

Exhibit Q

Executive Order—Protecting the Nation from Terrorist Attacks by Foreign Nationals

EXECUTIVE ORDER

PROTECTING THE NATION FROM TERRORIST ATTACKS BY FOREIGN NATIONALS

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (8 U.S.C. 1001 et seq.) (INA), and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. *Purpose.* The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than with the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Hundreds of foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after claiming asylum; after receiving visitor, student, or employment visas; or through the U.S. refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter our country. The United States must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, we must ensure that those admitted to this country do not bear hostile attitudes toward our country and its founding principles. We cannot, and should not, admit into our country those who do not support the U.S. Constitution, or those who would place violent religious edicts over American law. In addition, the United States should not admit those who engage in acts of bigotry and hatred (including “honor” killings, other forms of violence against women, or the persecution of those who practice other religions) or those who would oppress members of one race, one gender, or sexual orientation.

Sec. 2. *Policy.* It is the policy of the United States to: (a) protect our citizens from foreign nationals who intend to commit terrorist attacks in the United States; and

(b) prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

Sec. 3. *Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern.* (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country for adjudication of any visa, admission, or other benefit under the INA (adjudications) adequate to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.

(b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National intelligence, shall submit to the President a report on the results of the review described in subsection (a), including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, and C-2 visas for travel to the United Nations). The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and Director of National Intelligence.

(c) To temporarily reduce investigative burdens to relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent the terrorist or criminal infiltration of foreign nationals, pursuant to section 212(f) of the INA I hereby find that the immigrant and nonimmigrant entry into the United States of aliens from countries designated pursuant to Division O, Title II, Section 203 of the 2016 consolidated Appropriations Act (H.R. 2029, P.L. 114-113), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 30 days from the date of this order.

(d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.

(e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, and C-2 visas for travel to the United Nations) from countries that do not provide the information requested pursuant to subsection (d) of this order until compliance occurs.

(f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

(h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.

Sec. 4. *Implementing Uniform Screening Standards for all Immigration Programs.* (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program during the adjudication process for immigration benefits to identify individuals seeking to enter the United States on a fraudulent basis, with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of uniform screening standards and procedures, such as in-person interviews; the creation of a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positive contributing member of society, and the applicant's ability to make contributions to the national interest; and, a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.

Sec. 5. *Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017.* (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security, shall review the USRAP application and adjudication process to determine what additional procedures can be taken to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after this order, the Secretary of

State shall resume USRAP admissions only for nationals of countries for whom the Secretary of Homeland Security, the Secretary of State, and the Director of National Intelligence have jointly determined that sufficient safeguards are in place to ensure the security and welfare of the United States.

(b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President to assist with such prioritization.

(c) The Secretaries of State and Homeland Security, as appropriate, shall cease refugee processing of and the admittance of nationals of Syria as refugees until such time as I have determined that sufficient changes have been made to the USRAP to ensure its alignment with the national interest.

(d) Notwithstanding any previous Presidential determination regarding the number of refugee admissions for Fiscal Year 2017, the Secretaries of State and Homeland Security may only process and admit a total of 50,000 refugees during Fiscal Year 2017. During the 120-day suspension provided by section 5(a), the Secretary of State and the Secretary of Homeland Security shall initiate appropriate consultations in connection with this determination, including with respect to the allocation among refugees of special humanitarian concern to the United States.

(f) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may admit individuals to the United States as refugees on a case-by-case basis when in the national interest. Further, during the temporary suspension period described in subsection (a), the Secretaries of State and Homeland Security may continue to process as refugees those refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality.

(g) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.

Sec. 6. *Establishment of Safe Zones to Protect Vulnerable Syrian Populations.* Pursuant to the cessation of refugee processing for Syrian nationals, the Secretary of State, in conjunction with the Secretary of Defense, is directed within 90 days of the date of this order to produce a plan to provide safe areas in Syria and in the surrounding region in which Syrian nationals displaced from their homeland can await firm settlement, such as repatriation or potential third-country resettlement.

Sec. 7. *Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility.* The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda. .

Sec. 8. *Expedited Completion of the Biometric Entry-Exit Tracking System.* (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

(b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.

Sec. 9. *Visa Interview Security.* (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, which requires that all individuals seeking a nonimmigrant visa, undergo an in-person interview, subject to specific statutory exceptions.

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa interview wait times are not unduly affected.

Sec. 10. *Visa Validity Reciprocity.* The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as urged by sections 221(c) and 281 of the INA, and other treatment. If a country does not treat U.S. nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of U.S. nationals by the foreign country, to the extent practicable.

Sec. 11. *Transparency and Data Collection.* To be more transparent with the American people, and in order to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security shall, consistent with applicable law, collect and make publicly available within 180 days, and every 180 days thereafter:

(a) information regarding the number of foreign-born individuals in the United States who have been charged with terrorism-related offenses; convicted of terrorism-related offenses; or removed from the United States based on terrorism-related activity,

affiliation, or material support to a terrorism-related organization, or any other national security reasons;

(b) information regarding the number of foreign-born individuals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States; and

(c) information regarding the number and types of acts of gender-based violence against women or honor killings by foreign-born individuals in the United States.

Sec. 12. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Exhibit R



CENTRAL
INTELLIGENCE
AGENCY

Contact (/contact-cia)

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Library

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THE WORLD FACTBOOK

Please select a country to view



FIELD LISTING :: RELIGIONS

COUNTRY	RELIGIONS(%)
<u>Afghanistan</u> (..../geos/af.html)	Muslim 99.7% (Sunni 84.7 - 89.7%, Shia 10 - 15%), other 0.3% (2009 est.)
<u>Albania</u> (..../geos/al.html)	Muslim 56.7%, Roman Catholic 10%, Orthodox 6.8%, atheist 2.5%, Bektashi (a Sufi order) 2.1%, other 5.7%, unspecified 16.2% note: all mosques and churches were closed in 1967 and religious observances prohibited; in November 1990, Albania began allowing private religious practice (2011 est.)
<u>Algeria</u> (..../geos/ag.html)	Muslim (official; predominantly Sunni) 99%, other (includes Christian and Jewish) <1% (2012 est.)
<u>American Samoa</u> (..../geos/aq.html)	Christian 98.3%, other 1%, unaffiliated 0.7% (2010 est.)
<u>Andorra</u> (..../geos/an.html)	Roman Catholic (predominant)
<u>Angola</u> (..../geos/ao.html)	Roman Catholic 41.1%, Protestant 38.1%, other 8.6%, none 12.3% (2014 est.)
<u>Anguilla</u> (..../geos/av.html)	Protestant 73.2% (includes Anglican 22.7%, Methodist 19.4%, Pentecostal 10.5%, Seventh Day Adventist 8.3%, Baptist 7.1%, Church of God 4.9%, Presbyterian 0.2%, Brethren 0.1%), Roman Catholic 6.8%, Jehovah's Witness 1.1%, other Christian 10.9%, other 3.2%, unspecified 0.3%, none 4.5% (2011 est.)
<u>Antigua and Barbuda</u> (..../geos/ac.html)	Protestant 68.3% (Anglican 17.6%, Seventh Day Adventist 12.4%, Pentecostal 12.2%, Moravian 8.3%, Methodist 5.6%, Wesleyan Holiness 4.5%, Church of God 4.1%, Baptist 3.6%), Roman Catholic 8.2%, other 12.2%, unspecified 5.5%, none 5.9% (2011 est.)
<u>Argentina</u> (..../geos/ar.html)	nominally Roman Catholic 92% (less than 20% practicing), Protestant 2%, Jewish 2%, other 4%

<u>Armenia</u> <u>(../geos/am.html)</u>	Armenian Apostolic 92.6%, Evangelical 1%, other 2.4%, none 1.1%, unspecified 2.9% (2011 est.)
<u>Aruba</u> <u>(../geos/aa.html)</u>	Roman Catholic 75.3%, Protestant 4.9% (includes Methodist 0.9%, Adventist 0.9%, Anglican 0.4%, other Protestant 2.7%), Jehovah's Witness 1.7%, other 12%, none 5.5%, unspecified 0.5% (2010 est.)
<u>Australia</u> <u>(../geos/as.html)</u>	Protestant 30.1% (Anglican 17.1%, Uniting Church 5.0%, Presbyterian and Reformed 2.8%, Baptist, 1.6%, Lutheran 1.2%, Pentecostal 1.1%, other Protestant 1.3%), Catholic 25.3% (Roman Catholic 25.1%, other Catholic 0.2%), other Christian 2.9%, Orthodox 2.8%, Buddhist 2.5%, Muslim 2.2%, Hindu 1.3%, other 1.3%, none 22.3%, unspecified 9.3% (2011 est.)
<u>Austria</u> <u>(../geos/au.html)</u>	Catholic 73.8% (includes Roman Catholic 73.6%, other Catholic 0.2%), Protestant 4.9%, Muslim 4.2%, Orthodox 2.2%, other 0.8% (includes other Christian), none 12%, unspecified 2% (2001 est.)
<u>Azerbaijan</u> <u>(../geos/aj.html)</u>	Muslim 96.9% (predominantly Shia), Christian 3%, other <0.1, unaffiliated <0.1 (2010 est.) note: religious affiliation is still nominal in Azerbaijan; percentages for actual practicing adherents are much lower
<u>Bahamas, The</u> <u>(../geos/bf.html)</u>	Protestant 69.9% (includes Baptist 34.9%, Anglican 13.7%, Pentecostal 8.9% Seventh Day Adventist 4.4%, Methodist 3.6%, Church of God 1.9%, Brethren 1.6%), Roman Catholic 12%, other Christian 13% (includes Jehovah's Witness 1.1%), other 0.6%, none 1.9%, unspecified 2.6% (2010 est.)
<u>Bahrain</u> <u>(../geos/ba.html)</u>	Muslim 70.3%, Christian 14.5%, Hindu 9.8%, Buddhist 2.5%, Jewish 0.6%, folk religion <.1, unaffiliated 1.9%, other 0.2% (2010 est.)
<u>Bangladesh</u> <u>(../geos/bg.html)</u>	Muslim 89.1%, Hindu 10%, other 0.9% (includes Buddhist, Christian) (2013 est.)
<u>Barbados</u> <u>(../geos/bb.html)</u>	Protestant 66.4% (includes Anglican 23.9%, other Pentecostal 19.5%, Adventist 5.9%, Methodist 4.2%, Wesleyan 3.4%, Nazarene 3.2%, Church of God 2.4%, Baptist 1.8%, Moravian 1.2%, other Protestant 0.9%), Roman Catholic 3.8%, other Christian 5.4% (includes Jehovah's Witness 2.0%, other 3.4%), Rastafarian 1%, other 1.5%, none 20.6%, unspecified 1.2% (2010 est.)
<u>Belarus</u> <u>(../geos/bo.html)</u>	Orthodox 48.3%, Catholic 7.1%, other 3.5%, non-believers 41.1% (2011 est.)
<u>Belgium</u> <u>(../geos/be.html)</u>	Roman Catholic 75%, other (includes Protestant) 25%
<u>Belize</u> <u>(../geos/bh.html)</u>	Roman Catholic 40.1%, Protestant 31.5% (includes Pentecostal 8.4%, Seventh Day Adventist 5.4%, Anglican 4.7%, Mennonite 3.7%, Baptist 3.6%, Methodist 2.9%, Nazarene 2.8%), Jehovah's Witness 1.7%, other 10.5% (includes Baha'i, Buddhist, Hindu, Morman, Muslim, Rastafarian), unknown 0.6%, none 15.5% (2010 est.)
<u>Benin</u> <u>(../geos/bn.html)</u>	Muslim 27.7%, Catholic 25.5%, Protestant 13.5% (Celestial 6.7%, Methodist 3.4%, other Protestant 3.4%), Vodoun 11.6%, other Christian 9.5%, other traditional religions 2.6%, other 2.6%, none 5.8% (2013 est.)
<u>Bermuda</u> <u>(../geos/bd.html)</u>	Protestant 46.2% (includes Anglican 15.8%, African Methodist Episcopal 8.6%, Seventh Day Adventist 6.7, Pentecostal 3.5%, Methodist 2.7%, Presbyterian 2.0%, Church of God 1.6%, Baptist 1.2%, Salvation Army 1.1%, Brethren 1.0%, other Protestant 2.0%), Roman Catholic 14.5%, Jehovah's Witness 1.3%, other Christian 9.1%, Muslim 1%, other 3.9%, none 17.8%, unspecified 6.2% (2010 est.)
<u>Bhutan</u> <u>(../geos/bt.html)</u>	Lamaistic Buddhist 75.3%, Indian- and Nepalese-influenced Hinduism 22.1%, other 2.6% (2005 est.)

<u>Bolivia (../geos/bl.html)</u>	Roman Catholic 76.8%, Evangelical and Pentecostal 8.1%, Protestant 7.9%, other 1.7%, none 5.5% (2012 est.)
<u>Bosnia and Herzegovina (../geos/bk.html)</u>	Muslim 50.7%, Orthodox 30.7%, Roman Catholic 15.2%, atheist 0.8%, agnostic 0.3%, other 1.2%, undeclared/no answer 1.1% (2013 est.)
<u>Botswana (../geos/bc.html)</u>	Christian 79.1%, Badimo 4.1%, other 1.4% (includes Baha'i, Hindu, Muslim, Rastafarian), none 15.2%, unspecified 0.3% (2011 est.)
<u>Brazil (../geos/br.html)</u>	Roman Catholic 64.6%, other Catholic 0.4%, Protestant 22.2% (includes Adventist 6.5%, Assembly of God 2.0%, Christian Congregation of Brazil 1.2%, Universal Kingdom of God 1.0%, other Protestant 11.5%), other Christian 0.7%, Spiritist 2.2%, other 1.4%, none 8%, unspecified 0.4% (2010 est.)
<u>British Virgin Islands (../geos/vi.html)</u>	Protestant 70.2% (Methodist 17.6%, Church of God 10.4%, Anglican 9.5%, Seventh Day Adventist 9.0%, Pentecostal 8.2%, Baptist 7.4%, New Testament Church of God 6.9%, other Protestant 1.2%), Roman Catholic 8.9%, Jehovah's Witness 2.5%, Hindu 1.9%, other 6.2%, none 7.9%, unspecified 2.4% (2010 est.)
<u>Brunei (../geos/bx.html)</u>	Muslim (official) 78.8%, Christian 8.7%, Buddhist 7.8%, other (includes indigenous beliefs) 4.7% (2011 est.)
<u>Bulgaria (../geos/bu.html)</u>	Eastern Orthodox 59.4%, Muslim 7.8%, other (including Catholic, Protestant, Armenian Apostolic Orthodox, and Jewish) 1.7%, none 3.7%, unspecified 27.4% (2011 est.)
<u>Burkina Faso (../geos/uv.html)</u>	Muslim 61.6%, Catholic 23.2%, traditional/animist 7.3%, Protestant 6.7%, other/no answer 0.2%, none 0.9% (2010 est.)
<u>Burma (../geos/bm.html)</u>	Buddhist 87.9%, Christian 6.2%, Muslim 4.3%, Animist 0.8%, Hindu 0.5%, other 0.2%, none 0.1% note: religion estimate is based on the 2014 national census, including an estimate for the non-enumerated population of Rakhine State, which is assumed to mainly affiliate with the Islamic faith (2014 est.)
<u>Burundi (../geos/by.html)</u>	Catholic 62.1%, Protestant 23.9% (includes Adventist 2.3% and other Protestant 21.6%), Muslim 2.5%, other 3.6%, unspecified 7.9% (2008 est.)
<u>Cabo Verde (../geos/cv.html)</u>	Roman Catholic 77.3%, Protestant 4.6% (includes Church of the Nazarene 1.7%, Adventist 1.5%, Assembly of God 0.9%, Universal Kingdom of God 0.4%, and God and Love 0.1%), other Christian 3.4% (includes Christian Rationalism 1.9%, Jehovah's Witness 1%, and New Apostolic 0.5%), Muslim 1.8%, other 1.3%, none 10.8%, unspecified 0.7% (2010 est.)
<u>Cambodia (../geos/cb.html)</u>	Buddhist (official) 96.9%, Muslim 1.9%, Christian 0.4%, other 0.8% (2008 est.)
<u>Cameroon (../geos/cm.html)</u>	Catholic 38.4%, Protestant 26.3%, other Christian 4.5%, Muslim 20.9%, animist 5.6%, other 1%, non-believer 3.2% (2005 est.)
<u>Canada (../geos/ca.html)</u>	Catholic 39% (includes Roman Catholic 38.8%, other Catholic .2%), Protestant 20.3% (includes United Church 6.1%, Anglican 5%, Baptist 1.9%, Lutheran 1.5%, Pentecostal 1.5%, Presbyterian 1.4%, other Protestant 2.9%), Orthodox 1.6%, other Christian 6.3%, Muslim 3.2%, Hindu 1.5%, Sikh 1.4%, Buddhist 1.1%, Jewish 1%, other 0.6%, none 23.9% (2011 est.)
<u>Cayman Islands (../geos/cj.html)</u>	Protestant 67.8% (includes Church of God 22.6%, Seventh Day Adventist 9.4%, Presbyterian/United Church 8.6%, Baptist 8.3%, Pentecostal 7.1%, non-denominational 5.3%, Anglican 4.1%, Wesleyan Holiness 2.4%), Roman Catholic 14.1%, Jehovah's Witness 1.1%, other 7%, none 9.3%, unspecified 0.7% (2010 est.)
<u>Central African Republic (../geos/ct.html)</u>	indigenous beliefs 35%, Protestant 25%, Roman Catholic 25%, Muslim 15% note: animistic beliefs and practices strongly influence the Christian majority

<u>Chad (../geos/cd.html)</u>	Muslim 58.4%, Catholic 18.5%, Protestant 16.1%, animist 4%, other 0.5%, none 2.4% (2009 est.)
<u>Chile (../geos/ci.html)</u>	Roman Catholic 66.7%, Evangelical or Protestant 16.4%, Jehovah's Witnesses 1%, other 3.4%, none 11.5%, unspecified 1.1% (2012 est.)
<u>China (../geos/ch.html)</u>	Buddhist 18.2%, Christian 5.1%, Muslim 1.8%, folk religion 21.9%, Hindu < 0.1%, Jewish < 0.1%, other 0.7% (includes Daoist (Taoist)), unaffiliated 52.2% note: officially atheist (2010 est.)
<u>Christmas Island (../geos/kt.html)</u>	Buddhist 16.9%, Christian 16.4%, Muslim 14.8%, other 1.3%, none 9.2%, unspecified 41.5% (2011 est.)
<u>Cocos (Keeling) Islands (../geos/ck.html)</u>	Sunni Muslim 80%, other 20% (2002 est.)
<u>Colombia (../geos/co.html)</u>	Roman Catholic 90%, other 10%
<u>Comoros (../geos/cn.html)</u>	Sunni Muslim 98%, Roman Catholic 2% note: Islam is the state religion
<u>Congo, Democratic Republic of the (../geos/cg.html)</u>	Roman Catholic 50%, Protestant 20%, Kimbanguist 10%, Muslim 10%, other (includes syncretic sects and indigenous beliefs) 10%
<u>Congo, Republic of the (../geos/cf.html)</u>	Roman Catholic 33.1%, Awakening Churches/Christian Revival 22.3%, Protestant 19.9%, Salutiste 2.2%, Muslim 1.6%, Kimbanguiste 1.5%, other 8.1%, none 11.3% (2010 est.)
<u>Cook Islands (../geos/cw.html)</u>	Protestant 62.8% (Cook Islands Christian Church 49.1%, Seventh Day Adventist 7.9%, Assemblies of God 3.7%, Apostolic Church 2.1%), Roman Catholic 17%, Mormon 4.4%, other 8%, none 5.6%, no response 2.2% (2011 est.)
<u>Costa Rica (../geos/cs.html)</u>	Roman Catholic 76.3%, Evangelical 13.7%, Jehovah's Witness 1.3%, other Protestant 0.7%, other 4.8%, none 3.2%
<u>Cote d'Ivoire (../geos/iv.html)</u>	Muslim 40.2%, Catholic 19.4%, Evangelical 19.3%, Methodist 2.5%, other Christian 4.5%, animist or no religion 12.8%, other religion/unspecified 1.4% (2011-12 est.) note: the majority of foreign migrant workers are Muslim (72%) and Christian (18%) (2014 est.)
<u>Croatia (../geos/hr.html)</u>	Roman Catholic 86.3%, Orthodox 4.4%, Muslim 1.5%, other 1.5%, unspecified 2.5%, not religious or atheist 3.8% (2011 est.)
<u>Cuba (../geos/cu.html)</u>	nominally Roman Catholic 85%, Protestant, Jehovah's Witnesses, Jewish, Santeria note: prior to CASTRO assuming power
<u>Curacao (../geos/cc.html)</u>	Roman Catholic 72.8%, Pentecostal 6.6%, Protestant 3.2%, Adventist 3%, Jehovah's Witness 2%, Evangelical 1.9%, other 3.8%, none 6%, unspecified 0.6% (2011 est.)
<u>Cyprus (../geos/cy.html)</u>	Orthodox Christian 89.1%, Roman Catholic 2.9%, Protestant/Anglican 2%, Muslim 1.8%, Buddhist 1%, other (includes Maronite, Armenian Church, Hindu) 1.4%, unknown 1.1%, none/atheist 0.6% note: data represent only the government-controlled area of Cyprus (2011 est.)
<u>Czechia (../geos/ez.html)</u>	Roman Catholic 10.4%, Protestant (includes Czech Brethren and Hussite) 1.1%, other and unspecified 54%, none 34.5% (2011 est.)
<u>Denmark (../geos/da.html)</u>	Evangelical Lutheran (official) 80%, Muslim 4%, other (denominations of less than 1% each, includes Roman Catholic, Jehovah's Witness, Serbian Orthodox Christian, Jewish, Baptist, and Buddhist) 16% (2012 est.)
<u>Djibouti (../geos/dj.html)</u>	Muslim 94%, Christian 6%

<u>Dominica</u> (..geos/do.html)	Roman Catholic 61.4%, Protestant 28.6% (includes Evangelical 6.7%, Seventh Day Adventist 6.1%, Pentecostal 5.6%, Baptist 4.1%, Methodist 3.7%, Church of God 1.2%, other 1.2%), Rastafarian 1.3%, Jehovah's Witness 1.2%, other 0.3%, none 6.1%, unspecified 1.1% (2001 est.)
<u>Dominican Republic</u> (..geos/dr.html)	Roman Catholic 95%, other 5%
<u>Ecuador</u> (..geos/ec.html)	Roman Catholic 74%, Evangelical 10.4%, Jehovah's Witness 1.2%, other 6.4% (includes Mormon Buddhist, Jewish, Spiritualist, Muslim, Hindu, indigenous religions, African American religions, Pentecostal), atheist 7.9%, agnostic 0.1% note: data represents persons at least 16 years of age from five Ecuadoran cities (2012 est.)
<u>Egypt</u> (..geos/eg.html)	Muslim (predominantly Sunni) 90%, Christian (majority Coptic Orthodox, other Christians include Armenian Apostolic, Catholic, Maronite, Orthodox, and Anglican) 10% (2012 est.)
<u>El Salvador</u> (..geos/es.html)	Roman Catholic 57.1%, Protestant 21.2%, Jehovah's Witnesses 1.9%, Mormon 0.7%, other religions 2.3%, none 16.8% (2003 est.)
<u>Equatorial Guinea</u> (..geos/ek.html)	nominally Christian and predominantly Roman Catholic, pagan practices
<u>Eritrea</u> (..geos/er.html)	Muslim, Coptic Christian, Roman Catholic, Protestant
<u>Estonia</u> (..geos/en.html)	Lutheran 9.9%, Orthodox 16.2%, other Christian (including Methodist, Seventh-Day Adventist, Roman Catholic, Pentecostal) 2.2%, other 0.9%, none 54.1%, unspecified 16.7% (2011 est.)
<u>Ethiopia</u> (..geos/et.html)	Ethiopian Orthodox 43.5%, Muslim 33.9%, Protestant 18.5%, traditional 2.7%, Catholic 0.7%, other 0.6% (2007 est.)
<u>European Union</u> (..geos/ee.html)	Roman Catholic 48%, Protestant 12%, Orthodox 8%, other Christian 4%, Muslim 2%, other 1% (includes Jewish, Sikh, Buddhist, Hindu), atheist 7%, non-believer/agnostic 16%, unspecified 2% (2012 est.)
<u>Falkland Islands (Islas Malvinas)</u> (..geos/fk.html)	Christian 66%, none 32%, other 2% (2012 est.)
<u>Faroe Islands</u> (..geos/fo.html)	Christian 89.3% (predominantly Evangelical Lutheran), other 0.7%, more than one religion 0.2%, none 3.8%, unspecified 6% (2011 est.)
<u>Fiji</u> (..geos/fj.html)	Protestant 45% (Methodist 34.6%, Assembly of God 5.7%, Seventh Day Adventist 3.9%, and Anglican 0.8%), Hindu 27.9%, other Christian 10.4%, Roman Catholic 9.1%, Muslim 6.3%, Sikh 0.3%, other 0.3%, none 0.8% (2007 est.)
<u>Finland</u> (..geos/fi.html)	Lutheran 73.8%, Orthodox 1.1%, other or none 25.1% (2014 est.)
<u>France</u> (..geos/fr.html)	Christian (overwhelmingly Roman Catholic) 63-66%, Muslim 7-9%, Buddhist 0.5-0.75%, Jewish 0.5-0.75%, other 0.5-1.0%, none 23-28% note: France maintains a tradition of secularism and has not officially collected data on religious affiliation since the 1872 national census, which complicates assessments of France's religious composition; an 1872 law prohibiting state authorities from collecting data on individuals' ethnicity or religious beliefs was reaffirmed by a 1978 law emphasizing the prohibition of the collection or exploitation of personal data revealing an individual's race, ethnicity, or political, philosophical, or religious opinions; a 1905 law codified France's separation of church and state (2015 est.)
<u>French Polynesia</u> (..geos/fp.html)	Protestant 54%, Roman Catholic 30%, other 10%, no religion 6%

