



## **Travel Ban Update: The Fourth Circuit's Recent Opinion, and Ongoing Efforts of IABA**

Dear Members and Friends,

We wanted to give you another update on the Travel Ban.

In a bit good news, on February 15, 2018, the Fourth Circuit Court of Appeals again found that the latest version of President Trump's Travel Ban (a.k.a. the Muslim Ban), which indefinitely bans large populations of people from Iran and five other Muslim-majority countries from travel to the U.S., is unconstitutional and violates the Establishment Clause. While long, the opinion was poignantly direct and did not mince words in its findings. A few of the highlights include: (1) the court found it "hard to imagine how an objective observer could come to any other conclusion" than that the President's "primary purpose" is "to exclude Muslims from the United States;" (2) the court found that the "Proclamation's invocation of national security is a pretext for anti-Muslim religious purpose;" and (3) the court rejected any argument that the newest Proclamation "cured" the issues of the prior versions, finding instead that Mr. Trump "continued to disparage Muslims and the Islamic faith." And perhaps, most notably, the Fourth Circuit found "undisputed evidence of [anti-Muslim] bias: the words of the President," himself. To read the full opinion, click [here](#).

This opinion was different from the Ninth Circuit opinion, which would have enjoined the most recent Ban based on *statutory* grounds. You can find that order [here](#). While this is good news, please remember that the Ban *remains in effect* until the U.S. Supreme Court reviews the decisions of the Fourth and Ninth Circuits, which is expected to be in June of this year.

In the meantime, IABA continues its efforts with the Travel Ban. For example, we recently worked with our coalition partners (PAAIA and Pars Equality) and Senators Chris Van Hollen (D-MD) and Jeff Flake (R-AZ), in sending a bipartisan [letter](#) to the State Department and the Department of Homeland Security (DHS) to seek clarification on the "waiver provisions" outlined in President Trump's latest Travel Ban. A full statement of the same can be found [here](#).

We will also support the efforts of the parties and organizations before the U.S. Supreme Court. And we will continue to examine means of challenging the Travel Ban, including its recently implemented "waiver" provisions. To that end, we still need your help in collecting information. If you know anyone who has been denied a visa, and particularly a waiver under the Travel Ban, please have them [fill out our form](#).

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