

HARVARD IMMIGRATION AND REFUGEE CLINICAL PROGRAM

of HARVARD LAW SCHOOL

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Via Electronic and Priority Mail

January 30, 2020

Dana Salvano-Dunn
Director, Investigations
Office for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Building 410, Mail Stop #0190
Washington, D.C. 20528
dana.salvano-dunn@HQ.DHS.GOV

RE: Reihana EMAMI ARANDI, A [REDACTED]

Dear Director Salvano-Dunn:

We are filing this complaint with regard to the mistreatment of Ms. Reihana Emami Arandi by Customs and Border Protection (“CBP”) officers at Logan International Airport on September 18, 2019, including, but not limited to:

- 1) the legally flawed expedited removal order, barring her from the U.S. for five years, that was entered into her record pursuant to INA § 212(a)(7)(A)(i)(I), without any documentation or information to support a finding of immigrant intent;
- 2) CBP officers’ violations of their own regulations, including their failure to advise Ms. Emami Arandi of the charges against her and failure to give her an opportunity to respond to those charges, as well as their failure to take into account the additional information Ms. Emami Arandi sought to supply;
- 3) the refusal of the CBP officer and supervisor who interrogated Ms. Emami Arandi over the course of more than eight hours to legibly sign the expedited removal forms or to otherwise print or include their names on the forms, suggesting a deliberate effort to conceal their identities;
- 4) the discriminatory and arbitrary interrogation of Ms. Emami Arandi regarding her religious and political beliefs and opinions about political groups and events, which lacked any relevance to the ground of inadmissibility invoked; and
- 5) the refusal of CBP-Boston to communicate with staff at the Harvard International Office (HIO), which issued her I-20, despite her repeated pleas that the CBP officers communicate with the office or allow her to contact the office to clarify any questions the officers might have regarding her studies at Harvard Divinity School; and

- 6) the CBP officers' refusal to allow her to rest, after 18+ hours of travel, prior to reviewing and signing the documentation, as well as their efforts to prevent her from informing anyone, including her family, about what was happening to her, by taking her electronic devices away and putting them in her checked luggage so she could not access them prior to return to Iran.

Please also accept this Complaint as a formal request to begin an investigation by the Office of Inspector General.

Factual Background

As her declaration, attached as Exhibit A, sets forth in greater detail, Reihana Emami Arandi, a 35-year-old Iranian student, was admitted to the Master of Theological Studies program at the Harvard Divinity School in March of 2019 for entry in the Fall 2019 semester. In addition to the Master's program at the Harvard Divinity School, Ms. Emami Arandi applied to only one other Master's Program, through the Network On Humanitarian Action (NOHA), based in Europe. Ms. Emami Arandi was admitted into the NOHA Master's program with full funding, but ultimately decided to attend the Harvard Divinity School program, where she also received a full scholarship for her studies. Ms. Emami Arandi aims to pursue a career in teaching, research and humanitarian work in the Middle East, and she decided that a Master's in Theological Studies at the Harvard Divinity School would be best-suited to launching her on that path.

In the spring of 2019, Ms. Emami Arandi began preparing to attend Harvard Divinity School. Following her acceptance, Harvard University issued Ms. Emami Arandi a Form I-20, Certificate of Eligibility for Nonimmigrant Student Status, which allowed her to apply for a student visa from the U.S. Department of State. She submitted her application for a student visa in May 2019. As part of the visa adjudication process, Ms. Emami Arandi attended an in-person interview at the U.S. Consulate in Dubai on May 23, 2019. In addition, the State Department subjected Ms. Emami Arandi's application to full review, screening, and security checks. The State Department issued her a student visa on September 11, 2019, after almost four months of administrative processing. Ms. Emami Arandi then traveled to the United States as quickly as she could to start classes in the fall semester, approximately one week after receiving her visa.

She arrived at Boston Logan Airport at approximately 2:00 pm on September 18, 2019 and presented her passport for inspection to a male CBP officer. The CBP officer asked Ms. Emami Arandi what country she was from and reviewed her Iranian passport with her F-1 student visa. A CBP officer then took her to another room for additional questioning. Ms. Emami Arandi voluntarily answered extensive questions posed by a CBP officer concerning whether she had family and friends in the U.S., her past employment, her siblings and their military service, as well as questions about her past travels and volunteer activities. Her laptop and phones were taken from her and searched, as were her bags.

Many of the questions the CBP officer asked, and Ms. Emami Arandi answered, were similar to questions she had answered during her visa interview at the U.S. Consulate in Dubai in May. Other questions were not. Specifically, the CBP officer questioned Ms. Emami Arandi about the events surrounding the recent bombing of a Saudi oil facility, as well as about political groups at

war in Syria. Ms. Emami Arandi answered honestly and explained that she had very little information on these subjects.

This questioning by CBP officers lasted over eight hours. Throughout this time, Ms. Emami Arandi became increasingly confused and anxious, and after 18+ hours of travel and 40 hours without sleep, she was exhausted. She repeatedly explained that she was seeking to enter the United States to pursue her Master's degree at Harvard.