<u>Gabon (../geos/gb.html)</u>	Catholic 41.9%, Protestant 13.7%, other Christian 32.4%, Muslim 6.4%, animist 0.3%, other 0.3%, none/no answer 5% (2012 est.)
<u>Gambia, The (../geos/ga.html)</u>	Muslim 95.7%, Christian 4.2%, none 0.1%, no answer 0.1% (2013 est.)
<u>Gaza Strip (../geos/gz.html)</u>	Muslim 98.0 - 99.0% (predominantly Sunni), Christian <1.0%, other, unaffiliated, unspecified <1.0% note: dismantlement of Israeli settlements was completed in September 2005; Gaza has had no Jewish population since then (2012 est.)
<u>Georgia (../geos/gg.html)</u>	Orthodox (official) 83.4%, Muslim 10.7%, Armenian Apostolic 2.9%, other 1.2% (includes Catholic, Jehovah's Witness, Yazidi, Protestant, Jewish), none 0.5%, unspecified/no answer 1.2% (2014 est.)
<u>Germany (../geos/gm.html)</u>	Protestant 34%, Roman Catholic 34%, Muslim 3.7%, unaffiliated or other 28.3%
<u>Ghana (../geos/gh.html)</u>	Christian 71.2% (Pentecostal/Charismatic 28.3%, Protestant 18.4%, Catholic 13.1%, other 11.4%), Muslim 17.6%, traditional 5.2%, other 0.8%, none 5.2% (2010 est.)
<u>Gibraltar (../geos/gi.html)</u>	Roman Catholic 78.1%, Church of England 7%, Muslim 4%, other Christian 3.2%, Jewish 2.1%, Hindu 1.8%, other 0.9%, none 2.9% (2001 est.)
<u>Greece (../geos/gr.html)</u>	Greek Orthodox (official) 98%, Muslim 1.3%, other 0.7%
<u>Greenland (../geos/gl.html)</u>	Evangelical Lutheran, traditional Inuit spiritual beliefs
<u>Grenada (../geos/gj.html)</u>	Roman Catholic 44.6%, Protestant 43.5% (includes Anglican 11.5%, Pentecostal 11.3%, Seventh Day Adventist 10.5%, Baptist 2.9%, Church of God 2.6%, Methodist 1.8%, Evangelical 1.6%, other 1.3%), Jehovah's Witness 1.1%, Rastafarian 1.1%, other 6.2%, none 3.6%
<u>Guam (../geos/gq.html)</u>	Roman Catholic 85%, other 15% (1999 est.)
<u>Guatemala (../geos/gt.html)</u>	Roman Catholic, Protestant, indigenous Mayan beliefs
<u>Guernsey (../geos/gk.html)</u>	Protestant (Anglican, Presbyterian, Baptist, Congregational, Methodist), Roman Catholic
<u>Guinea-Bissau (../geos/pu.html)</u>	Muslim 45.1%, Christian 22.1%, animist 14.9%, none 2%, unspecified 15.9% (2008 est.)
<u>Guinea (../geos/gv.html)</u>	Muslim 86.7%, Christian 8.9%, animist/other/none 4.4% (2012 est.)
<u>Guyana (../geos/gy.html)</u>	Protestant 30.5% (Pentecostal 16.9%, Anglican 6.9%, Seventh Day Adventist 5%, Methodist 1.7%), Hindu 28.4%, Roman Catholic 8.1%, Muslim 7.2%, Jehovah's Witness 1.1%, other Christian 17.7%, other 1.9%, none 4.3%, unspecified 0.9% (2002 est.)
<u>Haiti (../geos/ha.html)</u>	Roman Catholic (official) 54.7%, Protestant 28.5% (Baptist 15.4%, Pentecostal 7.9%, Adventist 3%, Methodist 1.5%, other 0.7%), voodoo (official) 2.1%, other 4.6%, none 10.2% note: many Haitians practice elements of voodoo in addition to another religion, most often Roman Catholicism; voodoo was recognized as an official religion in 2003
<u>Holy See (Vatican City) (../geos/vt.html)</u>	Roman Catholic
<u>Honduras (../geos/ho.html)</u>	Roman Catholic 97%, Protestant 3%
<u>Hong Kong (../geos/hk.html)</u>	eclectic mixture of local religions 90%, Christian 10%

<u>Hungary</u> <u>(../geos/hu.html)</u>	Roman Catholic 37.2%, Calvinist 11.6%, Lutheran 2.2%, Greek Catholic 1.8%, other 1.9%, none 18.2%, unspecified 27.2% (2011 est.)
<u>Iceland</u> <u>(../geos/ic.html)</u>	Evangelical Lutheran Church of Iceland (official) 73.8%, Roman Catholic 3.6%, Reykjavik Free Church 2.9%, Hafnarfjorour Free Church 2%, The Independent Congregation 1%, other religions 3.9% (includes Pentecostal and Asatru Association), none 5.6%, other or unspecified 7.2% (2015 est.)
<u>India</u> <u>(../geos/in.html)</u>	Hindu 79.8%, Muslim 14.2%, Christian 2.3%, Sikh 1.7%, other and unspecified 2% (2011 est.)
<u>Indonesia</u> <u>(../geos/id.html)</u>	Muslim 87.2%, Christian 7%, Roman Catholic 2.9%, Hindu 1.7%, other 0.9% (includes Buddhist and Confucian), unspecified 0.4% (2010 est.)
<u>Iran</u> <u>(../geos/ir.html)</u>	Muslim (official) 99.4% (Shia 90-95%, Sunni 5-10%), other (includes Zoroastrian, Jewish, and Christian) 0.3%, unspecified 0.4% (2011 est.)
<u>Iraq</u> <u>(../geos/iz.html)</u>	Muslim (official) 99% (Shia 60%-65%, Sunni 32%-37%), Christian 0.8%, Hindu <0.1, Buddhist <0.1, Jewish <0.1, folk religion <0.1, unaffiliated 0.1, other <0.1 note: while there has been voluntary relocation of many Christian families to northern Iraq, recent reporting indicates that the overall Christian population may have dropped by as much as 50 percent since the fall of the SADDAM Husayn regime in 2003, with many fleeing to Syria, Jordan, and Lebanon (2010 est.)
<u>Ireland</u> <u>(../geos/ei.html)</u>	Roman Catholic 84.7%, Church of Ireland 2.7%, other Christian 2.7%, Muslim 1.1%, other 1.7%, unspecified 1.5%, none 5.7% (2011 est.)
<u>Isle of Man</u> <u>(../geos/im.html)</u>	Protestant (Anglican, Methodist, Baptist, Presbyterian, Society of Friends), Roman Catholic
<u>Israel</u> <u>(../geos/is.html)</u>	Jewish 74.8%, Muslim 17.6%, Christian 2%, Druze 1.6%, other 4% (2015 est.)
<u>Italy</u> <u>(../geos/it.html)</u>	Christian 80% (overwhelmingly Roman Catholic with very small groups of Jehovah's Witnesses and Protestants), Muslim (about 800,000 to 1 million), atheist and agnostic 20%
<u>Jamaica</u> <u>(../geos/jm.html)</u>	Protestant 64.8% (includes Seventh Day Adventist 12.0%, Pentecostal 11.0%, Other Church of God 9.2%, New Testament Church of God 7.2%, Baptist 6.7%, Church of God in Jamaica 4.8%, Church of God of Prophecy 4.5%, Anglican 2.8%, United Church 2.1%, Methodist 1.6%, Revived 1.4%, Brethren 0.9%, and Moravian 0.7%), Roman Catholic 2.2%, Jehovah's Witness 1.9%, Rastafarian 1.1%, other 6.5%, none 21.3%, unspecified 2.3% (2011 est.)
<u>Japan</u> <u>(../geos/ja.html)</u>	Shintoism 79.2%, Buddhism 66.8%, Christianity 1.5%, other 7.1% note: total adherents exceeds 100% because many people practice both Shintoism and Buddhism (2012 est.)
<u>Jersey</u> <u>(../geos/je.html)</u>	Protestant (Anglican, Baptist, Congregational New Church, Methodist, Presbyterian), Roman Catholic
<u>Jordan</u> <u>(../geos/jo.html)</u>	Muslim 97.2% (official; predominantly Sunni), Christian 2.2% (majority Greek Orthodox, but some Greek and Roman Catholics, Syrian Orthodox, Coptic Orthodox, Armenian Orthodox, and Protestant denominations), Buddhist 0.4%, Hindu 0.1%, Jewish <0.1, folk religionist <0.1, unaffiliated <0.1, other <0.1 (2010 est.)
<u>Kazakhstan</u> <u>(../geos/kz.html)</u>	Muslim 70.2%, Christian 26.2% (mainly Russian Orthodox), other 0.2%, atheist 2.8%, unspecified 0.5% (2009 est.)
<u>Kenya</u> <u>(../geos/ke.html)</u>	Christian 83% (Protestant 47.7%, Catholic 23.4%, other Christian 11.9%), Muslim 11.2%, Traditionalists 1.7%, other 1.6%, none 2.4%, unspecified 0.2% (2009 est.)

<u>Kiribati (../geos/kr.html)</u>	Roman Catholic 55.8%, Kempsville Presbyterian Church 33.5%, Mormon 4.7%, Baha'i 2.3%, Seventh Day Adventist 2%, other 1.5%, none 0.2%, unspecified 0.05% (2010 est.)
<u>Korea, North (../geos/kn.html)</u>	traditionally Buddhist and Confucianist, some Christian and syncretic Chondogyo (Religion of the Heavenly Way) note: autonomous religious activities now almost nonexistent; government-sponsored religious groups exist to provide illusion of religious freedom
<u>Korea, South (../geos/ks.html)</u>	Christian 31.6% (Protestant 24.0%, Catholic 7.6%), Buddhist 24.2%, other or unknown 0.9%, none 43.3% (2010 est.)
<u>Kosovo (../geos/kv.html)</u>	Muslim 95.6%, Roman Catholic 2.2%, Orthodox 1.5%, other 0.07%, none 0.07%, unspecified 0.6% (2011 est.)
<u>Kuwait (../geos/ku.html)</u>	Muslim (official) 76.7%, Christian 17.3%, other and unspecified 5.9% note: represents the total population; about 69% of the population consists of immigrants (2013 est.)
<u>Kyrgyzstan (../geos/kg.html)</u>	Muslim 75%, Russian Orthodox 20%, other 5%
<u>Laos (../geos/la.html)</u>	Buddhist 66.8%, Christian 1.5%, other 31%, unspecified 0.7% (2005 est.)
<u>Latvia (../geos/lg.html)</u>	Lutheran 19.6%, Orthodox 15.3%, other Christian 1%, other 0.4%, unspecified 63.7% (2006)
<u>Lebanon (../geos/le.html)</u>	Muslim 54% (27% Sunni, 27% Shia), Christian 40.5% (includes 21% Maronite Catholic, 8% Greek Orthodox, 5% Greek Catholic, 6.5% other Christian), Druze 5.6%, very small numbers of Jews, Baha'is, Buddhists, Hindus, and Mormons note: 18 religious sects recognized (2012 est.)
<u>Lesotho (../geos/lt.html)</u>	Christian 80%, indigenous beliefs 20%
<u>Liberia (../geos/li.html)</u>	Christian 85.6%, Muslim 12.2%, Traditional 0.6%, other 0.2%, none 1.4% (2008 Census)
<u>Libya (../geos/ly.html)</u>	Muslim (official; virtually all Sunni) 96.6%, Christian 2.7%, Buddhist 0.3%, Hindu <0.1, Jewish <0.1, folk religion <0.1, unaffiliated 0.2%, other <0.1 note: non-Sunni Muslims include native Ibadhi Muslims (<1% of the population) and foreign Muslims (2010 est.)
<u>Liechtenstein (../geos/ls.html)</u>	Roman Catholic (official) 75.9%, Protestant Reformed 6.5%, Muslim 5.4%, Lutheran 1.3%, other 2.9%, none 5.4%, unspecified 2.6% (2010 est.)
<u>Lithuania (../geos/lh.html)</u>	Roman Catholic 77.2%, Russian Orthodox 4.1%, Old Believer 0.8%, Evangelical Lutheran 0.6%, Evangelical Reformist 0.2%, other (including Sunni Muslim, Jewish, Greek Catholic, and Karaite) 0.8%, none 6.1%, unspecified 10.1% (2011 est.)
<u>Luxembourg (../geos/lu.html)</u>	Roman Catholic 87%, other (includes Protestant, Jewish, and Muslim) 13% (2000)
<u>Macau (../geos/mc.html)</u>	Buddhist 50%, Roman Catholic 15%, none or other 35% (1997 est.)
<u>Macedonia (../geos/mk.html)</u>	Macedonian Orthodox 64.8%, Muslim 33.3%, other Christian 0.4%, other and unspecified 1.5% (2002 est.)
<u>Madagascar (../geos/ma.html)</u>	Christian, indigenous believer, Muslim note: population largely practices Christianity or an indigenous religion; small share of population is Muslim
<u>Malawi (../geos/mi.html)</u>	Christian 82.6%, Muslim 13%, other 1.9%, none 2.5% (2008 est.)

<u>Malaysia</u> <u>(../geos/my.html)</u>	Muslim (official) 61.3%, Buddhist 19.8%, Christian 9.2%, Hindu 6.3%, Confucianism, Taoism, other traditional Chinese religions 1.3%, other 0.4%, none 0.8%, unspecified 1% (2010 est.)
<u>Maldives</u> <u>(../geos/mv.html)</u>	Sunni Muslim (official)
<u>Mali</u> (<u>../geos/ml.html</u>)	Muslim 94.8%, Christian 2.4%, Animist 2%, none 0.5%, unspecified 0.3% (2009 est.)
<u>Malta</u> (<u>../geos/mt.html</u>)	Roman Catholic (official) more than 90% (2011 est.)
<u>Marshall Islands</u> <u>(../geos/rm.html)</u>	Protestant 54.8%, Assembly of God 25.8%, Roman Catholic 8.4%, Bukot nan Jesus 2.8%, Mormon 2.1%, other Christian 3.6%, other 1%, none 1.5% (1999 census)
<u>Mauritania</u> <u>(../geos/mr.html)</u>	Muslim (official) 100%
<u>Mauritius</u> <u>(../geos/mp.html)</u>	Hindu 48.5%, Roman Catholic 26.3%, Muslim 17.3%, other Christian 6.4%, other 0.6%, none 0.7%, unspecified 0.1% (2011 est.)
<u>Mexico</u> (<u>../geos/mx.html</u>)	Roman Catholic 82.7%, Pentecostal 1.6%, Jehovah's Witness 1.4%, other Evangelical Churches 5%, other 1.9%, none 4.7%, unspecified 2.7% (2010 est.)
<u>Micronesia, Federated States of</u> <u>(../geos/fm.html)</u>	Roman Catholic 54.7%, Protestant 41.1% (includes Congregational 38.5%, Baptist 1.1%, Seventh Day Adventist 0.8%, Assembly of God 0.7%), Mormon 1.5%, other 1.9%, none 0.7%, unspecified 0.1% (2010 est.)
<u>Moldova</u> <u>(../geos/md.html)</u>	Orthodox 93.3%, Baptist 1%, other Christian 1.2%, other 0.9%, atheist 0.4%, none 1%, unspecified 2.2% (2004 est.)
<u>Monaco</u> <u>(../geos/mn.html)</u>	Roman Catholic 90% (official), other 10%
<u>Mongolia</u> <u>(../geos/mg.html)</u>	Buddhist 53%, Muslim 3%, Christian 2.2%, Shamanist 2.9%, other 0.4%, none 38.6% (2010 est.)
<u>Montenegro</u> <u>(../geos/mj.html)</u>	Orthodox 72.1%, Muslim 19.1%, Catholic 3.4%, atheist 1.2%, other 1.5%, unspecified 2.6% (2011 est.)
<u>Montserrat</u> <u>(../geos/mh.html)</u>	Protestant 67.1% (includes Anglican 21.8%, Methodist 17%, Pentecostal 14.1%, Seventh Day Adventist 10.5%, and Church of God 3.7%), Roman Catholic 11.6%, Rastafarian 1.4%, other 6.5%, none 2.6%, unspecified 10.8% (2001 est.)
<u>Morocco</u> <u>(../geos/mo.html)</u>	Muslim 99% (official; virtually all Sunni, <0.1% Shia), other 1% (includes Christian, Jewish, and Baha'i); note - Jewish about 6,000 (2010 est.)
<u>Mozambique</u> <u>(../geos/mz.html)</u>	Roman Catholic 28.4%, Muslim 17.9%, Zionist Christian 15.5%, Protestant 12.2% (includes Pentecostal 10.9% and Anglican 1.3%), other 6.7%, none 18.7%, unspecified 0.7% (2007 est.)
<u>Namibia</u> <u>(../geos/wa.html)</u>	Christian 80% to 90% (at least 50% Lutheran), indigenous beliefs 10% to 20%
<u>Nauru</u> (<u>../geos/nr.html</u>)	Protestant 60.4% (includes Nauru Congregational 35.7%, Assembly of God 13%, Nauru Independent Church 9.5%, Baptist 1.5%, and Seventh Day Adventist 0.7%), Roman Catholic 33%, other 3.7%, none 1.8%, unspecified 1.1% (2011 est.)
<u>Nepal</u> (<u>../geos/np.html</u>)	Hindu 81.3%, Buddhist 9%, Muslim 4.4%, Kirant 3.1%, Christian 1.4%, other 0.5%, unspecified 0.2% (2011 est.)
<u>Netherlands</u> <u>(../geos/nl.html)</u>	Roman Catholic 28%, Protestant 19% (includes Dutch Reformed 9%, Protestant Church of The Netherlands, 7%, Calvinist 3%), other 11% (includes about 5% Muslim and fewer numbers of Hindu, Buddhist, Jehovah's Witness, and Orthodox), none 42% (2009 est.)

<u>New Caledonia</u> <u>(../geos/nc.html)</u>	Roman Catholic 60%, Protestant 30%, other 10%
<u>New Zealand</u> <u>(../geos/nz.html)</u>	Christian 44.3% (Catholic 11.6%, Anglican 10.8%, Presbyterian and Congregational 7.8%, Methodist, 2.4%, Pentecostal 1.8%, other 9.9%), Hindu 2.1%, Buddhist 1.4%, Maori Christian 1.3%, Islam 1.1%, other religion 1.4% (includes Judaism, Spiritualism and New Age religions, Baha'i, Asian religions other than Buddhism), no religion 38.5%, not stated or unidentified 8.2%, objected to answering 4.1% note: based on the 2013 census of the usually resident population; percentages add up to more than 100% because people were able to identify more than one religion (2013 est.)
<u>Nicaragua</u> <u>(../geos/nu.html)</u>	Roman Catholic 58.5%, Protestant 23.2% (Evangelical 21.6%, Moravian 1.6%), Jehovah's Witnesses 0.9%, other 1.6%, none 15.7% (2005 est.)
<u>Nigeria</u> <u>(../geos/ni.html)</u>	Muslim 50%, Christian 40%, indigenous beliefs 10%
<u>Niger</u> <u>(../geos/ng.html)</u>	Muslim 80%, other (includes indigenous beliefs and Christian) 20%
<u>Niue</u> <u>(../geos/ne.html)</u>	Ekalesia Niue (Congregational Christian Church of Niue - a Protestant church founded by missionaries from the London Missionary Society) 67%, other Protestant 3% (includes Seventh Day Adventist 1%, Presbyterian 1%, and Methodist 1%), Mormon 10%, Roman Catholic 10%, Jehovah's Witnesses 2%, other 6%, none 2% (2011 est.)
<u>Norfolk Island</u> <u>(../geos/nf.html)</u>	Protestant 49.6% (Anglican 31.8%, Uniting Church in Australia 10.6%, Seventh Day Adventist 3.2%), Roman Catholic 11.7%, other 8.6%, none 23.5%, unspecified 6.6% (2011 est.)
<u>Northern Mariana Islands</u> <u>(../geos/cq.html)</u>	Christian (Roman Catholic majority, although traditional beliefs and taboos may still be found)
<u>Norway</u> <u>(../geos/no.html)</u>	Church of Norway (Evangelical Lutheran - official) 82.1%, other Christian 3.9%, Muslim 2.3%, Roman Catholic 1.8%, other 2.4%, unspecified 7.5% (2011 est.)
<u>Oman</u> <u>(../geos/mu.html)</u>	Muslim (official; majority are Ibadhi, lesser numbers of Sunni and Shia) 85.9%, Christian 6.5%, Hindu 5.5%, Buddhist 0.8%, Jewish <0.1%, other 1%, unaffiliated 0.2% (2010 est.) note: approximately 75% of Omani citizens, who compose almost 70% of the country's total population, are Ibadhi Muslims; the Omani government does not keep statistics on religious affiliation (2013)
<u>Pakistan</u> <u>(../geos/pk.html)</u>	Muslim (official) 96.4% (Sunni 85-90%, Shia 10-15%), other (includes Christian and Hindu) 3.6% (2010 est.)
<u>Palau</u> <u>(../geos/ps.html)</u>	Roman Catholic 49.4%, Protestant 30.9% (includes Protestant (general) 23.1%, Seventh Day Adventist 5.3%, and other Protestant 2.5%), Modekngai 8.7% (indigenous to Palau), Jehovah's Witnesses 1.1%, other 8.8%, none or unspecified 1.1% (2005 est.)
<u>Panama</u> <u>(../geos/pm.html)</u>	Roman Catholic 85%, Protestant 15%
<u>Papua New Guinea</u> <u>(../geos/pp.html)</u>	Roman Catholic 27%, Protestant 69.4% (Evangelical Lutheran 19.5%, United Church 11.5%, Seventh-Day Adventist 10%, Pentecostal 8.6%, Evangelical Alliance 5.2%, Anglican 3.2%, Baptist 2.5%, other Protestant 8.9%), Baha'i 0.3%, indigenous beliefs and other 3.3% (2000 census)
<u>Paraguay</u> <u>(../geos/pa.html)</u>	Roman Catholic 89.6%, Protestant 6.2%, other Christian 1.1%, other or unspecified 1.9%, none 1.1% (2002 census)
<u>Peru</u> <u>(../geos/pe.html)</u>	Roman Catholic 81.3%, Evangelical 12.5%, other 3.3%, none 2.9% (2007 est.)

