



**Statement Before the House Committee on the Judiciary, Subcommittee on the
Constitution, Civil Rights, and Civil Liberties**

March 1, 2022

Chair Cohen, Ranking Member Johnson, and Members of the Committee,

Thank you for the opportunity to address you this morning on the Discrimination against and the Civil Rights of the Muslim, Arab, and South Asian American Communities.

My name is Zulfat Suara, I am a Councilmember-At-Large in the Metro Nashville Government. As an At-Large Councilmember, I have the pleasure of representing more than 700,000 residents. Nashville is a very diverse city, and we boast the largest population of Kurds outside of Kurdistan. Nashville is also home to large populations of Mexican, Somali, Vietnamese, Cambodian, Laotian, Arab, and Bantu communities, as well as a considerable number of Pakistanis, Bangladeshis, and Indians.

Prior to my election, I served as Chair of the American Muslim Advisory Council (AMAC) from its inception on and off for about six years. AMAC is a statewide organization that works with mosques, mosque leaders, and community members across the state. AMAC's mission is to foster mutual trust and respect among all people. This is done through civic engagement, community building, and media relations, with the goal of protecting all Tennesseans from prejudice and targeted violence. AMAC was formed in 2012 following the Muslim community's mobilization against the anti-sharia bill in our state legislature in 2011. It is also a known fact that the bill was a result of the opposition to the building of the Murfreesboro Mosque in 2010, a case that ended in 2014 when the U.S. Supreme Court refused to hear the case that sought to stop the construction.¹

I am also a mother of five. In 2015 I testified before our Metro Nashville School Board in support of a resolution on anti-Muslim hate. I shared the story of how my daughter, who was in seventh grade at the time, was called "a terrorist" by a classmate.² The young girl said she was joking but, to my daughter and me, it was not funny.

Our country is polarized and the otherization of so many is prominent. There are increased attacks on Asian Americans and the demonization of Muslims continues to grow. I, like many in my community, feel that this hatred is fueled by actions (or lack thereof) by our federal, state, and local elected officials to protect our rights.

¹ https://www.washingtonpost.com/national/religion/murfreesboro-mosque-fight-laid-to-rest-after-supreme-court-ruling/2014/06/03/Oda487c0-eb49-11e3-b10e-5090cf3b5958_story.html

² <https://www.youtube.com/watch?v=glj8EQ1ouCQ>



Continued surveillance, profiling, inequity in access to resources, and passage of targeted and divisive legislation treat us as second-class citizens and continue to infringe on our constitutional rights.

I am therefore standing before you this morning as a mother, an advocate, an elected official, a Muslim, and above all an American citizen to share with you, based on my personal experiences and interactions, some of issues facing the Muslim communities. I have divided these issues into federal, state, and local. It is important to clarify that this is my personal statement and that I am not speaking on behalf of any organization or government.

At the federal level, surveillance of our communities is a major concern. We have heard stories of what happened in New York and in California, a case that went before the Supreme Court last year.³ We also heard of an individual in Ohio who was surveilling his community, not for the FBI in this case, but for an anti-Muslim hate group. Our community continues to feel that with this surveillance, our privacy is not protected, and we continue to feel like we are being infringed upon in our own homes and in our places of worship. Our hope is that when the Supreme Court renders its decision on the surveillance case in June, our rights will be upheld.

Another issue of concern to the Muslim community is our profiling at the airport. In addition to several innocent people being placed on the no travel/watch lists, there is also the issue of extra searches and surveillance at the airport. For example, I am a graduate of the FBI Citizens Academy. In 2016, I was one of 50 people in the US who received the FBI Director's Award.⁴ I've had a lot of background checks, and I also have TSA PreCheck. Despite all of this, and despite being an elected official, almost every time I go to an airport I am subjected to additional searches. For whatever reason, I am almost always one of the people who is "randomly selected" for additional screenings. I wish I were an exception among my fellow Muslims, but I am not. This happens often to minorities and is especially true for people who are visibly Muslims. This is of concern to us because this should not be the case. While I think it's good for our country to have security in place, singling out a certain group as it's been done to me and many others is not fair. If the system is truly random, it should be truly random for everyone and not just targeting a particular group of people.

Another issue of concern in the Muslim community is that Muslims do not have the same access as other citizens. In September of 2020, one of our girls in Tennessee, Najah, was playing volleyball when she was told by the referee that she could not play in her hijab. The law at the time stated that she must have special permission for her to play, something that should not be required. The U.S. Constitution guarantees our freedom of religion and allows for us to dress how we want. Asking Muslim students and their parents to take the extra step that is not required of others is discriminatory. Najah was disqualified from the game and embarrassed in front of her friends and family.

