



The revised travel ban is here — and it's a lot like the old one

Trump's new travel ban is here — and it's a lot like the old one

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President Donald Trump signed a new executive order Monday that restricts travel to the U.S. from six predominantly Muslim countries, partially reinstating the controversial travel ban that was blocked by a federal judge in February.

Monday's order, according to a fact sheet released by the Department of Homeland Security, "allows for the proper review and establishment of standards to prevent terrorist or criminal infiltration by foreign nationals." Like the original, the revised order "imposes a 90-day suspension of entry" to individuals from Sudan, Syria, Iran, Libya, Somalia, and Yemen, but this time excludes people from those countries who already have valid visas.

Notably, the list of banned countries does not include Iraq, which was among the countries targeted by Trump's first travel ban, ostensibly imposed to protect national security. The chaotic implementation of that order, signed during Trump's first week in office, led to several legal challenges, including a lawsuit by Washington state that led to an injunction halting the order on Feb. 3 because of concerns about its constitutionality.

Iraq's exclusion from the new order, DHS said, was the result of the Iraqi government's agreement to "increase cooperation" with American authorities to further vet travelers seeking a visa to enter the U.S.

The new restrictions will not take effect until March 16, and a Homeland Security official told reporters on Monday that travelers will not be stopped until then.

Unlike last time, the order will not apply to people with green cards, dual nationals, travelers, and people who have already been granted asylum or refugee status. The order does, however, suspend refugee resettlement for 120 days while Homeland Security reviews the screening process “to ensure refugees admitted in the future do not pose a security risk to the United States.” Trump has already limited refugee admissions to 50,000 this year, less than half the total admitted last year under President Obama.

The Trump administration claims the order is necessary to prevent terrorist attacks, but, as with the last travel ban, that assertion is questionable. Refugees already undergo 18-24 months of intense vetting before they’re allowed to enter the U.S., and, according to an analysis by the Cato Institute, the odds of an American citizen being killed by a refugee in a terrorist attack are about 1 in 3.64 billion per year.

A Justice Department official told reporters on Monday that there are 300 active FBI investigations into refugees with suspected ties to terrorism, but the official acknowledged that is a “global number” that isn’t limited to countries named in Trump’s order.

Trump’s ban wouldn’t have prevented any of the major terrorist attacks committed on U.S. soil in recent years, including 9/11, the Boston Marathon bombing, the Pulse nightclub massacre, or the mass shooting in San Bernardino. The majority of the 9/11 hijackers were from Saudi Arabia, which is excluded from the ban, and the other attacks were committed by U.S. citizens or people who entered the country legally.

Another notable cut from the original executive order — language stipulating preferential treatment for religious minorities fleeing persecution (i.e., Christian refugees in Muslim-majority countries). The controversial order, which saw comparisons to his long-promised “Muslim ban,” faced added legal scrutiny after Trump publicly stated that he wanted to prioritize helping Christians fleeing Muslim-majority countries.

U.S. officials said Monday that there is a 90-day review period in which Homeland Security will conduct a country-by-country review of all countries to verify that they are providing accurate information about travelers who apply for visas. The officials said any of the six countries could be removed from the banned list after that process, while others could be added.

The order, released by the White House on Monday morning, appears to be similar to the last one, though more legally restrained. That won’t stop civil liberty groups from challenging the new order in court. The ACLU and other such groups were quick to criticize the revised order on Monday morning — Amnesty International described it as “the same hate and fear with new packaging.”