<u>Philippines</u> <u>(../geos/rp.html)</u>	Catholic 82.9% (Roman Catholic 80.9%, Aglipayan 2%), Muslim 5%, Evangelical 2.8%, Iglesia ni Kristo 2.3%, other Christian 4.5%, other 1.8%, unspecified 0.6%, none 0.1% (2000 census)
<u>Pitcairn Islands</u> <u>(../geos/pc.html)</u>	Seventh-Day Adventist 100%
<u>Poland</u> (<u>../geos/pl.html</u>)	Catholic 87.2% (includes Roman Catholic 86.9% and Greek Catholic, Armenian Catholic, and Byzantine-Slavic Catholic .3%), Orthodox 1.3% (almost all are Polish Autocephalous Orthodox), Protestant 0.4% (mainly Augsburg Evangelical and Pentacostal), other 0.4% (includes Jehovah's Witness, Buddhist, Hare Krishna, Gaudiya Vaishnavism, Muslim, Jewish, Mormon), unspecified 10.8% (2012 est.)
<u>Portugal</u> <u>(../geos/po.html)</u>	Roman Catholic 81%, other Christian 3.3%, other (includes Jewish, Muslim, other) 0.6%, none 6.8%, unspecified 8.3% note: represents population 15 years of age and older (2011 est.)
<u>Puerto Rico</u> <u>(../geos/rq.html)</u>	Roman Catholic 85%, Protestant and other 15%
<u>Qatar</u> (<u>../geos/qa.html</u>)	Muslim 77.5%, Christian 8.5%, other (includes mainly Hindu and other Indian religions) 14% (2004 est.)
<u>Romania</u> <u>(../geos/ro.html)</u>	Eastern Orthodox (including all sub-denominations) 81.9%, Protestant (various denominations including Reformed and Pentecostal) 6.4%, Roman Catholic 4.3%, other (includes Muslim) 0.9%, none or atheist 0.2%, unspecified 6.3% (2011 est.)
<u>Russia</u> (<u>../geos/rs.html</u>)	Russian Orthodox 15-20%, Muslim 10-15%, other Christian 2% (2006 est.) note: estimates are of practicing worshipers; Russia has large populations of non-practicing believers and non-believers, a legacy of over seven decades of Soviet rule; Russia officially recognizes Orthodox Christianity, Islam, Judaism, and Buddhism as traditional religions
<u>Rwanda</u> (<u>../geos/rw.html</u>)	Roman Catholic 49.5%, Protestant 39.4% (includes Adventist 12.2% and other Protestant 27.2%), other Christian 4.5%, Muslim 1.8%, animist 0.1%, other 0.6%, none 3.6% (2001), unspecified 0.5% (2002 est.)
<u>Saint Barthelemy</u> <u>(../geos/tb.html)</u>	Roman Catholic, Protestant, Jehovah's Witnesses
<u>Saint Helena, Ascension, and Tristan da Cunha</u> <u>(../geos/sh.html)</u>	Protestant 75.9% (includes Anglican 68.9, Baptist 2.1%, Seventh Day Adventist 1.8%, Salvation Army 1.7%, New Apostolic 1.4%), Jehovah's Witness 4.1%, Roman Catholic 1.2%, other 2.5% (includes Baha'i), unspecified 0.8%, none 6.1%, no response 9.4% note: data represent Saint Helena only (2016 est.)
<u>Saint Kitts and Nevis</u> <u>(../geos/sc.html)</u>	Anglican, other Protestant, Roman Catholic
<u>Saint Lucia</u> <u>(../geos/st.html)</u>	Roman Catholic 61.5%, Protestant 25.5% (includes Seventh Day Adventist 10.4%, Pentecostal 8.9%, Baptist 2.2%, Anglican 1.6%, Church of God 1.5%, other Protestant 0.9%), other Christian 3.4% (includes Evangelical 2.3% and Jehovah's Witness 1.1%), Rastafarian 1.9%, other 0.4%, none 5.9%, unspecified 1.4% (2010 est.)
<u>Saint Martin</u> <u>(../geos/rn.html)</u>	Roman Catholic, Jehovah's Witnesses, Protestant, Hindu
<u>Saint Pierre and Miquelon</u> <u>(../geos/sb.html)</u>	Roman Catholic 99%, other 1%
<u>Saint Vincent and the Grenadines</u> <u>(../geos/vc.html)</u>	Protestant 75% (Anglican 47%, Methodist 28%), Roman Catholic 13%, other (includes Hindu, Seventh-Day Adventist, other Protestant) 12%

<u>Samoa (../geos/ws.html)</u>	Protestant 57.4% (Congregationalist 31.8%, Methodist 13.7%, Assembly of God 8%, Seventh-Day Adventist 3.9%), Roman Catholic 19.4%, Mormon 15.2%, Worship Centre 1.7%, other Christian 5.5%, other 0.7%, none 0.1%, unspecified 0.1% (2011 est.)
<u>San Marino (../geos/sm.html)</u>	Roman Catholic
<u>Sao Tome and Principe (../geos/tp.html)</u>	Catholic 55.7%, Adventist 4.1%, Assembly of God 3.4%, New Apostolic 2.9%, Mana 2.3%, Universal Kingdom of God 2%, Jehovah's Witness 1.2%, other 6.2%, none 21.2%, unspecified 1% (2012 est.)
<u>Saudi Arabia (../geos/sa.html)</u>	Muslim (official; citizens are 85-90% Sunni and 10-15% Shia), other (includes Eastern Orthodox, Protestant, Roman Catholic, Jewish, Hindu, Buddhist, and Sikh) (2012 est.) note: despite having a large expatriate community of various faiths (more than 30% of the population), most forms of public religious expression inconsistent with the government-sanctioned interpretation of Sunni Islam are restricted; non-Muslims are not allowed to have Saudi citizenship and non-Muslim places of worship are not permitted (2013)
<u>Senegal (../geos/sg.html)</u>	Muslim 95.4% (most adhere to one of the four main Sufi brotherhoods), Christian 4.2% (mostly Roman Catholic), animist 0.4% (2010-11 est.)
<u>Serbia (../geos/ri.html)</u>	Serbian Orthodox 84.6%, Catholic 5%, Muslim 3.1%, Protestant 1%, atheist 1.1%, other 0.8%, undeclared or unknown 4.5% (2011 est.)
<u>Seychelles (../geos/se.html)</u>	Roman Catholic 76.2%, Protestant 10.6% (Anglican 6.1%, Pentecostal Assembly 1.5%, Seventh-Day Adventist 1.2%, other Protestant 1.6), other Christian 2.4%, Hindu 2.4%, Muslim 1.6%, other non-Christian 1.1%, unspecified 4.8%, none 0.9% (2010 est.)
<u>Sierra Leone (../geos/sl.html)</u>	Muslim 60%, Christian 10%, indigenous beliefs 30%
<u>Singapore (../geos/sn.html)</u>	Buddhist 33.9%, Muslim 14.3%, Taoist 11.3%, Catholic 7.1%, Hindu 5.2%, other Christian 11%, other 0.7%, none 16.4% (2010 est.)
<u>Sint Maarten (../geos/sk.html)</u>	Protestant 41.9% (Pentecostal 14.7%, Methodist 10.0%, Seventh Day Adventist 6.6%, Baptist 4.7%, Anglican 3.1%, other Protestant 2.8%), Roman Catholic 33.1%, Hindu 5.2%, Christian 4.1%, Jehovah's Witness 1.7%, Evangelical 1.4%, Muslim/Jewish 1.1%, other 1.3% (includes Buddhist, Sikh, Rastafarian), none 7.9%, no response 2.4% (2011 est.)
<u>Slovakia (../geos/lo.html)</u>	Roman Catholic 62%, Protestant 8.2%, Greek Catholic 3.8%, other or unspecified 12.5%, none 13.4% (2011 est.)
<u>Slovenia (../geos/si.html)</u>	Catholic 57.8%, Muslim 2.4%, Orthodox 2.3%, other Christian 0.9%, unaffiliated 3.5%, other or unspecified 23%, none 10.1% (2002 census)
<u>Solomon Islands (../geos/bp.html)</u>	Protestant 73.4% (Church of Melanesia 31.9%, South Sea Evangelical 17.1%, Seventh Day Adventist 11.7%, United Church 10.1%, Christian Fellowship Church 2.5%), Roman Catholic 19.6%, other Christian 2.9%, other 4%, none 0.03%, unspecified 0.1% (2009 est.)
<u>Somalia (../geos/so.html)</u>	Sunni Muslim (Islam) (official, according to the Transitional Federal Charter)
<u>South Africa (../geos/sf.html)</u>	Protestant 36.6% (Zionist Christian 11.1%, Pentecostal/Charismatic 8.2%, Methodist 6.8%, Dutch Reformed 6.7%, Anglican 3.8%), Catholic 7.1%, Muslim 1.5%, other Christian 36%, other 2.3%, unspecified 1.4%, none 15.1% (2001 census)
<u>South Sudan (../geos/od.html)</u>	animist, Christian
<u>Spain (../geos/sp.html)</u>	Roman Catholic 94%, other 6%

<u>Sri Lanka</u> <u>(../geos/ce.html)</u>	Buddhist (official) 70.2%, Hindu 12.6%, Muslim 9.7%, Roman Catholic 6.1%, other Christian 1.3%, other 0.05% (2012 est.)
<u>Sudan</u> <u>(../geos/su.html)</u>	Sunni Muslim, small Christian minority
<u>Suriname</u> <u>(../geos/ns.html)</u>	Hindu 27.4%, Protestant 25.2% (predominantly Moravian), Roman Catholic 22.8%, Muslim 19.6%, indigenous beliefs 5%
<u>Swaziland</u> <u>(../geos/wz.html)</u>	Zionist 40% (a blend of Christianity and indigenous ancestral worship), Roman Catholic 20%, Muslim 10%, other 30% (includes Anglican, Baha'i, Methodist, Mormon, Jewish)
<u>Sweden</u> <u>(../geos/sw.html)</u>	Lutheran 87%, other (includes Roman Catholic, Orthodox, Baptist, Muslim, Jewish, and Buddhist) 13%
<u>Switzerland</u> <u>(../geos/sz.html)</u>	Roman Catholic 38.2%, Protestant 26.9%, other Christian 5.6%, Muslim 5%, other 1.6%, none 21.4%, unspecified 1.3% (2013 est.)
<u>Syria</u> <u>(../geos/sy.html)</u>	Muslim 87% (official; includes Sunni 74% and Alawi, Ismaili, and Shia 13%), Christian 10% (includes Orthodox, Uniate, and Nestorian), Druze 3%, Jewish (few remaining in Damascus and Aleppo)
<u>Taiwan</u> <u>(../geos/tw.html)</u>	mixture of Buddhist and Taoist 93%, Christian 4.5%, other 2.5%
<u>Tajikistan</u> <u>(../geos/ti.html)</u>	Sunni Muslim 85%, Shia Muslim 5%, other 10% (2003 est.)
<u>Tanzania</u> <u>(../geos/tz.html)</u>	Christian 61.4%, Muslim 35.2%, folk religion 1.8%, other 0.2%, unaffiliated 1.4% note: Zanzibar is almost entirely Muslim (2010 est.)
<u>Thailand</u> <u>(../geos/th.html)</u>	Buddhist (official) 93.6%, Muslim 4.9%, Christian 1.2%, other 0.2%, none 0.1% (2010 est.)
<u>Timor-Leste</u> <u>(../geos/tt.html)</u>	Roman Catholic 96.9%, Protestant/Evangelical 2.2%, Muslim 0.3%, other 0.6% (2005)
<u>Togo</u> <u>(../geos/to.html)</u>	Christian 29%, Muslim 20%, indigenous beliefs 51%
<u>Tokelau</u> <u>(../geos/tl.html)</u>	Congregational Christian Church 58.2%, Roman Catholic 36.6%, Presbyterian 1.8%, other Christian 2.8%, Spiritualism and New Age 0.1%, unspecified 0.5% (2011 est.)
<u>Tonga</u> <u>(../geos/tn.html)</u>	Protestant 64.9% (includes Free Wesleyan Church 37.3%, Free Church of Tonga 11.4%, Church of Tonga 7.2%, Tokaikolo Christian Church 2.6%, Assembly of God 2.3%, Seventh Day Adventist 2.2%, Constitutional Church of Tonga 0.9%, Anglican 0.8% and Full Gospel Church 0.2%), Mormon 16.8%, Roman Catholic 15.6%, other 1.1%, none 0.03%, unspecified 1.7% (2006 est.)
<u>Trinidad and Tobago</u> <u>(../geos/td.html)</u>	Protestant 32.1% (Pentecostal/Evangelical/Full Gospel 12%, Baptist 6.9%, Anglican 5.7%, Seventh-Day Adventist 4.1%, Presbyterian/Congregational 2.5%, other Protestant 0.9%), Roman Catholic 21.6%, Hindu 18.2%, Muslim 5%, Jehovah's Witness 1.5%, other 8.4%, none 2.2%, unspecified 11.1% (2011 est.)
<u>Tunisia</u> <u>(../geos/ts.html)</u>	Muslim (official; Sunni) 99.1%, other (includes Christian, Jewish, Shia Muslim, and Baha'i) 1%
<u>Turkey</u> <u>(../geos/tu.html)</u>	Muslim 99.8% (mostly Sunni), other 0.2% (mostly Christians and Jews)
<u>Turkmenistan</u> <u>(../geos/tx.html)</u>	Muslim 89%, Eastern Orthodox 9%, unknown 2%
<u>Turks and Caicos Islands</u> <u>(../geos/tk.html)</u>	Protestant 72.8% (Baptist 35.8%, Church of God 11.7%, Anglican 10%, Methodist 9.3%, Seventh-Day Adventist 6%), Roman Catholic 11.4%, Jehovah's Witnesses 1.8%, other 14%
<u>Tuvalu</u> <u>(../geos/tv.html)</u>	Protestant 98.4% (Church of Tuvalu (Congregationalist) 97%, Seventh-Day Adventist 1.4%), Baha'i 1%, other 0.6%

<u>Uganda (../geos/ug.html)</u>	Protestant 45.1% (Anglican 32.0%, Pentecostal/Born Again/Evangelical 11.1%, Seventh Day Adventist 1.7%, Baptist .3%), Roman Catholic 39.3%, Muslim 13.7%, other 1.6%, none 0.2% (2014 est.)
<u>Ukraine (../geos/up.html)</u>	Orthodox (includes Ukrainian Autocephalous Orthodox (UAOC), Ukrainian Orthodox - Kyiv Patriarchate (UOC-KP), Ukrainian Orthodox - Moscow Patriarchate (UOC-MP), Ukrainian Greek Catholic, Roman Catholic, Protestant, Muslim, Jewish note: Ukraine's population is overwhelmingly Christian; the vast majority - up to two-thirds - identify themselves as Orthodox, but many do not specify a particular branch; the UOC-KP and the UOC-MP each represent less than a quarter of the country's population, the Ukrainian Greek Catholic Church accounts for 8-10%, and the UAOC accounts for 1-2%; Muslim and Jewish adherents each compose less than 1% of the total population (2013 est.)
<u>United Arab Emirates (../geos/ae.html)</u>	Muslim (official) 76%, Christian 9%, other (primarily Hindu and Buddhist, less than 5% of the population consists of Parsi, Baha'i, Druze, Sikh, Ahmadi, Ismaili, Dawoodi Bohra Muslim, and Jewish) 15% note: represents the total population; about 85% of the population consists of noncitizens (2005 est.)
<u>United Kingdom (../geos/uk.html)</u>	Christian (includes Anglican, Roman Catholic, Presbyterian, Methodist) 59.5%, Muslim 4.4%, Hindu 1.3%, other 2%, unspecified 7.2%, none 25.7% (2011 est.)
<u>United States (../geos/us.html)</u>	Protestant 46.5%, Roman Catholic 20.8%, Mormon 1.6%, Jehovah's Witness 0.8%, other Christian 0.9%, Jewish 1.9%, Muslim 0.9%, Buddhist 0.7%, Hindu 0.7%, other 1.8%, unaffiliated 22.8%, don't know/refused 0.6% (2014 est.)
<u>Uruguay (../geos/uy.html)</u>	Roman Catholic 47.1%, non-Catholic Christians 11.1%, nondenominational 23.2%, Jewish 0.3%, atheist or agnostic 17.2%, other 1.1% (2006)
<u>Uzbekistan (../geos/uz.html)</u>	Muslim 88% (mostly Sunni), Eastern Orthodox 9%, other 3%
<u>Vanuatu (../geos/nh.html)</u>	Protestant 70% (includes Presbyterian 27.9%, Anglican 15.1%, Seventh Day Adventist 12.5%, Assemblies of God 4.7%, Church of Christ 4.5%, Neil Thomas Ministry 3.1%, and Apostolic 2.2%), Roman Catholic 12.4%, customary beliefs 3.7% (including Jon Frum cargo cult), other 12.6%, none 1.1%, unspecified 0.2% (2009 est.)
<u>Venezuela (../geos/ve.html)</u>	nominally Roman Catholic 96%, Protestant 2%, other 2%
<u>Vietnam (../geos/vm.html)</u>	Buddhist 7.9%, Catholic 6.6%, Hoa Hao 1.7%, Cao Dai 0.9%, Protestant 0.9%, Muslim 0.1%, none 81.8% (2009 est.)
<u>Virgin Islands (../geos/vq.html)</u>	Protestant 59% (Baptist 42%, Episcopalian 17%), Roman Catholic 34%, other 7%
<u>Wallis and Futuna (../geos/wf.html)</u>	Roman Catholic 99%, other 1%
<u>West Bank (../geos/we.html)</u>	Muslim 80-85% (predominantly Sunni), Jewish 12-14%, Christian 1-2.5% (mainly Greek Orthodox), other, unaffiliated, unspecified <1% note: the proportion of Christians continues to fall mainly as a result of the growth of the Muslim population but also because of migration and the declining birth rate of the Christian population (2012 est.)
<u>Western Sahara (../geos/wi.html)</u>	Muslim
<u>World (../geos/xx.html)</u>	Christian 31.4%, Muslim 23.2%, Hindu 15%, Buddhist 7.1%, folk religions 5.9%, Jewish 0.2%, other 0.8%, unaffiliated 16.4% (2010 est.)

[Yemen \(../geos/ym.html\)](#) Muslim 99.1% (official; virtually all are citizens, an estimated 65% are Sunni and 35% are Shia), other 0.9% (includes Jewish, Baha'i, Hindu, and Christian; many are refugees or temporary foreign residents) (2010 est.)

[Zambia \(../geos/za.html\)](#) Protestant 75.3%, Roman Catholic 20.2%, other 2.7% (includes Muslim Buddhist, Hindu, and Baha'i), none 1.8% (2010 est.)

[Zimbabwe \(../geos/zi.html\)](#) Protestant 75.9% (includes Apostolic 38%, Pentecostal 21.1%, other 16.8%), Roman Catholic 8.4%, other Christian 8.4%, other 1.2% (includes traditional, Muslim), none 6.1% (2011 est.)

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Brody File Exclusive: President Trump Says Persecuted Christians Will Be Given Priority As Refugees

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Brody File Exclusive: President Trump Says Persecuted Christians Will Be Given Priority As Refugees

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[David Brody](#)

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In an exclusive interview with The Brody File, President Donald Trump says persecuted Christians will be given priority when it comes to applying for refugee status in the United States. "We are going to help them," President Trump tells CBN News. "They've been horribly treated. Do you know if you were a Christian in Syria it was impossible, at least very tough to get into the United States? If you were a Muslim you could come in, but if you were a Christian, it was almost impossible and the reason that was so unfair, everybody was persecuted in all fairness, but they were chopping off the heads of everybody but more so the Christians. And I thought it was very, very unfair."

The Brody File conducted the interview Friday morning in the Blue Room at The White House. More newsworthy clips are coming soon. The entire interview can be seen this Sunday at 11pm on Freeform (cable TV, formerly ABC Family Channel) during our special CBN News show. This is just the third interview President Trump has done from The White House and it will be the only interview that will air in its' entirety this weekend.

MANDATORY VIDEO AND COURTESY: CBN NEWS/THE BRODY FILE

DAVID BRODY: *"Persecuted Christians, we've talked about this, the refugees overseas. The refugee program, or the refugee changes you're looking to make. As it relates to persecuted Christians, do you see them as kind of a priority here?"*

PRESIDENT TRUMP: *"Yes."*

DAVID BRODY: *"You do?"*

PRESIDENT TRUMP: *"They've been horribly treated. Do you know if you were a Christian in Syria it was impossible, at least very tough to get into the United States? If you were a Muslim you could come in, but if you were a Christian, it was almost impossible and the reason that was so unfair, everybody was persecuted in all fairness, but they were chopping off the heads of everybody but more so the Christians. And I thought it was very, very unfair. So we are going to help them."*

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 **Steve** 12 days ago

Christian persecution is running at about 100,000 deaths per month. I'm so glad that our President is cognizant of this and willing to alleviate some of the pain and suffering of these people.

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 **Israel Friend Di** 13 days ago

Our President Donald Trump is doing his Christian duty by banning terrorists Muslims and illegals into the USA that want to promote Sharia laws upon us and terrorize this country. Isis and Hamas chop off the heads of their own people if they are found to be worshipping the GOD OF ISRAEL, our GOD, KING JESUS. This has to be stopped before they completely destroy the entire USA and all Christians and Jews, including ISRAEL. The Muslim religion is a hate religion unlike our Judea, Christianity. We love all people of every race and don't kill to please our GOD. Our GOD died, shed HIS innocent blood as the final Lamb of GOD sacrifice and was resurrected to save us from our sins.

Like Reply Share 0

Exhibit T

The Washington Post

Acts of Faith

Trump signs order limiting refugee entry, says he will prioritize Christian refugees

By **Sarah Pulliam Bailey** January 27

President Trump signed an executive order Friday instituting “extreme vetting” of refugees, aimed at keeping out “radical Islamic terrorists.”

“I’m establishing a new vetting measure to keep radical Islamic terrorists out of the United States of America,” Trump said during his signing of the order. “We don’t want them here. We want to make sure we are not admitting into our country the very threats our soldiers are fighting overseas.”

According to drafts of the executive action, the order bars people from the Muslim-majority countries of Iraq, Syria, Iran, Sudan, Libya, Somalia or Yemen from entering the United States for 30 days and suspends the U.S. Refugee Admissions Program for 120 days. The program will be reinstated “only for nationals of countries for whom” members are vetted by Trump’s administration.

In an interview Friday with the Christian Broadcast Network, Trump said he plans to help persecuted Christians.

“Do you know if you were a Christian in Syria it was impossible, at least very tough, to get into the United States?” Trump said. “If you were a Muslim you could come in, but if you were a Christian, it was almost impossible and the reason that was so unfair, everybody was persecuted in all fairness, but they were chopping off the heads of everybody but more so the Christians. And I thought it was very, very unfair.”

In a statement, the American Civil Liberties Union declared Trump's action "just a euphemism for discrimination against Muslims."

From both legal and historical perspectives, the plan to ban refugees from specific countries is within the powers granted to the president under current law and historical precedent, according to Charles Haynes, vice president of the Newseum Institute's Religious Freedom Center. However, whether the president can limit the ban to one religious group is another question.

Many Muslims, especially Shiites, are among the religious minorities under attack, Haynes said. This "raises moral and humanitarian concerns about excluding them from entrance to the U.S. while permitting people of other faiths," he said. "Whether this policy rises to the level of a constitutional violation is uncertain and will be debated by constitutional scholars in the coming weeks."

Issues related to the Constitution and religion are usually associated with matters of sex, such as contraceptives and LGBT discrimination, but some observers said they expect Trump's actions on immigration to raise new challenges for religious freedom, according to Chelsea Langston Bombino of the Institutional Religious Freedom Alliance at the Center for Public Justice. Several organizations, she noted, are speaking out against orders that "will hurt the very people that their organizations were established, out of a religious calling, to serve," she said.

Trump's actions have been decried by several religious groups this week. "The expected cutbacks to U.S. refugee programs and funding will compromise our ability to do this work and the infrastructure needed to serve refugees in the years to come," evangelical ministry World Relief said in a statement.

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And in a strongly worded statement, Rabbi Jack Moline, the Interfaith Alliance president, noted that this decision was announced on International Holocaust Remembrance Day.

"For decades, the United States has prided itself as a safe bastion for refugees around the globe escaping war and persecution," he said. "President Trump is poised to trample upon that great legacy with a de facto Muslim ban."

The Council on American-Islamic Relations will on Monday announce a federal lawsuit on behalf of more than 20 people challenging the constitutionality of the executive order.

“There is no evidence that refugees – the most thoroughly vetted of all people entering our nation – are a threat to national security,” said CAIR national litigation director Lena F. Masri. “This is an order that is based on bigotry, not reality.”

This post has been updated.

Sarah Pulliam Bailey is a religion reporter, covering how faith intersects with politics, culture and...everything. 🐦 Follow @spulliam

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What might have been seen as an oversight was confirmed by White House spokeswoman Hope Hicks to have been an intentional decision.

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New rules concerning lobbying are also among executive orders signed Saturday.

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- DECEMBER 07, 2015 -

DONALD J. TRUMP STATEMENT ON PREVENTING MUSLIM IMMIGRATION

(New York, NY) December 7th, 2015, -- Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on. According to Pew Research, among others, there is great hatred towards Americans by large segments of the Muslim population. Most recently, a poll from the [Center for Security Policy](#) released data showing "25% of those polled agreed that violence against Americans here in the United States is justified as a part of the global jihad" and 51% of those polled, "agreed that Muslims in America should have the choice of being governed according to Shariah." Shariah authorizes such atrocities as murder against non-believers who won't convert, beheadings and more unthinkable acts that pose great harm to Americans, especially women.

Mr. Trump stated, "Without looking at the various polling data, it is obvious to anybody the hatred is beyond comprehension. Where this hatred comes from and why we will have to determine. Until we are able to determine and understand this problem and the dangerous threat it poses, our country cannot be the victims of horrendous attacks by people that believe only in Jihad, and have no sense of reason or respect for human life. If I win the election for President, we are going to Make America Great Again." - *Donald J. Trump*

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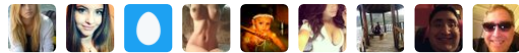
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December 7, 2015

Section: post-politics

Trump calls for 'total and complete shutdown of Muslims entering the United States'
"We have no choice. We have no choice," Trump said Monday. "We have no choice."

Jenna Johnson

Updated at 7:43 p.m.

Donald Trump called Monday for a "total and complete shutdown" of the entry of Muslims to the United States "until our country's representatives can figure out what is going on."

In a statement released by his campaign Monday afternoon, Trump included recent poll findings that he says show that a sizable segment of the Muslim population has "great hatred towards Americans."

"Without looking at the various polling data, it is obvious to anybody the hatred is beyond comprehension," Trump is quoted as saying in the statement. "Where this hatred comes from and why we will have to determine. Until we are able to determine and understand this problem and the dangerous threat it poses, our country cannot be the victims of horrendous attacks by people that believe only in Jihad, and have no sense of reason or respect for human life."

At a rally in Mount Pleasant, South Carolina on Monday evening, Trump pointed to the statement he released earlier in the day.

"Should I read you the statement?" he asked.

The crowd enthusiastically agreed that he should.

"Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what the hell is going on," he said, adding the word "hell" for emphasis this time.

Supporters erupted in applause.

"We have no choice. We have no choice," Trump said. "We have no choice."

Earlier in the rally, which was interrupted by protests, Trump said, "I have friends that are Muslims. They are great people -- but they know we have a problem."

Trump campaign manager Corey Lewandowski told the Associated Press that the ban would apply to "everybody," including both immigrants and tourists. Soon after the statement was released, Trump tweeted that he had "just put out a very important policy statement on the extraordinary influx of hatred and danger coming into our country." He added in the tweet: "We must be vigilant!"

In an interview on Fox News Channel shortly ahead of his campaign rally, Trump was asked whether his policy would apply to Muslim military personnel stationed overseas who want to come home.

"They will come home. We have to be vigilant," he responded. "We have to take care of the Muslims that are living here. But we have to be vigilant."

He later added: "Anybody here stays, but we have to be very vigilant... This does not apply to people living in the country except that we have to be vigilant."

In the past month, particularly following the recent mass shooting in Southern California that is believed to have been inspired by the Islamic State terrorist group, Trump has called for greater scrutiny of Muslims -- including Muslim Americans who are legal residents of the country. He has said he would support heavy surveillance of mosques, bar Syrian refugees of all religions from entering the country and would consider establishing a database to track all Muslims in the country. But Trump's statement on Monday was his most controversial proposal yet.

Trump typically announces major positions like this in media interviews or at rallies, rarely issuing formal statements. The statement immediately sparked rounds of questions about how such a policy would work, along with strong criticism.

"Oh, my goodness," said Ibrahim Hooper, national communications director at the Council on American-Islamic Relations. "One has to wonder what Donald Trump will say next as he ramps up his anti-Muslim bigotry. Where is there left for him to go? Are we talking internment camps? Are we talking the final solution to the Muslim question? I feel like I'm back in the 1930s."

What worried Hooper, he said, was the premeditated nature of Trump's statement.

