

## Hard Sell -- A Muslim's Choice: Turn U.S. Informant Or Risk Losing Visa

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Last November, when Yassine Ouassif crossed into Champlain, N.Y., from Canada, border agents questioned him for several hours. Then they took away his green card and sent him home to San Francisco by bus, with strict instructions: As soon as he got there, he was to call a man named Dan.

Dan, it turned out, was Daniel Fliflet, a counterterrorism agent for the Federal Bureau of Investigation. Mr. Ouassif met the agent at an Oakland subway station on Nov. 30, and the two men walked the streets together for 90 minutes.

Mr. Fliflet told the 24-year-old Moroccan that he'd been monitoring his friends and him for many months, Mr. Ouassif recalls. Mr. Fliflet made him an offer: Become an informant and regularly report to the FBI on what his Muslim friends in San Francisco were saying and doing. In exchange, he would get back his green card. He could resume his education, bring his Moroccan wife to America, and pursue his dream of buying a car, moving to Sacramento and becoming an engineer.

If he refused? asked Mr. Ouassif. "I will work hard to deport you to Morocco as soon as possible," Mr. Fliflet responded, according to an account written by Mr. Ouassif soon after the meeting. "I want you to know something important," the FBI agent added, according to Mr. Ouassif. "America is just like a bus, and you have a choice to make: Either you board the bus or you leave."

Mr. Ouassif's encounters with federal officials -- and with intelligence agencies on two other continents -- came to a head in April. His story provides a window into a largely covert front of the war on terror: the FBI's aggressive pursuit of Muslim informants. Since the terror attacks of Sept. 11, the bureau has had the difficult task of penetrating a culture that few agents know anything about. It has responded with a forceful effort to conscript eyes and ears within Muslim communities.

Some of the recruitment is public. FBI agents plead for community assistance in meetings at mosques and other Muslim conclaves. Agents are also under pressure to develop confidential sources. According to FBI rules, supervisors review case files every 90 days to scrutinize the nature and credibility of agents' contacts. "If an agent is sitting there with nothing," one FBI official says, "their supervisor will come down and ask, 'What are you doing?'"

Over the years, informants have been vital in developing criminal cases against drug gangs, the Mafia and other organized crime. But when agents resort to coercive tactics, it sometimes backfires, some FBI agents say. In intelligence gathering, the so-called hammer -- the threat of legal retaliation -- can alienate the "human assets" needed most, experts say, and can raise legal and ethical questions.

"The best FBI man is really just a good salesman," says Patrick Webb, a retired FBI supervisor who set up San Francisco's terrorism task force in the 1990s. "Blackmail of any type is blackmail. That never works."

Mr. Fliflet didn't respond to questions emailed to him about his dealings with Mr. Ouassif. An FBI spokeswoman in San Francisco, LaRae Quy, confirms Mr. Ouassif's account of his dealings with Mr. Fliflet. "This was a serious investigation, though not necessarily of Mr. Ouassif," she says. "We had really good reason to believe he could give us good information about a lot of things."

After his meeting with Mr. Fliflet, Mr. Ouassif faced a dilemma increasingly familiar to Muslims in America in recent years: whether to inform on friends and relatives or risk alienating U.S. authorities.

Walid Mustafa, a 53-year-old Palestinian American who teaches kung fu, first encountered the FBI when a young agent knocked on his door in Sacramento to ask about fund-raising at the local mosque. The FBI had been questioning donors to Muslim charities nationwide. Several weeks later, Mr. Mustafa contacted the agent for help: His brother's ex-wife had sold their duplex and absconded with the proceeds to Malaysia, Mr. Mustafa told the agent. They agreed to meet at Starbucks.

Mr. Mustafa says the FBI agent offered to pay him for providing information about local Muslims. "What about helping my brother?" he recalls asking. "You help us. We'll help you," he says the agent responded.

"It was so insulting," says Mr. Mustafa. "As Muslims, we're obligated to protect this country. We don't need to get paid. I told him, 'You're not going to solve the problem by hiring snitches in mosques. Get involved. Get to know people. Become part of the community.'"

Karen Ernst, an FBI spokeswoman in Sacramento, says that Mr. Mustafa "got very upset" when he was asked to become an informant. But she says the agents who dealt with him never suggested trading favors in any way.

Mr. Ouassif, the young Moroccan whose green card was taken at the border, immigrated to the U.S. in 2001 at the age of 18, after winning the green card in a State Department lottery. He says he immediately began to look for a wife. He asked other U.S. Muslims to fix him up, "but the only thing people cared about was how much money I had," says Mr. Ouassif, who works as a laborer and security guard.

