

TWO YEARS IN CRISIS:

The Devastating Impact of the Travel Ban

JANUARY 2019



BACKGROUND ON IABA

The Iranian American Bar Association (“IABA”) is the only national association of Iranian-American judges, attorneys, scholars, and law students in the United States with over 1,500 members. IABA’s mission is threefold: (1) to educate the community about legal issues of interest to Iranian-Americans, and to ensure that the public, our elected representatives, and other government officials are informed on such matters; (2) to protect and advance the legal rights of Iranian-American and other minority communities; and (3) to foster and promote the achievements of Iranian-American lawyers and other legal professionals. Founded by a handful of individuals in 2000 in Washington D.C., IABA has grown to include a National Board of Directors (“IABA National”) and eight local chapters nationwide – Dallas, Los Angeles, New York City, Northern California, Orange County, Phoenix, San Diego, and Washington D.C. In 2013, the IABA Foundation was formed to serve as the 501(c)(3) arm of IABA and carries out various charitable and educational activities, including providing scholarships to Iranian-American law students.

NOTE ABOUT CASES IN REPORT

Some individuals impacted by the various versions of the Travel Ban, who shared their stories, requested that their names be redacted from this report. Thus aliases are used in certain cases.

TABLE OF CONTENTS

I.	<u>EXECUTIVE SUMMARY</u>	3
II.	<u>HISTORY OF DISCRIMINATORY IMMIGRATION POLICIES</u>	5
III.	<u>THE TRAVEL BAN</u>	5
	a. Iterations & Timeline	5
	b. Travel Ban 3.0: the Current Law	15
	c. The Waiver Exemption & Process	17
	d. Travel Ban 3.0: Impact Stories	24
IV.	<u>IABA’S EFFORTS IN RESPONSE TO THE TRAVEL BAN</u>	28
	a. Class Action Challenging the Travel Ban	29
	b. Advocacy with Senator Van Hollen on Waivers	30
	c. Supreme Court Amicus Brief	31
	d. Class Action Challenging Implementation of the Travel Ban & Waivers	32
V.	<u>WHAT YOU CAN DO TO CONTINUE TO FIGHT THE TRAVEL BAN</u>	33
	a. Register to Vote & Elect Candidates Who Will Repeal the Ban	33
	b. Support Policy Efforts Calling for Oversight & Transparency	34
	c. Meet With Your Elected Officials	34
	d. Support All Impacted Community Members and Support Immigrants’ Rights	35
	e. Get Involved with IABA	35
VI.	<u>APPENDIX</u>	36

I. EXECUTIVE SUMMARY

The Travel Ban is not unique. Though it disproportionately impacts the Iranian community, it is just one of many Trump Administration policies targeting immigrant communities, such as: separating children from their parents at the border, slashing refugee admissions, attempting to cut Deferred Action to Childhood Arrivals (“DACA”), and sending troops to the border to stop asylum seekers escaping horrific conditions. These policies evoke America’s dark and discriminatory past, a streak that has survived despite advancements. Not long ago, the Chinese Exclusion Act of 1882 banned Chinese immigrants and refugees from entering the United States, and President Roosevelt’s Executive Order 9066 led to the mass incarceration of Japanese Americans during World War II.

But the times we live in *are* unique. Today, unlike any other time in our country’s history, we have access to the information and resources needed to put an end to such discriminatory laws. To this end, it is imperative to understand the status and scope of the Travel Ban, as well as its impact. The current iteration of the Travel Ban *indefinitely* suspends the issuance of nearly all visas to individuals from Iran, Libya, North Korea, Somalia, Syria, Yemen, and certain government officials from Venezuela. Although it provides for purported “case-by-case” waivers to otherwise-banned individuals, the waiver process is an empty promise, designed to reject and exclude as many individuals as possible. Indeed, the government’s own data shows that 98% of waiver applications have been denied.

As this report documents, the ***Travel Ban and its implementation have devastated the Iranian-American community, who historically holds nearly half of all visas from the original seven affected countries.*** Individuals from all impacted countries have been indefinitely separated from their families in the United States, urgent medical needs are unmet, professionals and business people cannot come to work and/or invest in the United States economy, and academic studies and research have been disrupted. This has caused increased rates of stress, discrimination, and even suicide among those affected.

Efforts to challenge and mitigate the harmful impacts of the Travel Ban continue on multiple fronts. First, at least two federal class action lawsuits, including one advanced by IABA,

challenge the implementation of the law and the so-called waiver process. Second, IABA, along with its partners and other community organizations, are working with congressional representatives to defund and repeal the Travel Ban and demand accountability and oversight on the waiver process.

This report consists of four parts. First, it identifies America's discriminatory past to show that the Travel Ban is another in a line of discriminatory laws that blatantly target and exclude particular groups. Second, it documents the timeline, iterations, and challenges to the Ban, as well as its current status. In doing so, the report unpacks the current version of the Travel Ban and details its haphazard and unlawful implementation, as well as its illusory waiver process. It also highlights the Ban's disproportionate impact on the Iranian community. Third, the report memorializes IABA's efforts challenging the Travel Ban, with the help of invaluable coalition partners. Finally, it offers a call to action for Americans with concrete steps to fight the Travel Ban and other discriminatory policies.

As we saw with the mass protests at airports across the nation after the first Travel Ban, there is an opportunity for impacted communities, and the broader public, to continue to mobilize against the law. Our collective response to the Ban will demonstrate what values we prize and aspire to.

II. HISTORY OF DISCRIMINATORY IMMIGRATION POLICIES

The Travel Ban is part of a protracted history of discriminatory policies targeting and excluding particular groups. For example, the Chinese Exclusion Act of 1882 (along with related subsequent legislation) excluded Chinese nationals from the United States for over 60 years. During WWII, President Roosevelt issued Executive Order 9066, which resulted in the mass incarceration of Japanese Americans. And starting in 2002, the National Security Entry-Exit System (“NSEERS”) required immigrant men from particular Muslim-majority countries to register with the United States government, and ultimately resulted in nearly 13,000 individuals being placed in the pipeline for deportation, all under the mantle of the war on terror.

More recently, the Travel Ban is just one of several ways the Trump Administration has targeted immigrant communities and communities of color including: separating immigrant children from their families, slashing refugee admissions, attempting to cut Deferred Action for Childhood Arrivals (“DACA”), increasing raids and deportations by Immigration Customs Enforcement (“ICE”), and sending military troops to the border to target asylum seekers fleeing from war-zones. The Travel Ban, and the Iranian community’s challenges to it, are part of a larger history, struggle, and movement in the United States. Remembering and understanding this historical context will help us learn from past mistakes and advancements, and encourage us to build relationships across coalitions and communities.

III. THE TRAVEL BAN

a. ITERATIONS AND TIMELINE

The Travel Bans consist of three discriminatory executive orders issued from January 2017-September 2017, which limit the issuance of visas and admission/entry of nationals from seven Muslim-majority countries. The first Travel Ban was issued on January 27, 2017 and resulted in mass protests at airports across the country. Federal courts blocked it shortly after it went into effect. The second Travel Ban was issued on March 6, 2017, and was immediately blocked by federal courts before going into effect. The third Travel Ban was issued on September 24, 2017 and was also immediately blocked by federal courts until December 4, 2017, when the United States Supreme Court allowed the Ban to temporarily take full effect until it issued a final

decision on the Ban’s validity. On June 26, 2018, in a 5-4 decision, the United States Supreme Court upheld the third Travel Ban. Although the third Travel Ban is the current and permanent law, at least two federal class action lawsuits have been filed that challenge its implementation.

i. Travel Ban 1.0: January 27, 2017

During his election campaign, then-candidate Donald Trump called for “a total and complete shutdown of Muslims entering the United States until our country’s representatives can figure out what is going on.”¹ On January 27, 2017, just a week into his presidency, President Trump issued Executive Order No. 13769, “Protecting the Nation from Foreign Terrorist Entry into the United States”² (“Travel Ban 1.0”), which went into effect immediately.

Travel Ban 1.0 suspended the entry of nationals from seven Muslim-majority countries for 90 days.³ It also instituted a 120-day suspension of the *entire* United States refugee program, with an *indefinite* ban on Syrian refugees. Impacted countries included Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. Some exceptions were allowed for “religious minorities” within Muslim-majority countries, which further demonstrated its discriminatory and anti-Muslim intent.⁴ The United States Department of State (“DOS”) and United States Department of Homeland Security (“DHS”) were instructed to review the visa and background vetting systems for the listed countries and submit a report, within 30 days, listing the countries that did not have adequate security measures in place. After this determination, the government could add or remove countries from the list.

The impact of Travel Ban 1.0 was immediate. Because there was no notice or preview, travelers’ were literally affected mid-flight. Travelers who boarded flights to the United States with valid visas and lawful immigration status had their legal status changed before they landed. Visa

¹ Jenna Johnson, *Trump calls for ‘total and complete shutdown of Muslims entering the United States’*, WASH. POST (Dec. 7, 2015), https://www.washingtonpost.com/news/post-politics/wp/2015/12/07/donald-trump-calls-for-total-and-complete-shutdown-of-muslims-entering-the-united-states/?noredirect=on&utm_term=.0de32510d03e.

² Travel Ban 1.0, Exec. Order No. 13769, 82 Fed. Reg. 8977 (Feb. 1, 2017).

³ Although seven countries were originally listed in Travel Ban 1.0, subsequent versions of the Travel Ban removed/added countries such as Sudan and Chad.

⁴ See Travel Ban 1.0, Exec. Order No. 13769, 82 Fed. Reg. 8977.

holders and lawful permanent residents (“LPRs” or “green card holders”)⁵ were detained upon arrival to the United States, while others abroad were denied the opportunity to board flights to the United States. Not even the United States Customs and Border Protection (“CBP”) officials seemed to have known or been consulted about the Travel Ban.⁶

Within hours, airports nationwide erupted in chaos. DOS quickly issued a Frequently Asked Questions (“FAQ”) stating that the government was provisionally revoking visas.⁷ As a result, in the first 72 hours, more than 700 travelers seeking to return to or enter the United States were

detained in airports.⁸ Up to 60,000 visas were provisionally revoked – halting thousands of individuals from joining family members, continuing higher education, obtaining medical treatment, or starting or returning to their careers.⁹ Of the estimated 90,000 visas that the government revoked during Travel Ban 1.0, Iranian nationals held nearly

Travel Ban 1.0 Cases

Omid is an Iranian citizen and a post-doctorate fellow in the United States conducting research on the impact of diabetes on the heart. He is also a new father to a United States citizen infant son. His wife and baby traveled to Iran in early January 2017 so that his wife could introduce their newborn to their families. Travel Ban 1.0 prevented his wife from returning. He was left indefinitely separated from his wife and United States citizen baby.

Gita, a 70-year-old Iranian citizen, was traveling to the United States for the first time with her green card and was detained at the airport for over a day.