"He feels perfectly okay saying this," said Hooper. "It's not an open mic moment, where he has to walk something back. This was a statement from his campaign. They had to believe that this would be well received by his supporters. We've always had anti-Muslim bigots, but they've always been at the fringes of society. Now they want to lead it. In saner times, his campaign would be over. In insane times, his campaign can gain support. And that's why he put it out."

David Weigel and Sean Sullivan contributed to this report.

---- **Index References** ----

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Meet the Press - July 24, 2016

Meet the Press - July 24, 2016

CHUCK TODD:

This Sunday, the Democratic National Convention gets underway here in Philadelphia, after a raucous and unpredictable Republican convention. That ended with the nomination of Donald Trump.

DONALD TRUMP:

I am with you, I will fight for you, and I will win for you.

CHUCK TODD:

This morning, my sit-down with Donald Trump on his convention speech.

DONALD TRUMP:

The only negative reviews were a little dark.

CHUCK TODD:

On whether he's backing off on his Muslim ban.

DONALD TRUMP:

I actually don't think it's a pull-back. In fact, you could say it's an expansion.

CHUCK TODD:

And on Hillary Clinton's choice of Tim Kaine.

DONALD TRUMP:

Tim Kaine was a slap in the face to Bernie Sanders.

CHUCK TODD:

Plus Hillary Clinton and Tim Kaine hit the road in Florida.

HILLARY CLINTON:

Tim Kaine is everything Donald Trump and Mike Pence are not.

CHUCK TODD:

But some Bernie Sanders supporters are criticizing the Kaine pick as a sellout to moderates. I'll talk to Sanders and get his reaction to that and to the DNC Wikileaks e-mail release. Joining me for insight and analysis are MSNBC's Rachel Maddow, former chairman of the RNC, Michael Steele, NBC News Chief Foreign Affairs Correspondent, Andrea Mitchell, and host of Hardball and Philadelphia hometown boy, Chris Matthews. Trump, Sanders and reactions to the new Democratic ticket. Welcome to Sunday, in a special edition of Meet the Press at the Democratic National Convention.

CHUCK TODD:

Good Sunday morning. We are at the Wells Fargo Center here in South Philadelphia, home of the NBA 76ers and the NHL Broad Street Bullies, the Flyers. Democrats have begun to arrive, along with a pretty bad heat wave. And beginning tomorrow, they will gather to officially nominate Hillary Clinton as their presidential candidate.

Yesterday in Miami, Clinton was joined by her new running mate, Senator Tim Kaine of Virginia, in an upbeat event that was notable simply by the contrast to the disorganized rollout of Donald Trump's running mate a week earlier, Mike Pence.

(BEGIN TAPE)

SEN. TIM KAINE:

Hillary Clinton, she doesn't insult people, she listens to them. What a novel concept, right? She doesn't trash our allies, she respects them. And she'll always have our backs, that is something I am rock solid sure of.

(END TAPE)

CHUCK TODD:

We will get to reaction to the new Democratic ticket later in the show, including my interview with Senator Bernie Sanders of Vermont in a moment. But first, we're going to talk also about Sanders, about those Wikileaks emails and what they may say about DNC favoritism towards Hillary Clinton. But we begin with the man who has now taken control of the Republican Party. It's nominee Donald Trump.

I traveled to Trump National Golf Club in Bedminster, New Jersey, sort of his weekend getaway, last night for a face-to-face interview since dropping the word "presumptive," it's his first one, from the nominee title. We touched on so much: Tim Kaine, Trump's tax returns, his proposed restrictions on Muslim immigration and why he says he alone can fix the country's problems. But I began by asking him how it feels to be the Republican nominee for president of the United States.

(BEGIN TAPE)

DONALD TRUMP:

Well, it really feels great. And we really have a very unified party, other than a very small group of people that, frankly, lost. And we have a very unified party. You saw that the other night with the love in the room, and the enthusiasm in the room. The enthusiasm, there are people that say they have never seen anything like what was going on in that room, especially Thursday night.

CHUCK TODD:

Let me tell you, you bring up Thursday night, I've got to ask you about your entrance. Before we get serious here. That Monday night entrance was something else. I know you've gotten a lot of feedback on it. How'd you come up with it?

DONALD TRUMP:

I think I'm a little bit lucky, and a couple of people had that idea and I went along with the idea. And everything just worked right. And it was so good that they wanted to do it on Thursday night. I said, "Never in a million years, because you'll never get it that way again."

CHUCK TODD:

I don't think I've seen that even on WWE.

DONALD TRUMP:

Yeah, I know. Well, Vince is a good friend of mine. He called me, he said, "That was a very, very good entrance." But I didn't want to do it a second time, because, you know, it never works out the second time.

CHUCK TODD:

All right, let's go into the speech. I want to put some meat on the bones. But first, let's talk about, you've seen some of the positive reviews, some of the negative reviews. Some of the negative has been that it was a little dark--

DONALD TRUMP:

That's the only thing that--

CHUCK TODD:

--that there wasn't enough optimism in it. What would you say? It's not Morning in America.

DONALD TRUMP:

Yeah.

CHUCK TODD:

What would you say to that?

DONALD TRUMP:

Well, I think the only negativity, and, you know, the hate, I call them the haters, and that's fine. But the only negative reviews were, "A little dark." And the following day, they had another attack, and then today you see what happened in Afghanistan with many, many people killed.

They have no idea how many, so many killed. Yesterday it was Munich. And you know, I know they're saying, "Maybe it wasn't terrorism. Maybe it was just a crazy guy." But in the meantime he's screaming, "Allahu Akbar," as he's shooting people, so, you know, we'll see how that turns out. And all of a sudden people are saying, "Maybe it wasn't dark at all." But the only thing that some people said, "It was a little dark. It was a little bit tough."

CHUCK TODD:

Do you think it was a little dark?

DONALD TRUMP:

No, oh, I thought it was very optimistic. To me, it was an optimistic speech, because--

CHUCK TODD:

What makes it optimistic in your view?

DONALD TRUMP:

Because we're going to stop the problems. We're going to stop the problems. In other words, sure, I talk about the problems, but we're going to solve the problems.

CHUCK TODD:

One of the phrases you used, "I alone can fix it." And to some people, that sounded almost too strong-mannish for them. Do you understand that criticism and what do you make of it?

DONALD TRUMP:

I'll tell you, part of it was I'm comparing myself to Hillary. And we know Hillary, and we look at her record. Her record has been a disaster. And I am running against Hillary. It's not like I'm running against the rest of the world. I know people that are very, very capable that could do a very good job, but they could never get elected.

I can tell you right now. I can give you ten names of people that would do an extraordinary job, but there's no way they could ever get elected. They wouldn't know where to begin. It wouldn't be for them. But for governing, they would be good. I'm running and, you know, against one person.

CHUCK TODD:

You said there would be consequences for any company that tried to move a factory out. What--

DONALD TRUMP:

Absolutely, so simple--

CHUCK TODD:

--what is the consequence? Let's start with, you bring up Carrier a lot.

DONALD TRUMP:

It's so simple--

(OVERTALK)

CHUCK TODD:

Right, I understand that. But explain the consequences--

DONALD TRUMP:

Okay, here's the consequence--

CHUCK TODD:

What would it be?

DONALD TRUMP:

So Carrier comes in, they announce they're moving to Mexico, they fire all their people in Indiana, and they say, "Hi, well, here we are in Mexico, you know, enjoy your plant, enjoy the rest of your life," and you hire people from Mexico, okay? Now they make their product and they put it into the United States.

Well, we will have a very strong border, by the way, but they put it into the United States and we don't charge them tax. There will be a tax to be paid. If they're going to fire all their people, move their plant to Mexico, build air conditioners, and think they're going to sell those air conditioners to the United States, there's going to be a tax.

CHUCK TODD:

What kind of tax are you thinking?

DONALD TRUMP:

It could be 25 percent. It could be 35 percent. It could be 15 percent. I haven't determined. And it could be different for different companies. We have been working on trying to stop this government, because we don't know what we're doing. And not only Obama, they've been trying to stop this from before Obama. But they don't know. You know, they've done, they've tried lower interest loans, they've tried zero interest loans, these guys--

CHUCK TODD:

Well, some of these things aren't going to get through the World Trade Organization. There's--

DONALD TRUMP:

It doesn't matter. Then we're going to renegotiate or we're going to pull out. These trade deals are a disaster, Chuck. World Trade Organization is a disaster.

CHUCK TODD:

You know the concern on some of this--

DONALD TRUMP:

NAFTA is a disaster--

CHUCK TODD:

-- is that it would rattle the world economy. Look what Brexit did to the world economy. Investors got rattled.

DONALD TRUMP:

What did it do? What did it do?

CHUCK TODD:

Now you--

DONALD TRUMP:

The stock market's higher now than it was when it happened. And by the way, I'm the only one of all of these people at the higher level of the wonderful world of politics, I'm the only one that said, "Brexit's going to happen." Remember, I was asked the question. I said, "Yeah, I think they're going to approve it. I think they want independence. I don't think they want people pouring into their country." And I was--

CHUCK TODD:

You're not worried about, you think a fractured Europe is good for America?

DONALD TRUMP:

No, no. But we're spending a lot of money on Europe. Don't forget, Europe got together, why, primarily did they get together? So that they could beat the United States when it comes to making money, in other words, foreign trade--

CHUCK TODD:

Economic--

DONALD TRUMP:

Okay? And now we talk about Europe like it's so wonderful. Hey, I love Europe, I have property in Europe. I'm just saying, the reason that it got together was like a consortium so that it could compete with the United States--

CHUCK TODD:

So what you're saying is all this stuff is good for America, even if it's not good for Europe?

DONALD TRUMP:

Look, you take a look at Airbus. They make more planes now than Boeing, okay? They got together, all of these countries got together so that they could beat the United States. Okay, so we're in competition. So you know, we're in competition in one way, we're helping them in another way. It is so messed up.

CHUCK TODD:

The Muslim ban. I think you've pulled back from it, but you tell me.

(BEGIN TAPE)

DONALD TRUMP:

We must immediately suspend immigration from any nation that has been compromised by terrorism until such time as proven vetting mechanisms have been put in place.

(END TAPE)

CHUCK TODD:

This feels like a slight rollback--

DONALD TRUMP:

I don't think that's--

CHUCK TODD:

Should it be interpreted--

DONALD TRUMP:

I don't think so. I actually don't think it's a rollback. In fact, you could say it's an expansion. I'm looking now at territories. People were so upset when I used the word Muslim. Oh, you can't use the word Muslim. Remember this. And I'm okay with that, because I'm talking territory instead of Muslim.

But just remember this: Our Constitution is great. But it doesn't necessarily give us the right to commit suicide, okay? Now, we have a religious, you know, everybody wants to be protected. And that's great. And that's the wonderful part of our Constitution. I view it differently.

Why are we committing suicide? Why are we doing that? But you know what? I live with our Constitution. I love our Constitution. I cherish our Constitution. We're making it territorial. We have nations and we'll come out, I'm going to be coming out over the next few weeks with a number of the places. And it's very complex--

CHUCK TODD:

Well I was just going to say--

DONALD TRUMP:

--we have problems in Germany and we have problems with France--

CHUCK TODD:

I was just going to ask that. Will this limit--

DONALD TRUMP:

You know, so it's not just the countries with--

CHUCK TODD:

--would this limit immigration from France?

DONALD TRUMP:

What we're going to have is a thing called--

CHUCK TODD:

They've been compromised by terrorism.

DONALD TRUMP:

They have totally been. And you know why? It's their own fault. Because they allowed people to come into their territory--

CHUCK TODD:

So you would toughen up. You're basically saying, "Hey, if the French want to come over here, you've got to go through an extra check."

DONALD TRUMP:

It's their own fault, because they've allowed people over years to come into their territory. And that's why Brexit happened, okay? Because the U.K. is saying, "We're tired of this stuff, what's going on, we're tired of." But listen to this--

CHUCK TODD:

You could get to the point where you're not allowing a lot of people to come into this country from a lot of places.

DONALD TRUMP:

Maybe we get to that point. Chuck, look what's happening. Look at what just took place in Afghanistan, where they blow up a whole shopping center with people, they have no idea how many people were even killed. Happened today. So we have to be smart and we have to be vigilant and we have to be strong. We can't be the stupid people--

CHUCK TODD:

So France, Germany, Spain--

DONALD TRUMP:

Here's my plan--

CHUCK TODD:

--places that have been compromised?

DONALD TRUMP:

--here is what I want: Extreme vetting. Tough word. Extreme vetting.

CHUCK TODD:

What does that look like?

DONALD TRUMP:

Tough. We're going to have tough standards. And if a person can't prove--

CHUCK TODD:

Give me one.

DONALD TRUMP:

--that they're from an area, and if a person can't prove what they have to be able to prove, they're not coming into this country. And I would stop the Syrian migration and the Syrian from coming into this country in two seconds. Hillary Clinton wants to take 550 percent more people coming in from that area than Barack Obama. I think she's crazy. I think she's crazy. We have no idea who these people are for the most part, and you know, because I've seen them on different shows--

CHUCK TODD:

All right.

DONALD TRUMP:

--but more importantly, I've read about it. I study it. There is no way that you can vet some of these people. There is no way. Law enforcement officials, I've had them in my office. I've talked to them.

CHUCK TODD:

You realize some of these folks have nowhere to go? They're truly victims of this civil war, what do you do with them?

DONALD TRUMP:

We will help them and we will build safe havens over in Syria, and we will get Gulf States--

CHUCK TODD:

We, the United States are going to build these safe havens?

DONALD TRUMP:

We, the United States, we'll get Gulf States to pay for it, because we right now, we're going to have \$21 trillion very soon, trillion, in debt. We will do safe havens and safe zones in Syria and we will get nations that are so wealthy that are not doing anything. They're not doing much. They have nothing but money. And you know who I'm talking about, the Gulf States. And we will get them to pay for it. We would lead it. I don't want to pay because our country is going down the tubes. We owe too much money.

CHUCK TODD:

All right. Let me move to something with NATO. Mitch McConnell said this about your NATO remarks in the New York Times. He said it was a rookie mistake, and that once you, let me finish the comment here. "It's a rookie mistake, and it proves that Trump needs people like us around to help steer him in the right direction on some basic things."

DONALD TRUMP:

He's 100 percent wrong. Okay? He's 100 percent wrong if he said that. I didn't hear he said that--

CHUCK TODD:

He did say it.

DONALD TRUMP:

Okay, fine, fine--

CHUCK TODD:

New York Times--

DONALD TRUMP:

If he said that, he's 100 percent wrong. And frankly it's sad. We have NATO, and we have many countries that aren't paying for what they're supposed to be paying, which is already too little, but they're not paying anyway. And we're giving them a free ride or giving them a ride where they owe us tremendous amounts of money. And they have the money. But they're not paying it. You know why? Because they think we're stupid--

CHUCK TODD:

So Estonia is paying, and if they get invaded by Russia, you're there?

DONALD TRUMP:

I feel differently. I feel very differently--

CHUCK TODD:

But if a country's not doing -- Britain hasn't done the two percent.

DONALD TRUMP:

We have countries that aren't paying. Now, this goes beyond NATO, because we take care of-- we take care of Japan, we take care of Germany, we take care of South Korea, we take care of Saudi Arabia, and we lose on everything. We lose on everything. If Mitch McConnell says that, then he's wrong.

So all I'm saying is they have to pay. Now, a country gets invaded, they haven't paid, everyone says, "Oh, but we have a treaty." Well, they have a treaty too. They're supposed to be paying. We have countries within NATO that are taking advantage of us. With me, I believe they're going to pay. And when they pay, I'm a big believer in NATO.

But if they don't pay, we don't have, you know, Chuck, this isn't 40 years ago. This isn't 50 years ago. It's not 30 years ago. We're a different country today. We're much weaker, our military is depleted, we owe tremendous amounts of money. We have to be reimbursed. We can no longer be the stupid country.

(END TAPE)

CHUCK TODD:

When we come back, what Donald Trump says about David Duke, Bernie Sanders, and whether he really plans to spend millions for the sole purpose of defeating Ted Cruz and John Kasich. Sanders about Trump and about his reaction to Tim Kaine becoming Hillary Clinton's running mate. We're in Philadelphia, site of the Democratic National Convention. Stay with us.

COMMERCIAL BREAK

CHUCK TODD:

Such a beautiful city here. Welcome back. More now of my interview with Donald Trump at The Trump National Golf Club in Bedminster, New Jersey. And since we had a limited amount of time, I ended up speeding things up by asking Trump for some quick reaction to simply some very prominent names in the news.

(BEGIN TAPE)

CHUCK TODD:

I'm just going to literally throw out a name and you'll know the question I'm asking. Bernie Sanders.

DONALD TRUMP:

Great respect for what he's done. He is being taken advantage of, and frankly, the system was rigged, and I'm the first one to say it was rigged against him. And by the way--

CHUCK TODD:

You took after him. You took after him. You said for supporting Hillary Clinton, you think he needs to--

DONALD TRUMP:

Well, I'm not a fan of Bernie Sanders. But I am a fan of one thing that he talks about: Trade. He is the only one on that side that understands trade. Now, he can't do anything about it because that's not his thing. But he has been gamed. He has been, it's a rigged system against him. And what happened with the choice of Tim Kaine was a slap in the face to Bernie Sanders and everybody. I was shocked. I love it from my standpoint, I love--

CHUCK TODD:

Why do you love the Kaine pick?

DONALD TRUMP:

Well, first of all, he took over \$160,000 of gifts. And they said, "Well, they weren't really gifts, they were suits and trips and lots of different things," all for 160--

CHUCK TODD:

Legal, legal in the state of Virginia.

DONALD TRUMP:

Bob McDonnell-- I believe it was Bob McDonnell, in the meantime, he had to go to the United States Supreme Court to get out of going to jail--

CHUCK TODD:

Well, they proved to quid pro quo--

DONALD TRUMP:

--for taking a fraction of what--

CHUCK TODD:

They proved quid pro quo on that one.

DONALD TRUMP:

Excuse me, Bob McDonnell took a fraction of what Kaine took. And I think, to me, it's a big problem. Now, how do you take all these gifts? Hundreds of thousands of dollars. The other thing about him, he's bought and owned by the banks. And the third thing, he's in favor of TPP and every other trade deal that he's ever looked at. And that means he wants people not to work.

Now, he's going to change his tune. And I understand he's now going to say, "I'm against TPP." Hillary Clinton was totally in favor of TPP, which is the job killer, right? So was he. When she watched me on your show and other shows, all of a sudden she changed, because she knows she can't win that in a debate.

CHUCK TODD:

All right. Ted Cruz, I'm going to amend it, are you really going to fund a super PAC to help defeat him--

DONALD TRUMP:

Well, it's not the number one thing on my mind. Look, what's on my mind is beating Hillary Clinton. What's on my mind is winning for the Republican Party. With that being said, yeah, I'll probably do a super PAC, you know, when they run against Kasich, for \$10 million to \$20 million, against Ted Cruz. And maybe one other person that I'm thinking about--

CHUCK TODD:

Who's that other one person?

DONALD TRUMP:

--but I won't tell you that. I mean, he's actually such a small person, I hate to give him the publicity. But yes, I will probably do that at the appropriate at time. But I'm not going to do that until--

CHUCK TODD:

Oh, give me the small person here.

DONALD TRUMP:

No, no, don't worry about it. We'll give it to you another time.

CHUCK TODD:

All right, let me ask you about this one. David Duke announced his Senate candidacy claiming your agenda for his own, or essentially saying, "Glad that you spoke out."

DONALD TRUMP:

Are you ready, before you ask the question?

CHUCK TODD:

Newt Gingrich said, "Every Republican should repudiate this guy no matter what it takes"--

DONALD TRUMP:

I did. And I do. Are you ready? I want--

CHUCK TODD:

Would you support a Democrat over David Duke if that was what was necessary to defeat him?

DONALD TRUMP:

I guess, depending on who the Democrat, but the answer would be yes. Look, the answer is, as quick as you can say it. In fact, I went to answer you before you--

DONALD TRUMP:

Because last time with another person in your position, I did it very quickly. And they said, "He didn't do it fast enough." Rebuked. Is that okay? Rebuked, done--

CHUCK TODD:

Rebuked, done. Okay. Tax returns. A lot of conspiracy theories are being out there about why-- what's in your tax returns. You would get rid of all these conspiracy theories tomorrow--

DONALD TRUMP:

Let me tell you--

CHUCK TODD:

Probably make people look silly--

DONALD TRUMP:

Let me tell you. Let me give you a little lesson on tax returns. First of all, you don't learn very much from a tax return. I put in to the federal elections group 100 and some-odd pages of my financials. It showed, as you know, that I'm much wealthier than anybody even understood, okay? Tremendous cash, tremendous assets, tremendous all that stuff. Okay, that's it. I'm going through a routine audit. Just a routine audit, and I've had it for I think 14 years, 13 years--

CHUCK TODD:

Why?

DONALD TRUMP:

Every year they audit me. It's routine government. I would never give my tax returns until the audit's finished. But remember this: Mitt Romney, four years ago, was under tremendous pressure to give his tax returns. And he held it and held it and held it, and he fought it, and he, you know, he didn't do too well, okay? But he didn't do anything wrong on his taxes. When he gave his tax returns, people forget, not now. He gave them in September, before the election--

CHUCK TODD:

So you still might release them--

DONALD TRUMP:

No, wait a minute, wait a minute. When he did, and his tax returns are a tiny peanut compared to mine, they went through his tax returns. And they found one little sentence, another little-- there was nothing wrong. And they made him look bad. In fact I think he lost his election because of that.

CHUCK TODD:

Because of the tax returns?

DONALD TRUMP:

I think he lost. And I'll tell you why: He didn't do anything wrong. Mitt Romney did nothing wrong. But they would take out of, his weren't too big. Have you ever seen mine with the picture, they're like this high?

CHUCK TODD:

I have seen that picture, yes.

DONALD TRUMP:

Okay, so they took his tax return and they found a couple of little things. Nothing wrong, just standard. And they made him look very bad, very unfair. But with all that said, I'd love to give them, but I'm under audit. When the audit's finished I'll give them.

CHUCK TODD:

Finally, Roger Ailes. Is he helping you? Is he advising you?

DONALD TRUMP:

Well, I don't want to comment. But he's been a friend of mine for a long time, and I can tell you that some of the women that are complaining, I know how much he's helped them. And even recently, and when they write books that are fairly recently released, and they say wonderful things about him.

And now all of a sudden they're saying these horrible things about him. It's very sad. Because he's a very good person. I've always found him to be just a very, very good person. And by the way, a very, very talented person. Look what he's done. So I feel very badly. But a lot of people are thinking he's going to run my campaign.

CHUCK TODD:

Yeah, well--

DONALD TRUMP:

My campaign's doing pretty well.

CHUCK TODD:

Mr. Trump, until we meet again.

DONALD TRUMP:

Thank you very much--

CHUCK TODD:

Thank you for your time, sir, appreciate it.

(END TAPE)

CHUCK TODD:

Up next, the man who had hoped to be the candidate being nominated by Democrats right here in Philadelphia this week, Senator Bernie Sanders of Vermont. What does he think of those leaked DNC e-mails? We'll get his first comments since it happened. We're going to be right back in just a minute.

COMMERCIAL BREAK

(BEGIN TAPE)

CHUCK TODD:

Tremendous shots there of a beautiful city. Welcome back. It's not the kind of thing you want happening days before your convention. This weekend, Wikileaks released nearly 20,000 emails sent and received by members of the Democratic National Committee, some of which seem to confirm what a lot of people had suspected, that the DNC was playing favorites with Hillary Clinton over Bernie Sanders.

It appears Wikileaks either stole these emails or got them from a source. Remember, the DNC was hacked a few months ago. Among the emails was one from the DNC's Chief Financial Officer Brad Marshall that was looking ahead to the contests in Kentucky and West Virginia in early May. While not mentioning Sanders specifically by name, the email appeared to question Sanders' faith.

He wrote this, quote: "Does he believe in a god? I think I read he is an atheist. This could make several points difference with my peeps. My Southern Baptist peeps would draw a big difference between a Jew and an atheist." Well, Sanders has long believed that DNC Chair Debbie Wasserman Schultz was in Clinton's corner the whole campaign. Well, he joins me now. Senator Sanders, welcome back to Meet the Press.

And I should note that you talked about your belief in God last fall in an interview, I think, with your hometown paper there, so want to get that out of the way. So let me start with this question questioning your faith. Brad Marshall apologized on Facebook. Has anyone apologized to you personally? And what is your response to this entire discussion?

BERNIE SANDERS:

Well, no, nobody has apologized to me. And as you just mentioned, this really does not come as a shock to me or my supporters. There is no question but the DNC was on Secretary Clinton's side from day one. We all know that. And I think, as I have said a long time ago, that the time is now for Debbie Wasserman Schultz to step aside, not only for these issues.

We need a Democratic Party that is open, that's going to bring young people and working people into it, that is going to stand up and take on the big money interests and fight for working families. I don't think Debbie has been that type of leader. So I would hope, and I said this many months ago, that she would--

CHUCK TODD:

Right.

BERNIE SANDERS:

--step aside, we would have new leadership.

CHUCK TODD:

And do you think it needs to happen now, today, before the start of the convention?

BERNIE SANDERS:

Well--

CHUCK TODD:

Would that help calm some of your supporters down?

BERNIE SANDERS:

Well, I think what is already happening is that it's clear she is not going to be speaking to the convention. That is the right thing. I think right now what we have got to focus on as Democrats is defeating perhaps the worst Republican candidate that I have seen in my lifetime. Donald Trump would be a disaster for this country. He must be defeated.

We've got to elect Secretary Clinton on every single issue: fighting for the middle class on health care, on climate change, is a far, far superior candidate to Trump. That's where I think the focus has got to be.

CHUCK TODD:

Do you believe that the DNC's apparent favoritism cost you this race?

BERNIE SANDERS:

Well, I think you-- there are a lot of reasons why one loses. We started off 50 points behind Secretary Clinton. We had the opposition of virtually the entire Democratic leadership in every state in this country. And by the way, in terms of media, we did not get the kind of media attention that somebody like a Donald Trump got, because media is not necessarily interested in the issues facing the middle class, more interested in attacks in personality. So I think there were a lot of reasons.

