

Slate

Sneak Attack

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At the end of last month, the Trump administration quietly **rolled out new restrictions** on certain groups of refugees, ostensibly aimed at “protect[ing] people from terrorist attacks and other public-safety threats.” This latest form of “extreme vetting” reportedly targeted citizens of 11 purportedly high “risk” countries, along with the children and spouses of refugees already in the United States.

These high “risk” refugees would be temporarily barred from entering the country and kept from resettlement, so yet another layer of reviews could be added to the already years-long process. Here is the list of affected countries: Egypt, Iran, Iraq, Libya, Mali, North Korea, Somalia, South Sudan, Sudan, Syria, and Yemen. Nine of these countries are Muslim-majority nations. The list was not made public in the executive order itself. Instead, the State Department released an **accompanying memo** saying that the refugee freeze would affect 11 *unnamed* countries for which additional security screening had been previously required for males age 16–50.

The new policy *expands* the additional scrutiny for people from those 11 nations to include *all refugees*, and not just males of a certain age, while attempting to hide *which 11 countries* are affected. It also “temporarily prioritizes” applications of refugees from countries not on the list. The list of countries has never been made public outside of media reports, but was included in a December 2016 State Department memo seen by *Slate*. The new executive order was the Trump administration’s latest attempt to secretly sanitize and repurpose President Trump’s long-proffered and repeatedly bungled Muslim ban.

To put it more simply: This is another Muslim ban.

In addition to the new vetting and resettlement restrictions for a certain type of refugee, **the “follow-to-join” program** for close relatives of refugees who are already in the U.S. was paused indefinitely until further review. That means that refugees already lawfully admitted will be prevented from reuniting with their spouses and minor children. Department of Homeland Security data shows that about **2,000 follow-to-join family members came to the U.S. in 2015**. Just as a reminder, one of the first plaintiffs in a lawsuit against Trump’s first “travel ban,” Haider Sameer Abdulkhaleq Alshawi, was an Iraqi **who had qualified** for a Follow to Join Visa.

Alshawi's wife and 7-year-old son, whom he had not seen for three years, were lawful permanent residents living in Houston. He was detained at JFK Airport in transit to the U.S. when the first travel ban was signed in January, before ultimately being allowed to reunite with his family.

Seen together, the new restrictions will not only disproportionately affect Muslim refugees: They will also extend an already cumbersome process that at present features extensive vetting that can average between 18–24 months.

When Trump was sworn in Jan. 20 he raced to effectuate a longstanding campaign promise of a “**total and complete shutdown of Muslims entering the United States**,” based on his claim that “there is great hatred towards Americans by large segments of the Muslim population.” His **first Muslim ban** halted all travel from seven majority-Muslim nations and banned all refugees temporarily while giving preference to Christians. It was a due process nightmare and caused havoc across the country before ultimately being blocked by multiple federal courts for likely constitutional violations. When it comes to trying to ban Muslims, though, this administration is extremely persistent. It tried multiple new iterations, before a **severely curtailed** version—which included the temporary refugee ban—was ultimately allowed to go forward by the Supreme Court over the summer. When that version expired, the refugee resettlement program was reinstated but with new procedures announced.

At the same time, an **executive directive** slashed the number of refugees to be admitted to 45,000, an historic low. Additionally, a **report** to Congress on the new cap stated that the U.S. should favor refugees with a “likelihood of successful assimilation and contribution” to the country. We need only look at the **words** and **actions** of those dictating this White House's immigration policy to understand what those codewords mean. The new cap is vastly lower than the 110,000 ceiling Barack Obama had initially set for refugees last year (that number was cut by more than half by Trump) and also far below the 75,000 that resettlement agencies urge as necessary to meet worldwide humanitarian crises.

The 11 countries whose refugees will require yet more screening are known as “Security Advisory Opinion” check countries, or SAOs. Muslims will be overwhelmingly targeted by the program, even as the administration attempts to continue to cleanse itself of **Trump's own words** about his desire for a “Muslim ban.” Indeed we will continue to prefer refugees from other nations while slow-walking some of those who assisted U.S. forces in Iraq and others in dire need of humanitarian aid.

In addition to the fact that nine of the 11 designated nations are Muslim-majority, **newly publicized statistics show** that approximately 80 percent of all the Muslim refugees who resettled in the United States over the past two years were *from the targeted countries*. Perhaps more tellingly, of the refugees who came to the U.S. over the last two years from all of the other countries—that is to say, those not subject to SAO screening—approximately 70 percent were Christian and just 16 percent were Muslim. Also, of the 895 follow-to-join refugees currently waiting to travel to the United States, 605 cases came from one of the 11 SAO countries. That means that 67.6 percent of the people now banned from joining their families came from the targeted countries.*

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As Leon Rodriguez, former director of U.S. Citizenship and Immigration Services, wrote in the *Atlantic* last week, the Obama administration **resettled** almost 280,000 refugees using a vast array of tools to ensure that their cases did not raise national security concerns. “To do so,” Rodriguez wrote, “the agency’s procedures included repeated inquiries of multiple intelligence databases, collecting extensive biographic and biometric information, and interviews by specially trained officers briefed on relevant regional conditions.” Which is just to say, the vetting was already very extreme.

The same problems that beset the original refugee ban still plague this version: We still lack any **meaningful evidence** that this class of refugees poses a threat to the United States—evidence that this is more than a pretextual effort to enact an unconstitutional religious test on who can enter this country. And despite the president’s efforts to ascribe acts of terrorism to refugees, a 2016 study by the **Cato Institute found that refugees** resettled over the last 30 years were among the least likely to become foreign-born perpetrators of terror attacks on American soil. The premise that refugees are a “security” threat is a myth that lives in the twisted minds of administration senior officials like Stephen Miller, **a man** who was just interviewed by the special counsel that is investigating genuine foreign threats to the United States. It’s the view that the words on the Statue of Liberty are a hoax or a joke, as opposed to a promise of what is best about this country and what it has always aspired to be.

Correction, Nov. 13, 2017: This article misstated that these were follow-to-join refugees who had come in the past two years. The affected group was follow-to-join refugees currently waiting to travel to the United States. (Return.**)*