After over eight hours of intensive questioning, however, CBP refused to admit Ms. Emami Arandi into the United States. The officer who examined her, along with a supervisor, told her that they would read her a statement for her to sign. Ms. Emami Arandi did not understand the statement and was concerned that she was being asked to do something that had legal consequences, without understanding what those consequences were. As a result, Ms. Emami Arandi asked if she could consult with HIO, which had helped her with her I-20 and the visa process. Her hopes were that HIO could help to explain to her what was being asked of her by CBP so that she could make an informed decision, since HIO had indicated that they should be contacted with any concerns or problems. She was not, however, allowed to consult with HIO, nor was HIO provided with any information about her case, despite efforts by HIO to contact CBP.¹ In fact HIO requested that she be allowed to withdraw her admission rather than be subjected to expedited removal, but despite this, an expedited removal order was still issued. Ms. Emami Arandi also asked for a brief rest so she could review the papers she was being asked to sign with a clear head. Again, the officers denied her request.

The CBP officers justified their actions by stating that the Iranian government would not allow a consultation with a university under similar circumstances and that as a Harvard student, she should be smart enough to understand what was happening. The officers' repeated remarks about what the Iranian government would or would not do in such a situation made Ms. Emami Arandi feel like she was being punished, not for anything she had done, but because of the policies of the Iranian government, with which she has no affiliation.

Eventually and without explanation, Ms. Emami Arandi was fingerprinted, photographed, led to an airplane, and sent back to Iran via Doha without any understanding of why she was being sent back. She did not have access to any of her electronic devices, including telephones or laptop which were put in her checked luggage, and she did not have an opportunity for 48 hours to inform her family about what had happened. It was only after she arrived at home that she was able to fully examine and read the documents that she was asked to sign. Upon doing so, she discovered that the summarized transcript that she was asked to sign was not accurate and, indeed, was missing almost the entirety of the questions and answers she was subjected to. Additionally, it was at this time that she learned that she was charged with not having a valid visa, because she had not met the burden of showing her non-immigrant intent to stay only temporarily in the United States to study. Nonetheless, Ms. Emami Arandi still hopes to complete the program at the Harvard Divinity School and to resume her studies in the fall of 2020.

¹ See Letter of Maureen Martin, Harvard International Office, in support of Motion to Rescind the Expedited Removal Order, attached as Exhibit B.

Request for Investigation

In light of the aggressive and demeaning questioning and treatment that Ms. Emami Arandi endured, we respectfully request that the Office of Civil Rights and Civil Liberties conduct an investigation.²

First, we ask that the Office of Civil Rights and Civil Liberties review the erroneous determination that Ms. Emami Arandi was inadmissible under § 1182(a)(7)(A)(i)(I) as an immigrant without a valid unexpired immigrant visa, border crossing identification card, or other valid entry document as required at the time of application for admission. Relevant and reliable evidence provided at the time of the order, as well as evidence subsequently submitted with a motion to rescind the expedited removal order, demonstrates that Ms. Emami Arandi came to the United States to study, not to stay long-term. She does not and never had immigrant intent.

Importantly, at no point in the 8+ hours of her questioning—and nowhere in the documents CBP provided to her at that time or since then—has CBP disclosed any information or evidence to support this conclusion. Ms. Emami Arandi was never formally read the charges against her, nor was she given an opportunity to respond to those charges. Indeed, the first moment at which Ms. Emami Arandi came to understand that CBP had called her nonimmigrant status into question was when she examined the documentation CBP had stowed in her luggage, after she arrived home, and read CBP's bare, unsupported conclusion that she was an immigrant without an immigrant visa.

As Ms. Emami Arandi explains in her attached declaration, her goal in attending Harvard Divinity School was—and continues to be—to gain an understanding of Western perspectives of philosophy of religion and to position herself to pursue her PhD in Iran or in the Middle East/North Africa (MENA) region. As she explained to the CBP officer who interviewed her, her only objective in traveling to the United States was to undertake a Master's in Theological Studies at Harvard Divinity School. The only school she applied to in the United States was Harvard, and the program at Harvard Divinity School was the only program she considered attending in the U.S. Had Ms. Emami Arandi intended to come to the U.S. to stay, rather than to study, she would have applied to multiple schools in the U.S. to increase the chances that she would be accepted. But that was never her plan. All of Ms. Emami Arandi's family is in Iran, and she has no family ties in the United States. She also has strong ties to humanitarian organizations in Iran and in the Middle East.

CBP's abuse of discretion in denying entry and revoking valid visas based on unfounded suspicions has been well-documented and deserves scrutiny in this case.³ Ms. Emami Arandi is not the only Iranian student treated in this manner by CBP officers, including at Logan

² We are also concerned that false or misleading information about her case, including information not made available to her attorneys, could be leaked to specific members of the press by CBP in violation of the Privacy Act, as has happened in other cases. *Customs and Border Protection agent faces inquiry after questioning reporter about her sources*, Wash. Post, June 12, 2018, https://www.washingtonpost.com/world/national-security/customs-and-border-protection-examining-agents-questioning-of-national-security-reporter/2018/06/12/05dac696-6e74-11e8-afd5-778aca903bbe_story.html

³ See, e.g., American Civil Liberties Union, *American Exile: Rapid Deportation That Bypass the Courtroom* 54-58 (Dec. 2014); *Khan v. Holder*, 608 F.3d 325, 329 (7th Cir. 2010) (noting that the expedited removal process "is fraught with risk of arbitrary, mistaken, or discriminatory behavior").