The solution, he says, came to him in a dream: He would marry Khadija El Fahri, a first cousin whom he hadn't seen since 2001, when she was 14. His mother and aunt arranged it, and in 2003, the couple married in Casablanca. After a brief honeymoon, Mr. Ouassif returned alone to San Francisco, enrolled in community college and hunkered down for what he expected would be a long, agonizing wait for a visa for his 16-year-old bride.

Mr. Ouassif's troubles began last September after he visited his wife in Morocco. He took off from Paris on a flight back to San Francisco. Three hours later, the pilot announced the flight was returning to Paris. Two French policemen escorted Mr. Ouassif off the plane. French authorities told him that the U.S. would not permit the plane to land with him onboard, he says. They told him they didn't know why, he says. They put him on the next flight to Casablanca.

Moroccan security officials met Mr. Ouassif at the airport and grilled him all night and for much of the next day, he says. At one point they told him he'd "never see the sun again" if he didn't tell them why the U.S. would turn back a French jet just because he was aboard, he says. Through tears, he pleaded innocence. Moroccan authorities allowed him to stay with his family while they investigated.

Paul Bresson, a spokesman for the FBI in Washington, declined to discuss any aspect of the so-called no-fly list maintained by the government. A spokeswoman for the Moroccan embassy in Washington did not respond to requests for comment.

One month later, a Moroccan agent informed Mr. Ouassif that he'd been cleared of suspicion by Moroccan intelligence, Mr. Ouassif says. The agent warned him not to return to the U.S., but didn't elaborate. Nearly broke from the extended stay, Mr. Ouassif bought a plane ticket to Montreal. His plan was to return to the U.S. by bus and to resolve his problem with U.S. authorities at the border.

When he arrived there, an inspector wondered why he had flown through Montreal. Concerned about arousing further suspicion, Mr. Ouassif said nothing about the incident in Paris. He told the inspector he'd heard the road from Canada was beautiful, he recalls. He was handcuffed and placed in a holding cell for several hours, he says. An immigration officer interviewed him at length about his life and religious views. Then, he says, he was introduced to Special Agent Michael Lonergan of the FBI's office in Plattsburgh, N.Y. They were left alone to talk, he says.

Immigration officers had taken his green card. Under normal circumstances, Mr. Lonergan told him, he would have been sent to a Buffalo detention center to await deportation proceedings, according to Mr. Ouassif. He'd been spared, Mr. Lonergan told him, by a call from Dan, his FBI colleague in San Francisco. Special Agent Dan Fliflet wanted Mr. Ouassif to come to San Francisco, but not by plane, and to call him as soon as he arrived. According to Mr. Ouassif, Mr. Lonergan told him that Mr. Fliflet would decide whether he would get back his green card or be deported. Mr. Ouassif was ordered to report to an immigration interview in San Francisco three weeks later, on Dec. 14.

Mr. Lonergan referred questions about the matter to the FBI's spokesman in Albany, N.Y., who declined to comment.

One week later, as Mr. Ouassif and Mr. Fliflet walked the streets of Oakland, the FBI agent accused him and his friends of having "jihadi" beliefs, according to Mr. Ouassif's written account. Mr. Ouassif responded that they were observant Muslims interested in peace and personal betterment, not jihad and politics. Mr. Fliflet said he didn't believe that, and asked Mr. Ouassif if he had any information to share, according to Mr. Ouassif.

Mr. Ouassif says he told the agent about the only suspicious character he knew, an Afghani man who prayed on Fridays at a San Francisco mosque and claimed to have fought with the Afghan mujahedeen against the Soviets. The man supported Muslim insurgents in Iraq, Mr. Ouassif said, and once asked Mr. Ouassif to wire \$5,000 for him from Morocco to Iraq. Mr. Ouassif told the agent he had refused, and had told the Afghani that he didn't believe the Iraq conflict was a true jihad.

Mr. Fliflet gave Mr. Ouassif one week to consider the FBI's offer to become an informant in exchange for his green card, according to Mr. Ouassif. If he didn't hear from him, the FBI agent said, he'd assume Mr. Ouassif "prefers to help extremists" instead of America, according to Mr. Ouassif. Mr. Fliflet warned him the FBI had ample evidence to prove he was an extremist, Mr. Ouassif says. Mr. Fliflet told him not to tell anyone about their meeting, including any lawyer.

