



# The Trump Immigration Executive Orders: Impact on Arab and Muslim Communities

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PennState Law

# Center for Immigrants' Rights Clinic



# Agenda

- Summary of Executive Orders: Brianni Frazier
- Introduction of Speakers: Kritika Bedi
- Muslim Advocates: Johnathan Smith, Esq.
- American-Arab Anti-Discrimination Committee:  
Abed Ayoub Esq.
- Questions and Answers



# Disclaimer

This presentation and its content should not be a substitute for legal advice. Sensitive and individual information should not be raised. Please contact the Clinic offline for further assistance.



# Enhancing Public Safety in the Interior of the United States

- Expands the list of enforcement priorities.
- Expansion of §287(g) agreements.
- Purports to deny funding to “sanctuary” cities.
- Reinstates the Secure Communities program.





# Border Security and Immigration Enforcement Improvements

- Directs DHS to “take all appropriate steps to immediately plan, design, and construct” a physical wall along the southern border.
- Directs DHS to use all available resources to immediately construct, establish contracts or operation detention facilities along or near the southern border.
- Directs DHS to hire an additional 5,000 border agents.



\*Photo Credit NPR, <http://www.npr.org/sections/thetwo-way/2017/04/05/522712279/photos-the-many-possible-shapes-of-trumps-border-wall>.



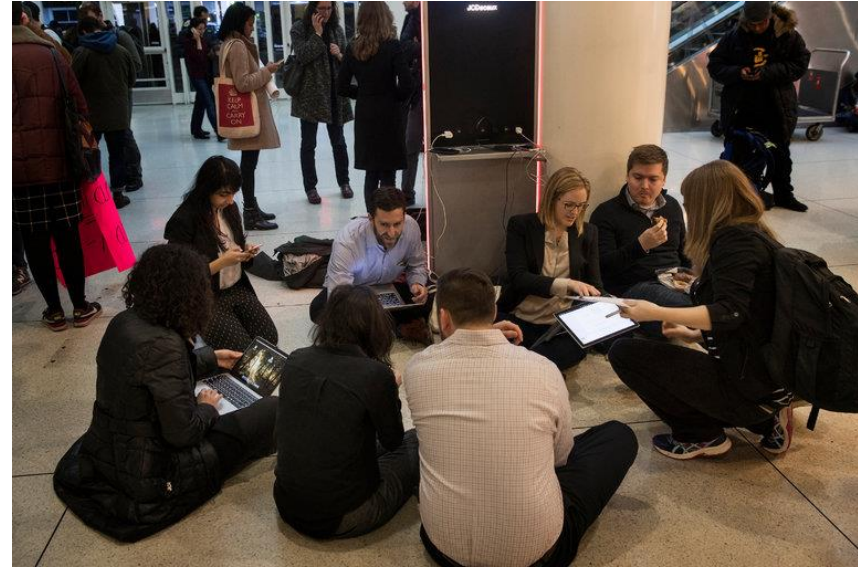
# A Tale of Two Executive Orders: Travel Ban 1.0

- Suspended entry to the United States of anyone who is a national of one of seven (7) “designated” countries – Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen.
- Suspended US Refugee program for 120 days.
- Indefinitely suspended Syrian refugee admissions.
- Cut refugee numbers by one-half (50,000 down from 110,000).



# Litigation Surrounding Travel Ban 1.0

- Several federal court challenges
- Nationwide block of Travel Ban 1.0 by a Washington Court (upheld by the Ninth Circuit Court of Appeals)
- Impact: Those affected by Travel Ban 1.0 were able to travel; promised by the President for a “revised” Executive Order





# A Tale of Two Executive Orders: Travel Ban 2.0

- Suspends entry into the U.S. for nationals from Iran, Libya, Somalia, Sudan, Syria, and Yemen for 90 days.
- Iraq was removed from list because of their cooperation.
- 120 day ban on all refugees.
- Syrian refugees are no longer singled out.
- Rescinds the previous Executive Order.



# Travel Ban 2.0: Exemptions

- Lawful Permanent Residents (green card holders)
- Dual nationals of one of the designated countries traveling with a passport not issued by one of the six designated countries.
- Individuals already granted asylum, admitted as a refugee; or granted withholding of removal.
- Individuals traveling on diplomatic visas.
- Individuals in possession of a valid travel document other than a visa that is valid on the effective date or on a date thereafter that permits admission into the U.S.



