



کانون وکلای ایرانی در آمریکا

IRANIAN AMERICAN BAR ASSOCIATION

Dear friends and members,

This is a critically important message. Please take the time to read it through.

One week into his presidency, Mr. Trump took the first step towards making good on one of his most controversial and discriminatory campaign promises: a de facto ban on Muslims entering into the country. Today, Mr. Trump issued an Executive Order (“EO”) temporarily banning nationals of seven Muslim majority countries from entry into the U.S., based on little else other than their nationality and religious beliefs. The highlights of the EO are as follows:

1. A total ban will be placed on entry of nationals (immigrants and nonimmigrants) of Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen, for at least 90 days, while a review of visa admissions is conducted;
2. During the review period, it will be determined what additional information is needed from the listed countries to resume admissions of their foreign nationals; and if the country in question does not (or cannot) cooperate, the ban can remain in place indefinitely, or until they do;
3. Admissions of refugees from the listed countries will be halted for at least 120 days while a review of the refugee admissions program is conducted, with exception of Syria, whose refugee admissions has been halted indefinitely; during this period, the only refugees permitted will be “minority faith members” fleeing religious persecution (i.e. *non-Muslims* fleeing Muslim countries) on a case-by-case basis and only if it is determined to be in the U.S.’ national interests;
4. The 120 day refugee freeze may be extended and, even after resumption of admissions, priority in admissions will continue to be given to “minority faith members” fleeing religious persecution (i.e. *non-Muslims*);
5. Completion and implementation of a biometric entry-exit tracking system for all travelers to the U.S. will be expedited;
6. A suspension of the Visa Interview Waiver Program will be put into place for non-immigrant visas of the nationals in question;
7. Adjudications of other immigration benefits besides visas could be impacted.

Put simply, this EO effectively bans people from entering the U.S. solely on the basis of their religious beliefs and nationality; and prohibits entry into the U.S. of some of the most vulnerable people in the world – refugees escaping war, destruction, and famine – on the same discriminatory basis.

One of the most disturbing elements of the EO is the scope of the ban. Department of Homeland Security representatives have already said that it applies even to *permanent residents* (i.e. green card holders) who have left the country. And it is as yet unclear if Iranian dual nationals are affected, but it is entirely possible that they will be. So, for example, a German citizen of Iranian descent may be entirely prohibited from entering into the U.S. while the order is in effect, whereas a German citizen of any other minority descent would be permitted. Mere hours later, the effects of the ban have reverberated throughout the world (for one news story (out of dozens already, click [here](#):

Given that the EO's express purpose is to detect and stop people with terrorist ties from entering the U.S., this order is necessarily based on a single assumption: that the nationals of the listed countries, and the followers of the Muslim faith within those countries, are *all* potential terrorists...individuals who are inherently dangerous and pose a threat to the U.S. If this notion does not sit well with you, or is offensive, you are not alone. It has been refuted not only by nearly every major organization supporting civil liberties in the U.S. (and abroad), but also by the Republican Party membership during the recently concluded presidential campaign (such as now Vice President, Mike Pence, and current Speaker of the House, Paul Ryan – both of whom denounced a ban on immigrants based on religion during then-president-elect Trump's campaign).

Let us, for a moment, set aside the practical considerations of such a law, such as the wasted resources spent on screening millions of people with no connection to terrorism, or the faith/ideological based tests required to enforce it.

As lawyers, we all took the same oath as Mr. Trump: to uphold the Constitution and the laws of this U.S. One of our highest principles – and one of the most cherished promises of the Constitution – is that all people will be treated equally before the law regardless of their nationality, ethnicity, or religion. As the gate keepers of those covenants, we cannot allow our government to ban or deport people based on their religion or country of origin. We are, and must, be better than this.

This EO effectively writes discrimination based on nationality and religious beliefs into the law. And it confirms fears by many that the divisive rhetoric we witnessed during the presidential campaign is not only coming to life, but is leading to a path of devastating policies – one of the first steps towards state-sanctioned bigotry by an administration whose advisors, during their presidential campaign, cited the Japanese internment as legal precedent for creating a Muslim registry.

This is not a time for sitting and waiting. Many of you, including many who attended the IABA National Conference, asked what you can do to help. This is your opportunity. It is the moment for collective action. If, as members of the bar and bench, we do not act now, we will have no one to blame when a Muslim registry or something worse follows.

With the foregoing in mind, IABA urges you to take 15 to 30 minutes out of your lives to take as many of the following steps as possible:

1. Call and write your local officials (simply run a search for your local mayors and council men/women, express your concerns, and ask them to issue statements on this issue).
2. Call and write your federal representatives to express your alarm at this law, and ask them to speak out against it or introduce legislation to refute or minimize it. You can find your House of Representative members [here](#); and your senators [here](#). You can also call (202) 224-3121.
3. Sign onto email campaigns. There are some groups who have already started such campaigns, such as [NIAC](#).
4. Share this news with your friends and family via email or social media, get the word out, and encourage them to do the same.
5. Donate to your organizations of your choice working on this issue. For IABA you can donate [here](#).

For those of you with more time, and truly wishing to give back with your law degree, get involved:

1. If you have expertise with constitutional or immigration law, and are interested in exploring and working on a legal challenge to this EO, please send an email to: President@iaba.us.
2. We need attorneys to go to the US international airports and provide assistance to detained nationals from the 7 countries listed on the visa ban list. If you're interested, please email us at info@iaba.us and we will send you more location specific information

We know that there is a lot of ongoing confusion about this EO, and its effects on your, your families', and your friends lives. We will follow up with additional emails to provide you more information.

We will also continue to monitor this situation and work hard behind the scenes, both independently and in coordination with other Iranian-American and other minority groups and bar associations.

Please stay tuned.

IABA National Board