⁵ Although LPRs were detained/impacted during the initial implementation of Travel Ban 1.0, a few days after the implementation of Travel Ban 1.0, DHS clarified via a statement by Secretary John Kelly, that LPRs were not covered/impacted by the Travel Ban. Dept. of Homeland Sec., Statement By Secretary John Kelly On The Entry Of Lawful Permanent Residents Into The United States (Jan. 29, 2017), <https://www.dhs.gov/news/2017/01/29/statement-secretary-john-kelly-entry-lawful-permanent-residents-united-states>.

⁶ See OFFICE OF THE INSPECTOR GEN., DEPT. OF HOMELAND SEC., OIG-18-37, DHS IMPLEMENTATION OF EXECUTIVE ORDER #13769 “PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES” 5 (Jan. 27, 2017), <https://www.oig.dhs.gov/sites/default/files/assets/2018-01/OIG-18-37-Jan18.pdf>; Geneva Sands, *DHS ‘caught by surprise’ when Trump issued travel ban 1.0, report finds*, ABC NEWS (Jan. 19, 2018), <https://abcnews.go.com/Politics/dhs-caught-surprise-trump-issued-travel-ban-10/story?id=52474592>.

⁷ A provisionally revoked visa is visa that is effectively revoked but can be reinstated through an internal government process.

⁸ Laura Jarrett, *More than 700 foreigners held over first weekend of travel ban*, CNN (Feb. 24, 2017), <https://www.cnn.com/2017/02/23/politics/700-detained-travel-ban-weekend/index.html>.

⁹ Matt Zapposky, *The Government Now Says 746 People Were Held Due To The Travel Ban. Here’s Why That Number Keeps Changing*, WASH. POST (Feb. 24, 2017), https://www.washingtonpost.com/news/post-nation/wp/2017/02/24/the-government-now-says-746-people-were-held-due-to-the-travel-ban-heres-why-that-number-keeps-changing/?noredirect=on&utm_term=.fe6d99264e20.

half.¹⁰ Moreover, there were alarming reports that LPRs were being coerced into surrendering their permanent legal resident status and being threatened with detention unless they waived such rights away.¹¹

In response, tens of thousands of protestors took to airports nationwide – most notably in Boston, Los Angeles, New York, San Francisco, and Washington, D.C. – to protest Travel Ban 1.0. Attorneys also flocked to the airports, becoming first responders as they worked around the clock to help identify and secure the release of detained travelers, though they often struggled to

<i>Definitions</i>
<p>Temporary Restraining Order: a short-term that requires parties to stopping taking certain actions until the court can hear further evidence and decide whether or not to issue a preliminary injunction.</p> <p>Preliminary Injunction: a court order requiring a party to engage in certain conduct, or restraining the party from engaging in certain conduct, for a longer period of time, until the case has been decided and a final determination made on the merits.</p>

provide answers to desperate family members as they were frequently denied access to detainees.

After over 48 hours of chaos and international media attention, on January 29, 2017, a federal judge in the Eastern District of New York granted a nationwide temporary

restraining order (“TRO”) in *Darweesh v. Trump*, stopping the detention and deportation of all individuals stranded in airports across the United States. This order did not apply to individuals who were prevented from boarding flights into the United States.¹² On January 30, 2017, the State of Washington filed a lawsuit in the United States District Court for the Western District of Washington, *Washington v. Trump*, which secured a nationwide TRO, followed by a preliminary injunction (“PI”), halting Travel Ban 1.0 in its entirety from continuing to take effect. At this point, entry and admission to the United States resumed. The Trump Administration appealed to the Ninth Circuit Court of Appeals, who denied the government’s request and upheld the

¹⁰ Complaint at 18, *Pars Equal. Ctr. v. Trump*, No. 1:17-cv-00255-TSC (D.D.C. filed Feb. 8, 2017), ECF No. 3.

¹¹ Transcript of Motions Hearing at 23, *Pars Equal. Ctr. v. Trump*, No. 1:17-cv-00255-TSC (D.D.C. filed Feb. 8, 2017), ECF No. 86, <http://endthetravelban.com/blog/wp-content/uploads/2017/04/4-18-17-Pars-v-Trump-MINI-Chutkan-Motion-Final.pdf>.

¹² Complaint, *Washington v. Trump*, No. 2:17-cv-00141 (W.D. Wash. January 30, 2017), ECF No. 1; *see also* *Washington v. Trump*, No. 2:17-cv-00141 (W.D. Wash. Feb. 3, 2017), ECF No. 52 (granting temporary restraining order); *Washington v. Trump*, No. 2:17-cv-00141 (W.D. Wash. Feb. 14, 2017), ECF No. 78 (granting preliminary injunction).

injunction.¹³ *International Refugee Assistance Project (“IRAP”) v. Trump* was also filed in the United States District Court for the District of Maryland, challenging the Travel Ban.¹⁴ *IRAP v. Trump* would later become the foundational case securing rulings against the Travel Ban from the Fourth Circuit Court of Appeals. As discussed further below, IABA immediately joined in filing legal challenges against the Travel Ban with a coalition of Iranian-American organizations.

ii. Travel Ban 2.0: March 6, 2017

The Trump Administration responded to these court rulings by issuing a second executive order on March 6, 2017, Executive Order No. 13780, “Protecting the National from Foreign Terrorist Entry into the United States” (“Travel Ban 2.0”).¹⁵ While Travel Ban 2.0 made cosmetic changes to Travel Ban 1.0, it remained largely the same. Except for Iraq,¹⁶ it continued to suspend entry of nationals from Iran, Libya, Somalia, Sudan, Syria, and Yemen for 90 days.¹⁷ And while the 120-day suspension of the *entire* United States refugee program remained in place, the indefinite ban on Syrian refugees was eliminated.

Unlike its predecessor, Travel Ban 2.0 included a vague mechanism for banned individuals to request a “waiver,”¹⁸ allowing (at least in theory) an exception to the law by which a visa could be issued. The Trump Administration also avoided further chaos at airports by issuing Travel Ban 2.0 with 10 days’ notice before it went into effect on March 16, 2017.

¹³ See *Washington v. Trump*, 847 F.3d 1151, (9th Cir. 2017); Mark Landler, *Appeals Court Rejects Request to Immediately Restore Travel Ban*, N.Y. TIMES (Feb. 4, 2017), <https://www.nytimes.com/2017/02/04/us/politics/visa-ban-trump-judge-james-robart.html?module=inline>.

¹⁴ Complaint, Int’l Refugee Assistance Project v. Trump, 241 F. Supp. 3d 539, (D. Md. filed Feb. 7, 2017) (No. 8:17-CV-00361).

¹⁵ Travel Ban 2.0, Exec. Order No. 13780, 82 Fed. Reg. 13209 (Mar. 9, 2017).

¹⁶ Kevin Liptak, *Why Iraq was removed from the revised travel ban*, CNN (Mar. 6, 2017), <https://www.cnn.com/2017/03/06/politics/iraq-travel-ban/index.html>.

¹⁷ Travel Ban 2.0, Exec. Order No. 13780, 82 Fed. Reg. 13209 at § 2(c).

¹⁸ Travel Ban 2.0, Exec. Order No. 13780, 82 Fed. Reg. 13209 at § 2(c).

Administration also avoided further chaos at airports by issuing Travel Ban 2.0 with 10 days' notice before it went into effect on March 16, 2017.

Before it could go into effect, the State of Hawai'i filed suit in the United States District Court for the District of Hawai'i and secured a TRO against Travel Ban 2.0 and, later, a PI blocking its implementation.¹⁹

<i>Travel Ban 2.0 Case</i>
Peyman, a citizen of Iran, was set to begin a four-year research fellowship at a top-ranked hospital in Boston. He had received notice that his visa was approved. After Travel Ban 1.0, the consulate notified him that they could no longer issue the visa. Then, as a result of the court injunction, he was told the visa would in fact be issued. If the visa were not issued, he would have been forced to withdraw from his fellowship. If his wife's pending visa application was denied as a result of the Travel Ban 2.0, he would have to choose between abandoning his fellowship or face separation from his family.

Despite the PI, the Travel Ban's chilling effect had already taken root. **By April 2017, the numbers for non-immigrant visas issued for nationals from countries named in Travel Ban 2.0 were down by 55% and down by 20% for all Muslim-majority countries.**²⁰

Undeterred, the Trump Administration appealed the PI to the United States Supreme Court ("Supreme Court"), who allowed parts of the Ban to go into effect temporarily on June 26, 2017, while blocking other parts of it. In so doing, the Supreme Court added its own requirements, banning the issuance of new visas to and entry of persons from, the impacted countries unless they could show they held certain, qualifying relationships (termed "bona fide relationships" ("BFR")) with a close family member or institution (such as education or employment) in the United States.²¹

¹⁹ *Hawai'i v. Trump*, 241 F. Supp. 3d 1119, 1126 (D. Haw. Mar. 15, 2017) (issuing temporary restraining order enjoining defendants from enforcing or implementing Sections 2 and 6 of the Executive Order); *Hawai'i v. Trump*, 245 F. Supp. 3d 1227, 1239 (D. Haw. March 29, 2017), *aff'd in part, vacated in part, remanded*, 859 F.3d 741 (9th Cir. June 12, 2017), *vacated and remanded*, 138 S. Ct. 377 (2017) (granting preliminary injunction which was affirmed in part by the 9th Cir. but later vacated by the Supreme Court).

²⁰ Nahal Toosi & Ted Hesson, *Visas To Muslim-Majority Countries Down 20 Percent*, POLITICO (May 25, 2017), <https://www.politico.com/story/2017/05/25/trump-muslim-visas-238846>.

²¹ *Trump v. Int'l Refugee Assistance Project*, 137 S.Ct. 2080, 2087-2088 (2017).

iii. Travel Ban 3.0, September 24, 2017

On September 24, 2017, once the 90 day provision of Travel Ban 2.0 expired, and despite the fact that the Supreme Court was set to hear oral arguments only weeks later on October 18, 2017, the Trump Administration issued a third iteration of the Travel Ban, Presidential Proclamation No. 9645, “Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry into the United States by Terrorists or Other Public-Safety Threats” (“Travel Ban 3.0”).²²

Travel Ban 3.0 deviates from its predecessors in two key ways. First, **Travel Ban 3.0 indefinitely bans nationals from the affected countries from entering the United States.**²³ Second, Travel Ban 3.0 is more sweeping than the two previous iterations. According to the Trump Administration, a “worldwide review” was conducted, and a report issued, which provided an analysis of how and why specific countries are included in Travel Ban 3.0: Chad, Iran, Libya, North Korea, Somalia, Syria, Yemen and certain government officials from Venezuela.²⁴ Notably, this report has never been made public, and its findings (including the reasons to include certain countries) have never been independently verified.²⁵

Travel Ban 3.0 provides country-by-country restrictions on issuance of new visas from six predominantly Muslim countries: Iran, Libya, Somalia, Syria, and Yemen.²⁶ The law did not include or address any provisions on the United States refugee program or refugee admission.

²² Travel Ban 3.0, Proclamation No. 9645, 82 Fed. Reg. 13209 (Sept. 24, 2017).