International Airport in the past year. We have read about similar reports from other ports of entry as well.⁴

Second, it is well-established that a government agency must comply with its administrative regulations.⁵ Yet, CBP's actions in this case reflect flagrant procedural violations of agency regulations that we ask this Office to investigate.

Specifically, in the expedited removal context, the regulations require examining officers to (1) "create a record of the facts of the case and statements made by the alien;" (2) "have the alien read (or have read to him or her) the statement," and "sign and initial each page of the statement and correction," "[f]ollowing questioning and recording of the alien's statement regarding identity, alienage, and inadmissibility;" (3) "advise the alien of the charges against him or her on Form I-860, Notice and Order of Expedited Removal" and afford "an opportunity to respond to those charges in the sworn statement;" and (4) "serve the alien with Form I-860 and the alien shall sign the reverse of the form acknowledging receipt[,] [a]fter obtaining supervisory concurrence."⁶

Yet, in Ms. Emami Arandi's case, the examining officer, who subjected her to questioning over the course of eight hours, repeatedly disregarded these regulations and committed grave violations of the application regulations and the rights accorded to applicants for admission under those provisions of law. For example, the officer failed to allow Ms. Emami Arandi to read, or have read in a manner she could understand, the Record of Sworn Statement in Proceedings, Form I-867A, describing her "rights, and the purpose and consequences of this interview." The CBP officer did not inform her, as required, that "[t]his m[ight] be [her] only opportunity to present information," nor did he tell her that he was writing a sworn statement on her behalf regarding her application for admission to the United States, as required by regulation. He did not inform her of the consequences of being denied admission, as set forth on the Form I-867A, nor did he explain that she was "not entitled to a hearing or review of the decision."

Moreover, Ms. Emami Arandi's alleged responses to the CBP Officer's questions, as written in the Form I-867A, do not reflect the statements she actually made to CBP. Ms. Emami Arandi was not provided an opportunity to review the written statement to ensure that the contents of Form I-867A accurately reflected her responses. If she had read, or been read, the statements typed on Form I-867A, she would have corrected the erroneous information. Multiple errors and omissions in the form reflect CBP's failure to read or have read to Ms. Emami Arandi her statements on the I-867A, and failure to record her responses on the Form I-867B Record of Sworn Statement as required by 8 C.F.R. § 253.3(b)(2)(i).

⁴ *'Demeaned and Humiliated': What Happened to These Iranians at U.S. Airports*, N.Y. Times, Jan. 25, 2020, <https://www.nytimes.com/2020/01/25/us/iran-students-deported-border.html>.

⁵ See *United States ex. rel. Knauff v. Shaughnessy*, 338 U.S. 537, 544, (1950). When an agency fails to do so, its action cannot stand. See *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954). See also *Bridges v. Wixon*, 326 U.S. 135, 152-53 (1945) (invalidating deportation based on statements taken without compliance with rules requiring signatures and oaths, noting that rules were designed "to afford . . . due process of law" by "providing safeguards against essentially unfair procedures").

⁶ 8 C.F.R. § 235.3(b)(2)(i).

Additionally, in direct violation of 8 C.F.R. § 235.3(b)(2)(i), the examining CBP officer failed to advise Ms. Emami Arandi of the charges against her on the Form I-860, Notice and Order of Expedited Removal, and failed to give her an opportunity to respond to those charges. Although the Form I-860 indicates that supervisory concurrence was obtained, the forms fail to disclose the name and title of the supervisor and also fail to disclose the name and title of the examining immigration officer—again in direct violation of the applicable regulations.⁷ Where the form asks for the printed name and title of immigration officer, the form merely states “CBPO” without any identifying information, and the signature line contains only an illegible W-shaped scribble.


Finally, the supervisor in this case failed to take into account the additional information Ms. Emami Arandi sought to supply in support of her entry, including the late arrival letter and information from HIO; this, too, violated applicable regulations.⁸

In sum, Ms. Emami Arandi suffered, and continues to suffer, severe prejudice and lasting trauma due to CBP’s egregious violations of its regulations, and the procedural rights accorded to her thereunder, and we therefore ask that this Office investigate her case.

Respectfully submitted,



Sabrineh Ardalan
Director, Harvard Immigration and Refugee Clinical Program



Jason Corral
Staff Attorney, Harvard Immigration and Refugee Clinical Program

Susan Church
Demissie & Church

Enclosures

CC: Senator Ed Markey; Senator Elizabeth Warren; Representative Joe Kennedy; Representative Ayanna Pressley; ADC, Washington, DC

⁷ See 8 C.F.R. § 235.3(b)(2)(i).

