

In the name of God, the Most Compassionate, the Most Merciful.
All praise and thanks belong to God, the Lord of the Worlds.
May peace and prayers be upon Prophet Muhammad and his family.



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April 28, 2021

The Honorable Dick Durbin
Chairman
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C., 20510

The Honorable Chuck Grassley
Ranking Member
U.S. Senate Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, D.C., 20510

RE: Questions Regarding the Record of Judge Zahid Quraishi

Dear Chairman Durbin and Ranking Member Grassley,

On behalf of the Council on American-Islamic Relations (CAIR), the nation's largest Muslim civil rights and advocacy organization, I write to welcome the start of today's confirmation hearings for President Biden's diverse slate of nominees to serve as federal judges across the country.

We also write to address concerns in the civil rights community that were raised in an article *Slate* published yesterday regarding one of the nominees, Magistrate Judge Zahid Quraishi.¹

Specifically, these concerns rise from a lack of public details surrounding aspects of federal district court nominee Judge Zahid Quraishi's work history. According to Judge Quraishi's publicly available resume, he served as "Chief of Legal Aid for approximately 20,000 Soldiers, DoD civilians, Red Cross personnel and **U.S. private contractors** and later as **Detention Operations Legal Advisor** to Brigade Commander and Operational Law Attorney to Task Force Commander." (*Emphasis added*)

¹ A Biden Nominee Would Be the First Muslim on the Federal Bench. Some Muslims Are Furious," *Slate*. April 27, 2021. Website: <https://slate.com/news-and-politics/2021/04/zahid-quraishi-muslim-federal-judge-criticism.html>

Judge Quraishi's service as a legal adviser to detention centers and private contractors in Iraq between 2003 and 2007 overlaps with incidents of abuse against Iraqi prisoners, as well as war crimes committed by private contractors such as Blackwater mercenaries. We also understand that he worked as Assistant Chief Counsel for ICE from 2007 to 2008, the final years of the Bush Administration.

We are hopeful that Judge Quraishi played a positive role during these time periods. However, given the events that occurred during these years and the lack of detail regarding his role, we would like to committee to ask questions that would shed more light about these aspects of Judge Quraishi's history. Last month, we asked the White House to provide additional detail regarding these issues, but the administration has not yet done so.

We therefore encourage members of the Senate Judiciary Committee to address the following questions:

1. As a Detention Operations Legal Advisor deployed to Iraq, what were Judge Quraishi's responsibilities? Which detention facilities in Iraq did he legally advise as a Detention Operations Legal Advisor regard?
2. During Judge Quraishi's service as a Detention Operations Legal Adviser, did he become of aware of any mistreatment of detainees? If so, how did he respond to such mistreatment?
3. What legal guidance did he provide to private contractors in Iraq? Did he provide any guidance to Blackwater? Was he aware of any misconduct by Blackwater or other private contractors? If so, how did he respond?
4. What were Judge Quraishi's responsibilities as an ICE Assistant Chief Counsel? Are there ICE legal opinions or ICE policies that he participated in drafting that are now public or could be made public?

CAIR would greatly appreciate additional clarification on these points of Judge Quraishi's background. If Judge Quraishi is unable to share this information during the confirmation hearing, we hope the committee can request these issues be addressed as part of the committee's hearing record.

We look forward to learning more about Judge Quraishi, and President Biden's other judicial nominees, during today's nomination hearing.

Sincerely,

Robert S. McCaw
Government Affairs Director
Council on American-Islamic Relations