²³ Travel Ban 3.0, Proclamation No. 9645, 82 Fed. Reg. 13209 at § 2.

²⁴ *Id.* at §§ 1-2. Although Chad was originally included in Travel Ban 3.0, on April 10, 2018 DHS announced that Chad would be removed because it had met the requisite security requirements. *See* Press Release, U.S. Dep’t of Homeland Sec., Chad Has Met Baseline Security Requirements, Travel Restrictions to be Removed (April 10, 2018), <https://www.dhs.gov/news/2018/04/10/chad-has-met-baseline-security-requirements-travel-restrictions-be-removed>.

²⁵ It is imperative that there is oversight and transparency regarding the worldwide review report, particularly in light of the fact that numerous countries with similar purported security issues were not included in Travel Ban 3.0.

²⁶ Travel Ban 3.0, Proclamation No. 9645, 82 Fed. Reg. 13209 at § 2. While this version of the Travel Ban, for the first time, included two non-Muslim majority countries, Venezuela and North Korea, their addition had nearly no impact on those affected by the Travel Ban. The restrictions against Venezuela were limited to only specific diplomats and their families. And immigration from North Korea to the United States is nearly non-existent. *See* Travel Ban 3.0, Proclamation No. 9645, 82 Fed. Reg. 13209 at § 2(f); Emily Rauhala, *Almost no North Koreans travel to the U.S., so why ban them?*, WASH. POST (Sept. 25, 2017), https://www.washingtonpost.com/world/almost-no-north-koreans-travel-to-the-us-so-why-ban-them/2017/09/25/822ac340-a19c-11e7-8c37-e1d99ad6aa22_story.html?noredirect=on&utm_term=.1c890b30fb15.

However, as discussed below, it did include the waiver provision introduced in Travel Ban 2.0 that would allow for exemptions for visas to be issued to otherwise banned individuals and families.²⁷

iv. Legal Challenges to Travel Ban 3.0

On October 17, 2017, after the State of Hawai'i brought a suit challenging Travel Ban 3.0, *Hawai'i v. Trump*, the United States District Court in Hawai'i issued a PI blocking the Ban before it went into effect.²⁸ Other key legal challenges included a suit brought by Iranian Alliances Across Borders (“IAAB”), *IAAB v. Trump*, in the United States District Court in Maryland, where the court also issued a PI.²⁹ **However, on December 4, 2017, the Supreme Court granted the Trump Administration's request that the ban take full effect while it appealed the *Hawai'i v. Trump* decision.³⁰ As discussed below, the implementation of Travel Ban 3.0 in December 2017 resulted in mass denials of applications and a chaotic and opaque waiver process.**

On December 22, 2017, the Ninth Circuit Court of Appeals issued a ruling in *Hawai'i v. Trump*, holding that Travel Ban 3.0 violated the law and that the plaintiffs were likely to succeed on their claims, particularly as Travel Ban 3.0 likely exceeded the President's authority and violated the Immigration and Nationality Act (“INA”).³¹ On February 15, 2018, in a different case, *IRAP v. Trump*, the Fourth Circuit Court of Appeals held that Travel Ban 3.0 violated the Establishment

²⁷ Travel Ban 3.0, Proclamation No. 9645, 82 Fed. Reg. 13209 at § 3(c).

²⁸ See *State v. Trump*, 265 F. Supp. 3d 1140 (D. Haw. 2017), *aff'd in part, vacated in part*, 878 F.3d 662 (9th Cir. 2017), *cert. granted*, 138 S. Ct. 923 (2018), and *rev'd and remanded*, 138 S. Ct. 2392 (2018).

²⁹ See Complaint, *Iranian All. 's Across Borders v. Trump*, No. 8:17-cv-02921 (D. Md. filed Oct. 2, 2017), ECF No. 1; *Iranian All. 's Across Borders v. Trump*, No. 8:17-cv-02921 (D. Md. Oct. 17, 2017), ECF No. 47 (granting in part and denying in part preliminary injunction).

³⁰ See *Trump v. Hawaii*, 138 S. Ct. 542 (Dec. 4, 2017) and *Trump v. Int'l Refugee Assistance Project*, 138 S. Ct. 542 (Dec. 4, 2017); see also discussion *infra* Section V.

³¹ *Hawaii v. Trump*, 878 F.3d 662 (9th Cir. 2017), *cert. granted*, 138 S. Ct. 923 (2018), and *rev'd and remanded*, 138 S. Ct. 2392 (2018). The Ninth Circuit held that (1) Travel Ban 3.0 violates INA, including the INA's prohibition on nationality-based discrimination in the issuance of visas; (2) the President exceeded the scope of his authority (the Court did not reach constitutional challenges under the Establishment Clause); and (3) the President did not have separate constitutional authority to issue Travel Ban 3.0. *Id.* at 681-698. In so doing, the Ninth Circuit affirmed the United States District Court of Hawaii's preliminary injunction against the Travel Ban, but narrowed it to include only foreign nationals who have qualifying BFRs with a United States person or entity. *Id.* at 702.

Clause of the Constitution.³² The Court cited President Trump’s words as a constitutionally impermissible reason for Travel Ban 3.0.³³ Despite these holdings, per the Supreme Court’s December 2017 ruling, Travel Ban 3.0 remained in effect until it re-heard the case.

v. Supreme Court Decision Upholding Travel Ban 3.0, June 26, 2017

On April 25, 2018, the Supreme Court heard oral arguments in *Hawai’i v. Trump* to determine the merits of the Travel Ban. On June 26, 2018, in a controversial 5-4 ruling, the Supreme Court upheld Travel Ban 3.0 as lawful and constitutional.³⁴ Reversing the Ninth Circuit, the majority of the Supreme Court held the Ban to be a lawful exercise of the broad discretion granted to the president under the INA. Per the majority’s ruling, the president was only required to determine that entry of the banned class of people “would be detrimental to the interests of U.S.” The Court found that President Trump did so, largely pursuant to a never-made-public worldwide review conducted by DHS and its subsequent recommendations. In rejecting the Fourth Circuit’s Establishment Clause holding, the majority said it considered the significance of President Trump’s numerous Islamophobic statements, but applied an extremely deferential “rational basis” review to examine if the Ban is “plausibly related to the Government’s stated objective to protect the country and improve vetting processes.”³⁵ In so doing, the Supreme Court effectively disregarded all of President Trump’s discriminatory statements. It held that the Travel Ban was neutral on its face and was purportedly for legitimate reasons (such as improving vetting processes), and implemented after review and recommendation by DHS. In an ironic twist, the Supreme Court rejected *Korematsu* (described below)—a case relied on by the Trump Administration as authority for the Ban—while simultaneously repeating *Korematsu*’s discredited result in upholding the clearly discriminatory Travel Ban.

³² *Int’l Refugee Assistance Project v. Trump*, 883 F.3d 233 (4th Cir. Feb. 15, 2018), as amended (Feb. 28, 2018), *cert. granted, judgment vacated*, 138 S. Ct. 2710 (2018).

³³ *Id.* at *250.

³⁴ *Trump v. Hawaii*, 138 S. Ct. 2392 (2018).

³⁵ *Id.* at 2420.

In her dissenting opinion, Justice Sotomayor (and joined by Justice Ginsburg) argued that the Travel Ban was clearly motivated by anti-Muslim animus.³⁶ Justice Sotomayor drew parallels to the Supreme Court's 1944 *Korematsu v. United States* decision, which upheld the legality of Executive Order 9066 and the incarceration of over 120,000 Japanese Americans during WWII.³⁷ Both the Travel Ban and Executive Order 9066 relied on dangerously overbroad stereotypes in the name of national security. Her opinion also cites to the 1984 *Korematsu v. United States* case where it was revealed that the government had knowingly omitted reports demonstrating that Japanese Americans were not a national security threat, thereby undercutting the justification for mass incarceration.³⁸ Similarly, the government claimed in the Travel Ban case, that the law is justified based on a secret worldwide review report.

Justice Breyer (joined by Justice Kagan), also dissented, flagging concerns about the so-called waiver process (discussed below), and opining that by excluding individuals who are not detrimental to the United States, the government's national security justifications for the Ban are significantly weakened.³⁹

The Supreme Court's Travel Ban decision is another dark mark in this country's judicial history. The Court has been wrong before on major decisions. For example, the Supreme Court upheld slavery in the United States in 1857 with its now infamous *Dred Scott v. Sandford* decision; and, as discussed above, upheld the constitutionality of Japanese incarceration camps in 1944 during WWII in its *Korematsu v. United States* decision.

³⁶ *Id.* at 2433 (Sotomayor, J., dissenting).

³⁷ *Id.* at 2447-2448.

³⁸ *Id.* at 2447.

³⁹ *Id.* at 2430 (Breyer, J., dissenting).

b. THE CURRENT LAW: TRAVEL BAN 3.0

i. Who is impacted?

Travel Ban 3.0 indefinitely suspends the issuance of the vast majority of visas to individuals from Iran, Libya, North Korea, Somalia, Syria, Yemen, and certain government officials from Venezuela. It applies to individuals who were: (1) outside of the United States on October 10, 2017; (2) did not have a valid visa on that date; and (3) have not obtained a waiver (discussed below). Additionally, there are some country-by-country exemptions, as follows:

<i>Country</i>	<i>Non-Immigrant Visas⁴⁰</i>	<i>Immigrant Visas⁴¹ (including Diversity Visas⁴²)</i>
Iran	No non-immigrant visas except F, M, and J visas, who will be subjected to enhanced screening and vetting requirements	No immigrant or diversity visas
Libya	No B-1, B-2, and B-1/B-2 visas	No immigrant or diversity visas
North Korea	No non-immigrant visas	No immigrant or diversity visas
Somalia		No immigrant or diversity visas
Syria	No non-immigrant visas	No immigrant or diversity visas
Venezuela	No B-1, B-2 or B-1/B-2 visas of any kind for officials for certain government agencies and their immediate family members.	
Yemen	No B-1, B-2, or B-1/B-2 visas	No immigrant or diversity visas

⁴⁰ Non-Immigrant Visas: visas for individuals seeking to enter the United States on a temporary basis for tourism (B1/B2), studies (F,M,J) , medical (B1/B2), or business purposes, etc.

⁴¹ Immigrant Visas: visas for individuals who intend to immigrate to the United States.

⁴² Diversity Visas (or “visa lottery”): is a program where a set number of immigrant visas available on an annual basis to individuals from countries with low numbers of immigrant visas in the previous five years.

According to DOS, a three-part review process applies to nationals from the countries impacted by Travel Ban 3.0: (1) the consular officer must first determine if the individual is eligible for the visa under the INA (in other words, the Travel Ban does not prohibit or block the initial application for a visa and consular officers are still processing applications); (2) the consular officer must determine if the applicant falls in a category exempt from the Travel Ban; and (3) the consular officer must determine if the applicant is eligible for a waiver.

ii. Who is Exempt from Travel Ban 3.0?

