

Community Guidance: Restrictions on Muslim Entry to the U.S.

January 27, 2017

President Trump announced his first step towards a “Muslim Ban” by issuing an Executive Order suspending entry to the United States for all refugees and immigrant and nonimmigrant individuals from Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen for a period of time. The President previously suggested a number of controversial policies targeting the Muslim community, and this Executive Order could be the first of many policies and proposals that will affect Muslim immigration and entry to the United States.

The purpose of this document is to educate affected communities about the Executive Order and steps you can take to protect your rights. This document is not a substitute for legal advice, and we strongly encourage you to consult with an immigration attorney. Muslim Advocates will continue to release information and resources as more details about this policy become available.

Proposal to Ban Muslim Entry

The Executive Order signed on January 27, 2017, suspends entry to the United States for refugees for 120 days. It also suspends entry to the United States for **immigrants and nonimmigrants from Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen for at least 90 days**. The list of affected countries could be extended by the President or government agencies at any time.

Detention, “Extreme Vetting”, and Other Delaying Techniques

The Executive Order states, “In order to protect Americans, we must ensure that those admitted to this country do not bear hostile attitudes toward our country and its founding principles.”

The Executive Order also includes language denying entry into the United States to “those who engage in acts of bigotry and hatred (including “honor” killings, other forms of violence against women, or the persecution of those who practice other religions) or those who would oppress members of one race, one gender, or sexual orientation.” This **language elevates the most bigoted stereotypes of Muslims and Islam perpetuated by anti-Muslim hate groups as a basis for determining entry of individuals to the U.S.**

At this time, it is unclear how the federal government will operationalize this policy language from the Executive Order. It could lead to questioning visa applicants and individuals at the border seeking admittance about their views on topics such as non-Muslim religious communities, violence against women, or homosexuality. Muslim Advocates will be monitoring government policies and activities to see how this provision is implemented.

If you are currently in the U.S. with a valid visa or green card and are from any of the countries listed above:

Please consult an immigration attorney prior to making international travel plans.

*** Special thanks to Shoba Sivaprasad Wahdia, Professor and Director of Center for Immigrants' Rights Clinic, Penn State Law, for her expert guidance. ***

The information contained in this fact sheet is provided for educational purposes only and not as part of an attorney-client relationship. It is not a substitute for expert legal, tax, or other professional advice tailored to your specific circumstances. We recommend you consult with an immigration attorney.

HOW WILL THIS ORDER AFFECT ME?

I am a U.S. Citizen	I have a Green Card or am a Legal Permanent Resident	I am undocumented and living in the U.S.
<p>You cannot be deported, or “banned” from re-entry if you leave the U.S.</p> <p>As a U.S. citizen you are guaranteed to the full protections afforded by the Constitution.</p> <p>This is <i>not true</i> for non-citizens with pending citizenship applications or petitions.</p>	<p>If you are in the United States, we strongly recommend you consult with an immigration attorney prior to international travel plans.</p> <p>If you are outside the United States, we strongly recommend that you consult with an immigration attorney as you may be subject to the ban.</p>	<p>We strongly recommend you consult with an immigration attorney and make a game plan.</p> <p>An immigration lawyer will be better able to advise you on different immigration options and the risks involved. It is also smart to make a game plan in case deportations begin to occur. Make sure your documents are available and secure; compile a list of contact information of trusted friends, colleagues, and loved ones; and have someone in place to take care of children/elderly family members in case of detention or deportation.</p>

FOR INDIVIDUALS WITH STUDENT, SCHOLAR, OR WORK VISAS



* All visa holders from Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen are prohibited from entering the U.S. during the 90-day ban.

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WHAT SHOULD I DO NOW?

The most important thing right now is to **be prepared** and to **consult with an immigration attorney**.

- It is important to gather and secure personal documents such as birth certificates, residency and visa papers, passports, property records, car titles, and medical information.
- If you are from Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen, you should consult with an immigration attorney depending on the immigration/citizenship status of you and your loved ones.
- If you are not currently a United States citizen and are from a country that is not on the list above, you should consult with an immigration attorney if you are planning on traveling internationally in the near future.
- If you are currently abroad and a United States visa holder from Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen, you should consult an immigration attorney if you are planning a trip to the United States.
- Due to religious travel to Iran and Iraq for many Muslims, we strongly suggest that prior to any travel to these countries that you consult with an immigration attorney, as reciprocal bans may be put in place and/or entry into the United States may be an issue for certain visa holders.

HOW TO FIND AN IMMIGRATION ATTORNEY

American Immigration Lawyers Association: Lawyer search <http://www.aialawyer.org/>

Immigration Legal Directory (available in multiple languages):
<https://www.immigrationadvocates.org/nonprofit/legaldirectory/>

Immigration Advocates Network: <https://www.immigrationlawhelp.org>

National Immigration Project of the National Lawyers Guild's online find-a-lawyer tool:
<https://www.nationalimmigrationproject.org/find.html>

National Immigrant Justice Center: Schedule a legal consultation by phone (312-660-1370) or email
immigrantlegaldefense@heartlandalliance.org

The immigration courts' list of lawyers and organizations that provide free legal services:
<http://www.justice.gov/eoir/list-pro-bono-legalservice-providers-map>

Immigrant Legal Resource Center has a comprehensive online client intake form:
<https://www.ilrc.org/screening-immigrationrelief-client-intake-form-and-notes>
