

Remarks of Tom Perez at The Muslim Public Affairs Council 2009 National Conference
Long Beach, California December 5, 2009

As-Salamu Alaykum to all of you. Thank you, Salam, for that introduction and for your dedication and your hard work leading MPAC. MPAC is an organization that represents not just the best of the American Muslim Community, but the best of America.

Throughout our history, American communities—African-Americans, Latino-Americans, Jewish-Americans, Muslim-Americans—have come together to form citizen-based groups to work toward the American ideals of equal rights and liberty for all. Groups like MPAC, through their important work and their dedication to fundamental American principles, remind of us the promise of this great nation, the promise of limitless opportunity and of liberty and equality for all.

My parents, like so many others before and after, came to this country seeking, and finding, a better life for themselves and their families. They came because of the promise of this America. But as we know, despite immense progress toward the perfection envisioned by our founders, America's promise has not been fulfilled for all.

Some ask why, in an era where we just elected an African American President, we still need a Civil Rights Division. We need a Civil Rights Division because, as Hubert Humphrey said: *"The moral test of government is how that government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy, and the handicapped."*

And in 2009, despite great gains, too many reside in the shadows. Too many people of color find themselves powerless in the face of discriminatory housing and lending. Too many individuals with disabilities still struggle to access the basic services the rest of us take for granted. Too many students still lack the quality education all children are guaranteed by law. Too many new Americans who came to this nation seeking the same freedom and opportunities that so many immigrants have sought before, find themselves the targets of bigotry and hate.

It is the mandate of the Civil Rights Division to help government meet this basic moral test, to ensure that we live up to our fundamental values. And there likely is no value more fundamental than to live one's life peacefully without fear of being attacked because of what you look like, how you worship, or whom you love.

Members of the Muslim-American community know perhaps as much as anyone who has fought for equality in this great land that we continue to face challenges in pursuit of the great American promise. The last decade in particular has been a trying period for followers of a faith that, from its founding, embraced the notion that all human beings are created equal. I know from the story of Billal, the freed black African slave whom the Prophet Mohammed appointed as the chief Muezzin to make the call to prayer, that Muslims are taught not to judge anyone by the color of his or her skin.

I also understand that that Islamic law has always treated persons with disabilities as equal to the non-disabled, when until very recently much of the world shunned or marginalized them. And I am inspired by the images of the Hajj, that we just saw last week, where people of every hue and from all walks of life gather in Mecca together peacefully to worship God, and renew their faith.

Today, I am here to assure you that as the Muslim-American community continues to fight against forces of bigotry, fear and hate that are far too prevalent in our nation, you have the power of the United States Government behind you.

Giving meaning to the values of equality and justice is the work of the Civil Rights Division at the Department of Justice. The Civil Rights Division is the conscience of our nation. It was founded during in 1957 to assist in the struggle of African Americans for equal justice under the law, and its mandate has broadened considerably over more than half a century. Today the Division's work includes fighting discrimination based on race, religion, ethnicity, and disability, as well as other forms of discrimination, ensuring that everyone has a place at the table in America, including Muslim Americans.

We are committed to combating hate crimes, those acts of violence that represent a cancer of the soul and aim to tear down communities. After 9/11, Muslim, Arab, Sikh and South Asian Americans experienced a dramatic rise in hate crimes against them: violent assaults, arsons, threats, and murder. You as Muslims know all too well how these crimes can shake a whole community to its core.

This is why I am proud that President Obama in October signed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. The law added, for the first time, violent assaults and murder based on sexual orientation and disability to federal hate crimes laws. It also strengthened our ability to pursue hate crimes committed against persons based on race, color, religion or national origin, by removing technical hurdles that worked to bar prosecution in many cases. I had the honor of working on this bill with the late Senator Ted Kennedy more than 16 years ago, and am deeply gratified to see it finally passed.

I am very pleased to report that last week, the first of three defendants in last year's vandalism and arson of the Islamic Center of Columbia, Tennessee, was sentenced to more than 14 years in prison. Three men spray-painted swastikas and the words "white power" on the mosque, then lit Molotov cocktails, starting a fire that completely destroyed it. The other two defendants have pleaded guilty and will be sentenced soon.

The Civil Rights Division is committed to aggressive prosecution in these cases – not so that we can brag about our success, but so that we can send a strong message to would-be perpetrators that their hate-fueled violence will not be tolerated in the land of the free.

For the last few weeks, we as a nation have been grieving the loss of thirteen brave men and women at Fort Hood, and are praying for the swift recovery of the wounded. I

know that Muslim Americans are not only grieving, but are also fearful of irrational and unjustifiable acts of misplaced vengeance. Since the day of the tragedy, the Civil Rights Division has kept in close contact with the community to insure that we act swiftly against any incidents of backlash.

In addition to bringing justice to those who aim to destroy communities, we also work to protect the less overt but often just as damaging forms of discrimination that persist. Religious freedom is among our most basic rights, and we continue centuries after our founding to work for total freedom to worship. As President Obama said in his speech in Cairo in June, "freedom in America is indivisible from the freedom to practice one's religion." That is why the Civil Rights Division is aggressively pursuing cases to protect the religious freedom of everyone in America.