⁸ See 8 C.F.R. § 235.3(b)(7) (mandating supervisor-level “review of any claim of lawful admission or parole and any evidence or information presented to support such a claim, prior to approval of the order” and allowing the supervisor to “request additional information from any source” and “from a further interview with the individual”).

EXHIBIT A

HARVARD

INTERNATIONAL OFFICE



Declaration of Maureen Martin in Support of Reihana Emami Arandi's Motion to Reopen and Rescind Her Expedited Removal Order

I, Maureen Martin, state the following in support of Reihana Emami Arandi's Motion to Reopen and Rescind the Expedited Removal Order Issued Against Her:

1. My name is Maureen Martin. I am a native and citizen of the United States. I am currently employed by Harvard University in the Harvard International Office (HIO). I have worked at the HIO for 32 years. I am currently the Director of Immigration Services at HIO.
2. I have direct knowledge of Reihana Emami Arandi's application for a student visa and the subsequent revocation of her student visa.
3. On September 18, 2019 I was expecting Reihana to arrive at Boston Logan Airport following the issuance of her multiple entry F-1 student visa. Her expected arrival into the United States was brought to my attention, in part due to the fact that her visa was issued after classes had started, following lengthy Administrative Processing. The Harvard Divinity School had agreed to let her begin her studies late, provided she arrived by September 20, 2019.
4. On the evening that Reihana arrived I was contacted by a Harvard student from Iran whose wife had gone to Logan Airport to greet Reihana. His wife had been told by a CBP officer that she should go home because Reihana was going to be there for a while. I assumed that she must be in secondary inspection which did not surprise me since she is Iranian and her visa required Administrative Processing.
5. I was concerned, however, since she had landed around 2 PM and it was now close to 9 PM. I believed that Reihana was having trouble being admitted into the United States. I heard from two more students from Iran at Harvard about her arrival so the word of her difficulties had spread around the campus. The HIO has a 24/7 phone line for international students and scholars to use if there is some type of emergency. I understand that those put into secondary cannot use their phones and the fact that nobody had heard from her led me to believe she was still in secondary.
6. I contacted several other Harvard administrators as well as the Harvard Law School's Immigration and Refugee Clinic in order to determine an appropriate course of action. It

was determined that I should call Customs and Border Protection at Logan Airport so that I could find out if there was any particular issue that I might be able to help resolve as PDSO for Harvard's F-1 program. When I contacted CBP the person who answered the phone would neither confirm nor deny that Reihana was there. I said I understood that to be the case and specifically requested that she be allowed to withdraw her request for admission and not subject her to expedited removal. I was told they explain all of that to the individual. I pointed out that it is difficult to understand, especially after such a long flight and how long she had already been in secondary.

7. I later learned that Reihana's visa was revoked and she was issued an expedited removal order based on the belief that she did not meet her burden of showing temporary non-immigrant intent.
8. In the course of my 32 years of experience at HIO I we have developed procedures for ensuring that student visas are issued appropriately and efficiently. We take seriously the routine audits conducted of our office and strive to maintain the highest standard to ensure we are complying with the law and that we are properly preparing students for the requirements of the student visa.
9. Based on my review of Reihana's application it did not appear there was any particular information that would support the notion that she intended to come to the United States for any other reason but to study. While it is impossible to know a person's true intent at entry her application, on its face, did not present issues that would lead me to believe she had any intent to stay in the United States beyond the time allotted for her studies. Nor was I given any information by CBP that would change my opinion about Reihana's application.
10. My hope is that Reihana will be able to complete her Master's program at the Divinity School. The Divinity School has agreed to allow her to begin her program in January 2020 when the second semester begins on January 27, 2020. I have processed the visa paperwork and coordinated with the staff within the Master's Program at the Divinity School to help allow Reihana come to study at Harvard.
11. For these reasons I respectfully request that the Expedited Removal Order issued against Reihana Emami Arandi be reopened and rescinded.

I, Maureen Martin, do hereby state, under pains and penalty of perjury, that the foregoing is true and accurate to the best of my knowledge and ability.



Maureen Martin

10/16/2019

EXHIBIT B

Declaration of Reihana Emami Arandi

1. My name is Reihana Emami Arandi. I am submitting this declaration in support of the complaint being filed by my attorneys with the Office for Civil Rights and Civil Liberties of Department of Homeland Security (DHS) on my behalf. I authorize DHS to share information related to the complaint as well as any information about me related to the September 18, 2019 expedited removal order entered against me with my attorneys.
2. With this declaration, I hope to provide some background and context both as to why I am seeking to study in the U.S. and as to what happened in my interactions with officials when I landed in Boston last month, including the humiliating and discriminatory treatment I suffered.