But I will tell you this, Chuck, from the bottom of my heart, I am extraordinarily proud of the campaign that we ran. The issues that we raised, the fact that we got 13 million Americans to vote for a political revolution. People who know the economy is rigged in favor of big money, people who know that our middle class continues to decline and we have to go outside of establishment politics and economics, people who know that we need to reform a broken criminal justice system and we need comprehensive immigration reform.

The people-- what we did in our campaign is bring people together to say, "You know what? This country, our government, belongs to all of us and not just a few." So I am very proud of the campaign we ran and the supporters that came on board.

CHUCK TODD:

So just to sum up here, these leaks, these emails, it hasn't given you any pause about your support for Hillary Clinton?

BERNIE SANDERS:

No, no, no. We are going to do everything that we can to protect working families in this country. And again, Chuck, I know media is not necessarily focused on these things. But what a campaign is about is not Hillary Clinton, it's not Donald Trump. It is the people of this country, people who are working longer hours for lower wages, people who do not have health care or are underinsured.

Hillary Clinton and I have worked together on a higher education proposal which will guarantee free tuition in public colleges and universities for every family in this country making \$125,000 a year or less. We're going to fight for paid family and medical leave. Those are the issues that the American people want to hear discussed, and I'm going to go around the country discussing them and making sure that Hillary Clinton is elected president.

CHUCK TODD:

You know, The Green Party presumptive nominee, Jill Stein, put out a release yesterday about the emails. And she said this: "Democratic Party elites have been caught red-handed, sabotaging a grassroots campaign that tried to bring huge numbers of young people, independents and non-voters into their party. Instead, they have shown exactly why America needs a new major party, a truly democratic party for the people." Are you going to urge your supporters not to support Jill Stein and try to thwart her efforts to recruit your supporters?

BERNIE SANDERS:

Well, you know, let me just say this. As the longest serving Independent in the history of the United States Congress, as somebody who came into office by defeating an incumbent Democratic mayor in Burlington, Vermont, I know something about third party politics. And I respect Jill.

But right now, the focus, to my mind, is to make sure that Donald Trump does not become president of the United States. I think by temperament he is unqualified to be president. I think his views-- you have a guy who's running for president who rejects science, doesn't even believe climate change is real, let alone wants to do something about it, wants to give hundreds of billions of dollars in tax breaks to the top two-tenths of one percent.

CHUCK TODD:

Let me ask you--

BERNIE SANDERS:

So my job right now is to see that Donald Trump is defeated, Hillary Clinton is elected.

CHUCK TODD:

You know, he makes a big deal out of the fact that you and he agree on one big issue, and that is trade deals, that these trade deals have been bad for the country. And he basically says that Clinton and Kaine, as a ticket, aren't-- that their opposition, for instance, the TPP as sort of Johnny-come-lately, that it can't be trusted, and that Sanders supporters should support Trump if they care about trade. What do you say to that?

BERNIE SANDERS:

Well, I think in terms of who can be trusted, I think the evidence is clear that there has been no candidate that I have ever seen who lies more often than does Donald Trump. I mean and that's just not me saying it, that's what any independent media analysis has shown. So in terms of trust, you really can't trust a word, I think, that Mr. Trump has to say.

In terms of the TPP, it is no secret. I think our trade policies, for many, many years, have been a disaster. They have benefited corporate America at the expense of working people. Secretary Clinton has come out in opposition to the TPP, does not want to see it-

CHUCK TODD:

Right.

BERNIE SANDERS:

--appear in the lame duck Congress. That's my view, as well.

CHUCK TODD:

You know, some of your supporters are disappointed in the pick of Tim Kaine, that he's not progressive enough. I know Tim Kaine called you after he was picked. Do you consider Tim Kaine a progressive? And are you happy with this pick?

BERNIE SANDERS:

Look, you know, the pick is Secretary Clinton's. I've known Tim Kaine for a number of years. We've served in the Senate together, obviously. Tim is a very, very smart guy. He's a very nice guy. His political views are not my political views. He is more conservative than I am. Would I have preferred to see somebody like an Elizabeth Warren selected by Secretary Clinton? Yes, I would have.

CHUCK TODD:

And then finally, do you feel as if, that you, when you got Glass-Steagall, I wanted to ask about this, because it looks like the one thing that both parties may agree on in their platforms is putting-- is being in favor of reinstating Glass-Steagall. Does this mean we will see that happen in the next Congress?

BERNIE SANDERS:

Well, I'm going to do everything that I can to make it happen. You know, when we talk about our campaign, one of the things that we have been able to do, Chuck, is create the most progressive Democratic platform in the history of the Democratic Party, and that includes breaking up the large Wall Street banks and reestablishing Glass-Steagall.

I think the American people understand that we cannot continue to have a handful of reckless, irresponsible banks often acting illegally, that something has to happen. They have to be broken up.

CHUCK TODD:

All right, Senator Bernie Sanders. The big speech is tomorrow night. We'll be waiting for you here in a very, very hot Philadelphia, over 100 degrees.

BERNIE SANDERS:

Okay.

CHUCK TODD:

Senator Sanders, thanks for coming on. Good to see you, sir.

BERNIE SANDERS:

Thank you very much.

CHUCK TODD:

When we come back, reaction to Hillary Clinton's choice of Tim Kaine as a running mate, who showed why he might have appeal, unique appeal, to a very important voting bloc.

(BEGIN TAPE)

SEN. TIM KAINE:

Aprendilo valores de mi pueblo--faith, familia, y trabajo.

(END TAPE)

CHUCK TODD

And we'll be back in a moment from Philadelphia with this great panel. Rachel Maddow, Michael Steele, Andrea Mitchell, and Chris Matthews. Stay tuned.

(END TAPE)

CHUCK TODD:

And we'll be back in a moment from Philadelphia with this great panel, Rachel Maddow, Michael Steele, Andrea Mitchell, and Chris Matthews. Stay tuned.

COMMERCIAL TAPE

CHUCK TODD:

We are back. So much to talk about already. Our panel is here, Rachel Maddow, host of The Rachel Maddow Show on MSNBC, former chairman of the Republican National Committee, Michael Steele, he's sort of the fish out of water here in Philadelphia. Andrea Mitchell, NBC News, Chief Foreign Affairs Correspondent, host, of course, of Andrea Mitchell Reports on MSNBC. And a Philadelphia native himself, Mr. Brotherly Love Chris Matthews, host of Hardball--

RACHEL MADDOW:

Mr. Brotherly Love?

CHRIS MATTHEWS:

And sisterly affection.

CHUCK TODD:

--Sisterly affection here for the Penn grad.

CHUCK TODD:

And-- this morning by the way we have new pictures of Tim Kaine walking into church this morning in Richmond, Virginia. He now realizes, and now his parish is realizing, what it's like to have Secret Service following around a member of the parish there. All right.

RACHEL MADDOW:

Know what his Secret Service name is going to be yet?

CHUCK TODD:

What do we think the code name should be?

ANDREA MITCHELL:

But we're not sure--

RACHEL MADDOW:

Well, the big joke was that if you're boring enough, your Secret Service name is Tim Kaine.

CHUCK TODD:

Ooh.

RACHEL MADDOW:

Right? That--

CHUCK TODD:

Those are old Johnny Carson and Jay Leno, Al Gore jokes--

CHUCK TODD:

All right, you guys are having already too much fun.

RACHEL MADDOW:

Sorry, sorry.

CHUCK TODD:

Let me just throw it out here. We heard what Bernie Sanders said about Tim Kaine. It was, that was tougher than I expected.

RACHEL MADDOW:

"His politics are not my politics."

ANDREA MITCHELL:

That's really --

RACHEL MADDOW:

"He does not share my political views." That's an aggressive take from Bernie. I'm not surprised. Bernie's an aggressive politician. And I think when Senator Sanders speaks at the DNC, I think everybody's going to be on the edge of their seat. I think that he is not going to pull a Ted Cruz because he's already made an endorsement.

CHUCK TODD:

Well, he said, "I'm for Hillary," and he was tough on Trump.

RACHEL MADDOW:

Yeah. And but he doesn't relish going after Trump. He likes going after the Democratic Party to try to move the Democratic Party. That's his target, always has been.

MICHAEL STEELE:

It's still obvious, he's not 'Feeling the Bern' for Hillary. And that was very obvious. And when you asked about the trust question, he didn't say he trusted Hillary Clinton. He said he didn't trust Donald Trump. So the reality of it is there's still some tension there that Bernie is reflecting among his supporters. And it was evident there. I mean--

RACHEL MADDOW:

He's got a mission that's bigger than one election. He always has.

MICHAEL STEELE:

That's true.

ANDREA MITCHELL:

And in fact, he could quiet the march that is planned to go from the center of Center City, and Rittenhouse Square all the way down at Independence Hall. This march is going to disrupt the city today, no matter how peaceful, because this is a city, in 100-degree heat, that is planning for a convention. And it's going to be a very large outpouring. He also said--

CHUCK TODD:

And by the way, the hotter it is, the crankier people will be.

ANDREA MITCHELL:

Yeah. And he also says that Tim Kaine doesn't share his politics, not only that, but that he would have preferred Elizabeth Warren. He made it very clear; Tim Kaine is a nice guy, but he's not endorsing or embracing someone who Hillary Clinton --

CHUCK TODD:

There's a painful look in your face, Chris.

ANDREA MITCHELL:

--called Tim Kaine a progressive.

CHRIS MATTHEWS:

He didn't get to pick. Hillary Clinton did. And I've watched Hillary Clinton. I've watched a lot of politicians over the years. You can tell when they're actually happy, not when they fake the laugh or anything else. She looked delighted during his speech yesterday. And I haven't seen her that delighted in a long time. She had found her guy to be her running mate. I think she loved it.

And I think one thing we're getting all excited about, I understand why the progressives are upset. But one thing historically we all know is the selection of a vice president is a poor predictor of the direction of that administration.

RACHEL MADDOW:

Yeah.

CHRIS MATTHEWS:

FDR picked John Nance Garner--

RACHEL MADDOW:

It's not a policy pick.

CHRIS MATTHEWS:

Kennedy picked another conservative from the south, Lyndon Johnson, relatively conservative. And then we got the New Deal out of that and we got the Great Society we got the New Frontier. It's a poor predictor. Now, if this is about spoils, they've got an argument. They wanted a piece of the action. But there's differences between spoils and direction.

CHUCK TODD:

I want to throw out the one thing that Trump's trying to hit Kaine on, well, two things. But the one big one is the gifts in Virginia.

RACHEL MADDOW:

Yeah.

CHUCK TODD:

I only throw it out there is that I heard Ed Rendell ask to defend it. And he struggled, Andrea. He said, "Well, it's illegal in Pennsylvania."

ANDREA MITCHELL:

Virginia--

CHUCK TODD:

Okay. And it's legal in Virginia. That wasn't exactly a resounding defense.

ANDREA MITCHELL:

Yeah. Virginia has a very strange, let's face it, strange gift law. The difference with Bob McDonnell, who was convicted, and then the Supreme Court overturned it, is there was no quid pro quo. He declared it. That was the main thing. He declared everything, put it down, in fact, computed higher numbers to staying in friends' houses. He put everything down. He was meticulous about it.

So they don't think there's a big ethics thing. Just on his progressivity or lack of it, he has this civil rights background. I mean I was in the room. And what you saw on T.V. yesterday in Miami, in that largely Hispanic campus, that wonderful campus in Miami, it was extraordinary. The enthusiasm for him and the affection. And having watched her all of these years, you're absolutely right, Chris--

CHUCK TODD:

You know--

ANDREA MITCHELL:

--she found her guy. She was a happy camper.

RACHEL MADDOW:

He's not a progressive, but they will tell a very progressive story about his history. The party has moved to the left while he sort of always been a solid liberal.

CHUCK TODD:

Both of them are trying to--

ANDREA MITCHELL:

Yeah.

CHUCK TODD:

I feel like both Clinton and Kaine are trying to catch up to the party's movement.

CHRIS MATTHEWS:

That's so true.

ANDREA MITCHELL:

Well, on guns he was always there. He was heroic in Virginia on gun laws.

CHUCK TODD:

That they're moving-- and Michael, let me ask you this. The Trump camping says, "We love the Kaine pick." And here's their reasoning. They love the Kaine pick because it reinforces that they're the political professionals, that here's Tim Kaine, and all he's done in life, is been in office for the last 25 years.

MICHAEL STEELE:

Right.

CHUCK TODD:

And the whole point of Trump is Trump's Mr. "I'm the total outsider." If they want to double down on that, fine, go ahead. What do you say?

RACHEL MADDOW:

Except Mike Pence

MICHAEL STEELE:

Right, right, right.

CHUCK TODD:

They pay no attention to that. I brought that brought to them. I said, "What about Pence?" And they're like, "Well, it's the top of the ticket."

MICHAEL STEELE:

"Ignore that man behind the curtain."

CHUCK TODD:

What do you say to that? Did they have a point or not?

MICHAEL STEELE:

Well, they'll have a-- I think the broader point, is an interesting one. Because what he's comparing himself-- he's comparing himself, Trump, to Kaine--

CHUCK TODD:

Right.

MICHAEL STEELE:

--and Clinton. So it's me and against them.

CHUCK TODD:

Yeah.

MICHAEL STEELE:

Pence is not a part of that equation, necessarily.

RACHEL MADDOW:

Yeah.

MICHAEL STEELE:

So when he's talking about the maverick, the outsider, he's-- he's assuming his ticket is total that.

ANDREA MITCHELL:

Well, Pence wasn't even a part of his own rollout.

MICHAEL STEELE:

Right.

ANDREA MITCHELL:

If you remember. And that was--

RACHEL MADDOW:

He couldn't get a word in edgewise.

ANDREA MITCHELL:

Hillary Clinton spoke about Tim Kaine--

MICHAEL STEELE:

I think their strength, Chuck, is gonna be on the argument-- this notion that Tim Kaine is progressive is just not believable. And for a whole host of reasons. I think that's an opening for a lot of folks on Trump's side.

RACHEL MADDOW:

You can, there are element of his record that are not progressive, but on balance, I would argue that he is.

ANDREA MITCHELL:

I would argue that too.

CHRIS MATTHEWS:

But one thing, the guy's two doors from you, if you're president. Look at the structure of the West Wing now. It's not some guy that goes back to Maine like Lincoln's first vice president. He or she is right with you.

MICHAEL STEELE:

Right.

CHRIS MATTHEWS:

You want a good person two doors for you, somebody who has values. And it's not just smart politics. I think what Hillary Clinton's going to love having is a guy who's a true blue good guy. And I think he is a progressive on all the moral issues--

CHUCK TODD:

Let's sneak in a break here. When we come back, I want to get into the DNC e-mail situation. And I also want to get your guys' reaction to some interesting comments from Donald Trump. Yeah, you know that guy that was at the start of the show. We'll be right back.

COMMERCIAL BREAK

CHUCK TODD:

Welcome back, panelists here. Before we jump to Trump, the DNC email leaks, Cleveland, we expected rowdiness, Never Trumpsters, and all that stuff. We expect order here. But I wonder, Rachel, if-- look, I'm hearing from the Bernie bros. I'm in one of the emails just-- I'm the complaint department here sometimes at NBC. Somebody was complaining about coverage. And I said, "Okay, let's talk on the phone," or whatever. But we didn't do anything about it, because I get complaints about coverage every hour, every day.

RACHEL MADDOW:

Yeah.

CHUCK TODD:

But I think Bernie supporters may like this place, at least outside. They may be upset, and they may do something about it.

RACHEL MADDOW:

Yeah. I mean and, you know, there will be that big protest that Andrea was talking about today, to start things off. And there will be a lot, there will be hundreds of Bernie delegates inside the room. Now honestly, from the top, down, he said, "We've got to elect Hillary Clinton." He's been unequivocal about that, that's the most important thing.

It'll be interesting to see whether the rules fights and the platform fights end up, in the end, when there's need to get nailed down with those votes, there is some dissent and chaos there. There might be.

CHRIS MATTHEWS:

One thing is--

CHUCK TODD:

Do you think Debbie Wasserman Schultz needs to get out now?

CHRIS MATTHEWS:

Well, look--

CHUCK TODD:

Not even gavel it in?

CHRIS MATTHEWS:

This is not a mystery story. This isn't Colombo.

CHUCK TODD:

Yeah.

CHRIS MATTHEWS:

We knew from the beginning, watching the debate schedule, put together by the DNC--

CHUCK TODD:

Sure.

CHRIS MATTHEWS:

--that they were tilting the scales to Hillary Clinton. Middle of the night debates, Sunday morning -- it was an absurd debate schedule. And it just said, "We're for Hillary, we don't want the new guy to get all the attention."

ANDREA MITCHELL:

And what Bernie said to you is that she's not going to be giving a speech. When does the party chair not give a speech at the convention? And apparently that is the case.

CHUCK TODD:

And then right now, though, they will gavel in.

RACHEL MADDOW:

Thank god we haven't-- her quitting right now before -- I mean, the DNC's gonna be running a big part of the ground game for the whole--

CHRIS MATTHEWS:

Yeah.

RACHEL MADDOW:

You know, you don't--

CHUCK TODD:

But I tell you, this--

RACHEL MADDOW:

It would be suicide for the chair to jump out now--

CHUCK TODD:

This doesn't help her own fight for reelection, which I still think she's going to be okay.

RACHEL MADDOW:

No, but--

CHUCK TODD:

It's a district that she knows very well. But--

ANDREA MITCHELL:

But Bernie endorsed her opponent.

RACHEL MADDOW:

But her reelection fight is in her district.

CHRIS MATTHEWS:

Right.

RACHEL MADDOW:

It's not to be the chair of the DNC, that's next year.

CHUCK TODD:

All right. Michael Steele, what'd you hear from Donald Trump? Did it make you feel better or worse about his chances?

MICHAEL STEELE:

Well, I think Donald Trump did a couple of things he needed to do. One was, and you could see it in the room that night, people began to say, "Okay, I can get there." The speech that he gave, when you read it, seemed a lot darker and harsher than when he delivered it. He delivered it in a way--

RACHEL MADDOW:

I thought the opposite.

MICHAEL STEELE:

Yeah, yeah.

RACHEL MADDOW:

When reading it, I wasn't freaked out.

MICHAEL STEELE:

Yeah.

RACHEL MADDOW:

And then, when I saw him give it, I pulled the covers up.

MICHAEL STEELE:

No, for me, it was the reverse. Because the reaction. I'm sitting in the room and I'm getting the reaction from the crowd.

RACHEL MADDOW:

Mmm.

MICHAEL STEELE:

And the reaction from the crowd was, "This guy is going to be a fighter." And I think that's a strong message for him coming out of this convention.

CHRIS MATTHEWS:

Rachel, you have never pulled the covers up.

RACHEL MADDOW: Oh no, I meant proverbially

CHUCK TODD: There's a lot of personal information here. Woah, it's Sunday morning, guys.

MICHAEL STEELE:

I thought he did what he needed to do, Chuck. I do.

RACHEL MADDOW:

Standing under those 15-foot-tall letters with Trump, and then his head comes up there. And then he spent 76 minutes screaming, red faced, about terrorism and death and destruction and "I'm the only one who can fix it"--

CHRIS MATTHEWS:

I think that was technical. I don't think he knew how to read a script like that. I don't think he had the ability to-- his daughter knew how to do it. It's tough to read a script in a conversational manner. So you end up doing this sort of scream thing.

RACHEL MADDOW:

But it takes an ego to turn a 30 minute script into a 78 minute rant.

ANDREA MITCHELL:

But he said that he was the person who would fix everything. And they're focusing on that. But, you know, Kaine was focusing on that. You know, it is the "we" not the I. They're comparing him to a dictator.

MICHAEL STEELE:

But the--

ANDREA MITCHELL:

It is the language and the delivery, Michael--

MICHAEL STEELE:

Don't lose sight of the fact that a lot of Americans out there are saying it is the "we" who screwed us up to this point.

CHRIS MATTHEWS:

Yeah.

MICHAEL STEELE:

It is the we who've gotten us into this mess.

ANDREA MITCHELL:

It's a different way of defining democracy, Michael.

MICHAEL STEELE:

So they're looking for the I, someone who's going to step forward as a leader, to get us through this mess. This is the bifurcation of the of the population, the voting population right now. And it's going to be interesting to see which one of these arguments win--

RACHEL MADDOW:

Is this about the hunger for a strong man, is that what you're talking about?

MICHAEL STEELE: Yeah no, there really is Rachel.

RACHEL MADDOW: We've seen this around the world, it's not supposed to be us.

CHRIS MATTHEWS:

I've heard Bernie make your point.

MICHAEL STEELE:

Yes!

CHRIS MATTHEWS:

It's that we have to reach outside the establishment to get the solution to these really bad economic problems affecting the working

people of this country.

MICHAEL STEELE:

Right.

CHRIS MATTHEWS:

Same message. Different sides.

MICHAEL STEELE:Same message.

RACHEL MADDOW:

Same message. The question is whether or not one man is supposed to deliver salvation for the country. We're not supposed to be that kind of country.

CHUCK TODD:

I want to throw one more. He seemed, at least in the interview with me, he goes after Mitch McConnell, goes after Ted Cruz, goes after John Kasich.

ANDREA MITCHELL:

He is fearless in that regard.

CHUCK TODD:He really is.

ANDREA MITCHELL:

He is not going to moderate himself.

RACHEL MADDOW:

You didn't even ask about Kasich. And he's bringing it up

CHUCK TODD:

No, exactly. He brought Kasich up himself.

ANDREA MITCHELL:

And another player to be named player, who, you know, remain -- could be one of the senators like Jeff Flake. Look, the fact is that he is not playing by anybody's ground rules except Donald Trump's. What he said about N.A.T.O. was extraordinary because he doubled down on that. And the whole system of collect your security in Europe, if you're in Poland today, you are not reassured--

CHUCK TODD:

What's amazing is the Trump campaign tried to walk it back all last week on the N.A.T.O. stuff. And he's basically saying, "Don't walk it back."

RACHEL MADDOW:

Even beyond N.A.T.O. to talk about Europe as a threat to America is what's good for Europe is bad for America and we have an interest in Europe being weak and divided, they only got together to screw us? Like, hold on a second.

CHRIS MATTHEWS:

Yeah, it'll play in Scranton. It'll play up there in the Eerie, Pennsylvania it'll play.

RACHEL MADDOW:

The European Union-- came out of the way to try to not have World War III.

CHRIS MATTHEWS:

Because people think we're being shoved around and exploited and he's saying, "I'm going to shove back."

ANDREA MITCHELL:

They are our markets-- markets, allies--

CHUCK TODD:

You guys great. I'm going to try to get another half hour. But let me sneak in this. We'll be back in a moment with our-- we'll call it halftime segment. No, it's Endgame Segment. And we'll look at Hillary Clinton's popularity compared to other Democratic nominees on the eve of their conventions.

COMMERCIAL BREAK

CHUCK TODD:

The panel never stops interacting here. Seriously we just went to a commercial break--

RACHEL MADDOW:

--wants more with France!

CHUCK TODD:

It's endgame time. Look, I want to show you here very quickly some numbers, because it will help us judge whether this is a successful convention for Hillary Clinton. These are favorable ratings, personal favorable ratings, whether you're right side up or upside down, from our NBC Wall Street Journal poll, for every Democrat going back to '92. And as you can see, Hillary Clinton in the worst shape of any presumptive nominee going into their convention.

Now, let me show you what everybody else came through after their convention. So successful convention for Bill Clinton, successful one for Al Gore. Flat for John Kerry, successful, Barack Obama. Obviously, we'll find out, for Hillary Clinton, what does she need to--

ANDREA MITCHELL:

Well, what they are going to do is they're going to have gauzy films, the same kind of films you saw in 1992, the same producers--

CHUCK TODD:

And JFK?

ANDREA MITCHELL:

They're going to have all of these films, biography, résumé. They know that her résumé is not resonating with millennials. People know what she did, they don't know-- they know the list of what she was. They don't know what she actually did, what she accomplished.

CHRIS MATTHEWS:

Yeah.

ANDREA MITCHELL:

They're going to do all of that. The balance is going to be very different.

RACHEL MADDOW:

--because T.V. networks don't always take the movies anymore--

ANDREA MITCHELL:

Well, they're going to have to validators.

RACHEL MADDOW:

Yeah.

ANDREA MITCHELL:

They're going to have people on that podium behind it who are going to talk about things she has done for them. And it's going to be very much all about her and much less about taking down Trump

CHRIS MATTHEWS:

I think the magic moment in this convention's going to be Thursday night. And a lot of women, and a lot of men, too, are going to see Hillary Clinton as the first party nominee, who's probably going to be like the president. She has the advantage right now. And there are going to be misty eyes all across the country.

And any men at that moment who make a wisecrack are going to be guaranteeing another vote for Hillary Clinton. I think it's a very emotional moment for people. They've haven't quite got to it because of all is mishegas that's gone on this year. I think it's going to be magical. And if Hillary Clinton just stands there with a little emotion, this is an amazing historic moment.

CHUCK TODD:

Michael was the Republican convention too anti-Clinton and not enough pro-Trump?

MICHAEL STEELE:

No. The Republican convention had to go anti-Clinton--

CHUCK TODD:

Had to do that?

MICHAEL STEELE:

--because of the Trump issues.

CHUCK TODD:

What about this one?

MICHAEL STEELE:

This one? I was thinking, as you guys were talking about Barack Obama and talking about Hillary Clinton being likable enough, this is going to be a convention in which they're going to showcase her so you can like her. Because people, those numbers show, don't like her. So it's going to be everything you just said, Chris, plus more. The problem is what happens afterwards. And that's where Hillary Clinton's going to have to continue .

CHUCK TODD:

Here's an out question for all of you. Besides Hillary Clinton's speech, what will be the other buzziest speech or speaker when we walk away from this convention?