³ <https://www.npr.org/2021/11/08/1052567444/supreme-court-to-hear-arguments-on-fbis-surveillance-of-mosques>

⁴ <https://www.fbi.gov/about/community-outreach/dcla/2015>



Nonetheless, she did not give up. Thanks to her courage and with the help of the ACLU and AMAC, the Tennessee Secondary School Athletic Association (TSSAA) decided to change this rule, not just for volleyball but for all high school sports in Tennessee. In Tennessee, athletes can now compete in any sport while wearing hijabs, Sikh turbans, and Jewish kippahs without getting permission ahead of time.⁵ Her case went all the way to the National Federation of State High School Associations (NFHS), where the rule was also changed for volleyball players. While Najah's case resulted in a change for volleyball at the national level, there are still other sports in the country where Muslim girls are not able to participate without giving up on their religious beliefs to do so. These young girls' rights to be able to have fun and play sports like others is taken away by these discriminatory rules. This is a major concern for me as a parent, and for many others in the Muslim community.

Another issue that is a concern to the Muslim community is the disparity in the treatment of and attitude towards crimes involving members of different race at the national, state, and local level. A prime example is the January 6 attack on Capitol Hill. Many minorities believe without a doubt that if the insurgence had been perpetuated by any a minority group, including Muslim, Arabs, Asian, or Blacks, the condemnation would have been unanimous and actions very swift. First, we learned that despite warnings, Capitol Police were told to hold back⁶, and then we watched as some members of Congress continued to downplay the attack. What is troubling is that while Black citizens are being jailed for peacefully protesting their rights to vote, the Republican National Committee would characterize the attack on our nations' hall of power, one that traumatized our capitol police officer and terrorized our Congressmen and Congresswomen, as "legitimate political disclosure."⁷

Finally, no single issue impacted the Muslim Arab, South Asian community in the last couple of years more than the Trump Administration "Muslim Ban". Disguised as a travel ban, this policy targeted mostly countries with large Muslim population. The policy was discriminatory, torn several families apart and further "otherize" Muslims Americans. There were spouses that were separated because of the ban. The saddest story for me was that of a young man in Nashville whose aunt could not travel to America for medical attention because of the ban. She ended up passing away. I am grateful that the Biden administration lifted the ban, however there are long lasting implications that are yet to be resolved.⁸

When it comes to policies, things are even worse at the state level. In the past couple of years, some of our legislators have openly shown their hostility towards Islam and Muslims, and cases of false information and narratives were rampant. In 2011, the anti-sharia bill was proposed. Thanks to the mobilization of Muslims

⁵ <https://www.cnn.com/2021/02/06/us/nashville-volleyball-religious-headwear-rule-trnd/index.html>

⁶ <https://www.nytimes.com/2021/04/13/us/politics/capitol-police-riot-report.html>

⁷ <https://www.aclu.org/news/immigrants-rights/the-enduring-harms-of-trumps-muslim-ban>
⁸ <https://www.nytimes.com/2022/02/04/us/politics/republicans-jan-6-cheny-censure.html>



across the state, the ACLU and our interfaith allies, the bill was, in our opinion, defeated. The version of the bill that passed after numerous amendments (thanks to our advocacy) was a watered-down version that basically only repeated what was on the books rather than prohibiting the practice of the religion.

Below are some of the actions at the state level that promote anti-Muslim bigotry and incite hatred against the Muslim Community:

- Appointment of known Islamophobe to the school textbook commission
- HB 1141/SB 1040, a bill to ban a non-existent No-Go Zone⁹
- Uproar over a new bathroom sink for mops that some legislators suggested was for the washing of feet by Muslims¹⁰
- Hamilton County Sheriff stating that Islam is “communism with a god”
- HB 1418, seeking to ban public schools from teaching religious doctrine
- SB 1929, requiring the Tennessee Office for Refugees to notify the governor about certain refugees and their countries
- Coffee County Commissioner’s post on “How to wink at a Muslim”
- HB1905, seeking to stop Islamic “indoctrination” in schools
- HJR-0150, a proposed Constitutional amendment to designate the Bible as state book
- HJR 0752, a proposed Constitutional amendment to designate the Bible the state book (filed February 2, 2022)

While most of these bills failed, the lingering effect is that they continually send the message that Islam is not a religion and Muslims are not welcome. This is a violation of our Constitutional rights to practice our religion and may have led to a series of attacks on our community. A woman in a hijab was verbally accosted and called a terrorist by a man in a truck¹¹; two Muslim girls were harassed, and their father attacked while walking home

⁹ https://www.huffpost.com/entry/tennessee-no-go-zones_n_6795028

¹⁰ <https://www.usatoday.com/story/news/nation/2013/03/26/tennessee-muslims-lawmakers-sharia-law-mops-sink-state-capitol/2020617/>

¹¹ <https://www.wgnradio.com/article/29879/muslim-head-covering-leads-to-road-rage-and-more-in-murfreesboro>



from school¹²; a Tennessee man planned an attack on Islamberg; there were several acts of vandalism against mosques, in Murfreesboro, Chattanooga, and Nashville; and the Islamic Center of Columbia was burned down.