My Path to Studying Religion and Philosophy

3. I was born on [REDACTED] in Tehran, Iran, where I continue to live with my parents. I applied to Harvard Divinity School to pursue a Masters in Theological Studies with a concentration in Islamic Studies. I hope eventually to obtain my doctorate and pursue a career in research and teaching and/or humanitarian work in the Middle East and North Africa (MENA). A degree from the Harvard Divinity School is the ideal launching pad for my career goals.
4. My parents are both teachers and I grew up in a household where we often discussed religion, philosophy, and literature. I am passionate about these topics, as are my parents and siblings. Despite my interest in the humanities, my parents encouraged me to study engineering because they believed it would lead to a more lucrative career. As a high school student, I liked mathematics and excelled at it, so I decided to study industrial engineering for my Bachelor's degree at Tehran Polytechnic. When I graduated in 2007, I took a job with an engineering company in the project management office, but after working in the field for two years, I realized I couldn't see myself as an engineer.
5. In 2009, I decided to leave that job and spent several years traveling in Iran and around the Middle East, including to Syria and Lebanon, Azerbaijan and Turkey. I loved learning

languages and was interested in studying the Middle East, so I decided to learn Arabic and after that French. My father had traveled a lot in Iran and to neighboring countries when he was young, as had my grandfather, and I grew up hearing about their travels, which inspired me to engage in the same.

6. After traveling, I enrolled in a two-year program to study Philosophy for engineering students at Tehran University, which helped me realize just how passionate I was about pursuing an academic career in the humanities.

My Humanitarian Work and Passion about Volunteering with Youth and Children

7. During the time that I was studying Philosophy for engineering students, I also volunteered with an international organization for students, which promotes peace through exchanges of students in different countries. In that capacity, I helped review applications, conduct interviews, and organize and facilitate international volunteer and internship experiences. Through that work I traveled to the UAE for a conference for young leaders of the Middle East.
8. My volunteer work helped solidify my commitment to working with youth and children, which started while I was getting my Bachelor's degree. At that time, I volunteered with a society for protecting the rights of the child in Iran founded by the Nobel Peace Prize winner Shirin Ebadi. Through that NGO, I taught Afghan labour children basic literacy and math. I have always loved working with children, and I volunteered with that organization for four years.
9. I also have done other volunteer work, including helping students from impoverished communities prepare for university entrance exams. Volunteering in support of humanitarian causes is an important aspect of my life and something I have always been committed to and do still, to this day. While I am left in limbo waiting for a resolution of my case, I'm currently volunteering with a program in Tehran to help children who need bone marrow transplant surgery. Pursuing these humanitarian causes is an important part of who I am and what I am committed to doing with my career.

10. The refugee crisis stemming from Syria and the region has produced serious concerns for me. Consequently, in summer 2014, I worked with a European NGO in the north of Lebanon to help facilitating Syrian refugee students' enrollment into Lebanese public schools. The NGO's engagement in interreligious activities was one of the main reasons that motivated me to work with them.
11. My volunteer work and concerns I had in dealing with the Syrian refugee crisis as well as my studies in my Philosophy program contributed meaningfully to my decision to study Philosophy of Religion. My thesis on "otherness in Early Sufi literature" drew on my thoughts and experiences while working with refugees and allowed me to delve more deeply into the issues and concerns that arose during that work.

Getting my Masters in Philosophy of Religion and Applying to Harvard Divinity School

12. After spending some years volunteering, learning languages, and traveling, I eventually decided to go back to school to get a Master's degree in Philosophy of Religion from Allameh Tabataba'i University, which I completed in 2017. While I was getting that degree, I worked three days per week as an assistant to the managing director of a private water treatment systems manufacturer, in order to support myself. I took that job as a way to earn some money while studying, since I didn't want to be dependent on my family. I mostly was engaged with preparing time schedule plans and issuing progress reports for clients.
13. I am very proud of the fact that even though I was working while getting the degree, I still finished at the top of my class. I loved the courses I was taking and was passionate about my studies. After completing my Master's, I decided to keep studying and applied both to Harvard Divinity School and to a Master's Program at the Network on Humanitarian Action (NOHA) in Europe. I felt that a Master's from Harvard would be instrumental in exposing me to more of a Western perspective on philosophy and religious studies. Since I hope to eventually get a PhD and go into either (or both) academia and humanitarian work in Iran or in the MENA region, I believed a Master's from Harvard would help put me on that path. I worked as a CEO's assistant at a private company -Iranian Android marketplace- to try to earn some money while I was waiting to see if I was admitted, which thankfully I was.

14. I committed to attending Harvard's Master's Program over the European NOHA program and immediately began working with Harvard's International Office to apply for my student visa. I had to wait over 100 days for my visa and went through extensive administrative processing. I was nervous because I had invested so much in participating in the Harvard program, and I was worried that I would not get my visa in time to start classes in the Fall of 2019.
15. My visa was approved after classes had started but I was so grateful when it came through, and Harvard thankfully agreed to delay my start time. I was, and still am, excited to pursue a Master's in Theological Studies. I believe that learning from the faculty at the Divinity School will deepen my understanding of issues I am passionate about and will help me tremendously in pursuing a PhD and a career in the Middle East or North Africa. Getting a degree from the Harvard Divinity School will help open doors for me throughout the Middle East and in returning to the region to teach and conduct research—which is what I aim to do.