RACHEL MADDOW:

We're going to have a huge one on night one. Bernie is a big deal.

MICHAEL STEELE:

Bernie.

RACHEL MADDOW:

The Democratic Party is going through a transformation. Liberals are having their moment. And this convention has to reflect it.

CHRIS MATTHEWS:

Every Democratic convention I can remember, going back to, God, '64, the best speech was never given by the nominee, whether it's Bobby Kennedy or it's Jesse Jackson, or it's Mario Cuomo.

MICHAEL STEELE:

Right.

CHRIS MATTHEWS:

The candidates never have been able to deliver the best speech. So I would bet on Bernie.

RACHEL MADDOW:

It was Trump Jr. last week.

CHRIS MATTHEWS:

Bernie or President Obama.

ANDREA MITCHELL:

Michelle Obama and Barack Obama on day two.

CHUCK TODD:

I think it's Barack Obama on Wednesday night. I think it's going to be to Hillary Clinton what Bill Clinton was to Barack Obama four years ago. All right. That's all for this Sunday morning.

CHRIS MATTHEWS:

We agree.

CHUCK TODD:

I'll be hosting a special edition of Meet the Press Daily tonight at 5:00 Eastern on MSNBC. I know that's what everybody on this table will be watching. And then, throughout the week, I'll be joined by my colleagues Lester Holt and Savannah Guthrie right here at The Wells Fargo Center for convention coverage on the network beginning at 10:00 Eastern, 7:00 Pacific. If you missed it last week, you should be regretting it. Watch us this week. And of course we'll be back next Sunday. Because if it is Sunday, Meet the Press.

** *END OF TRANSCRIPT* **

Exhibit Y

DONALD TRUMP

Donald Trump on Proposed Muslim Ban: 'You Know My Plans'

Katie Reilly
Dec 21, 2016



President-elect Donald Trump on Wednesday called the recent attacks in **Germany** and **Turkey** "terrible" and suggested that he does not intend to reevaluate his **plans to ban Muslims** from immigrating to the United States, boasting that he had been "proven to be right."

"You know my plans. All along, I've been proven to be right. 100% correct. What's happening is disgraceful," Trump told reporters Wednesday when asked whether the recent violence has influenced his **proposed Muslim ban**.

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Trump described the **attack at a Berlin Christmas market** as an "attack on humanity."

"That's what it is: an attack on humanity," he said. "And it's got to be stopped."

Trump said he had not spoken with President Obama since the attacks.

"Innocent civilians were murdered in the streets as they prepared to celebrate the Christmas holiday," Trump said in an initial statement about the attack on Monday. "ISIS and other Islamist terrorists continually slaughter Christians in their communities and places of worship as part of their global jihad."

Zeke Miller contributed to this report.

Leaked Secret Reveals A...!



The truth behind her final departure! She didn't want her fans to know.

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Her Dress At The Emmys After Party Left The Crowd Speechless

Livingly

Exhibit Z

NewsRoom

1/29/17 WashingtonPost.com (Pg. Unavail. Online)
2017 WLNR 2956241

WashingtonPost.com
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January 29, 2017

Section: the-fix

Trump asked for a 'Muslim ban,' Giuliani says — and ordered a commission to do it 'legally'
Giuliani claims Trump asked him how to create a Muslim ban: "He called me
up. He said, 'Put a commission together. Show me the right way to do it l...

Amy B Wang

Giuliani claims Trump asked him how to create a Muslim ban: "He called me up. He said, 'Put a commission together. Show me the right way to do it legally.'"

Former New York mayor Rudy W. Giuliani said President Trump wanted a "Muslim ban" and requested he assemble a commission to show him "the right way to do it legally."

Giuliani, an early Trump supporter who once had been rumored for a Cabinet position in the new administration, appeared on Fox News late Saturday night to describe how Trump's executive order temporarily banning refugees came together.

Trump signed orders on Friday not only to suspend admission of all refugees into the United States for 120 days but also to implement "new vetting measures" to screen out "radical Islamic terrorists." Refugee entry from Syria, however, would be suspended indefinitely, and all travel from Syria and six other nations — Iran, Iraq, Libya, Somalia, Sudan and Yemen — is suspended for 90 days. Trump also said he would give priority to Christian refugees over those of other religions, according to the Christian Broadcasting Network.

Fox News host Jeanine Pirro asked Giuliani whether the ban had anything to do with religion.

"How did the president decide the seven countries?" she asked. "Okay, talk to me."

"I'll tell you the whole history of it," Giuliani responded eagerly. "So when [Trump] first announced it, he said, 'Muslim ban.' He called me up. He said, 'Put a commission together. Show me the right way to do it legally.'"

Giuliani said he assembled a "whole group of other very expert lawyers on this," including former U.S. attorney general Michael Mukasey, Rep. Mike McCaul (R-Tex.) and Rep. Peter T. King (R-N.Y.).

"And what we did was, we focused on, instead of religion, danger — the areas of the world that create danger for us," Giuliani told Pirro. "Which is a factual basis, not a religious basis. Perfectly legal, perfectly sensible. And that's what

the ban is based on. It's not based on religion. It's based on places where there are substantial evidence that people are sending terrorists into our country."

It was unclear when the phone call Giuliani took place and when the commission began working. An email to the White House press office was not immediately returned Sunday.

Clips of the exchange between Giuliani and Pirro quickly went viral Saturday night, with some claiming that Giuliani's statement amounted to admitting Trump's intent had been to institute a ban based on religion.

Others, including Trump senior adviser Kellyanne Conway and White House Chief of Staff Reince Priebus, have insisted it is not a ban on Muslims, but rather one based on countries from which travel was already restricted under Barack Obama's administration.

Priebus appeared on CBS's "Face the Nation" Sunday morning to say it was possible Trump would expand the list of countries included in the travel ban.

"You can point to other countries that have similar problems, like Pakistan and others," Priebus told host John Dickerson. "Perhaps we need to take it further."

Priebus also said there had been weeks of work and "plenty of communication" between the White House, the State Department and the Department of Homeland Security regarding the ban.

"We didn't just type this thing up in an office and sign up," he told Dickerson.

Later on the same program, Rep. Keith Ellison (D-Minn.) called out Giuliani's interview with Pirro from the night before.

"They can't deny that this is a Muslim ban," Ellison told Dickerson. "On the campaign trail, [Trump] said he wanted a Muslim ban. ... Rudolph W. Giuliani who helped him write it said that they started out with the intention of a Muslim ban and then they sort of 'languaged' it up so to try to avoid that label, but it is a religiously based ban."

Senate Democrats vowed to draft legislation to block the travel ban.

"We're demanding the president reverse these executive orders that go against what we are, everything we have always stood for," Senate Minority Leader Charles E. Schumer (D-N.Y.) said in a news conference Sunday morning, noting later that his middle name, Ellis, was originally inspired by Ellis Island.

"It was implemented in a way that created chaos and confusion across the country, and it will only serve to embolden and inspire those around the globe those that will do us harm," Schumer added of the ban. "It must be reversed immediately."

Trump's executive order sparked massive protests at airports around the country Friday and Saturday, as reports surfaced that dozens of travelers from the affected countries, including green-card holders, were being detained.

The American Civil Liberties Union filed a lawsuit Saturday morning challenging Trump's order after two Iraqi men with immigrant visas were barred from entering the United States at New York's John F. Kennedy International Airport.

As Giuliani was speaking, Fox News simultaneously aired an alert that noted federal judge Ann M. Donnelly had issued a stay to stop the deportations nationwide.

Donnelly wrote that there was a strong likelihood the order had violated the petitioners' rights to due process and equal protection by the Constitution.

"There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order," Donnelly wrote.

The ACLU hailed the victory.

"Clearly the judge understood the possibility for irreparable harm to hundreds of immigrants and lawful visitors to this country," ACLU executive director Anthony D. Romero said in a statement. "Our courts today worked as they should as bulwarks against government abuse or unconstitutional policies and orders. On week one, Donald Trump suffered his first loss in court."

On Sunday, the Department of Homeland Security issued a statement saying it did not plan to back off enforcing Trump's orders.

"President Trump's Executive Orders remain in place — prohibited travel will remain prohibited, and the U.S. government retains its right to revoke visas at any time if required for national security or public safety," the statement read. "President Trump's Executive Order affects a minor portion of international travelers, and is a first step towards reestablishing control over America's borders and national security."

The department said that less than 1 percent of daily international air travelers to the United States had been "inconvenienced" on Saturday.

Matthew Kolken, an immigration attorney based in Buffalo said there has been "a systemic bias against individuals from Muslim countries in the U.S. immigration departments" for years, including under the Obama administration.

"This isn't unprecedented," Kolken told The Washington Post by phone Sunday. "The unfortunate reality is the executive branch does have vast discretionary authority to determine who they are going to [allow in or not]."

Still, Kolken said, he believes "Trump has gone a step further without a doubt" in including even people who are lawful permanent residents and suspending all immigration applications from people from the seven countries on the banned list.

If there was evidence of disparate treatment of individuals from the same country — if there were anecdotal evidence of, for example, a Syrian family of one religious background allowed to enter over that of another religious background — then that is where lawsuits could come into play, he said.

"The question becomes whether they're trying to do an end-around by couching the ban as a country-specific ban based on a security-related issues when in reality it's a religious ban," Kolken said.

Read more:

Fact Checker: What you need to know about terror threat from foreigners and Trump's executive order

'I am heartbroken': Malala criticizes Trump for 'closing the door on children' fleeing violence

A ship full of refugees fleeing the Nazis once begged the U.S. for entry. They were turned back.

Trump's travel ban could make Rex Tillerson's potential job harder, a former defense secretary says

---- **Index References** ----

News Subject: (Civil Rights Law (1CI34); Government (1GO80); Immigration & Naturalization (1IM88); Intellectual Freedoms & Civil Liberties (1IN08); Legal (1LE33); Legislation (1LE97); Social Issues (1SO05); U.S. Legislation (1US12))

Industry: (Homeland Security (1HO11); Security (1SE29))

Region: (Africa (1AF90); Americas (1AM92); Arab States (1AR46); Mediterranean (1ME20); Middle East (1MI23); New York (1NE72); North America (1NO39); Syria (1SY20); U.S. Mid-Atlantic Region (1MI18); USA (1US73))

Language: EN

Other Indexing: (Donald Trump; Ann Donnelly had; Jeanine Pirro; Rex Tillerson; Christian refugees; Anthony Romero; Ann Donnelly; Mike McCaul; Matthew Kolken; Kellyanne Conway; Rudolph Giuliani; Rudy Giuliani; Peter King; Michael Mukasey; John Dickerson; Reince Priebus; Charles Schumer; Keith Ellison)

Word Count: 1325

End of Document

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Exhibit AA

NewsRoom

12/8/15 WashingtonPost.com (Pg. Unavail. Online)
2015 WLNR 36291622

WashingtonPost.com
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December 8, 2015

Section: post-politics

Donald Trump says he is not bothered by comparisons to Hitler

Jenna Johnson

The comparison between Donald Trump and Hitler is being made more and more frequently -- including on the cover of Tuesday's Philadelphia Daily News -- but the Republican front-runner said Tuesday that the comparison doesn't bother him.

"You're increasingly being compared to Hitler," ABC News' George Stephanopoulos said during an interview with Trump on "Good Morning America" Tuesday. "Does that give you any pause at all?"

"No," Trump responded, "because what I am doing is no different than what FDR -- FDR's solution for Germans, Italians, Japanese, you know, many years ago."

Stephanopoulos jumped in as Trump kept talking: "So you're for internment camps?"

"This is a president who is highly respected by all," Trump said of Franklin Delano Roosevelt. "He did the same thing -- if you look at what he was doing, it was far worse."

[Donald Trump calls for 'total' ban on Muslims entering United States]

Trump's answer was confusing and meandering but he seemed to be making the point that during times of war, more extreme measures must be used.

"We are now at war," Trump said. "We have a president that doesn't want to say that, but we are now at war."

"I've got to press you on that, sir," Stephanopoulos said. "So you're praising FDR there, I take it you're praising the setting up of internment camps for Japanese during World War II?"

"No, I'm not," Trump responded. "No, I'm not. No, I'm not."

Trump then rattled off the numbers of some of the presidential proclamations Roosevelt issued "having to do with alien Germans, alien Italians, alien Japanese."

"They went through a whole list of things -- they couldn't go five miles from their homes, they weren't allowed to use radios, flashlights," Trump said. "Take a look at what FDR did many years ago, and he's one of the most highly respected presidents... They named highways after him."

Stephanopoulos responded: "You want to bring back policies like that?"

After a pause, Trump responded: "No, I don't to bring it back, George. At all. I don't like doing it at all. It's a temporary measure until our representatives, many of whom are grossly incompetent, until our representatives can figure out what's going on."

---- **Index References** ----

News Subject: (Islam (1IS02); Judaism (1JU93); Minority & Ethnic Groups (1MI43); Race Relations (1RA49); Religion (1RE60); Social Issues (1SO05))

Industry: (Celebrities (1CE65); Entertainment (1EN08))

Language: EN

Other Indexing: (Donald Trump; Franklin Delano Roosevelt; George Stephanopoulos; Hitler)

Word Count: 371

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NewsRoom

Exhibit BB



Donald Trump: 'I think Islam hates us'



By **Theodore Schleifer**, CNN

🕒 Updated 5:56 PM ET, Thu March 10, 2016

Story highlights

"I think Islam hates us," Trump told CNN's Anderson Cooper, deploring the "tremendous hatred" that he said partly defined the religion

Asked if the hatred was "in Islam itself," Trump would only say that was for the media to figure out

Washington (CNN) — Donald Trump said Wednesday that he thinks "Islam hates us," drawing little distinction between the religion and radical Islamic terrorism.

"I think Islam hates us," [Trump told CNN's Anderson Cooper](#), deploring the "tremendous hatred" that he said partly defined the religion. He maintained the war was against radical Islam, but said, "it's very hard to define. It's very hard to separate. Because you don't know who's who."



Donald Trump CNN interview (part 1) 10:15

[READ: Donald Trump: 'It's over' if I win Ohio and Florida](#)

Asked if the hate was "in Islam itself," Trump would only say that was for the media to figure out.

"You're gonna have to figure that out, OK?" he told Cooper. "We have to be very vigilant. We have to be very careful. And we can't allow people coming into this country who have this hatred of the United States."



Donald Trump CNN interview (part 2) 10:59

Trump made headlines in December [when he called for a temporary ban on Muslims entering the U.S.](#), "until our country's representatives can figure out what is going on." Despite widespread condemnation of the remarks, Trump has stood by the proposal.

Speaking to CNN's Wolf Blitzer on "The Situation Room" Thursday, Trump spokeswoman Katrina Pierson said the real-estate magnate stood by the sentiment that many Muslims worldwide sympathize with ISIS, but said Trump should've used "radical Islam."

"It is radical Islamic extremists that do participate in these types of things," Pierson said, calling for a "broader perspective" of Muslims' ties to terror. "We've allowed this propaganda to spread all through the country that this is a religion of peace."

In speaking with Cooper, Trump added that "there can be no doctrine" when asked to outline how he would project power overseas.

Trump also tried to clarify his position on how far he would go in targeting the families of terrorists. He has said in the past that he is in favor of "expanding the laws" that govern how the U.S. can combat and deter terrorism, and Trump has called to bring back waterboarding, even vowing the U.S. ["should go a lot further than waterboarding."](#)



Donald Trump talks about working with Democrats 00:51

[READ: Trump: My Muslim friends don't support my immigration ban](#)

But Trump on Wednesday declined to say what specific measures he would support.

"I'll work on it with the generals," he told Cooper. He added, "We have to play the game at a much tougher level than we're playing it now."



Obama photographer shades Trump over secure discussions



Pence's sphere of influence questioned in wake of Flynn fallout



Trump shows his true hand on LGBTQ rights



Feinstein, Grassley seek full briefing, transcripts of Flynn calls

Exhibit CC

NewsRoom

3/22/16 Mediaite (Blog) (Pg. Unavail. Online)
2016 WLNR 8849615

Mediaite (Blog)
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March 22, 2016

Trump Responds to Brussels Attacks: 'We're Having Problems With the Muslims'
- Trump on Brussels Attacks: 'We're Having Problems With the Muslims'

Alex Griswold

Mar 22, 2016

Republican presidential candidate Donald Trump reacted to the Brussels terror attack Tuesday morning, saying bluntly on Fox Business that "we're having problems with the Muslims."

"You called after the Paris attacks for a pause to stop Muslims from coming into the United States. That got a lot of criticism, as you know," noted Wall Street Journal editor-in-chief Jerry Baker

"And a lot of support, Jerry. It got tremendous support," Trump pushed back.

Please enable Javascript to watch.

"Frankly, look, we're having problems with the Muslims, and we're having problems with Muslims coming into the country," he said, citing the San Bernardino shooters, one of whom entered the country on a fiance visa.

"You need surveillance, you have to deal with the mosques whether you like it or not," Trump said. "These attacks aren't done by Swedish people, that I can tell you."

Watch above, via Fox Business.

[Image via screengrab] —>> Follow Alex Griswold (@HashtagGriswold) on Twitter

---- Index References ----

News Subject: (International Terrorism (1IN37); Islam (1IS02); Religion (1RE60); Social Issues (1SO05); Top World News (1WO62))

Region: (Belgium (1BE51); Europe (1EU83); Eurozone Countries (1EU86); Western Europe (1WE41))

Language: EN

Other Indexing: (Jerry Baker; Donald Trumpreacted)

Keywords: (brussels attacks); (iowac); (TV); (Jerry Baker); (Donald Trump); (Election 2016); (Fox Business); (Belgium)

Word Count: 162

End of Document

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NewsRoom

Exhibit DD

Honorable James L. Robart

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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Juweiya Abdiaziz ALI; A.F.A., a minor; Reema
Khaled DAHMAN; G.E., a minor; Ahmed
Mohammed Ahmed ALI; E.A., a minor; on
behalf of themselves as individuals and on
behalf of others similarly situated,

Plaintiffs,

v.

Donald TRUMP, President of the United States
of America; U.S. DEPARTMENT OF STATE;
Tom SHANNON, Acting Secretary of State;
U.S. DEPARTMENT OF HOMELAND
SECURITY; John F. KELLY, Secretary of
Homeland Security; U.S. CITIZENSHIP AND
IMMIGRATION SERVICES; Lori
SCIALABBA, Acting Director of USCIS;
OFFICE OF THE DIRECTOR OF NATIONAL
INTELLIGENCE; Michael DEMPSEY, Acting
Director of National Intelligence,

Defendants.

Case No.: 2:17-cv-00135-JLR

**DECLARATION OF REEMA KHALED
DAHMAN IN SUPPORT OF PLAINTIFFS**

DECLARATION OF
REEMA KHALED DAHMAN
Case No. 2:17-cv-00135-JLR

- 0

J.R.264

NORTHWEST IMMIGRANT RIGHTS PROJECT
615 Second Ave., Ste. 400
Seattle, WA 98104
206-957-8611

JA 314

1 I, Reema Khaled Dahman, declare under penalty of perjury as follows:
2

3
4 1. I am over the age of eighteen, am competent to testify to the matters below, and make
5 this declaration based on personal knowledge.

6 2. I am a lawful permanent resident. I live in Seattle, Washington. I work as a caregiver.

7 3. I came to the United States with an immigrant visa on September 18, 2012. I am from
8 Syria.

9 4. My son G.E. was born on May 14, 2000 in Daara, Syria. I got separated from G.E.'s
10 biological father when I was two months pregnant with G.E. He was an abusive person. After I
11 got separated from G.E.'s father, I started living with my parents. After G.E. was born, we
12 continued living with them. At the time, I was working as an agricultural engineer and I was able
13 to provide for my family.

14 5. I got married to my second husband on January 6, 2007 in Daara, Syria. He is a U.S.
15 citizen. We had two sons together while we were living in Syria, one born in October 2007 and
16 the other in October 2008.

17 6. After the Syrian conflict started in 2011, my husband wanted to come back to the United
18 States. He filed a petition for me and for our two sons, but he did not file one for my son G.E. In
19 our culture, it is not customary for a man to raise another man's son, even in circumstances like
20 ours. Although I did not want to leave G.E., I was sure that I could figure out a way to bring him
21 with me soon enough.

22 7. In January 2012, while the petitions were pending, my parents and G.E. moved to
23 Damascus, Syria because conflict was getting worse and worse in Daraa. I had to stay in Daara
24 with my husband and our two sons. Between January 2012 until June 2012, my son G.E. would
25 come to visit his paternal grandparents and I would see him, too. On June 2012 I saw my son
26 G.E. for the last time. I did not know then that I would not see him again. On August 9, 2012, I
27 received my immigrant visa from the U.S. Consulate in Amman, Jordan.
28

DECLARATION OF
REEMA KHALED DAHMAN
Case No. 2:17-cv-00135-JLR

NORTHWEST IMMIGRANT RIGHTS PROJECT
615 Second Ave., Ste. 400
Seattle, WA 98104
206-957-8611

1 8. After we came to the United States, we lived in very poor conditions at my brother-in-
2 law's house for one year. When we finally rented our apartment in August 2013, I was the only
3 one working and supporting my family. I kept wanting to bring my son G.E. here as well. I
4 remember very well one day my husband said "I feel like you want to bring your son here."
5 When I answered "yes", he said "I didn't bring you here so that you can bring your son." I felt
6 stuck. I did not know the immigration laws of the United States, I did not know that I could
7 petition for my son G.E. as a lawful permanent resident. I thought I had to be a U.S. citizen.

9 9. In October 2015, through the help of Refugee Women's Alliance and Northwest
10 Immigrant Rights Project, I found out that as a lawful permanent resident I could petition for my
11 son G.E.. I filed the Form I-130, family petition, on October 19, 2015 with U.S. Citizenship and
12 Immigration Services ("USCIS").

13 10. Given the terrible situation in Syria, I also submitted a request for Humanitarian Parole
14 on November 30, 2015 with USCIS asking for a favorable exercise of parole so that my son G.E.
15 could travel to the United States based on urgent humanitarian reasons and we can be reunited
16 after so many years. No child should face the situation my son or any other child has been
17 experiencing in Syria. My son has no future there; he has not been able to attend school for the
18 last three years. Schools are no longer functioning; so many teachers have fled the country. My
19 heart broke into pieces during one of our rare conversations with him when he told me "Mom, I
20 feel like I am forgetting how to write." That is not the future I dreamt for him.

21 11. The family petition I-130 was approved by USCIS on June 1, 2016. Towards the end of
22 July 2016, I received immigrant visa and affidavit of support fee bills from the National Visa
23 Center ("NVC") to continue with the consular process. I started gathering the civil and financial
24 documents. Meanwhile, the Humanitarian Parole request I filed was still pending.

25 12. On September 23, 2016, ten months after I filed for humanitarian parole, I received a
26 Request for Evidence notice from USCIS asking for a detailed explanation of why my son G.E.
27 cannot live with his biological father in Syria while waiting for the adjudication of his immigrant
28

1 visa. The request for evidence also asked me to provide a DNA test result to establish the
2 claimed biological relationship between my son and me. I prepared a detailed explanation why
3 my son could not live with his biological father and I was ready to do the DNA test. Upon
4 researching for the laboratories accredited by the American Association of Blood Banks
5 (“AABB”), I learned that there is no AABB accredited laboratory where a DNA test could be
6 conducted in Syria. My son had to travel to Jordan or another neighboring country in order to do
7 the DNA test. This was impossible—he is only 16 years old. He cannot travel safely from Syria
8 to Jordan and back on his own, and he had no other family to take him. Unfortunately, we could
9 not provide the DNA test for these reasons. I explained this to USCIS.

10
11 13. Meanwhile, I electronically submitted his online immigrant visa application (Form DS-
12 260) on December 2, 2016 to NVC to continue with his immigrant visa process.

13 14. On December 8, 2016, I received a notice from NVC asking for a Syria Police Clearance
14 Certificate (Judicial Record Extract) for my son G.E. as part of the consular process so that his
15 immigrant visa interview could be scheduled.

16 15. The day before the Executive Order was announced, on January 26, 2017, I received a
17 denial notice of the Humanitarian Parole I had requested. The denial notice indicated “Use of the
18 Secretary’s parole authority is discretionary, justified on a case-by-case basis, and limited by law
19 to include only to those requests that are based upon ‘urgent humanitarian reasons,’ or
20 ‘significant public benefit.’” I thought that being a teenager in a war-torn country was an urgent
21 humanitarian reason. I was crushed that the parole was denied. I had explained to USCIS the
22 danger my son is in. The situation in Syria is so unstable that my son has even been kidnapped
23 once. I am afraid for his safety the longer we wait.

24 16. The day after the denial notice, on January 27, 2017, when I heard the Executive Order of
25 the President, I was shocked. My heart sank. I felt that all the doors are closing on me. I waited
26 so long to be with my son and now I was left with nothing. I haven’t seen my son for almost five
27 years. We were so close to being reunited. This executive order took my dream away. I know
28

1 they say it will only cause delay for a few months, but there is no guarantee of that. Besides, a
2 few months is a long time in a country as dangerous as Syria. Do you know how it feels to live
3 everyday not knowing if you will ever see your child again? I do.

4
5 17. I want to be reunited with my son like any other mother would want in this situation. The
6 war in Syria is getting worse and worse. My mother is elderly and sick, she cannot take care of
7 G.E. like she used to. My father passed away. My siblings fled Syria. I cannot leave my two sons
8 in the United States and go back to Syria. But I also cannot take my sons to live in the midst of a
9 war that never seems to come to an end. It is an impossible situation.

10 18. I hope I can see my son soon.

11
12 I declare under penalty of perjury under the laws of the United States that the foregoing is
13 true and correct to the best of my information, knowledge, and belief.

14
15 Executed on this 6th day of February, 2017, in Seattle, Washington.

