

# Newsday

## Trump weighs new version of travel ban to address legal concerns

Emily Ngo

February 22, 2017

President Donald Trump's forthcoming new executive order restricting travel and immigration will stay true to his intent to protect the country while addressing legal concerns raised by his original ban, the White House reiterated Wednesday.

Federal agencies also will be better prepared for the new version, press secretary Sean Spicer said, perhaps avoiding the confusion at airports that marked the rollout of the first, court-stalled order.

"We've been very clear about understanding what the court said and trying to tailor to that specifically, while achieving the same goals of keeping America safe," Spicer said. "What we're now doing is working with the various agencies and departments to make sure that the implementation . . . is done in an extremely smooth way."

The White House confirmed Wednesday that the new version won't be released until next week.

The original executive order last month aimed to temporarily suspend the entry of citizens of seven Muslim-majority countries and refugees from all over, and to bar Syrian refugees indefinitely.

Trump and his aides have defended the merits of that travel ban, which critics have denounced as unconstitutional. Spicer told reporters the original order did not target religions, but was "a country-focused issue, a safety-focused issue."

Echoing remarks by Trump, the press secretary said, "You don't have to be that high up in grade school" to understand the U.S. code allowing a president to deny entry to those he deems detrimental to the country's interests.

A draft of the new measure shows the administration again will target the seven countries, but would not single out Syrians, according to The Associated Press. Green-card holders and dual citizens of the United States and the other countries are exempt, the AP said.

Sarah Pierce, an associate policy analyst at the Migration Policy Institute, said she "absolutely" expects legal challenges to the new executive order, especially because lawyers have been preparing cases based on the existing, halted ban.

“The administration has an uphill battle to argue that religious discrimination is not part of this travel ban,” she said.

David Bier, an immigration policy analyst at the Cato Institute, said that because the first version is still being litigated, a new ban would feed into a “cat-and-mouse game, where the administration can do whatever it wants without review from the courts.”

Also Wednesday, Vice President Mike Pence attended an event to clean up a Jewish cemetery in University City, Missouri, where nearly 200 headstones were vandalized.

“From the heart, there’s no place in America for hatred or acts of prejudice or violence or anti-Semitism,” he said.

Trump on Tuesday had issued his most forceful denouncement yet of anti-Semitism amid a spate of bomb threats to Jewish community centers, calling such incidents “horrible” and “painful.”

Separately, the White House reversed Barack Obama-era protections of transgender students’ rights to use a bathroom consistent with their gender identity, citing legal confusion, according to the AP.

Spicer denied Wednesday that Cabinet members were at odds over the new approach.

“There is no daylight between anybody, between the president, between any of the secretaries,” the press secretary said.

Secretary of Education Betsy DeVos wanted to keep the anti-discrimination policies in place, while Attorney General Jeff Sessions wanted them rescinded, according to a New York Times report.