The following are not impacted by Travel Ban 3.0:

- ◁ United States citizens;
- ◁ United States LPRs or “green card holders;”
- ◁ Dual nationals (Iranian nationals who are also nationals of another country) traveling on a non-designated passport (e.g., an Iranian national with citizenship from Germany, traveling with a German passport);
- ◁ Admitted refugees and asylees; I-730 asylee beneficiaries;
- ◁ Foreign nationals with travel documents other than a visa (such as a transportation letter, advance parole, etc.);
- ◁ Foreign nationals traveling on a diplomatic visa;
- ◁ Individuals who are otherwise admitted or paroled into the United States; and
- ◁ Any individual who had a visa or was in the United States as of the date of Travel Ban 3.0 went into effect.

iii. Bona Fide Relationships Are No Longer Grounds for Exemptions

Although previous iterations of the Travel Ban allowed for exemptions where the applicant could show a BFR (a close familial relationship to a United States person or formal letter from a United States entity to work or study), Travel Ban 3.0 does not allow for such exceptions.

iv. Common Ways Travel Ban 3.0 Affects Iranians

The following is a non-exhaustive list of how Iranians are affected by Travel Ban 3.0:

- ◁ United States citizens and green card holders can no longer obtain an immigrant visa for their spouse, parent, or child unless they can obtain a waiver;
- ◁ United States citizen and green card holders can no longer obtain a visa for their fiancé/e unless they can obtain a waiver;
- ◁ Family members can no longer obtain non-immigrant visas (such as tourist visas) to visit the United States unless they can obtain a waiver;
- ◁ Individuals seeking to enter the United States for urgent medical care can no longer obtain a non-immigrant visa for treatment unless they can obtain a waiver;
- ◁ Individuals seeking to enter the United States for business purposes or to invest in the United States economy can no longer obtain a visa unless they can obtain a waiver; and
- ◁ Diversity visa recipients (visa lottery winners) can no longer obtain such immigrant visas unless they can obtain a waiver.

While Iranian student visas holders are not subjected to the Travel Ban and do not need a waiver to study in the United States, their visa applications are subjected to additional vetting.

c. THE WAIVER EXEMPTION AND PROCESS

i. Criteria & Process for the Waiver

Travel Ban 3.0 provides for so-called “case-by-case” waivers to otherwise-banned individuals. To be eligible for such waiver, applicants must demonstrate that they meet the following three criteria:

1. Denying them entry to the United States would cause them undue hardship;
2. Their entry would not pose a threat to the national security of the United States; and
3. Their entry would be in the national interest of the United States.

Per the Ban, DOS consular officers and CBP officers are responsible for adjudicating waivers. Travel Ban 3.0 lists ten (10) examples where a consular or CBP officer can use their discretion to grant a waiver. Examples include cases such as where the applicant is a minor, has close family

members in the United States, or needs urgent medical treatment.⁴³ Travel Ban 3.0 also requires the Secretary of State and the Secretary of Homeland Security to issue guidance on the waiver process.⁴⁴ As the law currently stands, the waiver process is the only mechanism for otherwise banned individuals to obtain a visa.

ii. Implementation of the Waiver

Since December 4, 2017, when the Supreme Court allowed Travel Ban 3.0 to go into full effect, it has become apparent that – whether intentionally by design, or carelessly due to a total lack of standards policies and procedures, nearly all waivers were denied and there was effectively no waiver process at all. That has been so even with cases that squarely fit within the ten (10) exceptions listed in the Ban, itself, as instances when a waiver is warranted. Finally, there is no public guidance on how individual applicants can apply for or demonstrate their eligibility for a waiver; nor any clear evidence that comprehensive guidance has been issued on how to evaluate and implement the waiver process.

First, the waiver provision has been implemented in a haphazard, opaque, and arbitrary manner. There is no application form for the waiver.⁴⁵ There is also no clear information available on

⁴³ Travel Ban 3.0, Proclamation No. 9645, 82 Fed. Reg. 13209 at § 3(c). The ten listed categories are: (1) the foreign national has previously been admitted to the United States for a continuous period of time for work or study or another long-term activity and is seeking to reenter the United States to resume such activities, and denial of entry would impair said activity; (2) the foreign national has previously established significant contacts with the United States on the date the proclamation went into effect for work, study, or another lawful activity; (3) the foreign national seeks to enter to conduct significant business or professional activities and denial of entry would impede those obligations; (4) the foreign national is seeking to enter to reside with a close family or relative who is a United States citizen or LPR; (5) the foreign national is an infant, child or adoptee, an individual needing urgent medical care, or someone whose entry is justified by a special circumstances; (6) the foreign national has been employed by the United States government and can document that they provided faithful and valuable services to the United States; (7) the foreign national is traveling for the purposes related to an international organization designated under the International Organizations Immunity Act; (8) the foreign national is a Canadian permanent resident who applies for a visa at a location within Canada; (9) the foreign national is traveling as a United States government-sponsored exchange visitor; (10) the foreign national is traveling to the United States at the request of the United States government. *Id.*

⁴⁴ *Id.*

⁴⁵ The FAQs posted by DOS is largely what the government has identified as “guidance” on the Travel Ban. However, the FAQs largely reference the Travel Ban without any additional information that would constitute meaningful guidance. See Dep’t of State Bureau of Consular Affairs, *June 26 Supreme Court Decision on Presidential Proclamation 9645*, https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/presidential-proclamation-archive/june_26_supreme_court_decision_on_presidential_proclamation9645.html (last visited Jan. 30, 2019).

how individuals seeking a visa can demonstrate their eligibility for a waiver. Many IABA members reported that they tried to mail or email a packet of documents demonstrating eligibility for a waiver (commonly referred to as a “waiver packet”), or to provide their clients with such a waiver packet to hand to a consular officer during an interview. IABA members further reported that the response to such efforts were inconsistent and unpredictable, whether between consulate offices or even between consular officers within the same office. While some consular officers accepted waiver packets, others only accepted verbal information during interviews, and many officers refused to accept any evidence of waiver eligibility. There were even reports of consular officers admonishing individuals for asking about waivers, trying to offer evidence in support of waivers, or hiring an attorney. To date, there is no consistent process for consular officers to accept waiver applications or evidence in support of them.

How One Official Described Waivers

“[T]he waiver process is a superficial and wasteful bureaucratic exercise designed to hide the true intent of the travel ban: to keep an arbitrary group of Muslim travelers and immigrants from ever reaching the shores of the United States.”

– Christopher Richardson,
Former Consular Officer

Second, countless individuals and families who had their visa interviews *before* Travel Ban 3.0 went into effect have been denied visas and waivers without notice of the waiver process, an opportunity to submit evidence, or consideration under the waiver scheme. In other words, they had an interview before the Travel Ban existed; but after the Travel Ban went into effect, were denied on the basis that they did not qualify for waivers, without any notice of or opportunity to address the new law. Many denied cases fall squarely within the ten (10) examples listed in the Travel Ban where a waiver should be granted.

Third, DOS has failed to provide public guidance, not only on how an individual applicant can apply or demonstrate that they qualify for a waiver, but also on the standards of the three criteria that must be met to qualify for a waiver. The lack of information is particularly troubling given that at least one of the criteria (undue hardship) is not clearly defined in the INA or other United States law. Even worse, some consular officers reportedly told applicants that they had no authority to grant waivers while others reported that they could grant waivers only with DOS’ input. This contradicts the plain language of the Travel Ban, which purportedly gives consular and CBP officers’ discretion to grant waivers.

As a result, several Iranian-American organizations (including IABA) worked with Senator Van Hollen and his colleagues to ask DOS for guidance, clarity and statistics on the waiver process. On February 22, 2018 and June 22, 2018, after extensive advocacy,⁴⁶ DOS released partial responses to the Senator’s request. In the February 2018 letter, DOS provided some information about the criteria and standards to qualify for a waiver, as well as some preliminary statistics. Regarding defining the standards for the three criteria to obtain a waiver, DOS explained that, to meet the undue hardship standard, the visa applicant “must demonstrate to the consular officer’s satisfaction that an unusual situation exists that compels immediate travel by the applicant and that delaying visa issuance and the associated travel plans would defeat the purpose of travel.”⁴⁷ Moreover, to satisfy the national interest standard, the applicant must demonstrate that a United States person or entity would “suffer hardship if the applicant could not travel until after the visa restrictions imposed” are lifted.⁴⁸ However, DOS failed to explain or remedy the fact that an applicant unaware of the information released to Senator Van Hollen would have no notice or understanding of this criterion, and what it required, including a showing of an “unusual situation that compels immediate travel.” In its June 2018 letter, the DOS elucidated that a waiver grant does not necessarily mean that the visa will be issued.⁴⁹ Rather, a case can remain pending in background checks (known as “administrative processing”) even with a cleared waiver. Senator Van Hollen requested further information in a third letter sent on October 26, 2018, and is awaiting a response. Finally, through a Freedom of Information Act (“FOIA”) request, IRAP

⁴⁶ AILA, DOS RESPONDS TO SENATOR VAN HOLLEN’S CONCERNS OVER THE TRAVEL BAN WAIVER PROCESS (Feb. 22, 2018), <https://www.aila.org/infonet/dos-responds-to-senator-van-hollens-concerns>; Press Release, Office of Senator Chris Van Hollen, Sen. Van Hollen, Reps. Carson, Moulton Lead Bicameral Letter Seeking Answers On Trump Travel Ban, <https://www.vanhollen.senate.gov/news/press-releases/sen-van-hollen-reps-carson-moulton-lead-bicameral-letter-seeking-answers-on-trump-travel-ban> (last updated Oct. 12, 2018). As discussed IABA, through its collaboration with PAAIA, and other Iranian-American organizations, was at the forefront of working to secure this data and information.

⁴⁷ Yeganeh Torbati, Mica Rosenberg, *Exclusive: Visa waivers rarely granted under Trump’s latest U.S. travel ban: data*, REUTERS (Mar. 6, 2018), <https://www.reuters.com/article/us-usaimmigration-travelban-exclusive/exclusive-visa-waivers-rarely-granted-under-trumps-latestu-s-travel-ban-data-idUSKCN1GI2DW>.

