



Travel ban goes into effect despite courts saying security issues unfounded

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The United States implemented a modified version of Donald Trump's travel ban Thursday evening on some people from six Muslim-majority countries and certain refugees, citing security concerns that federal courts have declared to be unfounded.

Travel through major US airports appeared to be proceeding as usual, with border officials under orders to respect previously issued visas for citizens from the countries in question: Sudan, Somalia, Iran, Yemen, Syria and Libya.

The airport scenes contrasted sharply with the protests and security chaos that greeted the Donald Trump administration's first travel ban in January, which drew impassioned demonstrators and led to the sudden detention and expulsion of travelers with valid visas.

Just before the latest travel ban took effect, at 8pm ET, it came under court challenge, with the state of Hawaii questioning the Trump administration's interpretation of a standard for granting visas described by the supreme court in a ruling Monday partially allowing the ban.

Travelers with a "credible claim of a bona fide relationship with a person or entity in the United States" could be exempt from the ban, the high court ruled.

The Trump administration interpreted "bona fide relationship" to include parents, children, in-laws and step-relations but to exclude grandparents, nephews, nieces, cousins and others.

There appeared to be some indecision within the Trump administration about what the phrase signified. Fiances were originally placed in the excluded group, only to be declared by the state department late Thursday to qualify as partaking in a bona fide relationship.

David Miliband, president of the International Rescue Committee, called the situation "alarming," "confusing" and "inhumane".

"The banning of grandmothers – of unaccompanied children – from America's shores is a disgrace," Miliband said. "Doubly so when America is breaking a promise we have made to safeguard them."

State department employees were to practice discretion in assessing whether family bonds described by visa applicants were "bona fide", according to a senior state department official in a

conference call with reporters. Homeland security officials would practice another layer of discretion at points of entry.

“Persons who have visas and show up at the ports of entry on a flight, on a ship, or another method will be allowed to enter the United States unless there’s another reason for not being allowed in,” a senior administration official told reporters. “So someone who has a visa will be allowed to be admitted. If, for some reason, there is another basis, they will not.”

At John F Kennedy airport in New York City, the site of some of the largest protests when the Trump’s first order was chaotically rolled out in January, the scene was calm as the partial ban rolled in at 8pm.

A small group of volunteers clustered at a cafe in the arrivals hall of terminal four, awaiting passengers from four flights, one from Istanbul and three from London, to see if any travelers were in need of legal assistance or had seen others on their flights stopped by Customs and Border Protection officers.

The group carried signs in English, Arabic and Farsi and said they would also target a number of other flights from Egypt, Qatar and Dubai on Friday.

One US Muslim family, who did not want to give their names, was awaiting the arrival of three relatives visiting from Pakistan on a flight that arrived from Kuwait.

Even though Pakistan is not one of countries targeted by the ban, the family said the fact Trump’s order had taken effect on the day of their relatives’ travel brought additional worries, despite all three traveling on valid visitor visas.

One member of the visiting group had been held by customs officers for nearly three hours without explanation. It was almost certain the man, who was a first time visitor to the US, was not being held in relation to the order.

“But this is normal for us,” said one relative, pointing to what he indicated was frequent profiling at the border.

“There’s no comparison to last time,” said Camille Mackler, director of legal initiatives at the New York Immigration Coalition, who was present at JFK in January. “I think this time we’re not really expecting anything to happen here at the airport, we’re really waiting for this to play out at the consulates abroad.”

The group encouraged any passengers traveling to the US who had concerns about entry to ring a hotline offering legal advice.

The Hawaii suit seemed to fulfill a prophecy made by Justice Clarence Thomas in a partial dissent from Monday’s ruling, in which Thomas called the “bona fide relationship” standard “unworkable”.

“The compromise also will invite a flood of litigation until this case is finally resolved on the merits, as parties and courts struggle to determine what exactly constitutes a ‘bona fide relationship’.”

Trump declared the measure a victory for American security. “Great day for America’s future Security and Safety,” he tweeted at the time of the supreme court decision. “We must keep America SAFE!”

A Cato Institute study of terrorist attacks in the United States over the 40 years from 1975–2015 concluded that nationals from the six countries in question – Somalia, Yemen, Libya, Syria, Iran and Sudan – were responsible for zero fatal attacks on US soil in that time period. Refugees from Syria and elsewhere likewise are not a threat at all, empirically speaking.

“This attempt at implementing the president’s Muslim ban is just as illogical, discriminatory and un-American as the first two attempts,” said Tammy Duckworth, a Democratic senator from Illinois, in a statement. “How can President Trump credibly say that some relatives are ‘bona fide’ relationships while grandparents and grandchildren are not? This disgrace will not make our country safer. It betrays the American values those of us who served in uniform fought to defend.”