

Borders Spell Trouble for Arab-American

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Abe Dabdoub calls the day he was sworn in as an American citizen last year the proudest moment of his life, little suspecting that his new identity would set off a bureaucratic nightmare at the hands of the Department of Homeland Security.

Most of his family members live in Canada, and on each of Mr. Dabdoub's 14 trips to visit them since last August, on his way back across the Ambassador Bridge into Michigan, the Customs and Border Patrol agents have sent him through a security gantlet, he says.

He has been fingerprinted 14 times, his body searched 9 times, been handcuffed 4 times and isolated in a separate detention room 13 times. On the fourth trip, the border patrol agents started subjecting his wife to similar scrutiny.

Two months ago, he sought relief through a new online system that the Department of Homeland Security trumpets as a one-stop shop for travelers who think they have been wronged, the Traveler Redress Inquiry Program, or TRIP. But the problem continues unabated and, typical of such cases, no one in the federal government nor his elected representatives will tell him why he is being singled out.

"I've always believed that in America if there is some type of injustice going on, that if you make it known to the right people, it will get taken care of," said Mr. Dabdoub, 39, who was born in Saudi Arabia to Palestinian parents. They moved to Canada when he was 5.

"This time I've lost faith in the system; it's either indifferent or inefficient or both," Mr. Dabdoub, an engineer and manager of a plant in Cleveland that provides steel to automobile companies, added, in a telephone interview.

Arab-American and civil rights organizations say experiences like Mr. Dabdoub's are common enough that they suspect the federal security agency is profiling Arabs and Muslims, an accusation the department denies.

Various Arab-American organizations and the American Civil Liberties Union are holding a conference in Cleveland today to highlight cases like Mr. Dabdoub's. They want increased Congressional oversight of the terrorist watch list system to insure that the security agency is not abusing the basic civil rights of United States citizens at the borders.

"Their primary job is to make sure the right people are identified on those lists," said Kareem Shora, executive director of the American-Arab Anti-Discrimination Committee, one of the organizers. "If innocent people are being identified in that process, the manner

with which that can be rectified is very, very limited.”

A Government Accountability Office report issued last September said that just 31 individuals whose names were mistakenly on the watch list had them taken off in 2005. Thousands of such redress queries have been submitted, most of them from people who are misidentified. But their names cannot be removed because they are not the person on the list, the report said.

At least two legal cases prompted by border problems are working their way through the courts, including one filed in Federal District Court in Chicago last year by the A.C.L.U. against the Department of Homeland Security and the Federal Bureau of Investigation.

More recent episodes that provoked concern include one in which border agents reportedly Googled the name of an Ohio man and then questioned him about a letter to the editor he had written to The Toledo Blade regarding events in the Middle East.

In Chicago, the government is trying to get the A.C.L.U. case dismissed on the grounds that such stops are “routine,” said Harvey Grossman, the legal director for the Illinois branch.

Documents the court forced the government to release in February indicate that the Customs and Border Patrol agency has received more than 11,000 queries about border issues since Sept. 11, 2001, he said, while Immigration and Customs Enforcement has received 4,855.

The government maintains that it cannot identify how many of the complaints stem from border detentions, which underscores its “cavalier attitude about the treatment of citizens,” Mr. Grossman said.

The homeland security response is that its basic job is to identify “bad guys,” and that this generates some greater inconvenience that affects a fraction of the millions of Americans traveling.

Since the TRIP system was inaugurated in February, it has received 600 to 800 complaints a week, said Russ Knocke, the spokesman for the department, and it takes time to process them through all of the federal agencies who can contribute to the terrorism watch list.

He would not comment on Mr. Dabdoub’s case, noting only that the department was aware of it, and emphasized that seeking redress was no guarantee against extra scrutiny.

Mr. Dabdoub said no one he contacted in the government helped him. After the first incident, on Aug. 6, he wrote his two United States senators, George V. Voinovich and Mike DeWine, who was defeated last November.

He received a joint form letter saying they would look into the problem and get back to

him. He never heard from either one again. He got no response at all to two letters he sent to Marcy Kaptur, his congresswoman.

Homeland security officials took five months to answer a first letter, and suggested he complain to the border supervisor.

Drawing a little extra scrutiny because of his Middle Eastern origins is one thing, he said, but being singled out on every crossing is abusive, and he carefully logs each incident on a spreadsheet. He said he faced no problems on his repeated border crossings from 2001 until 2006, when he lived in the United States as a Canadian with a green card, he said.

Marc Rotenberg, executive director of the Electronic Privacy Information Center, a privacy rights group, said, "A big reason that these watch list systems don't work is because the agencies are allowed to compile all this information that basically goes unchallenged."

Mr. Rotenberg noted that oversight groups including the White House Privacy and Civil Liberties Oversight Board, which issued a report this month saying it would review the amount of transparency possible, all ignored the Privacy Act.

For any government agency to say, "We have got something on you but we can't tell you what it is, really goes to the heart of what the Privacy Act tried to prevent," Mr. Rotenberg said.