

## PRIME NEWS

# 'FBI agent's slip-up led to visa woes'

**NO-FLY LIST CASE:** US judge chides error linked to UPM dean's visa woes

**SAN FRANCISCO**

A LONG court battle waged by a Malaysian architect over her mistaken inclusion on the United States government's no-fly list may never have started if a federal agent had marked the correct boxes on an official form.

Rahinah Ibrahim sued the US government in 2006 after she was placed on the no-fly list and was then denied a US visa.

After years of litigation and appeals, US District judge William Alsup here issued a short statement last month saying that existing procedures to correct mistakes on the no-fly list do not provide adequate due process protection.

The judge's ruling describes how Rahinah wound up on the no-fly list in the first place.

According to the ruling, an FBI agent in San Jose, California, had not intended to place Rahinah on the list, but checked the wrong boxes on a form.

"That it was human error may seem hard to accept — the FBI agent filled out the nomination form in a way exactly opposite from the instructions on the form," Alsup wrote, "a bureaucratic analogy to a surgeon amputating the wrong

digit — human error, yes, but of considerable consequence."

The no-fly list has become the subject of multiple legal challenges. Rahinah's case is believed to have been the first to go to trial, which took place in December.

Rahinah attended Stanford University on a student visa, according to court filings. In early 2005, she was detained for two hours at San Francisco's airport because authorities believed she was on the no-fly list. Eventually, she was allowed to travel to Malaysia.

However, her US visa was revoked under a legal provision relating to suspected terrorist activities, though she was not told the specific factual basis for that action. She has not been allowed to return to the US.

Rahinah petitioned US authorities to clear her name, but instead received a letter that did not say whether she was still on the no-fly list. She filed a suit, claiming that her inability to return to the US damaged her professionally.

The US government has since conceded that Rahinah is not a national security threat. She is currently the dean of architecture at Universiti Putra Malaysia.

Alsup said it was reasonable to believe that the FBI agent's original mistake led to Rahinah's subsequent visa problems. Once false information is entered into one government database, he wrote, "it can propagate extensively through the government's interlocking complex of databases, like a bad credit report that will never go away". **Reuters**