⁴⁸ *Id.*

⁴⁹ Press Release, Office of Senator Chris Van Hollen, Sen. Van Hollen, Reps. Carson, Moulton Lead Bicameral Letter Seeking Answers On Trump Travel Ban, <https://www.vanhollen.senate.gov/news/press-releases/sen-van-hollen-reps-carson-moulton-lead-bicameral-letter-seeking-answers-on-trump-travel-ban> (last updated Oct. 12, 2018).

was able to obtain some additional documents and information on the waivers.⁵⁰ However, it is unclear how applicants and attorneys applying for visas would know to examine the IRAP FOIA documents, when DOS has failed to provide clear public guidance on how to demonstrate waiver eligibility.

iii. Statistics on Waiver Grants

Although DOS periodically updates its website with the number of applicants *cleared* for a waiver, it has not provided the number of *approved visas* or disaggregated data by country of origin or type of visa application. DOS’ response to Senator Van Hollen showed that, for just a three-month period from December 8, 2017 through February 15, 2018, of the 6,555 waiver applications, only 273 applicants could demonstrate waiver eligibility, and of those only two (2) waivers were approved (though it is unclear whether and when visas were issued to those two applicants).⁵¹

According to the American Immigration Lawyers Association (“AILA”), the approximate number of immigrant visas granted in 2017 for Iranian nationals was 6,643, and 5,419 for Yemeni nationals. Between December 2017 and September 2018, after implementation of the Travel Ban, those numbers plummeted:⁵²

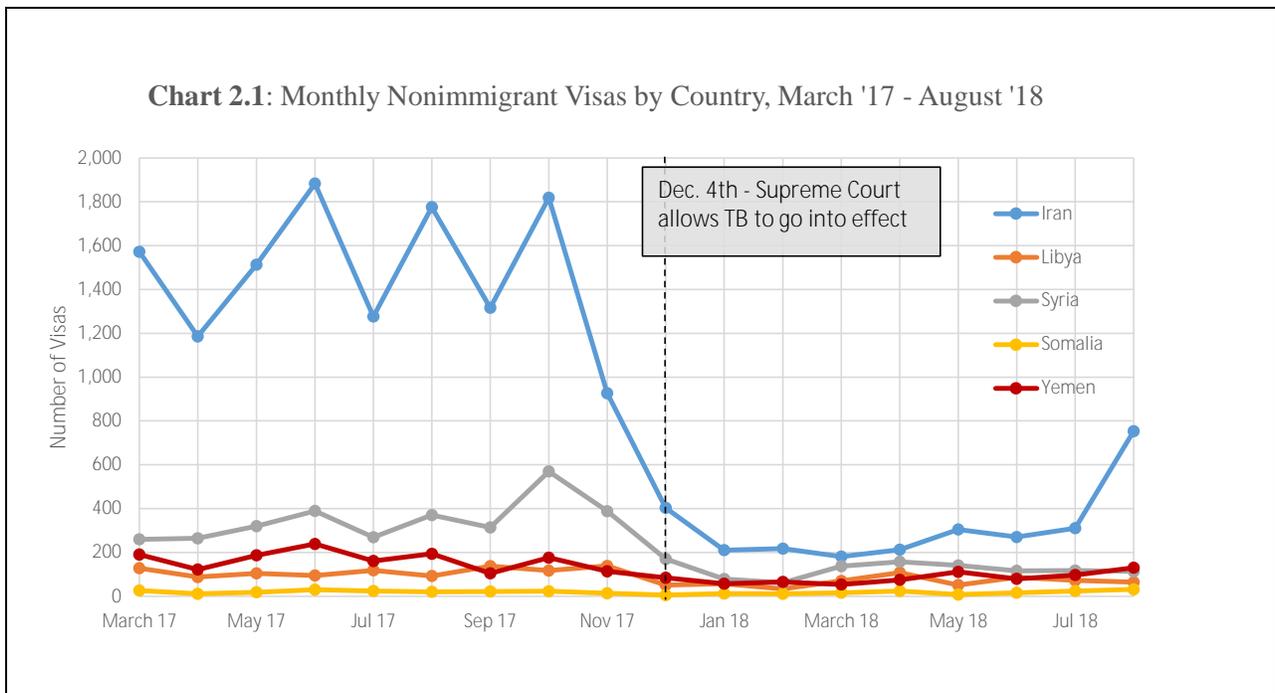
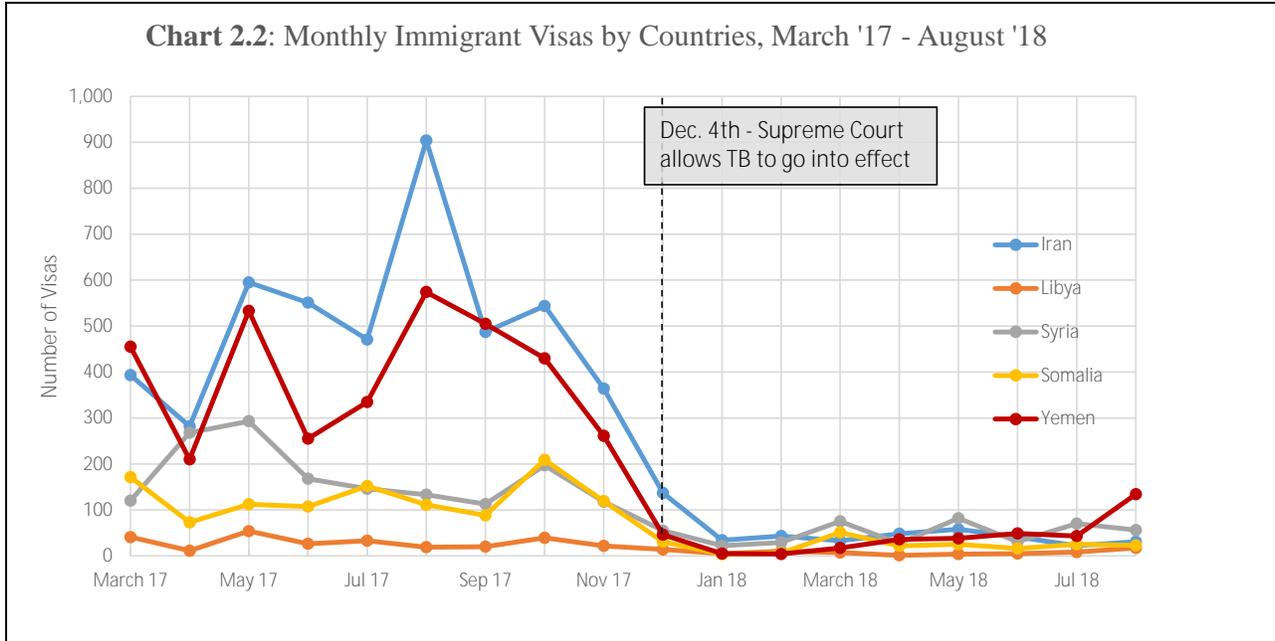
Iran	514
North Korea	5
Libya	76
Somalia	195
Syria	523
Yemen	499

⁵⁰ See IRAP, *Resources on Travel Ban Waivers*, <https://refugeerights.org/travel-ban-waivers/> (last visited Jan. 30, 2019).

⁵¹ *Id.*

⁵² American Immigration Lawyers Association’s Middle East Working Group, *Practice Pointer: Applying for a Waiver Pursuant to Presidential Proclamation 9645 (Travel Ban 3.0)*, (November 29, 2018), <https://www.aila.org/infonet/applying-for-a-waiver-pursuant-to-presidential>.

A report by Khanbabai Immigration Law Firm captures the plummeting visa statistics after the Supreme Court allowed the Travel Ban (noted as “TB” below) to go into effect on December 4, 2017:⁵³



⁵³ KHANBABAI IMMIGRATION LAW, TRAVEL BAN IMPACT ON VISA ISSUANCES (Oct. 22, 2018).

Chart I2.1: Monthly Immigrant and Nonimmigrant Visas to Iranians, March '17 - August '18

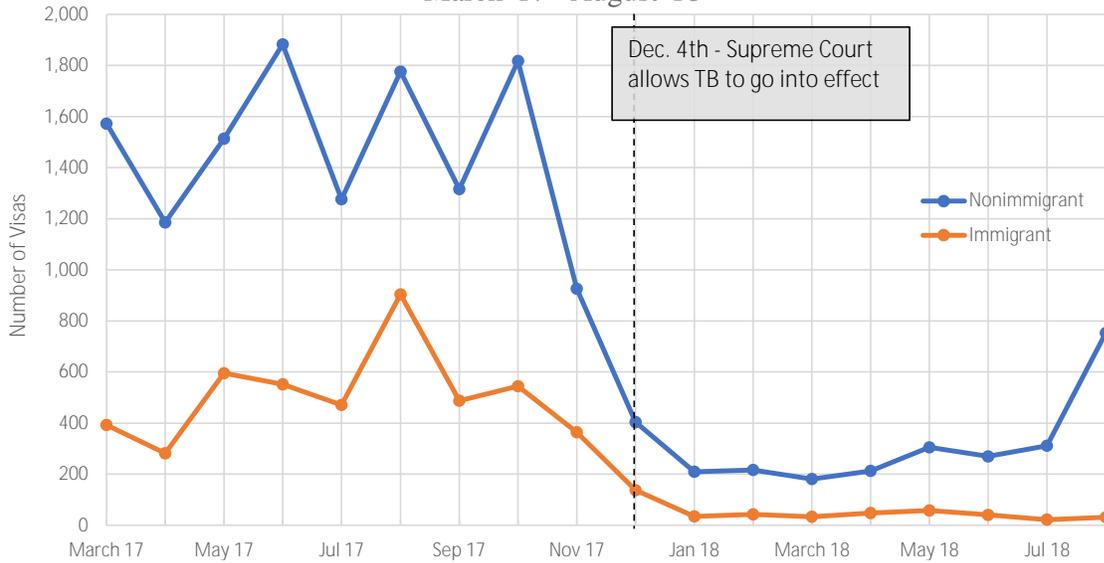
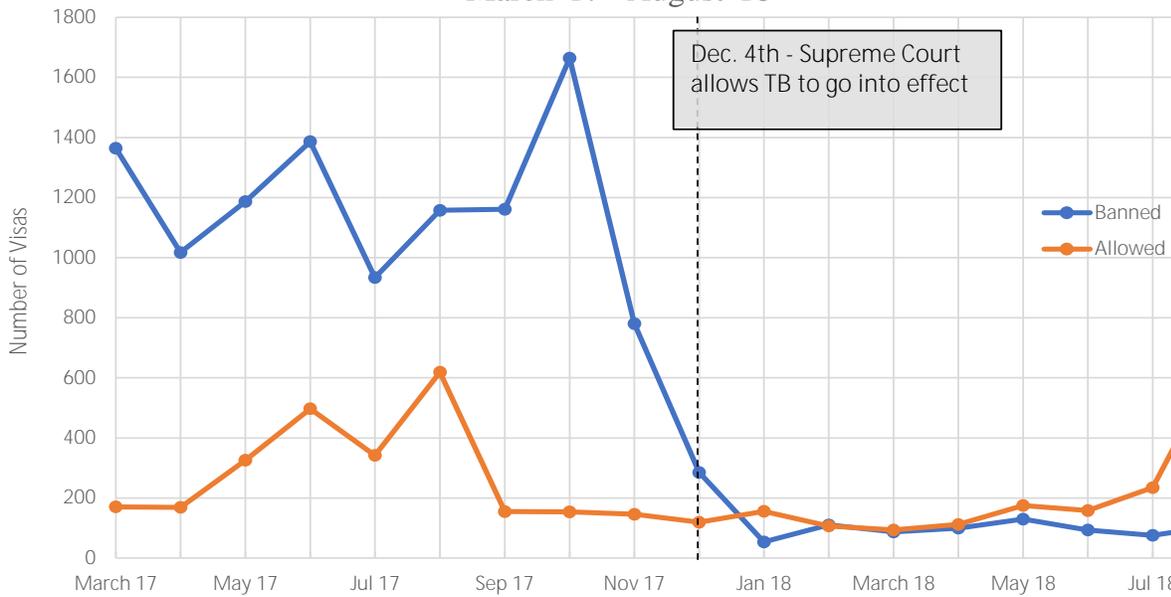