## Legal Authority- INA §212(f)

“Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.”

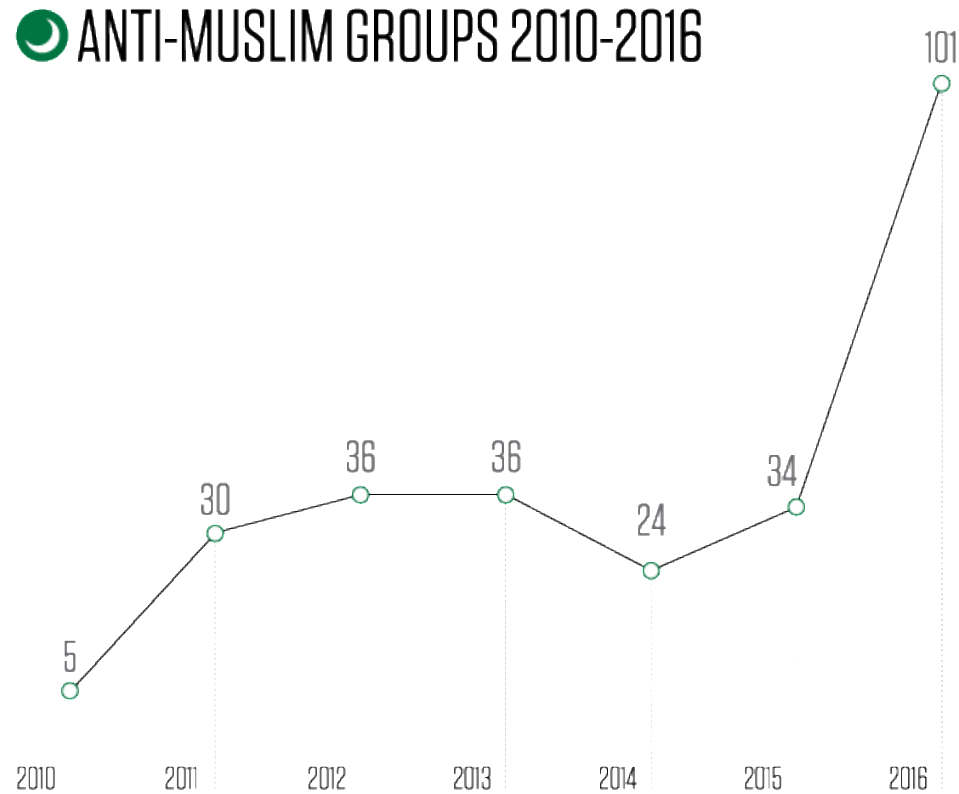


# Litigation: Travel Bans 1.0 and 2.0

- **Sampling of Alleged Violations**
  - Establishment Clause of the First Amendment (Religious Discrimination)
  - Due Process Clause of the Fifth Amendment
  - Religious Freedom Restoration Act
  - Administrative Procedure Act
  - Immigration and Nationality Act (section 202)



# Increase in Hate Crimes



\*Adapted from the Southern Poverty Law Center,  
<https://www.splcenter.org/news/2017/02/15/hate-groups-increase-second-consecutive-year-trump-electrifies-radical-right>



Mr. Abed Ayoub



Mr. Johnathan Smith





# Questions and Answers



**Thank you**



# Resources

- Penn State Law's Center for Immigrants' Rights Clinic
  - <https://pennstatelaw.psu.edu/immigration-after-election#Executive>
- American-Arab Anti-Discrimination Committee
  - <http://www.adc.org/legal/immigration/>.
  - [https://pennstatelaw.psu.edu/sites/default/files/MuslimBan2%20ADCPSU\\_Final\\_o.pdf](https://pennstatelaw.psu.edu/sites/default/files/MuslimBan2%20ADCPSU_Final_o.pdf).
- Muslim Advocates
  - <https://www.muslimadvocates.org/muslim-ban-update-tuesday-march-14/>.
  - <https://pennstatelaw.psu.edu/sites/default/files/Muslim%20Advocates%20Community%20Guidance%20Jan%202017%20re%20Trump%20EO.pdf>.
- Department of Homeland Security
  - <https://www.dhs.gov/executive-orders-protecting-homeland>
- USA Today
  - <http://college.usatoday.com/2017/02/03/trump-travel-ban-international-students/>.