Interactions with Customs and Border Protection at Logan Airport, Boston, MA

16. I arrived at Boston Logan Airport on September 18th at around 2:00 pm with my I-20, late arrival letter from Harvard University, and a multiple-entry visa, which was issued just a week earlier in Dubai, following nearly 100 days of administrative processing, which included extensive background checks and vetting.
17. During the passport check, the officer inquired about my nationality. Immediately thereafter, I was led to a place, which I think was the CBP section of the airport. An officer then asked me a lot of questions about why I was coming to the U.S., what I was going to study, what I had studied in Iran, and where I had worked. I answered his questions to the best of my ability.
18. He asked about my previous jobs, including what my position was there, how long I'd been there, and how big the companies were. He asked who would be paying for school, and I explained that in addition to the scholarship and grant I had from Harvard, my family would be supporting me. He asked the names of my brothers and where my brothers did their military service.

19. He then took my carry-on bag and backpack and looked through it all. He saw the Quran and asked what it was. I told him it is the Quran. He then asked me what Iranian people think about the explosion in Saudi Arabia. I said I was packing my things during past few days, and I hadn't been reading or following the news. I explained I didn't know much about it and that people generally hoped the situation would get better. I said I am not a political person—I'm interested in philosophical questions. He then said something like, we want to help people in Iran and that the bomb was Iran's work. I repeated that I didn't know about the situation. I felt like he was trying to engage me in a discussion about a subject of which I had little knowledge; therefore I did not respond because I could not comment intelligently on this particular topic.
20. He then inspected all of the contents and every small bag inside my backpack. He looked through two blank notebooks that I brought with me. He took my laptop and my mobile phones—I had a smart phone and an old phone that wasn't smart—and asked me for their passwords, which I gave him. The officer then took my phones and laptop with the passwords and went to the other room to inspect the contents.
21. When he came back approximately an hour later, he asked many questions. Similar to my visa interview four months earlier, I answered all the questions that the officer was asking, patiently and with detail. The questions were related to my travels, my work experience, as well as about whether I had family or other connections in the U.S. The officer kept asking questions and leaving the room and coming back with more questions.
22. In response to all of the career related questions I was asked, I kept explaining that I had switched from engineering to humanities five years ago and that I was now a researcher in philosophy of religion, hence my acceptance to Harvard Divinity School. I explained that I was here to study theological studies.
23. He also asked whether I have family or friends in U.S. I said I have no family here but a few friends. He asked whether my friends were in Boston and I said no. He questioned me about my travels. I explained the purpose of my travels in a similar way to when I was asked about

them at my visa interview. I told him that I had been to Iraq, Syria, Lebanon, Azerbaijan, Turkey, and the UAE. The officer had specific interest in what I did in Iraq, Syria and Lebanon. I explained that I went to Iraq for pilgrimage, so he asked if I had just been to Najaf and Karbala, and I said that I flew into Baghdad initially.

24. I explained that I had traveled to Syria in 2008 before the war, to learn Arabic, and I volunteered in Lebanon with a European NGO that worked with refugee children. The officer had questions about my work with Syrian refugees in Lebanon. I did my best to answer his questions about my travels and gave him the information I had. After this second round of questions, he then told me to wait some more and left me for a while.

25. It was around 6:00 PM at that point—four hours had passed since my arrival and I had been through several rounds of questioning. I was the only person left in the room, where before there had been 20 or 30 people from different countries. I asked if I could go to the bathroom and two women officers came with me—one in civilian clothing, one in uniform. They checked what I was taking into the bathroom, and stood outside the stall while I went to the bathroom. These were the only female officers I interacted with during the nine hours I was questioned at Logan. Around this time, I asked if I could call the person who was supposed to pick me up and tell her not to wait anymore. So an officer brought the phone and asked which person it was, and said they would call her.

Further Questioning and Demand to Sign a Statement I Didn't Understand

26. When the officer who had been questioning me came back, he said he had more questions. He then took me to another place—from the outside CBP section to the inside section. In the interior, there were desks and a few travelers. It was then that I started feeling very upset and afraid. I was exhausted and I started realizing that they wanted to turn me away. He took me into an interview room.

27. In the interview room that same officer, who was wearing civilian clothes and had a beard, said he would read me a statement and then he wanted me to sign it. He read the statement aloud, and I did not completely understand what it said. I felt like they wanted to turn me back

and wanted me to sign it. But I didn't understand it clearly and it didn't make sense to me. I did not want to return to Iran. I had a student visa and was planning on studying at Harvard.

28. I had sacrificed a lot to come to Harvard and wanted to provide any clarification needed so that my student visa would be honored. I did not have a clear understanding of why they wanted me to return to Iran. The stress of the situation prevented me from being able to concentrate and fully understand the information in English. English is not my first language and I had traveled for 18 hours and hadn't slept the night before in Iran. He read the statement again quickly. I wanted to read a printed copy in the hopes that I could understand it better but he wouldn't show me a printed copy. I felt like it was a legal document that I didn't understand, and I was afraid of signing something that I couldn't completely comprehend.

29. I told him that I still didn't understand it so I couldn't sign it. I was afraid of signing a legal document that might have the effect of revoking my student visa. I asked him if I could call Harvard to consult with them because I thought that somebody at Harvard would be able to explain particular problems that may have arisen with my student visa, administrative processing and my delayed start time. But he refused my request to contact Harvard and said he was going to call his boss. I was confused and upset. I did not know why they wouldn't accept my visa and why they wouldn't let me to speak with the Harvard International Office.