16
17 

18 Reema Khaled Dahman

Exhibit EE

The New York Times | <https://nyti.ms/2jLMxKS>

N.Y. / REGION

Disorder at Airports as Travelers Are Detained Without Lawyers

By BENJAMIN MUELLER and MATTHEW ROSENBERG JAN. 29, 2017

Drab airport screening areas and waiting rooms were transformed into chaotic scenes on Sunday, with lawyers saying that border agents had put pressure on detainees and created an information blackout that left many struggling to discern how President Trump's immigration order was being applied.

In New York, a lawyer said detainees were being moved from one terminal to another in handcuffs. In Los Angeles, an Iranian graduate student was pushed by border agents to sign documents allowing them to send her out of the country, her lawyers said. And in the Washington area, agents told lawyers that officials had barred detainees from getting legal help, despite a federal judge's order that legal permanent residents be given access to lawyers.

Panic gave way to euphoria in some cases as travelers who had been detained for many hours were released and reunited with relatives. But well into Sunday, two days after Mr. Trump signed an executive order keeping many foreigners from entering the country, lawyers were still sweeping airport arrival sections in search of waiting relatives, often their only source of information about who was being held.

Some detainees said they had slept on office chairs. In Los Angeles, lawyers said Customs and Border Protection agents had told them there were cots but had declined to say how many there were, or how many people were being held.

Detainees were told their phones would be disruptive and had to be taken. Lawyers and relatives were growing increasingly concerned about older detainees with medical problems.

Among those with ailments were an Iranian couple who had arrived in Los Angeles on visitors' visas. The man, in his late 60s, had been through two open-heart operations, and he and his wife, in her late 50s, were both diabetic. After arriving at the airport on Saturday afternoon, they were allowed to call their daughter in the United States only once, around 1 a.m. on Sunday, said Patricia Corrales, a private lawyer working on detainees' cases there. Relatives and lawyers repeatedly asked whether the couple were receiving proper medical care but learned nothing further from border agents.

Ms. Corrales, who was an Immigration and Customs Enforcement lawyer for 17 years, said, "I think they don't necessarily have the resources, the staff and experience to deal with these large numbers."

In a statement, the Department of Homeland Security said, "We are committed to ensuring that all individuals affected by the executive orders, including those affected by the court orders, are being provided all rights afforded under the law."

Some detainees were reportedly pressured to sign documents they hardly understood and then put on flights out of the country. When two brothers from Yemen, Tareq Aqel Mohammed Aziz, 21, and Ammar, 19, landed on Saturday morning at Dulles International Airport near Washington with immigrant visas, they planned to board a connecting flight to Flint, Mich., to join their father. Instead, they were taken off the plane, put into handcuffs and told they needed to sign a form or face being barred from the country for five years, said their lawyer, Simon Y. Sandoval-Moshenberg, of the Legal Aid Justice Center in Virginia. They signed the form and were quickly put on a plane to Ethiopia.

A 24-year-old Iranian woman who is a graduate student in the United States told relatives of a similar problem at Los Angeles International Airport, where she

arrived on Saturday after a trip visiting family members in Europe. Border agents told the woman that her student visa was no longer valid, which lawyers said was not true, and that if she did not sign a document saying she was leaving voluntarily, she would be forcibly deported and barred from entry for five years.

The Iranian student signed. She had not been allowed to consult a lawyer and was permitted only three calls to relatives before her phone was confiscated and searched, said Ms. Corrales and Judy London, the directing attorney of the nonprofit Public Counsel's Immigrants' Rights Project, both of whom spoke with the woman's relatives. On Saturday night, after a federal judge in Brooklyn ruled the government could not remove travelers who had arrived with valid visas, she was put on a plane back to Europe, her lawyers said. They declined to share her name out of concern for her safety.

On Sunday morning, Ms. Corrales spoke to a supervisor from the customs agency who suggested that the Iranian student was still at the Los Angeles airport. The supervisor told Ms. Corrales that "they were waiting for orders from higher-ups in terms of how to enforce the injunction," Ms. Corrales said, referring to the Brooklyn judge's ruling.

Some detainees dealt with the whiplash of plans changing by the hour. A group of five Iranians detained in New York told family members on Sunday morning that the government planned to put them on a 1:30 p.m. flight back to Turkey, said Melanie Zuch, a staff lawyer at the Urban Justice Center. Several hours later, some of them were told they would be allowed to stay.

Vahideh Rasekhi, a graduate student at Stony Brook University on Long Island who was also detained at Kennedy Airport, said she and other detainees were also told they would be put on flights back out of the country, with agents promising only that if they held out a little longer, they might work out a way to keep them in the United States. Eventually they did, and shortly after 2:30 p.m., Ms. Rasekhi walked into Terminal 4 and was immediately surrounded by loved ones, lawyers and journalists.

“I’m just so exhausted,” she said.

She said that detainees had been given meals and water and that agents had even satisfied one person’s request for a lemon. Others gave accounts of more difficult conditions; one lawyer, Justin Orr, said some detainees had been given nothing but chocolate to eat.

Mousa Ahmadi, 30, an Iranian graduate student at the New Jersey Institute of Technology, gave a long hug to his sister, Dr. Fahimeh Ahmadi, 40, after she was released from additional screening at Kennedy. The siblings had not seen each other for over three years.

Dr. Ahmadi, a general practitioner in the Australian city of Gold Coast and a dual citizen of Australia and Iran, arrived for a long-planned visit without the siblings’ parents, who hold only Iranian passports and canceled their flights on Saturday.

“My Mom said, ‘If they don’t let me in the country do you think I can see him even for a half hour?’” Dr. Ahmadi recalled. “She said, ‘Is there a window where I can see him?’”

Lawyers at J.F.K. said that about half a dozen detainees were still in custody by late Sunday afternoon. The Los Angeles Police Department told lawyers there earlier on Sunday that about 40 people were being held.

A federal judge in Alexandria, Va., on Saturday ordered government officials to give lawyers access to all legal permanent residents being detained at Dulles. But when lawyers showed border agents there the court order and requested access to detainees, a supervisor replied, “That’s not going to happen.”

Matt Zeller, who runs No One Left Behind, a group that helps bring over Iraqis and Afghans who worked for the military, said he was told that there were 40 to 55 people who had been pulled aside by customs officers at Dulles on Sunday evening, and that at least some were Iraqis, although it was not clear if any had worked for the military. Detainees who had been released overnight — many of whom had

green cards — spoke of hours of uncertainty as they waited to find out if they would be allowed into a country that they called home but that no longer seemed to want them.

“This is not the America that I have lived in,” said one man who had been released, Seifollah Moradi, 34, a student from Columbia, Md., who has a green card. “We used to be treated with respect. This is the land of freedom.”

Mr. Moradi had been held for six hours after returning from Tehran, where he was visiting his sick father.

Protesters, who were lined up just past the set of one-way doors that separate the public areas of the Dulles arrival hall from the immigration and baggage claim areas for international flights, cheered loudly as Mr. Moradi came through the doors. They chanted, “Welcome to the U.S.A.,” and, “No hate, no fear, refugees are welcome here.”

Mr. Moradi, his face drawn, hardly seemed to notice.

Reporting was contributed by Ruth Bashinsky, Sheri Fink, Sean Piccoli and Liz Robbins.

A version of this article appears in print on January 30, 2017, on Page A13 of the New York edition with the headline: Confusion and Disorder at Airports as Travelers Are Detained Without Lawyers.

Exhibit FF

Trump delays new travel ban after well-reviewed speech

By [Laura Jarrett](#), [Ariane de Vogue](#) and [Jeremy Diamond](#), CNN

🕒 Updated 6:01 AM ET, Wed March 1, 2017



Immigration violations: The one thing to know 01:15

Story highlights

The new travel ban will exclude legal permanent residents and existing visa holders

Two sources also expect that the President will formally revoke the previous executive order

ban announcement.

"We want the (executive order) to have its own 'moment,'" the official said.

Washington (CNN) — President [Donald Trump](#) has delayed plans to sign a reworked travel ban in the wake of positive reaction to his first address to Congress, a senior administration official told CNN.

The decision came late Tuesday night as [positive reviews flooded in for Trump's speech](#), which struck a largely optimistic and unifying tone.

Signing the executive order Wednesday, as originally indicated by the White House, would have undercut the favorable coverage. The official didn't deny the positive reception was part of the administration's calculus in pushing back the travel

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his address to

Trump's original executive order, signed a week after he took office, banned citizens of seven Muslim-majority countries from entering the US and temporarily suspended the entry of all refugees. A federal court issued a temporary stay that halted implementation of the travel ban earlier this month, a decision that was later upheld by a federal appeals court.

The new travel ban will exclude legal permanent residents and existing visa holders from the ban entirely, sources familiar with the plans told CNN earlier Tuesday.

While sources caution that the document has not yet been finalized and is still subject to change, there will be major changes:

- The new executive order will make clear that legal permanent residents (otherwise known as green card holders) are excluded from any travel ban.
- Those with validly issued visas will also be exempt from the ban.
- The new order is expected to revise or exclude language prioritizing the refugee claims of certain religious minorities.

Speaking in Munich, Germany, earlier this month, Department of Homeland Secretary John Kelly promised a "phased-in" approach to minimize disruption this time around.

But what remains to be seen are the other key aspects of the new executive order, especially in terms of refugees, including:

- What happens to the suspension of the refugee program for 120 days?
- Will Syrian nationals still be barred indefinitely?
- Will the cap on the number of refugees change? The first version of the executive order caps it at 50,000 for fiscal year 2017.

Two sources also expect that the President will formally revoke the earlier executive order, despite repeated statements from White House press secretary Sean Spicer that the two orders would co-exist on a "dual track."

The administration could potentially argue that the existing challenges to the original executive order are moot, but the challengers tell CNN the legal battles will likely continue even after the new order is signed.

"Exempting lawful permanent residents and current visa holders will not cure the core legal problem -- that the ban was motivated by religious discrimination, as evidenced by the President's repeated statements calling for a Muslim ban," ACLU attorney Lee Gelernt explained. "That discriminatory taint cannot be removed simply by eliminating a few words or clever tinkering by lawyers."



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Schiff on wiretapping probe: 'We're going to air this very publicly'



Russian ambassador denied meeting with Trump or campaign officials in...

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Exhibit GG

The New York Times | <https://nyti.ms/2kVhMbe>

POLITICS

H.R. McMaster Breaks With Administration on Views of Islam

By MARK LANDLER and ERIC SCHMITT FEB. 24, 2017

WASHINGTON — President Trump’s newly appointed national security adviser has told his staff that Muslims who commit terrorist acts are perverting their religion, rejecting a key ideological view of other senior Trump advisers and signaling a potentially more moderate approach to the Islamic world.

The adviser, Lt. Gen. H. R. McMaster, told the staff of the National Security Council on Thursday, in his first “all hands” staff meeting, that the label “radical Islamic terrorism” was not helpful because terrorists are “un-Islamic,” according to people who were in the meeting.

That is a repudiation of the language regularly used by both the president and General McMaster’s predecessor, Michael T. Flynn, who resigned last week after admitting that he had misled Vice President Mike Pence and other officials about a phone call with a Russian diplomat.

It is also a sign that General McMaster, a veteran of the Iraq war known for his sense of history and independent streak, might move the council away from the

ideologically charged views of Mr. Flynn, who was also a three-star Army general before retiring.

Wearing his Army uniform, General McMaster spoke to a group that has been rattled and deeply demoralized after weeks of upheaval, following a haphazard transition from the Obama administration and amid the questions about links to Russia, which swiftly engulfed Mr. Flynn.

General McMaster, several officials said, has been vocal about his views on dealing with Islamic militancy, including with Mr. Trump, who on Monday described him as “a man of tremendous talent, tremendous experience.” General McMaster got the job after Mr. Trump’s first choice, Robert S. Harward, a retired Navy vice admiral, turned it down.

Within a day of his appointment on Monday, General McMaster was popping into offices to introduce himself to the council’s professional staff members. The staff members, many of them holdovers from the Obama administration, felt viewed with suspicion by Mr. Trump’s team and shut out of the policy-making process, according to current and former officials.

In his language, General McMaster is closer to the positions of former Presidents Barack Obama and George W. Bush. Both took pains to separate acts of terrorism from Islamic teaching, in part because they argued that the United States needed the help of Muslim allies to hunt down terrorists.

“This is very much a repudiation of his new boss’s lexicon and worldview,” said William McCants, a senior fellow at the Brookings Institution and the author of “The ISIS Apocalypse.”

“McMaster, like Obama, is someone who was in positions of leadership and thought the United States should not play into the jihadist propaganda that this is a religious war,” Mr. McCants said.

“There is a deep hunger for McMaster’s view in the interagency,” he added, referring to the process by which the State Department, Pentagon and other agencies funnel recommendations through the National Security Council. “The fact that he

has made himself the champion of this view makes people realize they have an advocate to express dissenting opinions.”

But Mr. McCants and others cautioned that General McMaster’s views would not necessarily be the final word in a White House where Mr. Trump and several of his top advisers view Islam in deeply xenophobic terms. Some aides, including the president’s chief strategist, Stephen K. Bannon, have warned of a looming existential clash between Islam and the Judeo-Christian world.

Mr. Bannon and Stephen Miller, another senior adviser with anti-Islamic views, have close ties to Mr. Trump and walk-in privileges in the Oval Office. General McMaster, 54, has neither.

Known for challenging his superiors, General McMaster was nearly passed over for the rank of brigadier general in 2007, until Gen. David H. Petraeus, who used his counterinsurgency strategy in Iraq, and Robert M. Gates, then the defense secretary, rallied support for him.

The schisms within the administration could be aired publicly if the Senate Armed Services Committee exercises a right to hold a confirmation hearing for General McMaster. Although the post of national security adviser does not require Senate confirmation, senators must approve his retention of his three-star rank in a new position.

Senator John McCain, the committee’s chairman and a strong supporter of General McMaster, has not said whether he wants to hold a hearing.

To outside observers, the administration’s approach to the world appears increasingly schizophrenic. Mr. Pence, Defense Secretary Jim Mattis and other senior cabinet officers have reaffirmed American support for alliances with NATO and in East Asia. Mr. Bannon and other White House officials continue to suggest there will be radical shifts in American policy. These mixed messages extend beyond the Muslim world. This week, Mr. Pence traveled to Brussels to declare — on Mr. Trump’s behalf, he said — “the strong commitment of the United States to the continued cooperation and partnership with the European Union.”

But on Thursday, the German ambassador to the United States, Peter Wittig, said his government remains concerned that the White House views the European Union as an ailing, inefficient economic club, rather than a political project that has kept Europe at peace.

Before Mr. Pence's trip, according to Reuters, Mr. Wittig met Mr. Bannon, who told him the White House viewed the European Union as a "flawed construct" and preferred to negotiate with Germany and other European countries one-on-one. Mr. Wittig declined to discuss the meeting, while Mr. Bannon did not respond to a request for comment.

But Mr. Wittig said to reporters, "We will certainly fight for a coherent and resilient European Union."

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A version of this article appears in print on February 25, 2017, on Page A15 of the New York edition with the headline: McMaster Breaks With Trump on Islam.

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Exhibit HH



The Big (Imaginary) Black Friday Bombing

TEXT BY:

Nicolás Medina Mora
and Mike Hayes

ILLUSTRATED BY:

Marc Aspinall

How the case of conflicted teenager Mohamed Mohamud — convinced by the FBI he was bombing a Christmas tree lighting ceremony in Portland, Oregon — could determine whether the American government is allowed to spy wholesale on its citizens.

Nicolás Medina Mora
BuzzFeed News ReporterMike Hayes
BuzzFeed News ReporterReporting From
Portland, Oregon

posted on Nov. 15, 2015, at 8:44 p.m.

On Nov. 4, 2010, a small cell of al-Qaeda operatives convened at a Starbucks in Corvallis, Oregon, to review the details of their plot to kill 25,000 people in downtown Portland. The cell had three members: Hussein, an explosives expert; Youssef, a businessman turned jihadi recruiter; and Mohamed Osman Mohamud, a 19-year-old Somali-American college student.

The would-be terrorists had met earlier that year, after one of Mohamud's friends from the mosque recommended him to the Council, a secret jihadi organization that scoured the globe for potential operators. Hussein and Youssef flew to Oregon to meet the teen, whom they called "a jewel in the rough." Together, the three conceived a plot to detonate an 1,800-pound bomb during Portland's Christmas tree lighting ceremony, a yearly Black Friday tradition in Pioneer Square, the city's main plaza. Mohamud chose the target. Hussein and Youssef designed and built the bomb.

It was time for a test run. After meeting at the coffee shop, the group drove to a remote spot in the countryside. There, Hussein showed Mohamud a smaller version of the device: a backpack filled with three pounds of explosives. They placed the bomb in a tree and walked away. Hussein handed Mohamud a cell phone and asked him to dial a number. The teenager obeyed — and a small explosion rattled the last yellow leaves on the trees.

Later that day, the cell returned to Mohamud's apartment in Corvallis to record his farewell video. The teenager put on a white robe, a white-and-red headdress, and a camouflage jacket. He began to read his manifesto to the camera. "For as long as you threaten our security, your people will not remain safe," Mohamud said. "As your soldiers target our civilians, we will not fail to do so. Did you think that you could invade a Muslim land and we would not invade you?"

Two weeks later, on Nov. 26, 2010, Youssef picked up Mohamud from a friend's house in Portland. They met with Hussein and headed to a parking spot near the Comcast building, where the operators showed Mohamud a large white van. Hussein opened the side door, revealing six 55-gallon drums filled with fertilizer. On the front seat was the detonation mechanism: a cell phone, a 9-volt battery, and a switch. The whole van smelled of diesel.

"It's beautiful," Mohamud said.

The three headed to a hotel in downtown Portland, where they prayed and ordered a pizza. They turned on the TV and watched the crowds march into Pioneer Square under light rain.

Around sunset, Hussein and Mohamud drove the bomb to the chosen corner. Mohamud flipped the toggle switch attached to the detonator, arming the bomb. Youssef picked up Mohamud and Hussein in a different car and drove them to Union Station. As the three left the scene, Mohamud said he thought he saw his mother heading toward the ceremony.

After dropping off Youssef at the train station, Hussein and Mohamud parked in a nearby garage. The explosives expert handed the teen a cell phone. The teenager dialed the detonator number. Nothing happened.

“Why don’t you get out of the car and try again?” Hussein said.

Mohamud did as he was told. As he pressed the last button, he heard a group of people running at him.

“Don’t move!” someone yelled.

Suddenly, Mohamud was on the ground. He could hear Hussein screaming, “Allahu akbar!” — God is great — over and over again. After the third or fourth time, the 17 arresting officers started to laugh.

The bomb Mohamud had tried to detonate was fake. The test explosion was staged. There was no secret council of militant leaders seeking a gifted Somali-American teenager to wage jihad. Youssef and Hussein were undercover FBI agents.

The Black Friday non-bombing of Portland was a federal government sting, the result of a yearlong operation involving dozens of people, a secret court order, and a massive surveillance apparatus.

Mohamud went to trial three years after his arrest. (Unless otherwise stated, the facts in this article come from the [voluminous public record](#) for his criminal case, including the [2,700-page trial transcript](#), as well as firsthand interviews with 11 people with knowledge of the case. The FBI, the Department of Justice, and Mohamud’s attorneys declined to answer detailed questions. Mohamud did not respond to letters sent to him in prison.)

In court, Mohamud’s lawyers attempted an [entrapment defense](#), arguing that their client never indicated he wanted to attack Portland before the FBI contacted him. The [prosecution](#) said Mohamud’s prior correspondence with two individuals suspected of working for al-Qaeda was evidence he was looking for “the right people” — and that, had the FBI not intervened, he might have found them.

The jury convicted Mohamud. A judge sentenced him to 30 years in prison.

The story could have ended there. But, months after the trial, Mohamud's lawyers received an unexpected [message](#) from the government: At some point in the investigation, the FBI had used the 2008 amendments to the Foreign Intelligence and Surveillance Act, a law known as the FAA, to access Mohamud's communications without a particular warrant.

The notification was bewildering. The government is supposed to inform defendants they have been targeted by FAA spying before they go to trial, not after. More broadly,



Mohamud's mugshot. Multnomah County Sheriff Office via Getty Images

Mohamud is the very first defendant to potentially challenge the NSA's mass surveillance programs revealed by Edward Snowden before the U.S. Supreme Court.

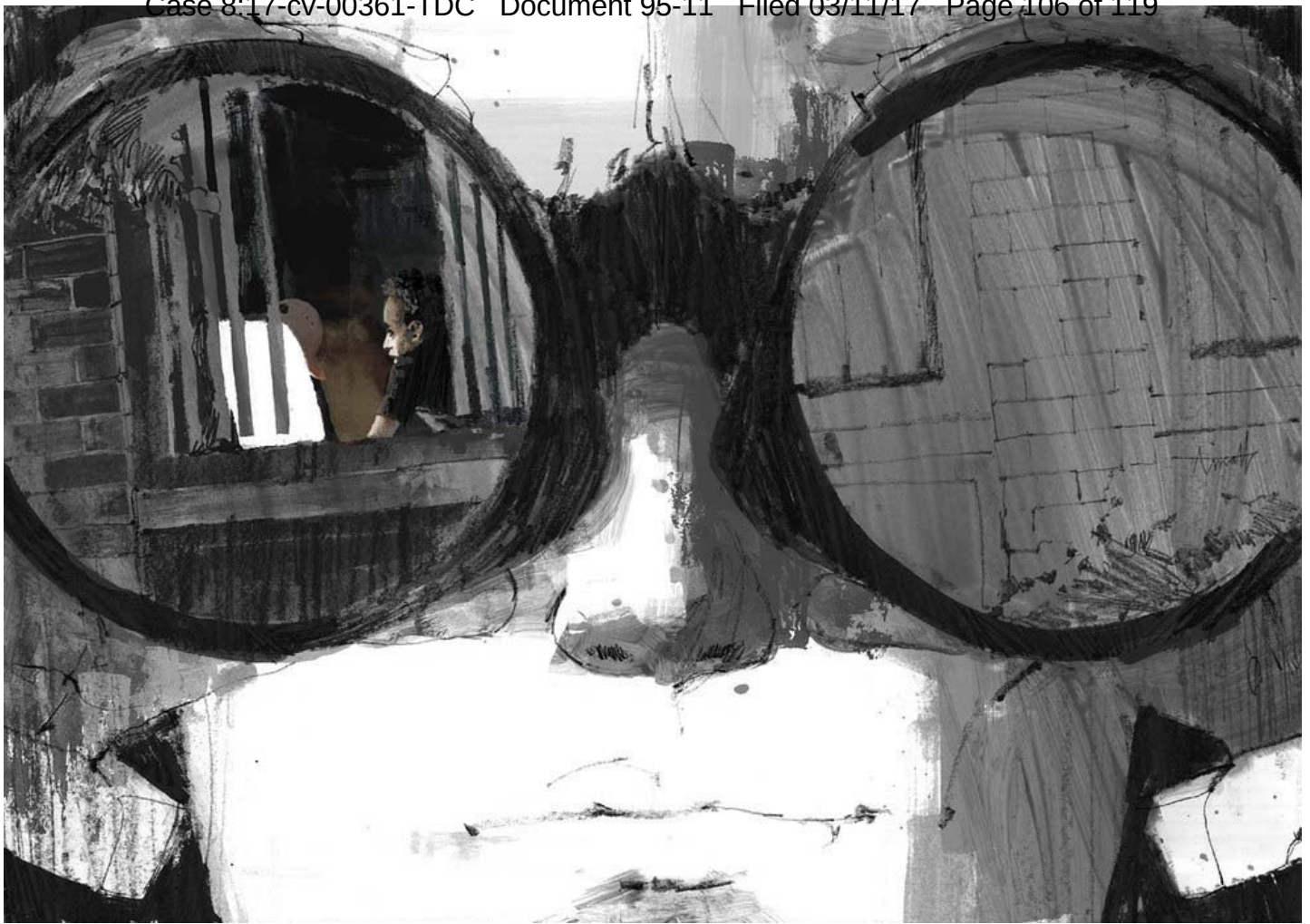
the [Fourth Amendment](#) to the Constitution — at least as many legal experts understand it — protects citizens and those living in the U.S. from warrantless surveillance.

Today, Mohamud's lawyers are asking the 9th Circuit of the U.S. Court of Appeals to overturn their client's conviction. Their central argument is that the FBI's use of the FAA against Mohamud violated the Constitution.

Mohamud is the very first criminal defendant to challenge the FAA before a court of appeals, which opens the door for a hearing before the U.S. Supreme Court. The appeal has widespread implications: The controversial law provides the legal framework for the mass surveillance programs

that Edward Snowden revealed in 2013.

“It's not an exaggeration,” [Patrick Toomey](#), an [American Civil Liberties Union](#) attorney, told BuzzFeed News, “to say that the privacy rights of millions of Americans potentially hang in the balance of his case.”



Marc Aspinall for BuzzFeed News

The chain of events that led to Mohamud’s appeal began in 1978, when Congress passed the [Foreign Intelligence and Surveillance Act](#), or FISA. In its original version, the law forbade the government from spying within U.S. territory, unless it could convince a special court that the investigation’s targets were “agents of a foreign power.”

The law was far from perfect: The special court met in secret and approved nearly all of the government’s requests. (Of the 35,333 applications for FISA warrants filed between 1979 and 2013, [only 12](#) were rejected outright.) Still, the act required the government to name the individuals it was targeting, specify the kind of communications it wanted to intercept, and give a timeline for the investigation — provisions that generally kept it in line with the Fourth Amendment.

Instead of targeting individuals already engaged in criminal conduct, the FBI

All of that changed after Sept. 11, 2001. Instead of treating terrorism as a crime to be solved after it happened, the government began to treat it as a disaster to be prevented. In 2002, President Bush signed a secret executive order authorizing the National Security Agency to monitor every email, telephone call, and text message in which at least one party was believed to be outside the U.S. — even

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after Sept. 11, 2001, began focusing on people who it believed could potentially become terrorists.

if everyone else in the conversation was located within the country. The administration said the NSA didn't need any kind of warrant, from the FISA court or otherwise, because such communications counted as "foreign" rather than "domestic," and were therefore not protected by the Fourth Amendment.

