

## Muslim immigrants sue CIS for delays in citizenship process

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For three years and three months, Ali Hussain has waited to become a U.S. Citizen.

On Thursday, his wait was over - but not before he sued the federal government.

In February, Hussain and 24 other Muslims joined a statewide lawsuit against Citizenship and Immigration Services and the FBI for what they called unusually lengthy delays in processing their citizenship applications. Some waited as long as five years.

"The lawsuit helped my application. I have been waiting so long," said Hussain, an Orlando machinist from Iraq.

In a post Sept. 11 era of fingerprinting and thorough background checks, legal action is also becoming part of the naturalization process, say some area attorneys.

"These lawsuits bring attention to the government that (processing delays) is a big problem," said Shahzad Ahmed, an Orlando attorney who represents several Muslim clients.

Of the seven Central Florida plaintiffs in the statewide lawsuit, five have since become U.S. Citizens.

Four plaintiffs were sworn in as citizens Thursday at the Orange County Convention Center, including Hussain and his brother, Aso Hussain, a graphic art student at Valencia Community College.

"We are so happy for this day," said Aso Hussain, 25, waving a miniature American flag and citizenship certificate.

Nationally, lawsuits against the immigration agency are becoming more common, especially in places with large Muslim populations. Central Florida has an estimated 40,000 followers of Islam.

"The lawsuits say: Listen this is ridiculous and prejudicial," said Lisa Krueger Khan, Orlando liaison for the American Immigration Lawyer Association Central Florida chapter. "They force the FBI to finish the background check and immigration to act."

U.S. Citizenship and Immigration Services, the federal agency that processes citizenship applications, does not comment on pending lawsuits, but Ana Santiago, an agency spokesperson in Miami, said the delays are not targeted toward any one group of people.

"Religion isn't asked on the form," said Santiago.

She said the stepped up processing of citizenship applications is due to the agency's emphasis on clearing the backlog.

"We have people working nights and weekend on this," Santiago said. "We know each one is a life-changing event."

Orlando is among the cities with the most backlogged citizenship applications, ranking in the top 10 for longest wait times, according to recent projections released by U.S. immigration services.

Federal law requires a decision on citizenship to be made within 120 days of the naturalization interview.

For Muslims, it is often the FBI name check - a security screening tool - that holds up the application. Nearly 200 databases and offices are checked before a name is cleared.

According to a 2007 report from Homeland Security, 64 percent of the FBI name check cases had been pending more than 90 days; 32 percent were pending more than a year.

Muslim names are often singled out, advocates say.

"You are at the mercy of the FBI checks," said Gail S. Seeram, an Orlando attorney who also represents Muslims.

Some of her clients have even changed their name.

"They drop the 'Muhammad,'" she said.

While lawsuits are becoming more common, some applicants are reluctant to sue the federal government, in essence, asking their adoptive country to embrace them while issuing a legal threat.

"They don't want to bring a suit against the government," said Khan. "They fear they might be red-flagged."

When Hussain, 34, approached the Orlando office of CAIR (Council on American-Islamic Relations), which is helping the plaintiffs, he was unsure if he wanted to add his name.

"He said, 'Am I going to go against the government?'" recalled Danette Zaghari-Mask, Orlando executive director.

But he had tried every avenue to speed up his citizenship application, including calling and visiting immigration offices in Orlando. The holdup, he was eventually told, was his name.

Originally from the Kurdistan region in northern Iraq, Hussain used to work for an American aid organization in his native land. Under Saddam Hussein's regime, he was accused of being a spy for the Americans. Pleading political asylum, he and his family fled Iraq 12 years ago with the help of an American relief organization.

That's why the long wait for his citizenship weighed heavy on his mind.

"America brought me here," he said.

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