Accepting the offer, says Mr. Ouassif, would have fulfilled his dream to bring his wife to America. But he feared that doing so would be sinful. According to the Quran, he says, the lowest depths of hell are reserved for munafiqun -- hypocrites who act as Muslims while plotting against them. Mr. Ouassif says he also worried that working with the FBI was a lifelong commitment -- easy to start, impossible to stop.

Mr. Ouassif immediately told his roommate, Nouredin Moussawi, what had happened. Mr. Moussawi, a Moroccan-American cabdriver who had worked for 10 years as a United Airlines flight attendant, says he told Mr. Ouassif that the FBI wouldn't hurt him because he'd done nothing wrong. "Tell the truth. You have nothing to hide," Mr. Moussawi recalls telling him.

Two weeks later, Mr. Ouassif reported for his scheduled immigration interview. Ignoring Mr. Fliflet's instruction, he brought a lawyer, Banafsheh Aklaghi, founder of a San Francisco nonprofit group, National Legal Sanctuary for Community Advancement. Mr. Fliflet was there. An immigration agent peppered Mr. Ouassif with questions. Clues emerged as to why the authorities had taken such an interest in him.

Much of the interview focused on one of his former roommates, a San Francisco cabdriver who had returned home to Baghdad shortly after Mr. Ouassif moved in with him in 2003. Mr. Ouassif says he inferred from the questions that his ex-roommate had been arrested or killed in Iraq. Mr. Ouassif's cellphone number had been on the man's phone, the immigration agent said. Mr. Ouassif told the agent they hadn't been close friends, and that he hadn't thought the man was dangerous or he wouldn't have lived with him.

The agents told Mr. Ouassif they intended to detain him for deportation. His lawyer asked why. Mr. Ouassif says the agents didn't answer. He was handcuffed and put in a holding cell. Through a cell window, his lawyer told him he was slated for detention in Eloy, Ariz., one of the highest-security facilities in the federal system. Mr. Ouassif cried.

About three hours later, he says, the immigration agent took him aside without his attorney and asked if he still wanted to fight deportation. He said he did. Within minutes, he says, another immigration officer gave him surprising news: he was free to go. The Homeland Security lawyer on duty had refused to sign his detention order, citing a lack of evidence, his attorney, Ms. Aklaghi, was told. (FBI and immigration agents can recommend detention and deportation, but it is up to Homeland Security lawyers to review the legality of the decisions.) Mr. Ouassif was given another immigration appointment.

On April 6, Homeland Security's Immigration and Customs Enforcement branch gave Mr. Ouassif his green card back. Ms. Aklaghi says she learned more at that point about why federal authorities were so interested in him. Mr. Ouassif had been secretly recorded by an FBI informant talking to friends in a San Francisco mosque. A Homeland Security lawyer, she says, did not specify what Mr. Ouassif had said, but told her that his statements did not indicate criminal intent and were fully protected by the First Amendment. Nevertheless, his statements had landed him on the no-fly list, Ms. Aklaghi says, and led to all his subsequent travails.

Mr. Bresson, the FBI spokesman in Washington, said the bureau won't discuss "any specific individuals who are purportedly on the list or the mechanics involved with how they allegedly got there."

Another federal official familiar with Mr. Ouassif's case says government lawyers have become much more discerning about the treatment of Muslim immigrants since the years immediately following 9/11. "We know the FBI is desperate for human assets, for feet on the ground, but the worst thing we could possibly do is threaten and blackmail people and treat them with disrespect," this official says.

Ms. Quy, the FBI spokeswoman in San Francisco, says that Mr. Fliflet thought he could help Mr. Ouassif with a visa problem and did not set out to threaten him. "We're learning, too," she says. "We need to understand where the boundaries are for them, as well as us." She says the suspicions about Mr. Ouassif and his acquaintances are "diminishing all the time, because our questions are getting answered."

Mr. Ouassif says he plans to resume his studies, which he had dropped in January due to stress. He's desperate to visit his wife in Morocco, he says, but worries he's still on the no-fly list. A spokeswoman for the U.S. Terrorism Screening Center, which keeps the list, declined to comment.

Mr. Ouassif says his next goal is to save \$25,000 to buy his mother an apartment in Casablanca. After the requisite FBI background check, California recently renewed his security-guard registration. He's now working double shifts guarding electric-power plants.

"It's OK to ask me or anyone else, 'If you see a dangerous person, an extremist, will you call us?'" he says. "Of course I will. But I don't want to live a secret life."