30. The officer's boss then came in. I said I didn't understand the statement the officer read to me and wanted me to sign, and that the Harvard International Office (HIO) had said to be in touch if I had problems. I asked if I could be in touch with HIO, but the boss refused. He said repeatedly something like, *if I was in the government of Iran, would they call the University?* I was very confused about why he said that. I said I just wanted to talk to the school about the document they wanted me to sign. But he refused to let me contact the school without any explanation but *the government of Iran wouldn't let at the same situation*. I was confused. I asked if you were in my shoes what would you do. *Would you sign something you didn't understand?* He said the form he read to me was just a summary of the questions they had asked and the answers I had given. But it didn't sound like a summary of the questions they had asked or my responses to those questions. I said I didn't understand why I needed to sign

that. I asked whether I could wait until the morning or at least for a few hours to review and understand it after resting. He said *you should be smart enough as a student of Harvard to understand these things*. He said sign it now so we can be done with this. I said I didn't understand it, so how can I sign it?

31. I then asked what my options were. He said my options were to sign and answer more questions or not. I asked about the consequences of each option. But he said *I don't know: after you decide we will determine the consequences*. I told him I'd been 18 hours in flight and 40 hours without sleep. I was worried about not being able to provide sufficient answers and asked again if I could rest or call someone at Harvard. I told him I don't know my rights or the regulations that applied, but he refused to let me rest or talk to anyone at Harvard. He said *I had no rights and couldn't talk to a lawyer*. (I had only asked to talk to the HIO.) I wanted to know if I should sign or not. I wanted someone to advise me. Whenever I said I wanted to talk to Harvard, he would say again: *if I was in Iran, would the government allow me to talk to anyone?* He said I could talk to whomever I wanted only after CBP made its decision.

32. The officer read the statement to me again. And I think he read something about answering "freely and voluntarily at this moment". I told him that I had answered all their questions and it wasn't that I didn't want to answer more questions, but I was not feeling like I was freely and voluntarily doing anything at that point, because I was exhausted and could not concentrate on what was being asked of me to sign. I told him that I didn't understand what the problem was. It was confusing that I would have these problems because my visa had just issued a week earlier after extensive administrative processing. He then asked again whether I was **freely** and **voluntarily** answering right **now**, so I said **right now** it was a lie to say freely and voluntarily. He said ok.

33. I think I was in that interview room for about an hour. Then they took me to another place in the interior part, where a few other travelers were. I think at that point it was around 7:00 PM, and I waited there for about 2 hours. I was very cold and asked for a blanket. I then

remembered that the officers hadn't asked me for the late arrival letter from the university. I told the officers I'd forgotten to give it to them, but they did not want it.

34. Then after 2-3 more hours, the first officer, the bearded one, came back and took me into another interview room, with another officer in civilian clothes and with an officer in black clothes standing outside the door. The bearded officer had a black glove and took my hand and fingerprinted me repeatedly without telling me why and without asking for permission. He then brought his camera and took a picture. He said that CBP had made a decision about my case. He explained that I could not enter that day and, furthermore, that I was forbidden from entering for 5 years. I asked why and what I had done to cause this. He said: *because you refused to answer the questions. That's why.* I said I had not refused. I had answered all the questions and I only did not understand the statement and had only asked to be able to call HIO or to be given some time to rest.
35. I was shocked. I entreated him to reconsider and said I wanted to talk with a supervisor. At some point, he said it could have been worse—I could've been barred for 25 years. He said I could go to Armenia and try again for a visa. I asked how this could be, when he was barring me from entering for 5 years. I kept asking for a supervisor. So then, he went and got another supervisor.
36. When that supervisor came, I explained that I didn't refuse to answer the questions—I had just asked for more time to rest or consult with HIO because I didn't understand the statement. He said the officer on my case has a wife and children and cannot spend more time on it. I was totally shocked and couldn't understand what was going on. He kept asking what would the government of Iran do, and I kept answering: *what does this have to do with Iran's government?* If I had known that not signing would keep me out for 5 years I would have signed, but they never advised me of that consequence. They had only said if I did not want to sign, I did not need to sign. I asked again to show them the late arrival letter. They asked if I thought *the letter or the university would change our decision.* I kept asking if they'd reconsider but they refused.

37. At that point it was around 10:00 PM. After that they didn't talk to me anymore. They brought me to the doors of an airplane. They put my phones, laptop and the papers I refused to sign in the main suitcase that was checked in to the baggage compartment. As a result I wasn't able to access my phones, computer, or the papers they gave me until I arrived in Iran, 24 hours later.
38. I asked why I couldn't have my phone. They had previously told me before I could make a call when they were done with me. I told them my family was going to get worried. It seemed like they wanted to prevent me from letting anyone know what had happened to me. They didn't even give me my passport and ticket. I was crying the whole way back. I borrowed a phone from a passenger and WhatsApped my family. I had to wait in Doha for 5 hours before finally flying home.