In June we filed suit against a New Jersey county that refused to allow a Muslim corrections officer to wear her hijab while on duty. We are also pursuing a similar case on a larger scale against the New York Transit Authority, which has refused to reasonably accommodate Muslim bus and subway drivers, and employees of other faiths, who wear religious head coverings with their uniforms. These cases stand for a simple proposition: people should not be forced to choose between their jobs and their faiths.

Likewise, students should not have to choose between their faith and their right to a quality public education. The Civil Rights Division won the right for a Muslim girl in Oklahoma to wear her headscarf to school, and won the right of Muslim students in Texas to gather during lunch to pray. We are currently investigating cases where students and teachers are forbidden from praying or wearing their hijab.

We are also strongly committed to protecting the fundamental right of a person to live where they choose, free from the threat of discrimination. Just last month, we announced the largest settlement of a Fair Housing Act rental case in Justice Department history, and it was from a case here in Los Angeles. A Koreatown landlord agreed to pay almost \$3 million in damages for discriminating against African-American families, Latino families, and families with children. We cannot allow this kind of discrimination to persist in our nation's housing markets, and I am committed to ending it.

I know how seriously the foreclosure crisis has hit home here in California. Across the country, many communities of color have been hit particularly hard, in some cases because of discriminatory lending practices. The Civil Rights Division is committed to working with our partners in the federal government and state and local governments to root out fair lending violations such as redlining, price discrimination, and the steering of qualified minority applicants to sub-prime mortgages.

We are also working to create services, programs and public facilities that are accessible to individuals with disabilities, recognizing that they have a vast contribution to make to our society and our communities that can only be maximized if they have equal access. This means recognizing that segregating people with disabilities in institutions is every bit as bad and illegal as segregating children of color in inferior schools.

All of these are issues that cut across the fabric of our society, touching every color, race and creed. They go to the principle of justice that is at the heart of America, and the heart of Islam.

I would like to address another issue of fundamental justice. I know that many of you are concerned about how the federal government treats Muslim Americans. I want to tell you what the Attorney General said recently in Michigan:

“No American should feel denied the protections of our Constitution or the government created under it. The tension that arises among citizens of different faiths, and between government and citizens of a particular faith, is unacceptable. It is inconsistent with what America is all about. We are all Americans no matter the color of our skin, no matter the country of our families’ origins, and no matter how we worship. We all have certain inalienable rights- coupled with civic responsibilities.”

I want to echo his sentiments by saying that we must not fall into the trap of believing that we either protect our national security and safe streets OR we protect civil rights. Profiling is not just bad as a matter of civil rights, it is ineffective police work. And protecting civil rights, while an intrinsic good, is also good policing. Respect for civil liberties and civil rights lead to the trust and mutual respect necessary for effective partnerships between law enforcement and communities. Such partnerships, which MPAC has long and consistently championed, are among our strongest weapons against crime and violent extremism.

This is why the Justice Department is in the process of an internal review of its guidance on the use of race by federal law enforcement agencies, and the Civil Rights Division is playing an integral role in that review. And the Civil Rights Division will continue to work with Muslim communities and other minority communities to ensure that their voices are heard.

I know that in many communities the Government is not seen as a savior. I know that we do not automatically have the trust of those we seek to help. That’s why partnerships between government and the non-profit community are so critical to our collective mission of lifting up those who often can’t stand themselves; our shared goal of helping to fulfill our nation’s enduring promise of equal justice and equal opportunity.

We bring to the table the power of the federal government and the law – you bring the interests of your communities, but more importantly the community’s trust. I am glad to have been able to share with you today some of the work of the Civil Rights Division, and I hope this represents the beginning of an ongoing dialogue and partnership so that we ensure the rights and freedoms of Muslim-Americans are protected.

I would like to close by noting that we are at a critical juncture in the history of civil rights in America, and in our history more broadly. Just a year ago, Americans basked in the glow of President Obama’s election. To be sure, it was a spectacular achievement for a

nation with such a long and complicated history of race relations. But as we look back over the history of the advancement of civil rights in our nation, each moment of great progress has been followed by periods of great challenge.

Thomas Jefferson wrote of the great self-evident truth – that all men are created equal – but it would be nearly a century before slavery was abolished in the land of the free, and another half century before women had the right to vote.

Abraham Lincoln signed the Emancipation Proclamation and later spoke of a new birth of freedom at Gettysburg, but the great promise of those moments was followed by decades of legal segregation, discrimination and hate.

In 1963, Dr. King wrote “we have waited for more than 340 years for our constitutional and God given rights.” He and his fellow “drum majors for justice” helped secure those rights with the Civil Rights Act of 1964 and the Voting Rights Act the following year. And yet, today, 45 years later, injustice persists.

The United States House of Representatives counts two Muslim Americans amongst its members, but public opinion polls still show that prejudice and discrimination against Muslims is widespread.

We have made great progress. But as we pass each benchmark, we must turn to face the new challenges ahead. Let us face these challenges together with a shared commitment and renewed vigor to realizing the promise of America.