



# **THE MUSLIM BAN, LEGAL & COMMUNITY RESPONSES**

---

1 / 30 / 17

# AGENDA

- I. Welcome – Shiu-Ming Cheer, NILC**
- II. Muslim Ban Executive Order – Avidah Moussavian, NILC**
- III. Litigation challenging Muslim Ban – Karen Tumlin, NILC**
- III. Historical context/framing/intersectional response – Fahd Ahmed, DRUM**
- IV. Legal and community responses – Elica Vafaie, Asians Americans Advancing Justice-Asian Law Caucus**
- VI. Q&A (20 min)**

# MUSLIM BAN

# WHAT DOES THE ORDER DO?

- ❖ Reduces FY 2017 refugee admissions from 110k to 50k
- ❖ Syrian refugees indefinitely barred
- ❖ 120 day suspension of U.S. Refugee Admissions Program (USRAP)
  - ❖ Case-by-case exceptions if:
    - ❖ In the national interest
    - ❖ No risk
    - ❖ Religious minority facing religious persecution
    - ❖ Required by international agreement
    - ❖ In transit and would cause hardship

# WHAT DOES THE ORDER DO?

- ❖ **90 suspension of nationals from seven Muslim-majority countries**
  - ❖ Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen (previously designated after visa waiver reform bill of 2015)
  - ❖ Other countries could be designated by Department of State or Department of Homeland Security
  - ❖ Calls for exclusion of people who “would place violent ideologies over American law”
  - ❖ 1/29/2017 clarification: entry of lawful permanent residents “in the national interest”

# WHAT DOES THE ORDER DO?

- ❖ **Requires interviews for most non-immigrant visa applicants will need in person interviews**
- ❖ **Requires screening of all immigration applications**
  - ❖ Federal agencies must screen for fraud and “likelihood of becoming a positively contributing member of society”

# **LITIGATION AGAINST MUSLIM BAN**

# BROOKLYN LAWSUIT

- Early Saturday: Lawsuit filed by Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi, two Iraqi men who were targeted by insurgents for their associations with the U.S. military and who were approved for resettlement in the U.S. earlier this month.
- Represented by the National Immigration Law Center, the American Civil Liberties Union Immigrants' Rights Project, the International Refugee Assistance Project at the Urban Justice Center, the Worker and Immigrant Rights Advocacy Clinic (WIRAC) at Yale Law School, and Kilpatrick Townsend & Stockton LLP.



# BROOKLYN AIRPORT

- **Saturday night: A federal judge in New York issued a decision**
  - stay of removal preventing the Trump administration from deporting refugees and others who had lawful authority to enter the United States
  - nationwide scope
  - copy of the stay of removal is available at <https://www.nilc.org/wp-content/uploads/2017/01/OrderGrantingStay.1.28.17.pdf>
- **Next steps in case**

# OTHER LAWSUITS

- **Boston: order issued**
  - Bars the detention, return or removal of people legally authorized to enter
  - Limited to just Boston
  - <https://aclum.org/wp-content/uploads/2017/01/6-TRO-Jan-29-2017.pdf>
- **Alexandria, VA**
  - Covers LPRs
- **Seattle, California, others**

# ISSUES

- People prevented from boarding
- People forced to turn back
- Detention at U.S. airports
- Access to counsel/coercion



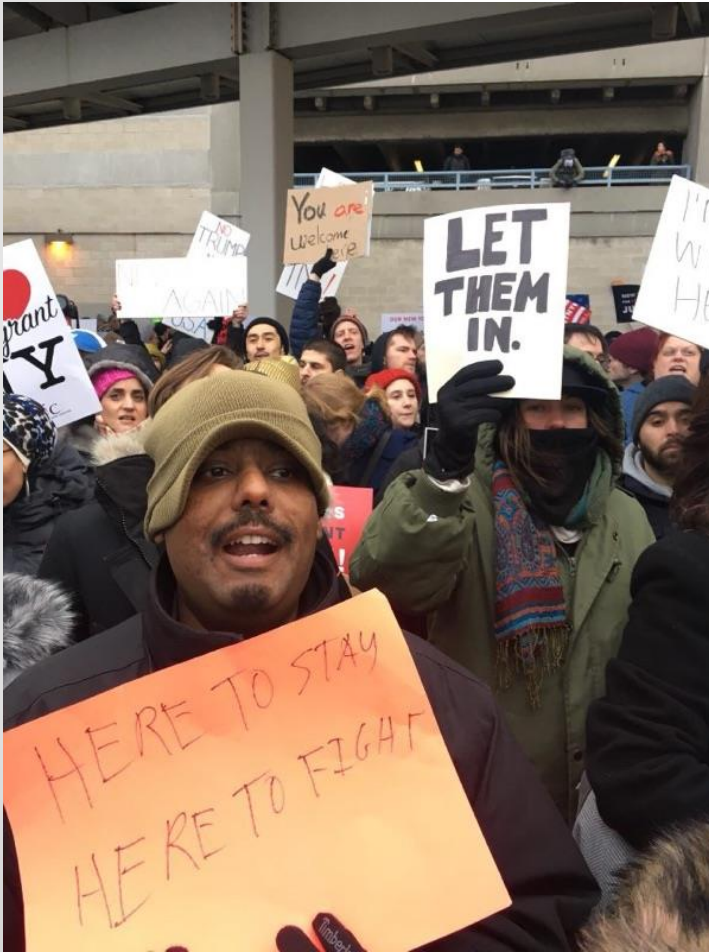
# **HISTORICAL CONTEXT/ INTERSECTIONAL RESPONSE**

# JFK AIRPORT





# RESISTANCE



# **LEGAL & COMMUNITY RESPONSES**



100 DAYS OF JUSTICE

#FIREDUP





# SOLIDARITY SELFIES

Here's how to make a #SolidaritySelfie:

- 1) Write a short note on a piece of paper – something like “Refugees Welcome,” “Here to Stay” or “I stand with immigrants”
- 2) Take a picture of yourself with the paper
- 3) Tweet the photo of yourself, along with a note, at @POTUS. Make sure to include the hashtag #SolidaritySelfie!

Sample tweets:

Walls, division, bans don't have a place in America. @POTUS seeks to divide us all. #SolidaritySelfie

"Trump is ruling through race-based terrorism" Together we stand up and defend our country and fight back. #NoBanNoWall

# RESOURCES

- **Link to all judicial orders:**  
<https://www.clearinghouse.net/featuredCase.php?id=40>
- **Know Your Rights info:**  
<https://www.nilc.org/issues/immigration-enforcement/everyone-has-certain-basic-rights/>

# QUESTIONS?

**Shiu-Ming Cheer,**  
[cheer@nilc.org](mailto:cheer@nilc.org)

**Avideh Moussavian,**  
[moussavian@nilc.org](mailto:moussavian@nilc.org)

**Karen Tumlin,**  
[tumlin@nilc.org](mailto:tumlin@nilc.org)

**National Immigration  
Law Center**

[www.nilc.org](http://www.nilc.org)

**Elica Vafaie, Asian  
Americans Advancing  
Justice-Asian Law  
Caucus**

[elicav@advancingjustice-alc.org](mailto:elicav@advancingjustice-alc.org)

**Fahd Ahmed, DRUM**  
[Fahd@drumnyc.org](mailto:Fahd@drumnyc.org)