Reviewing my Papers When I Reached Iran and Looking Back at What Happened

39. In Tehran, I finally had the chance to review the documents that were put into my checked luggage. It was then that I realized that the content of the papers was not consistent with what happened at the airport. In fact, what was written was completely different from what happened. Some questions on the papers I was never asked; others I didn't answer in the way that they claim. In particular, the answers to the questions regarding whether or not I understood, are not accurate—I repeatedly told the officers I was confused and never claimed to understand what was going on. The paper reads: “*Do you understand what I have just said to you?*” and the answer is “*Yes.*” But I never said that. I repeatedly told the officer that I did not understand the statement, which was full of legalese and references to U.S. laws that were unfamiliar to me. I had insisted I needed to consult with someone at Harvard so that I could understand this statement and answer it.
40. Moreover, the form included questions and answers that were never asked of me. For example, the form says that I was asked *Do you have any fear or concern about being returned to your country or being removed from the United States?* And my response is shown as *No*. This question was never asked. Similarly, I was not asked *Would you be harmed if you are*

returned to your home country of last residence? Again, however, the form included my answer as *No*. If they had asked me about my concerns or fears about going home, I would have explained that I had lost my job and given up an opportunity to study in a fully-funded Master's Program in Europe to go to Harvard, such that not being able to attend the program at Harvard makes me afraid for my well-being and it would affect whole my academic life since I would have problem for obtaining other visas as well. Furthermore, my humanitarian and volunteer work could lead to problems within Iran..

41. The form also stated that I answered *No* to the question *Do you have any questions or is there anything else you would like to add?* This is also completely false, because I had asked questions about my rights, access to HIO, and the process itself, but none of these were reflected in the document. In addition, and more shockingly, the document reads that I was inadmissible because I did not have a “valid visa” and that the *true intent of [my] trip to the United States could not be determined as [I] elected not to answer questions pertaining to [my] admissibility*. The form records that I answered *Yes* to the statement that *I understood the above statement*. This is also false. My main problem was not understanding of that statement. I just want to study and get my Master's of Theological Studies at Harvard Divinity School.

42. Looking back, I believe the CBP officials wanted me to sign certain documents that would affect my admission to the US. After I told them I wanted to make sure to understand those documents before I signed them, they decided to remove me from the U.S. anyway. I don't understand why this happened when I answered every single question I was asked. I simply did not want to sign a statement that I could not understand and that I later discovered contained false and incorrect information. I was ready to answer any further questions they had about my background, my education, my family, and my intent to study in the United States, just as I had done in the 8+ hours I was there and as I had at the visa interview beforehand.

43. When I think about what happened, I believe my nationality as an Iranian was a big reason why I was treated this way. The CBP officials repeatedly mentioned “my country” and Iran.

For example, they asked about the Iranian people's opinion about Saudi oil attack, and I answered I didn't know, for I had been preparing for my trip when it happened and I was focused on that, not on the news. They also asked me in a sarcastic manner about what "my government would do" in a similar situation. They asked me whether "*my government*" would let the student talk with the university if a similar situation were to happen. I didn't understand why they kept saying that, but I felt like I was being treated as if I was responsible for my government's actions, when I do not have anything to do with the Iranian government.

44. I also felt that there was sensitivity to the name of Harvard University and maybe the recent issue with a Harvard Palestinian student was part of this sensitivity. Whenever I asked them to let me talk with the University, I felt that sensitivity. They said things like *you think we take orders from Harvard?* or *you think because you are a student of Harvard, you should be treated differently?* or *you should be clever enough as a student of Harvard to understand these things.*

45. During the 9-hour process of being held and questioned, and while I was mentally and physically exhausted and feeling faint, I was only once offered water and a biscuit. As a person who has worked for many years in critical situations with refugees and asylum seekers, I was and am totally shocked by this lack of humanity. I couldn't and still cannot believe how I was treated and why I received such behavior and this five-year bar, when all I did was present for entry with a valid visa that the State Department gave me and all other legal documents, so that I could pursue my education in the United States.

46. I have never had any interest in or intention to stay in the U.S. for the long term. In fact, Harvard is the only school in the U.S. I even applied to. It doesn't make sense for anybody intending to immigrate permanently to rest their hopes on one highly competitive Program at Harvard. In 2019 for the third year in a row, Harvard Divinity School was ranked #1 out of 100 institutions around the world. Yet this is the rationale they gave in declaring that my student visa was not valid. I explained in clear and detailed terms that my only reason for coming to the United States was to study at Harvard. I do not have any family in the U.S. and no interest in or ambition to stay in the United States beyond the terms of my student visa. All

of my family members are in Iran, and I am committed to pursuing my career in the MENA region.

47. I hope that this statement can help demonstrate the unjust, discriminatory, and humiliating treatment I suffered at Logan Airport and clear up any misunderstanding so that CBP will reconsider its decision on my case. I am prepared to answer any further questions or provide any further information that would assist with that.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Reihana Emami Arandi



Jan. 27, 2020

Reihana Emami Arandi

Date

Email: [REDACTED]

Whats App: [REDACTED]