Chart I2.2: Monthly Nonimmigrant Visas to Iranians by Visa Category, March '17 - August '18



d. TRAVEL BAN 3.0 - IMPACT STORIES

The impact of the Travel Ban goes far beyond travel restrictions. The illusory waiver process has devastated individuals from Iran, Libya, Somalia, Syria, and Yemen, as well as their families in the United States. The Travel Ban has separated families, blocked access to urgent medical treatment, derailed investments in the United States economy, interrupted academic studies and research, and increased anxiety, depression, and discrimination among the affected communities.

i. Family Separation

United States citizens and green card holders have been separated from their families. Their children, spouses, parent, grandparents, and siblings are unable to obtain an immigrant waiver or visa to be reunited with their families in the United States. Other families are unable to obtain non-immigrant visas to visit the United States for major life events such as graduations, births, weddings, and funerals. Even when a waiver is being considered, the process is opaque with no reasonable timeline. Family members have become depressed, lost their jobs, and even passed away while waiting for a waiver. Family separation case examples include:

Ahmad, a plaintiff in an IABA lawsuit (*Pars v. Pompeo* (“*Pars II*”)), is a United States citizen and a Yemeni national with two minor United States citizen daughters. His wife’s immigrant visa has been pending for over a year. Unable to return to war-torn Yemen, she is stranded in Djibouti where her case is being processed. Her visa and waiver were summarily denied after the Supreme Court lifted the PI in December 2017. Although she was subsequently reconsidered for a waiver several months later, she is still waiting for a final determination. Their lives are in legal limbo without any concrete timeline to be reunited. The family suffers great financial hardship and emotional distress as they are unable to be together on a daily basis or to celebrate birthdays, holidays, and for religious practices.

Neda is a United State citizen who cancelled her wedding when her fiancé, a citizen of Iran, was refused a waiver. Subsequently, her fiancé was in a car accident and had to have his right leg amputated. She was still unable to be with him after this horrific injury.

Shiva, a plaintiff in an IABA lawsuit (*Pars v. Trump* (“*Pars I*”)), is a green card holder and a national of Iran. She was preparing to bring her father and mother from Iran to visit their newborn grandchild in the United States. Uncertain if her parents could come to the United States under the Travel Ban, Shiva sought legal advice but was instructed by her attorney not to travel abroad due to the uncertainty of Travel Ban 1.0. Her parents may never have a chance to meet her son.

Mania, featured in the IABA amicus brief to the Supreme Court, is a United States citizen who petitioned for her father in Iran to visit after her mother died of cancer and her brother was also diagnosed with cancer. Her father’s case was still pending when his son (her brother) passed away. Mania had no mechanism to demonstrate that her father met the criteria for a waiver. After an additional nine month delay, Mania could no longer risk waiting to see her father. She missed work and visited her depressed father in Iran. Nearly one month after her visit, her father passed away. Shortly after his death, her father’s waiver request and visa was refused. Her case is one of several where family members have died while trying to navigate the visa and waiver process.

ii. Urgent Medical Needs Are Ignored

Many individuals impacted by the Travel Ban are suffering and dying due to their inability to travel to the United States for medical treatment. One IABA member reported that his Canadian-resident Iranian citizen client with severe cancer was not being granted a waiver or a visa for an extended period of time, in direct contradiction of at least two case examples in the plain language of the Travel Ban warranting a waiver grant. After many months of pleading by a member of the Canadian Parliament, the consulate finally issued the visa. Although a small number of waivers (including the aforementioned case example) for urgent medical care⁵⁴ have been granted, many individuals are still barred from obtaining life-saving medical treatment in the United States.

⁵⁴ Elliott C. McLaughlin, *Yemeni Mother Wins Visa Fight to See Her Dying Child in a California Hospital*, CNN (December 18, 2018), <https://www.cnn.com/2018/12/18/us/oakland-child-life-support-yemeni-mother-travel-ban/index.html?no-st=1545201117>; Middle East Eye and Agencies, *U.S. Grants Rare Visa Waiver for Iranian Man Amid Trump’s Travel Ban*, MEE (March 30, 2018), <https://www.middleeasteye.net/news/us-grants-rare-visa-waiver-iranian-man-amid-trumps-travel-ban-1989269634>.

iii. Skilled Professionals and Business People Cannot Come to Work and/or Invest in the United States

Tourism, technology, and finance industries in the United States have also been affected. Over 175 tech companies, including Apple, Facebook, Amazon, Microsoft, and Google, submitted an amicus brief to the Supreme Court opposing the Travel Ban.⁵⁵ The brief details the impact of the Travel Ban on the technology industry and the overall impact on the economy when immigration and entrepreneurship is limited. For example, an IABA member who represents a renowned professor of chemical engineering in Iran with an employment offer from the University of California, Berkeley had been informed during his consular interview that his visa was approved. However, after the Travel Ban took effect, his passport was returned without a visa. His case has been pending for over a year and no waiver has been granted. An Iranian female martial arts champion with an approved visa based on extraordinary skills has also been unable to obtain a waiver. Even though she received offers to teach a workshop at Harvard University, as well as a job offer in Virginia, she was denied a waiver. After discovering that she desired to move to the United States, the martial arts confederation in Iran revoked some of her coaching and managerial duties.

iv. Academic Research & Studies Are Disrupted

During Travel Ban 1.0, before student visas were exempted, IABA received reports from concerned faculty about students not being accepted into various academic programs because of confusion due to the Travel Ban.⁵⁶ IABA also received reports from medical students regarding difficulties being matched with medical schools.⁵⁷ According to an amicus brief submitted to the Supreme Court by State Attorneys General from 15 states, 40% of colleges across the United States reported a 40% decline in applications from foreign students affected by the Travel Ban. Researchers singled out the Travel Ban as a key factor contributing to this decline and flagged

⁵⁵ Brief of Technology Companies as *Amici Curiae* in Support of Appellees, *Hawaii v. Trump*, 864 F.3d 994 (9th Cir. 2017), No. 17-15589, ECF No. 180

⁵⁶ Transcript of Motions Hearing at 30, *Pars Equal. Ctr. v. Trump*, No. 1:17-cv-00255-TSC (D.D.C. filed Feb. 8, 2017), ECF No. 86, <http://endthetravelban.com/blog/wp-content/uploads/2017/04/4-18-17-Pars-v-Trump-MINI-Chutkan-Motion-Final.pdf>.

⁵⁷ *Id.*

concerns that it “might have hampered the global competitiveness of the United States and its ability to attract the best and brightest.”⁵⁸ The amicus brief further documented that 18% of the drop in applications were attributable to Iranian students.⁵⁹ Although Iranian students pursuing F, J, and M visas are exempt from the Travel Ban 3.0, they are still subjected to heightened vetting, which can also reduce the numbers of student visas granted.

v. **Increased Stress, Depression, and Suicides**

The emotional and psychological toll of the Travel Ban cannot be overstated. On July 18, 2018, after the final Supreme Court decision, Mahmood Salem, a 31 year-old Yemeni-American citizen, died by suicide when his family’s case for immigrant visas were denied.⁶⁰ Fearful to return to war-torn Yemen, the family remained in Djibouti, where the consular interview had occurred, waiting for a waiver to be united with their father and husband. It was nearly impossible to make ends meet with the exorbitant cost of living in Djibouti, health care costs for his children (who were sick from the health conditions in Djibouti), and more. Five days after his death, his family’s waivers were granted, but they were issued too late to attend his funeral.

⁵⁸ Brief for Respondents at 8, *Trump v. Hawaii*, 138 S. Ct. 542 (Dec. 4, 2017) (No. 17-965).

⁵⁹ *Id.*

⁶⁰ Mallory Moench, *U.S. Citizen’s Family Was Denied Visas Under Trump’s Travel Ban. Then He Died by Suicide*, NBC (July 28, 2018), <https://www.nbcnews.com/news/us-news/u-s-citizen-s-family-was-denied-visas-under-trump-n895381>.

IV. IABA EFFORTS IN RESPONSE TO THE TRAVEL BAN

Almost immediately, it became obvious that the Travel Ban significantly affected Iranian nationals and their Iranian-American relatives. Government statistics revealed that, in the decade preceding Travel Ban 1.0, Iran not only had the largest total number of entrants, but visas issued to Iranian nationals were also nearly half of all visas issued to nationals of the seven originally affected countries.⁶¹ Accordingly, from the onset, IABA was actively involved in legally challenging the Travel Ban, educating the community of its harmful effects, and seeking to mitigate those effects with other Iranian-American organizations and coalition partners. These efforts started immediately.

<i>IABA Travel Ban Advocacy at a Glance</i>	
<	Rushed to airports to support travelers and community members
<	Created a free online intake form to assist travelers and their families
<	Challenged the legality of each version of the Travel Ban by filing a suit, <i>Pars Equality Center v. Trump</i> , in United States District Court for the District of Columbia
<	Local chapters provided legal services, hosted town halls and MCLE trainings, prepared “Know Your Rights” materials, testified at public hearings, and met with elected officials
<	Collaborated with Senator Van Hollen to secure the only available statistics about the waiver process
<	Filed an amicus brief to the Supreme Court, which was the only brief referenced during oral argument and in Justice Breyer’s dissenting opinion in <i>Trump v. Hawai’i</i>
<	Challenged implementation of the Travel Ban and waivers by filing suit, <i>Pars Equality Center et al. v. Pompeo</i> , in United States District Court for the Western District of Washington

⁶¹ “Of the seven countries specified in the January 27, 2017 Executive Order, Iran had the largest total number of entrants (310,182) between 2006-2015. And of the estimated 90,0000 visas issued in 2015 to nationals of those seven countries, nearly half were to nationals of Iran. Iranians also represented a substantial proportion of the political and religious refugees who are resettled in the United States each year.” Brief of *Amici Curiae* Pars Equality Center et al., in Support of Respondents at 2, *Trump v. State of Hawaii*, 138 S.Ct. 2392, (2018) (No. 17-965).

On January 27, 2017, when Travel Ban 1.0 was issued, a significant number of Iranians were either detained at airports across the country, or unable to board their flights to return home to the United States. In response, IABA members joined thousands of protesters who rushed to the airports. IABA quickly created a free online intake form in English and Persian.⁶² By that time, IABA members from various chapters were already present at airports, tracking flights, identifying individuals detained, and securing the release of clients and community members where possible. The intake form allowed IABA members to track cases and determine who had been released and who had been denied admission to the United States. It also helped IABA in challenging the Travel Ban in courts.

i. Class Action Litigation Challenging the Travel Ban

In the next 10 days, over 200 individuals detained at airports and stuck abroad completed IABA's online intake form.⁶³ These cases would shape IABA's first federal lawsuit, *Pars Equality Center v. Trump* ("*Pars I*"),⁶⁴ which challenged the legality and constitutionality of Travel Ban 1.0.⁶⁵ *Pars I* was filed in the United States District Court for the District of Columbia by a coalition of Iranian-American organizations including IABA, National Iranian American Council ("NIAC"), Pars Equality Center ("Pars"), and Public Affairs Alliance of Iranian Americans ("PAAIA"). The coalition was created to highlight the effects of the Travel Ban specifically on the Iranian American community.