The move to make the Bible the state book was originally passed in 2016 and vetoed by then-Governor Bill Haslam. HJR 150 was passed by the House last year but defeated in the Senate. The sponsor has filed another resolution this year. Annie Laurie Gaylor with the Freedom from Religion Foundation described the move as not only unconstitutional but an affront to true religious freedom.¹³ I worry about the message such bill is sending to our Muslim, Jewish, Buddhist, Hindu, other faith traditions, and atheist kids.

Another issue at the state level that I believe is an infringement of the rights of Muslims, Arabs, and South Asians is the driver's license test. Tennessee is home to people of many different cultures and languages. Despite this fact, the Tennessee driver's license test can only be taken in four languages (English, Spanish, Korean, and Japanese). A resolution to add Arabic as a language was defeated. Adding Arabic as a language will not benefit only Muslims but other Arabic speakers. Nashville is home to a large Coptic Christian population. Not being able to have access to those tests in their languages makes it difficult for some members of our community to be able to drive and have access to other resources.

Finally, there are other pieces of legislation by our state legislators that are directed at minorities in general that also impact the Muslim, Arab, and South Asian community. They address laws on voting rights, women's rights, the right to protest, and many other important subjects. The last redistricting plan by the state that splits Nashville into three Congressional districts is another example.¹⁴ For over 200 years, the people of Nashville-Davidson County have had one representative in Washington. This is helpful for the many minorities in Nashville. Splitting the community and having representatives outside of the city will limit access and weaken the voices of minorities

On the local front, Nashville is very diverse. Our current council is 50% women and 25% Blacks. We have our first Muslim elected official, our first Latina member, and five LGBTQ members. The mayor's office has an Office of New Americans and the people of Nashville voted to defeat an "English only" referendum in 2009. I believe the work done by AMAC, the Muslim community, and our allies over the years is the reason I was elected, and for that I am humbled and grateful. Despite all of these, recent votes on license plate readers, a 2017 report on "Driving While Black," and the Christmas Day bombing shows there is still work to be done.

¹² <https://abcnews.go.com/US/wireStory/tennessee-man-admits-hate-crime-attack-muslim-girls-77756602>

¹³ <https://www.tennessean.com/story/opinion/2021/04/15/why-making-bible-tennessees-official-book-bad-idea/7243763002/>

¹⁴ <https://www.tennessean.com/story/news/2022/01/12/republican-redistricting-plan-would-split-nashville-into-3-districts/9120745002/>



On December 25, 2020, a bomb was detonated in downtown Nashville. It was something that really shook our city and impacted a lot of people. It was also a day that showcased the heroism of six of our police officers. Thanks to their bravery and their quick thinking, lives were saved. The only death that occurred during this attack was the perpetrator himself. However, there was a story that came out of this attack that was a bit perplexing and mirrored the double standards at the national level in how crimes are dealt with based on the perpetrator. A year before the attack, the perpetrator's girlfriend had reported to the police that “he was building bombs in the RV trailer at his residence.”¹⁵

The police went to his house and to the trailer in the back of his house where the bomb was planted. However, because the perpetrator was not home when the police knocked on his door, the officers did not go inside. While I can understand not going inside the first time because they did not have proper warrants, what makes it worse is that no law enforcement (MNP, TBI, or FBI) came back to check on this man, despite a close witness stating he was involved in this nefarious activity. Had this man not been a white man - if he had been a Muslim, Arab or South Asian person - they would have found a reason to kick down that door and search inside his house, his mosque, his job, his family, etc. I wish they had at least searched the house and the RV, because the loss and destruction that occurred on Christmas Day 2020 would not have happened.

Muslim, Arabs, and South Asian Americans have contributed to this country. We are Americans, too, and we pay taxes. I am originally from Nigeria and came to this country with my family about 30 years ago. My husband was invited to the U.S. by the National Institutes of Health to replicate the research that he did in Africa on maternal immunizations. Three of my five children were born in the US and the oldest two were three years old and one year old when we came. My children have only been to Nigeria once. That is because America is their country and their home. This is our home, my home. I am vested in it and have invested in the well-being of my fellow citizens. I have and will continue to do whatever I can to support every citizen of this country in every place that I find myself. However, my heart breaks every time that there is a discriminatory bill or action by those in authority. I wonder what message it is sending to me, my family, and my community.

American Muslims, Arabs, South Asians, and other minorities are not asking for preferential treatment. We are only asking for the same access, the same protection according to law, and the same rights, as written in the U.S. Constitution, that are afforded to others. I fervently hope that the outcome of this hearing will be just that.

Thank you,

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Honorable Zulfat Suara

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¹⁵ <https://www.npr.org/2020/12/30/951352737/nashville-bombers-girlfriend-warned-police-about-him-in-2019>
