any U.S. military funds to be used by the government of Israel in the annexation of Palestinian territories. We are also calling for the U.S. Secretary of State under the Biden-Harris administration to certify that United States’ funds do not support military detention, interrogation, abuse, or ill-treatment of Palestinian children.

33. **Establish strict new oversight rules to severely limit and publicly detail the Pentagon’s use of drone warfare to engage in targeted killings overseas.** Whenever our nation engages in military action overseas, we must do so only as a last resort, act with clear congressional authorization and within the limits of the Constitution, respect international law, honor the sovereignty of foreign nations, and most importantly, protect civilians from harm.

Over the past fifteen years, our nation’s use of drones strikes in remote areas of Afghanistan, Pakistan, Yemen, and Somalia have violated all of these principles. Our government has killed untold
numbers of civilians, violated the sovereignty of foreign nations, disregarded international law, failed to provide full public transparency, inspired additional hostility towards our nation, and stretched the meaning of congressional authorization to wage war against those responsible for 9/11 to the breaking point.

The Biden-Harris Administration should immediately review, significantly curtail, and publicly detail the drone warfare program. In particular, the Administration should:

1. Establish new rules governing the use of foreign drone strikes. Such rules should forbid the use of drone strikes to engage in targeted killing unless:
   a. Congress has authorized war or military action against the specific nation or specific organization to whom the target belongs.
   b. The legitimate leadership of the foreign nation in which the strike will occur has asked, or given our nation permission, to conduct the strike.
   c. The strike will not violate any United Nations resolutions or other aspects of international law.
   d. The target of the strike has been clearly identified; no so-called “signature strikes” based on patterns of behavior of unidentified individuals.
   e. The target of the strike poses a proven, eminent and criminal threat to human life, and the strike is absolutely the only way to prevent the target from taking human life.
   f. The strike against the target will not endanger any civilians, including family members of the target.

   If any of these strict conditions are not met, our government should not launch a drone strike, or otherwise engage in targeted killing, overseas.

2. Provide full public transparency regarding past drone strikes, as well as any future drone strikes by:
   a. Declassifying and transparently sharing the history and impact of the drone warfare program, including any secret legal justifications used to authorize the program, as well as the identities of those targeted or killed.
   b. Publicly acknowledging and enumerating all past (and any future) civilian casualties, including, but not limited to, American citizens.
   c. Publicly apologizing for such civilian casualties and coordinating with the foreign government to pay restitution to the families of the victims.
   d. Holding any current and former officials in government agencies, including the Pentagon and the CIA, accountable for conducting strikes that caused civilian casualties.

Openness and transparency are the pillars of our democratic government. And respect for human life should be a basic pillar of every government. The Biden-Harris Administration should put these principles into action by reviewing, detailing and severely limiting the use of targeted drone strikes and other military action overseas.