Pars I was amended when Travel Ban 2.0 and Travel Ban 3.0 were issued in March and September 2017. It was the only case nationwide in which a judge held a hearing, allowing the parties to provide evidence and oral testimony in court on the impacts of the Travel Ban on the community.⁶⁶ In that hearing, as with the lawsuit, IABA and its coalition partners were able to tell the stories of the many Iranian-American families affected by the Ban.

⁶² Iranian American Bar Association, *Travel Ban Survey*, <https://iaba.us/travel-ban-survey/> (last visited Jan. 30, 2019).

⁶³ As noted below, over the next year, this number grew to exceed 700.

⁶⁴ Complaint, *Pars Equal. Ctr. v. Trump*, No. 1:17-cv-00255-TSC (D.D.C. filed Feb. 8, 2017), ECF No. 3.

⁶⁵ *Id.*

⁶⁶ *Id.*

As the lawsuits challenging the Travel Ban moved forward, IABA continued to provide support to the community throughout the United States. Local IABA chapters provided legal consultations, trainings for attorneys, arranged town halls, prepared “Know Your Rights” materials, testified at public hearings, met with elected officials, and engaged with the media.

On December 4, 2017 (when the Supreme Court lifted the stay and allowed Travel Ban 3.0 to temporarily go into effect, pending oral arguments and its final decision⁶⁷), IABA was again inundated with cases involving visa and waiver denials. IABA member attorneys reported that they had no opportunity to provide evidence of eligibility for a waiver, particularly in cases where the interview had taken place before December 4, 2017. They further reported that their clients were unable to provide evidence showing they qualified for a waiver. Many were advised that no evidence would be accepted; while others were advised that evidence would only be accepted orally during interviews (begging the question of what individuals who had conducted their interviews prior to the Travel Ban could do). Indeed, some were even berated and admonished by consulate and embassy officials for having an attorney attempt to request a waiver. Alarming, many of the denied cases satisfied all the criteria listed in the text of the Travel Ban as cases that should have qualified for a waiver. IABA joined attorneys and partner organizations calling on DOS to provide guidance, process, and/or data on the waivers, which DOS has still failed to do as of the date of this report.

ii. Advocacy with Senator Van Hollen on Waivers

In January 2018, IABA and Pars joined efforts spearheaded by PAAIA to work with Senator Van Hollen (D-MD) and Senator Jeff Flake (R-AZ), in an effort to uncover previously unreleased guidance and data on the implementation of the Travel Ban.⁶⁸ As discussed above, the data

⁶⁷ See *Trump v. Hawaii*, 138 S. Ct. 542 (Dec. 4, 2017) and *Trump v. Int’l Refugee Assistance Project*, 138 S. Ct. 2392 (Dec. 4, 2017);

⁶⁸ PAAIA Thanks Senator Chris Van Hollen (D-Md) For Efforts To Disclose Travel Ban Details, PAAIA (June 22, 2018), <https://paaia.org/CMS/paaia-thanks-senator-chris-van-hollen-d-md-for-efforts-to-disclose-travel-ban-details.aspx>; Yeganeh Torbati & Mica Rosenberg, *Exclusive: Visa Waivers Rarely Granted Under Trump’s Latest U.S. Travel Ban Data*, REUTERS (Mar. 6, 2018), <https://www.reuters.com/article/us-usa-immigration-travelban-exclusive/exclusive-visa-waivers-rarely-granted-under-trumps-latest-u-s-travel-ban-data-idUSKCN1GI2DW>.

⁶⁸ Morad Ghorban, *Paaia Leads Effort To Uncover Stats That Show Waiver Provisions Not Implemented Under Travel Ban 3.0*, PAAIA (March 6, 2018), <https://paaia.org/CMS/PAAIA-leads-effort-to-uncover-stats-that-show-waiver-provisions-not-implemented>.

released by DOS to Senator Van Hollen in February 2018 showed that 6,553 out of 6,555 visa applications had been denied in the three months between December 8, 2017 and February 15, 2018, reflecting a 99.97% rejection rate.⁶⁹ Despite the government’s ongoing representations that nationals of the listed countries were “not banned” because they could obtain a visa through the waiver process, implementation of Travel Ban 3.0 and the data released to the Senators confirmed what IABA already knew: that Travel Ban 3.0 was designed to reject and keep out as many waiver applicants as possible. On June 22, 2018, DOS released further information to Senator Van Hollen demonstrating that approximately 2.1% of applicants were “cleared for waivers” – although it soon became apparent that being cleared for a waiver does not mean the applicant is actually issued a visa.⁷⁰ The foregoing data – when combined with the history and implementation of the Travel Ban – made it even more clear that the waiver process in Travel Ban 3.0 was a sham – *i.e.*, what Justice Breyer of the U.S. Supreme Court called “window dressing.”⁷¹

iii. Supreme Court Amicus Brief

Given the overwhelming chaos that ensued after the implementation of Travel Ban 3.0, and the devastating impact on individuals from Iran, Libya, Somalia, Syria, and Yemen,⁷² IABA worked with partners at Pars, PAAIA, Lawyers Committee for Civil Rights Under Law, Mehri & Skalet PLLC, and Arnold & Porter Kaye Scholler LLP to submit an amicus brief (the “Pars Amicus”) to the Supreme Court on March 30, 2018.⁷³ The Pars Amicus focused on and demonstrated how the purported “waiver process” in Travel Ban 3.0 was illusory. Stories of numerous individuals showed that, despite the existence of exigent circumstances, and even where applicants matched

⁶⁹ *Id.*

⁷⁰ Yeganeh Torbati, *U.S. issued waivers to Trump’s travel ban at rate of 2%, data shows*, REUTERS (June 26, 2018), <https://www.reuters.com/article/us-usa-immigration-ban/u-s-issued-waivers-to-trumps-travel-ban-at-rate-of-2-percent-data-shows-idUSKBN1JN07T>.

⁷¹ Transcript of Oral Argument at 35, *Trump v. Hawaii*, 138 S. Ct. 2392 (U.S. argued Apr. 25, 2018) (No. 17-965), https://www.supremecourt.gov/oral_arguments/argument_transcripts/2017/17-965_3314.pdf.

⁷² See Press Release, U.S. Dep’t of Homeland Sec., *Chad Has Met Baseline Security Requirements, Travel Restrictions to be Removed* (April 10, 2018), <https://www.dhs.gov/news/2018/04/10/chad-has-met-baseline-security-requirements-travel-restrictions-be-removed>.

⁷³ *Trump v. Int’l Refugee Assistance Project*, No. 8:17-cv- 00361-TDC (Dec. 4, 2017), https://www.supremecourt.gov/orders/courtorders/120417zr1_j4ek.pdf.

the examples of recommended waivers in Travel Ban 3.0, applicants were still denied or in limbo. **Significantly, of the 80 or so amicus briefs filed with the Supreme Court, the Pars Amicus was the only one explicitly referenced and discussed by the Court during oral arguments on April 25, 2018, and cited by Justice Breyer in his dissent.**

Case Highlight from Pars Amicus – United States Supreme Court

One story highlighted during the oral argument was that of Mr. Nageeb Alomari, a Yemeni-American United States citizen and father of three. His wife and three children live in war-torn Yemen. His eldest daughter was born with cerebral palsy, which requires medication and treatment unavailable in Yemen. The doctors determined that, with her deteriorating condition, she needed a visa to come to the United States for life-saving medical treatment. But her visa application was summarily denied, with no opportunity to appeal. The case demonstrated the discrimination, lack of a meaningful due process, and devastating impact of the so-called waiver scheme. While the Alomari family ultimately obtained visas after receiving prolonged and extensive media attention, countless other families and individuals remain devastated by the illusory waiver process.

iv. Class Action Challenging Implementation of the Travel Ban & Waivers

By the time the Supreme Court issued its decision upholding Travel Ban 3.0 on June 26, 2018,⁷⁴ it had become clear that the only possibility of obtaining a visa for nationals of the affected countries under an otherwise permanent ban was the so-called waiver process. Unfortunately, it had also become equally clear that the purported waiver scheme in Travel Ban 3.0 was what has been described as “superficial and wasteful” – or mere “window dressing.”⁷⁵

⁷⁴ Trump v. Int’l Refugee Assistance Project, No. 8:17-cv- 00361-TDC (Dec. 4, 2017), https://www.supremecourt.gov/orders/courtorders/120417zr1_j4ek.pdf.

⁷⁵ See Decl. of Christopher Richardson, Esq., *Alharbi et al. v. Miller et al.*, No. 1:18-cv-2435 (E.D.N.Y. June 1, 2018) ECF No.24-2; see also Christopher M. Richardson, “The Supreme Court Needs to Know the Truth About Trump’s Travel Ban,” SLATE (Jun. 21, 2018) <https://slate.com/news-and-politics/2018/06/a-consular-officer-on-how-the-travel-ban-waiver-process-is-a-sham.html>; accord *Trump v. Hawaii*, 138 U.S. 2392, 2429 (2018) (Breyer, J. dissenting.)

In response, IABA, in partnership with a broad coalition of civil rights partners⁷⁶ filed a new class action lawsuit, *Pars Equality Center v. Pompeo et al.* (“*Pars II*”), on July 31, 2018 in the United States District Court for the Western District of Washington, challenging the implementation of Travel Ban 3.0 and its waiver process.⁷⁷ In short, *Pars II* seeks to hold the Trump Administration accountable for its promise that it’s Ban of nationals from Iran and the other affected countries would be mitigated by a real waiver process. The plaintiffs in *Pars II* include organizational plaintiffs (Pars and One America) as well as individuals from *every* impacted Muslim-majority country identified in the Travel Ban. *Pars II* is currently pending, and is only one of two such cases nationwide.⁷⁸

V. WHAT YOU CAN DO TO CONTINUE TO FIGHT THE TRAVEL BAN

Historically, change has been effected through organizing and advocacy. IABA, along with coalition partners and allies, will continue to use the courts, advocacy, media, and government channels to mitigate, stop, and reverse the Travel Ban. However, such organizing and advocacy cannot take place without your efforts. You can take action now:

a. **Register to Vote & Elect Candidates Who Will Repeal the Ban**

The Travel Ban, like all executive orders, can be rescinded (by executive order) or repealed (by legislation). By exercising your right to vote, you take action in electing representatives that support your position to repeal the Travel Ban. The Travel Ban’s future will largely depend on who is elected to the House, the Senate, and the Presidency, and which justices are appointed and confirmed to the Supreme Court. It is imperative to vote in every election.

⁷⁶ IABA’s partners in *Pars II*, whose efforts have been critical in the lawsuit, include Asian Americans Advancing Justice-Asian Law Caucus (“Advancing Justice-ALC”), Council on American-Islamic Relations, California (“CAIR-CA”), and National Immigration Law Center (“NILC”), in consultation with Council on American-Islamic Relations Washington (“CAIR Washington”) and PAAIA.

⁷⁷ Complaint and Press Release, *Pars Equal. Ctr. et al. v. Pompeo*, No. 1:17-cv-00255 (D.D.C. filed Feb. 8, 2017), <http://endthetravelban.com/blog/wp-content/uploads/2017/02/3B-2017-2-8-Complaint-REDACTED-FOR-DISTRIBUTION.pdf>.

⁷⁸ See Amended Complaint, *Emami v. Neilson*, No. 3:18-cv-01587 (N.D. Cal. filed July 29, 2018), ECF No. 34.

b. Support Policy Efforts Calling to Repeal the Ban and Oversight & Transparency on the Waivers

In addition to contacting their representatives, concerned individuals can also support the following efforts to repeal the Ban and increase oversight into the waiver process:

◁ ***Support Policies Calling on Congress to Repeal the Ban***

Representative Judy Chu (D-CA-27) and Senator Chris Murphy (D-CT) introduced companion bills in the House and Senate to block the implementation of the Travel Ban. The bills, H.R. 810 and S. 246, would prohibit the use of any funds to implement the Travel Ban. Read about and support efforts to repeal the Travel Ban here.

◁ ***Support Policies Requiring Oversight & Transparency on Waivers from the DOS***

Senator Van Hollen introduced language into a recent appropriations bill (the Fiscal Year 2019 State, Foreign Operations, and Related Programs Appropriations Act), which would require DOS to regularly report to the public on Travel Ban statistics. Requested statistics, include the number of applicants by country, waivers granted, and visas issued. DOS must be required to publicly provide ongoing and accurate data so that there can be oversight and accountability for an otherwise opaque and arbitrary process. This data and reporting is critical to our understanding of the impacts of the Travel Ban, ability to provide legal effective services, and advocacy. Read and support Senator Van Hollen's efforts here.

c. Meet With Your Elected Officials

It is imperative that our elected officials continue to hear from us about the impacts of the Travel Ban. Meet with your elected official to ensure they support policy efforts, such as those described above, and advocate on our behalf (and give them a copy of this report!).

Congressional representatives also have the right to inquire about individual cases with the DOS. Both individually and through community organizations, you have the right to meet with elected officials to share your concerns about the Travel Ban.

- ◁ Find your Congressional representative here.
- ◁ Find your Senator here.
- ◁ Work with community organizations that already meet with Congressional representatives. IABA, PAAIA, Pars, and NIAC are among the Iranian-American organizations that bring community concerns to elected officials.

d. Support All Impacted Community Members and Immigrants' Rights

The Travel Ban is just one example of how the Trump Administration has systematically targeted immigrant communities and communities of color. Other examples include: separating immigrant children from their families, slashing refugee admissions, cutting DACA, increasing raids and deportations by ICE, and sending military troops to the border to target asylum seekers fleeing from war-zones. The Iranian community's challenges to the Travel Ban are not unique but part of a larger struggle and movement. To this end, it is imperative that we support coalition partners and advocate against attacks on all communities. Options include donating your time, money, and voice against this systematic targeting and violence.

e. Get Involved with IABA

IABA will continue its efforts to mitigate, stop, and reverse the Travel Ban. You can get involved with IABA and:

- ◁ Share your Travel Ban story with IABA by emailing iaba@iaba.us.
- ◁ If you have an active Travel Ban case, please complete our online intake form available here. All information is kept confidential.
- ◁ Become an IABA member, or renew your membership! Joining IABA is the best way to stay up-to-date on lawsuits, advocacy, trainings, and events.
- ◁ Donate to IABA to support our efforts.
- ◁ Follow IABA and its various local chapters on social media (such as Facebook, LinkedIn, and Twitter) and, when requested, take steps to share posted information.

VI. APPENDIX

a. IABA Chapter Activities

i. IABA Los Angeles Chapter

- ◁ Coordinated efforts to urge Iranian-American community members to call their elected representatives to stop President Trump from signing Travel Ban 1.0. This action was after the President’s intent to issue the Travel Ban came to light but before it was signed.
- ◁ Participated in a peaceful protest at Los Angeles International Airport (“LAX”) along with partner organizations and other volunteers. While there, IABA sought support from attorneys from the seven affected countries to support impacted individuals.
- ◁ Shared “Know Your Rights” information and the IABA intake form with individuals impacted by the Travel Ban. IABA Los Angeles Chapter recruited attorneys from all seven affected countries and connected Iranian-American pro bono immigration attorneys to individuals to help answer questions, monitor cases, and more.
- ◁ Provided interview, through Board Members, on Hamrah Radio and Public Radio International regarding the Travel Ban.
- ◁ Hosted a Town Hall discussion with prominent civil rights and immigration attorneys on the Travel Ban and its impact on the community, which was co-sponsored by Iranian-American Lawyers Association, Los Angeles County Bar Association, and Pars.
- ◁ Held a panel discussion on the Travel Ban with other minority bar associations.
- ◁ Hosted a free legal clinic with Pars.
- ◁ Participated in a press conference and welcome rally for impacted community member, Ali Veyeghan, at LAX.

ii. IABA New York Chapter

- ◁ Were present at John F. Kennedy Airport (“JFK”) and Newark airports, directing impacted individuals to attorneys. IABA New York members also recruited Farsi translation for legal services at the airport.

- ◁ Hosted an MCLE on Travel Ban 3.0, discussing the impacts of the law and strategies to mitigate harmful impacts on the Iranian-American community.
- ◁ Provided free legal advice and services at Cardozo School of Law to individuals impacted by the Travel Ban.
- ◁ Hosted a panel discussion on the Travel Ban at New York City Bar Association for both lawyers and non-lawyers, and distributed “Know Your Rights” materials.
- ◁ Hosted a “Know Your Rights” training with Council on American-Islamic Relations New York (“CAIR-NYC”), New York Civil Liberties Union, (“NYCLU”), Association of Muslim American Lawyers (“AMAL”), Chadbourne, and the Muslim Bar Association of New York.
- ◁ Partnered with City University of New York Creating Law Enforcement Accountability & Responsibility (“CLEAR”), NIAC, Legal Aid Society, and CAIR-NY for a panel discussion on the Travel Ban at the New York City Bar Association.

iii. IABA Northern California Chapter

- ◁ Active and continuous presence at San Francisco International airport (“SFO”) to provide legal help and other assistance to passengers affected by the Travel Ban.
- ◁ Tracked Iranian nationals traveling to the United States and ensured they had access to legal advice and support as needed.
- ◁ Hosted a Travel Ban panel where leading attorneys and representative of Iranian-American coalition suing Trump over the Ban were among the panelist, including the American Immigration Lawyers Association (“AILA”), NIAC, ALC, and CAIR-SFBA.
- ◁ Conducted two “Know-Your-Rights” sessions and immigration legal clinics with Pars, ALC and CAIR-SFBA.
- ◁ Co-created an Iranian-American Community Advisory pamphlet with Pars, NIAC, and ALC on travelers' rights at airports.
- ◁ Participated in the City of San Francisco Mayor's roundtable of community leaders about the impact of the Travel Ban and possible registries, and how to stop them.
- ◁ Testified on the impacts of the Travel Ban at two public hearings held by the San Francisco Immigrants Rights Commission.

- ◁ Met with various elected officials on the impacts of the Travel Ban on the Iranian community and other issues of importance to the community.
- ◁ Co-sponsored and presented an MCLE event with the American Immigration Lawyers Association Northern California Chapter (“AILA Nor Cal”) for attorneys representing individuals impacted by the Travel Ban in the wake of the U.S. Supreme Court decision on the Travel Ban.
- ◁ Hosted an Iranian-American Community Town Hall/Forum in San Francisco in the wake of the Supreme Court decision upholding the Travel Ban with ACLU Northern California, ALC, and NIAC.
- ◁ Hosted an attorney mixer with American Immigration Lawyers Association Middle East Interest Group (“AILA-MEIG”) and AILA-NorCal for attorneys working to fight the Travel Ban and other immigration matters.
- ◁ Hosted a conversation with Zoe Lofgren in the wake of the U.S. Supreme Court decision upholding the Travel Ban co-hosted by NIAC.

iv. IABA Orange County Chapter

- ◁ Hosted a Town Hall with several prominent immigration attorneys and advocacy experts on the Travel Ban and its impact on the Iranian-American community.
- ◁ Held free legal consultations.
- ◁ Hosted a free legal clinic providing updates on the Travel Ban.
- ◁ Hosted a free Citizenship Clinic with Pars Equality Center.

v. IABA San Diego Chapter

- ◁ Hosted a panel on the Travel Ban at California Western School of Law.
- ◁ Present at San Diego International Airport, along with community members and other civil rights organizations, against the Travel Ban.
- ◁ Participated in the Immigration Task Force and provided Travel Ban updates, which were also included in monthly newsletters.
- ◁ Recruited local immigration attorneys to assist IABA National in responding to individuals who completed the IABA intake form.

vi. IABA Washington D.C. Chapter

- ◁ Appeared on multiple media and print news outlets, including CNN, ABC Australia, BBC Persian, LBC Radio, and Sky News discussing the Travel Ban and its effects.
- ◁ Present at Dulles Airport after each version of the Travel Ban to provide legal advice and help. Active in tracking flights and pinpointing Iranian nationals traveling to the United States and ensuring they have access to legal advice and support after being admitted. Sent an attorney to Boston airports to ensure that community members IABA was supporting were all accounted for.
- ◁ Hosted Town Hall on the Travel Ban.
- ◁ Hosted “Know Your Rights” presentation on the Travel Ban, which was co-hosted by Muslim Advocates.
- ◁ Created an advisory video to inform people about IABA efforts to stop the Ban and how they assist Iranian-American community.
- ◁ Actively meet with elected officials regarding the Travel Ban.

b. Organizations to Follow

There were numerous other organizations making tireless efforts, many of whom worked and partnered with IABA, or created other coalitions, to mitigate the impact of the Travel Ban. Join the mailing lists and follow the social media pages of organizations on the frontlines of challenging the Travel Ban. A non-exhaustive list includes:

- ◁ American Civil Liberties Union
- ◁ American Immigration Council
- ◁ Asian Americans Advancing Justice- Asian Law Caucus
- ◁ Center for Constitutional Rights
- ◁ Council on American-Islamic Relations, San Francisco Bay Area
- ◁ Hebrew Immigrant Aid Society
- ◁ International Refugee Assistance Project
- ◁ Iranian Alliances Across Borders

- < Muslim Advocates
- < National Immigration Law Center
- < National Iranian American Council
- < #NoMuslimBanEver Campaign
- < One America
- < Pars Equality Center
- < Public Affairs Alliance of Iranian Americans



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