The FBI, however, faced a problem: All that monitoring of communications was turning up a lot of terrorist sympathizers, but not a lot of actual criminal activity. The bureau responded by refining one of its most controversial techniques: the sting operation. Instead of targeting individuals already engaged in criminal conduct, the FBI began focusing on people who it believed could *potentially* become terrorists.

Underlying many of these sting operations was a psychological doctrine — strongly [challenged](#) by [several studies](#) — known as "radicalization theory," which held that individuals with extreme political opinions tended to look for like-minded people and eventually take violent action.

Many American Muslims believe the government uses sting operations to unfairly target their communities and that radicalization theory contributes to Islamophobia. "When people assume that one of their community members could be an informant for the government, that creates a ripple effect," Kayse Jama, a Somali-American [organizer](#) who works in Portland, told BuzzFeed News. "They can't trust the people at their mosque. They can't trust anyone. They feel they can't speak freely." Studies suggest that at least some of Jama's fears are well-founded.

Federal courts [convict nearly 90%](#) of those of accused of terrorism, most of them through guilty pleas. This means the facts of most homegrown terrorism cases are rarely entered into the public record, which in turn means the FBI is almost never forced to argue the legality of its techniques. Mohamud's case is one of few exceptions.

Mohamed Osman Mohamud was born on Aug. 11, 1991, in Mogadishu, Somalia. Months earlier, rebels had ousted the country's long-standing dictator, unleashing a civil war that rages to this day. On the way to the hospital, Mohamud's parents had to confront armed thugs. They were lucky to find a doctor who helped with the baby's breech birth.

The family fled to America. Mohamud's father, Osman Mohamud Barre, went first, quitting his engineering professorship at Somali National University. Mohamud stayed behind, spending a year in a Kenyan refugee camp with his mother, Mariam Hassan.

The U.S. granted Barre refugee status. He settled in Hillsboro, Oregon, where he worked 13 hours a day at an Intel assembly line. By 1993, he had saved enough money to bring his family to the U.S. “They were malnourished and suffering, but they were happy,” Barre later testified at his son’s trial. “We were grateful to America.”

Barre climbed the ranks at Intel. He and Mariam had two more children. They moved to Beaverton, a prosperous suburb in southwest Portland. Mohamud devoured the *Harry Potter* series and became an NBA fan. He did well in school and made friends easily. “You would never see him alone,” Joshua Alinger, who befriended Mohamud in elementary school, told BuzzFeed News.

Early in high school, Mohamud became interested in religion, even as his parents became less observant. Several of his friends said many Muslim families in Beaverton felt that Mohamud exerted a positive influence. “Whenever we tried to do something that went against our religion, like date a girl, [Mohamud] was like a stopping point,” Mohamud’s best friend, who is not identified in the public record and who spoke on condition of anonymity, told BuzzFeed News. “He would just give us that look.”

Mohamud also joined in the hijinks of American adolescence. By junior year, he began skipping school. His best friend said the two of them would sneak out to a nearby community college to play pool. They made friends with an older student, who bought them alcohol and let them hang at his house. “I think he wanted to be a normal suburban teenager,” said James Duncan, an English teacher at Westville High School who oversaw Mohamud’s study hall.

Like many refugee children, Mohamud had to deal with cultural barriers that separated him from his parents, his American friends, and his mostly white classmates. There is little question he felt different. For an issue of the class magazine, for example, Duncan asked his students to draw cartoons of themselves and caption them. Under his portrait, Mohamud wrote, “I’m *the* black one.”

Around the same time, Mariam and Barre began to go through a breakup, Mohamud’s best friend said. “Home was kind of a hostile environment for him,” the friend said. “He tried to spend as much time as possible out of the house.”

(Reached at her home in suburban Portland, Mohamud’s mother declined to comment, saying her son’s attorneys had instructed her not to speak to reporters. “But one day,” she said, “I’ll be able to speak out about his case, *inshallah*” — God willing. Mohamud’s father did not respond to requests for comment.)

Mariam Barre at her son's trial. *Rick Bowmer / AP Photo*

As his parents' relationship deteriorated, Mohamud began spending more and more time at the Masjed As-Saber, a local mosque led by a Somali imam named Mohamed Kariye. The cleric had a complicated history. According to an [immigration complaint](#), he spent part of his youth fighting with the Afghan mujahideen, a jihadi organization that counted Osama bin Laden among its supporters. (At the time, however, the U.S. supported the group in its fight against the Soviet Union.) In 2003, the FBI's counterterrorism unit arrested him and charged him with Social Security fraud. (The imam pleaded guilty and paid roughly \$5,000 in fines.) Today, the government is trying to take away the imam's American citizenship.

Kariye's teaching — Wahhabism, a traditionalist Sunni practice — proved too restrictive for some members of Portland's Muslim community. The family of Mohamud's best friend, for example, used to attend Friday prayers at the Masjed As-Saber, but eventually switched to another congregation. Mohamud's parents, too, were "totally against the mosque," his best friend said. For the teenager, frequenting the masjid became a form of rebellion.

At Kariye's mosque, Mohamud met Amro al-Ali, an 18-year-old exchange student from Saudi Arabia. According to Marc Sageman, a former CIA officer who testified on "open source information" at Mohamud's trial, the Saudi was "a wannabe" who liked to talk big about jihad but was, at least at that point, "not a terrorist."

After meeting al-Ali, Mohamud began frequenting extremist websites, where he answered a call for submissions to an English-language webzine called *Jihadi Recollections*. The publication was the brainchild of Samir Khan, a Pakistani-American editor based in North Carolina. Khan commissioned him to write an article on fitness training, marking the beginning of a six-month-long collaboration.

But then, on Aug. 15, 2009, four days after his 18th birthday, Mohamud cut off contact with Khan. He wrote to Khan saying he was "going through a lot of things."

(Shortly after Mohamud's last email, Khan traveled to Yemen, where he became the editor of *Inspire*, the English-language outlet of al-Qaeda in the Arabian Peninsula. The U.S. government killed him in 2011, in the same drone strike that killed Anwar al-Awlaki, a top al-Qaeda figure and a U.S. citizen.)

Mohamud was indeed going through a lot — his parents had finally divorced. "You could see his discontent, sadness, and unhappiness," the teen's grandmother told his defense team. "He wouldn't listen to either one of them because there was no union. He definitely tried to talk them into staying together many, many times."

It was in that context that Mohamud received the email that sealed his fate. On Aug. 31, 2009, al-Ali sent him information about a religious school in Yemen. The thought of escaping to a distant land, away from his parents, appears to have seduced the teen. He stormed out of his mother's house and called his father to say he was moving to the Middle East. Barre tried to convince him to wait, but Mohamud said he already had a ticket and a visa. Barre called Mariam and asked her to look for their son's passport. It was missing.

Barre panicked. He had heard stories about kids from Minnesota's Somali-American community who'd been "brainwashed" into joining the civil war. He remembered one news report of a teen who fled — the parents later found a photo of him on the internet "shot in the head, dead, in Somalia."

Not knowing who to call, Barre contacted the FBI. "Can you guys help me to stop my son and make him not leave the country?" he asked the agent who picked up the phone. The

agent took down Mohamud's full name, date of birth, and address and told Barre to meet one of his colleagues at the parking lot of a local high school.

Meanwhile, Mariam found her son. He was in a playground not far from her house. She took his passport and drove him back home.

Mohamed Mohamud is seen in this undated handout photo. *Obtained by BuzzFeed News*

That afternoon, Barre met with FBI Special Agent Isaac DeLong, of the Joint Terrorism Task Force. "Why terrorism?" Barre asked. "Are you alluding that we are Muslim and my son's name is Mohamed? There's no terrorism here. We're citizens."

Barre explained that he wanted to keep his son from returning to Somalia. DeLong replied that there was nothing the bureau could do, because Mohamud was an adult.

That evening, the father and son had a difficult conversation. "I left my country because of violence," Barre told Mohamud. "I brought you here to give you a life of prosperity." Mohamud told his father had nothing to hide: al-Ali, a friend from the mosque, had recommended a school in Yemen. "You can learn Arabic and Islam once you finish school here and become mature enough to know wrong or right," Barre replied.

Barre forwarded al-Ali's email to the FBI, with a note saying he had spoken to Mohamud and the situation was under control. Unbeknownst to him, DeLong ran Mohamud's email address through what he described at trial as "an FBI database." The search, according to court records, turned out an interesting result: Mohamud had been in touch with the subject of another investigation — Samir Khan.

"I took this information to my superior," DeLong testified. "We decided to open a case."

The Bush administration's warrantless surveillance operations remained secret until December 2005, when the *New York Times* published an exposé. The article unleashed outrage that pushed the president to seek retroactive legislative approval for the program. In July 2008, the Senate approved the [FISA Amendments Act](#), or FAA.

The new law overwrote many of FISA's provisions, empowering the attorney general and the director of national intelligence to authorize surveillance of people "reasonably believed to be located outside the United States." Those offices no longer had to get warrants, as the original law mandated. Instead, they simply had to present the FISA court with a set of general procedures meant to "minimize" the "incidental" surveillance of people in the U.S.

On the same day President Bush signed the FAA, the ACLU filed a suit saying the law violated the First and Fourth Amendments. "The act does not require the government to demonstrate that its surveillance targets are foreign agents," the ACLU wrote in its [complaint](#). "The statute does not require the government to identify its surveillance targets at all."

The suit, *Amnesty v. Clapper*, reached the Supreme Court. In February 2013, however, Justice Samuel Alito delivered an [opinion](#) declining to hear the case. He said the only people with standing to challenge the act were criminal defendants who, unlike the ACLU, knew for certain that their communications had been intercepted. (At that time, the government had not informed a single defendant of its use of the FAA.)

Then, in May 2013, Edward Snowden handed a group of journalists a [cache of classified documents](#). The leaks detailed how the NSA invokes the FAA to intercept, store, and in some cases review the telephone and internet communications of hundreds of millions of people — many of them citizens and residents of the U.S.

It's unclear to what extent domestic law enforcement agencies have access to the immense databases of information obtained through warrantless surveillance. In the past, the government has said FBI agents assigned to criminal investigations cannot see the data.

Marc Aspinall for BuzzFeed News

Early in September 2009, Mohamud moved to Corvallis, a small city a few hours south of Portland, to attend classes at Oregon State University. It was too late to enroll officially, so he couldn't live in the dorms. His parents agreed to give him \$300 a month for rent. Mohamud's best friend, however, had just started at OSU, where he shared a large dorm room with two other students. Since they had an extra bed, they invited Mohamud to live with them for free. In exchange, "we called his rent budget our booze budget," the friend said.

The group soon expanded to include two young men, Raed and Mohamed. Two of Mohamud's roommates were dating a pair of best friends, and the dorm became the center

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FBI documents described Mohamud as a “confused college kid that talks mildly radical jihad out one ear, and drugs, sex, drinking out the other.”

of a tight-knit social scene. (The other roommates and the women declined requests for comment.)

“Our freshman year was a drunken mess,” Mohamud’s best friend said. “It was a blast.”

Mohamud’s friends from that time acknowledged he was easy to influence. “He’d say, ‘I don’t want to drink anymore,’ but he could be persuaded to do it,” said Raed. “Like, a friend of mine would be like, ‘No, come on, let’s just drink for one more week,’ and he’d say, ‘OK, let’s go.’”

The FBI, which trial testimony shows was already reading Mohamud’s communications and had agents physically following him, agreed with Raed’s assessment. (The bureau refuses to disclose when,

exactly, the surveillance began.) In emails sent to other FBI agents in the fall of 2009, Special Agent DeLong wrote that the “manipulable” and “conflicted” teen appeared to have “left behind his radical thinking.” Christopher Henderson, the special agent who took over the case when Mohamud moved to Corvallis, described the teen in internal emails as “a confused college kid that talks mildly radical jihad out one ear, and typical 18-year-old college kid (drugs, sex, drinking) out the other.”

Then, on Halloween, Mohamud and his crew headed to a fraternity party. Mohamud “was drinking like a normal person, dancing with girls,” and brought a woman home, Raed said. At the dorm, Raed said, they began having sex “in front of everybody, on the top bunk.” The friends eventually left the room.

The following morning, two Oregon State Police officers were in the dorm. The cops said that a young woman had filed a crime report accusing Mohamud of drugging and raping her.

Mohamud met with Detective Eli Chambers at the campus police office for a polygraph test. He denied having drugged the woman, but admitted that she was very drunk — “more drunk than I thought,” Mohamud said, according to Chambers’ [report](#).

Mohamed Mohamud is seen in this undated handout photo. *Obtained by BuzzFeed News*

Chambers closed his investigation without pressing charges against Mohamud. Still, the incident rattled the student. After the polygraph, he wrote a long post in one of the forums

I swear by Allah I have become so lost. And I want so badly to be in a muslim land. I keep telling myself that if I lived in a muslim land I would become so pious. [...] Being in University and living on campus hasn't helped me too much either. I have fallen into so many things (i.e. alcohol and women). [...] All I need is some soft words to help my heart and supporting advice.

Instead of soft words, Mohamud began receiving emails from Bill Smith, a recent convert to Islam who lived in eastern Idaho and wanted to “get more involved in the fight” against enemies of the Prophet. Smith, however, was a fictional character created by FBI Special Agent Jason Dodd of the Portland field office.

(There were a number of oddities in Dodd's decision to begin an operation against Mohamud. At trial, the agent testified that Special Agent DeLong authorized the “Bill Smith” emails, but DeLong could not recall such thing. Special Agent Elvis Chan, who would eventually run the operation that resulted in Mohamud's conviction, testified that he did not know about the “Bill Smith” emails until after the arrest.)

On Nov. 12, 2009, just days after a Muslim U.S. Army major killed 13 people at the military base in Fort Hood, Bill Smith told Mohamud that he had seen news reports of “brothers trying to fight.” “I want to, as well,” Smith wrote in one of about two dozen emails. “What can I do? Do you know who I can talk to? Can you help?” Mohamud did not engage him, cautioning him instead to be careful about what he said on the internet.

But then, on Dec. 3, 2009, someone familiar reached out to Mohamud. “Salamz bro,” the message read. “It's me, Amro.” Al-Ali said he was making a pilgrimage to the holy city of Mecca, in Saudi Arabia. If Mohamud wanted to join, he said, a “bro” would contact him “about the proper paperwork.”

The FBI agents traced al-Ali's computer not to Mecca, but to the northwestern border of Pakistan, one of the centers of violent jihad. The agents became convinced that al-Ali was writing in code, trying to recruit Mohamud as a fighter. Two months earlier, Interpol had issued an Arabic-language “red notice” — a sort of international “wanted” poster — saying al-Ali was “known to be connected to a fugitive wanted by Saudi Arabian authorities who is an expert in manufacturing explosives and in facilitating the movement of extremists inside Saudi Arabia,” according to a translation included in a defense brief. “He also helped al-Qaeda division in Yemen and other countries by providing them with foreign fighters to carry out terrorist attacks against western and tourist interests.”

(Later, the defense and the prosecution had heated arguments about the notice, which was ambiguous in Arabic and became vaguer in translation. Was al-Ali a member of al-Qaeda, or merely associated with a member? The matter was further complicated when the Saudis captured al-Ali, holding him without charges and subjecting him to repeated

interrogations. A former intelligence officer told BuzzFeed News that classified reports detailing those interrogations show that al-Ali didn't remember Mohamud.)

Mohamud responded that joining the pilgrimage would be "wonderful." Al-Ali sent him a Gmail username and password, with instructions to log in to the account and draft, but not send, a message for a brother called Abdul Hadi. The FBI went on high alert, but Mohamud couldn't figure out the system. No messages were exchanged.

Toward the end of spring semester, one of Mohamud's roommates invited him to spend the summer working on a fishing boat in Alaska. Mohamud's parents thought it would help discipline their son. They bought him a plane ticket and, on June 14, 2010, drove him to Portland International Airport.

The family made it only to the security checkpoint, where an airline employee told Mohamud he couldn't board. As the family stood at the concourse, a man in a dark suit introduced himself as Special Agent Bradford Petrie. "I understand Mohamed was not allowed to fly today," Petrie told the family. "We'd like to talk about that if we could."

Marc Aspinall for BuzzFeed News

A week earlier, the FBI had decided to launch a full-scale undercover operation against Mohamud. Miltiadis Trousas, an agent based in the FBI office in Eugene, Oregon, wrote to Special Agent Chan, a sting specialist based in San Francisco, to suggest targeting the teen “using everything we have on him,” including the fact that he was “shy around authority figures.” When the agents learned of Mohamud’s plans to travel to Alaska, they worried he might try to continue to Pakistan or Yemen. They placed him on the no-fly list.

At the Portland airport, Petrie brought Mohamud and his parents to a conference room. Barre asked whether his call to the FBI a year earlier had anything to do with his son’s placement on the no-fly list. Mohamud denied visiting extremist websites. Petrie

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concluded the interview promising the family he'd try to "help" the teenager. He said nothing about the operation.

A few days after the interview at the airport, Chan contacted an FBI agent in California and asked him to fly to Portland to play an "al-Qaeda spotter" in a sting against a suspected teenage radical. The agent, who had been born and raised in an Arabic country, assumed the name Youssef.

Youssef got in touch with Mohamud nine days after the airport incident. The goal was to set up an in-person meeting, purportedly to assess whether the teen was serious about wanting to join a militant organization. The agent wrote in the voice of the "brother" whom al-Ali had earlier told Mohamud to contact, and whom the teenager never reached out to. "Salamz, bro," the message began. "Go to hushmail.com and set up an account." Mohamud replied with an innocuous greeting from an encrypted account. Two days later, Youssef wrote back: "Are you still able to help the brothers?"

Mohamud wrote back something noncommittal. Youssef's next email suggested that God's plan for Mohamud was in Portland: "Allah I'm sure has good reason for you to stay where you are," the undercover agent wrote. He said he was traveling to Oregon and asked the teen to meet him in person.

Mohamud ignored the message. Worried about losing their target, the agents sent another. A week later, Mohamud responded by inviting Youssef to Friday services at the Masjed As-Saber. The FBI, however, did not want to send an undercover agent to a place of worship. Instead, the agent suggested meeting in downtown Portland. Mohamud grew suspicious. "How did you get my email?" the teen wrote. "And if Amro did give you my email, then how do you know him? And describe him to me if you really do know him."

The FBI did not know what al-Ali looked like. To avoid blowing Youssef's cover, the agents invented a fictional organization, which they called the "Ihata," or Council. They told Mohamud that "a brother from Oregon" told the Council about him, prompting the group to send Youssef to interview him. Flattered, Mohamud agreed to meet on July 30, 2010.

For the first meeting, Youssef wore a suit to match his cover: a business traveler with connections across many countries. He met Mohamud on a street corner and walked with him to the Embassy Suites, a hotel blocks away from Pioneer Square.

The public record of that meeting is incomplete. In what the FBI claimed was an honest mistake, Youssef's tape recorder had dead batteries. Apart from the anonymous agent's testimony, the only source for what Mohamud said that day is a summarized report prepared by Chan. At trial, Chan said he had destroyed his original notes.

(The defense took great issue with this at trial. Entrapment law requires prosecutors to show that a defendant was predisposed to commit the crime before the first contact with

government agents. The nuances of Mohamud's behavior and language during the first meeting, the defense argued, were vital.)

In the FBI's account of the meeting, Youssef and Mohamud sat at a table in a corner of the hotel lobby. The agent said the Council wanted to interview seven possible candidates in the U.S. and Canada.

"So, what have you been doing to be a good Muslim?" Youssef asked.

Mohamud said he'd written religious poems and a couple of articles for *Jihadi Recollections*.

"Well, you know, it's pretty obvious that you can't go overseas," Youssef said. "So, what can you do for the cause? What do you want to do for the cause right now?"

Instead of answering with a concrete proposition, Mohamud told him about a dream in which he went to the mountains of Yemen, received training, and led a Muslim army against the infidels in Afghanistan. The undercover agent then repeated his question — what could the teen do for the cause? Mohamud said he could do "anything."

"I gave him five examples of how you could be a good Muslim," Youssef testified at trial. Mohamud, the agent said, could pray five times a day, train as a doctor and go overseas, donate money to the cause, become "operational," or become "a martyr."

Mohamud replied he wanted to become operational. Youssef asked what he meant. According to the FBI agent, the teen said he wanted to "get a car, fill it with explosives, park it near a target location, and detonate the vehicle." Youssef told Mohamud he "had a brother that could help him with explosives" and instructed him "to research possible places within the Portland area as possible targets." The two then parted ways.

The FBI brought a second undercover agent into the operation: a detective from a suburban police department in California assigned to his city's Joint Terrorism Task Force. Like Youssef, the second agent was born and raised in an Arabic-speaking country. For the sake of the operation, he assumed the name Hussein. He prepared to play the role of a mature and deeply religious explosives expert.

Two weeks later, Mohamud met again with Youssef. The script for that meeting, the agent testified, was to "sell" the teen to Hussein, who was supposed to be initially skeptical. Youssef and Mohamud went to a room at the Embassy Suites, where Hussein was waiting — and where the FBI had installed several hidden cameras. They shared a meal to break the Ramadan fast.

"What can I do for you?" Hussein asked, according to his testimony.

Mohamud responded he wanted "a truck or a car and explosives."

"I'd be glad to sell you a truck!" Hussein said.

"No," Mohamud answered, "I want it for something else."

The teen launched into a rant about the need to punish the U.S. for attacks against Muslims.

"You know what's going on right now?" Mohamud said, according to a transcript of the recordings included in the prosecution's [trial memorandum](#). "The U.S. is losing the war. So they have resorted to intentionally killing civilians. And, you know, God, the glorified, the exalted, said in the Quran that if they kill your women and children intentionally, then you are allowed to do the same to them."

The conversation shifted toward more concrete plans. Had Mohamud found a target in the Portland area, like Youssef requested?

"Do you guys know Pioneer Square?" the teen said. "When they have events, everybody comes up there. So, on the 26th of November, they have a Christmas tree lighting and some 25,000 people attend. You know, the streets are packed. I thought, I thought if you could help me, you know, to have, to have a truck. ... You know, explosives, *inshallah*."

"And this is what's in your heart?" Youssef said. "You know, there's going to be a lot of children there."

"Yeah, I mean, that's what I'm looking for," Mohamud said.

"For kids?" Youssef asked.

"No, just for a huge mass," Mohamud said. "You know, for them to be attacked in their own element, with their families, celebrating the holidays."

Hussein asked Mohamud if he wanted to kill himself with the bomb.

The undercover FBI agent asked Mohamud if he wanted to kill himself with the bomb. "Yeah, I don't mind that," the teen said.

"Yeah, I don't mind that," the teenager said. He began to stutter. "That, that, that, I mean, if I wasn't in it, then, you know, then, they'll look for me."

"And you are not worried?" Youssef asked.

"If you were going to paradise, you wouldn't have to worry, right?" Mohamud answered. "Yes, I will push the button."

"Allah is looking at you right now," Youssef said.

“You know what I like, what makes me happy? You know what I like to see? When I see the enemy of Allah, and, you know, their bodies are torn everywhere,” Mohamud said.

Anticipating an entrapment defense and a jury of liberal Portlanders, the undercover agents made sure to give Mohamud a way out. “We want to make sure that it’s, you know, it’s in your heart,” Youssef told the teen. “If we get all the way there and you’re like, uh-oh — even if that happens, we’ll be disappointed, but you always have a choice, you understand? With us you always have a choice.”

On the drive home, Mohamud burst into tears. After he left the car, with the cameras still rolling, Hussein looked at his partner. “It’s almost too good to be true,” he said.

Pioneer Courthouse Square, the site of Mohamud's attempted bombing, is seen on Nov. 27, 2010, in Portland, Oregon. *Craig Mitchell/Getty Images*

Over the next few months, Youssef and Hussein met with Mohamud on five more occasions. They began giving him tasks. First, they sent him shopping for a timer, two cell phones, a toggle switch, and a snap connector. They asked him to find a few possible parking spots near Pioneer Square. Later, they told him to rent a storage shed where they could build the bomb.

More than anything else, they praised him: "You got a lot of talent, brother Mohamed." "You're probably smarter than most people." "I think you can be a great poet." "I trust you with my life." "We love you, for the sake of Allah."

As the operation progressed, the two agents grew concerned that Mohamud was becoming suicidal, so they decided to tell the teen that the Council would help him flee to a Muslim country after the attack. They were also worried that Mohamud would tell someone, so they gave him \$2,700 to rent an off-campus apartment away from his friends. In a moment of telling naïveté, the teenager asked the two men he thought were al-Qaeda recruiters to sign as his guarantors for the lease.

The change in Mohamud's lifestyle did not go unnoticed by his friends. He wouldn't show up to class or parties. He stopped going to Friday prayers at the Corvallis mosque. "In the beginning, I didn't really understand why he was drifting away," Mohamed, one of the college friends, told BuzzFeed News. "And then Raed said, like, 'Hey man, we feel like there's something up. Like, he's not the same anymore.'" On the few occasions when they saw him, he seemed anxious and in distress.

"One of my friends and I, we'd be walking to a party," Raed said. "And Mohamed would be extremely drunk, and he would go to one of my friends and say, 'Are you the FBI? Are you the FBI?'"

The night before the bombing, Mohamud had Thanksgiving dinner in Beaverton with a few friends. Afterward, they went shopping at a nearby mall. Several people who were there told BuzzFeed News that Mohamud seemed to be having a really good time. He insisted on buying coffee for everyone. He poured marshmallow liquor into his cup. He made jokes and laughed and acted like his old self, the way he used to be freshman year, before he moved out of the dorms and began spending all of his time alone.

"He told me, 'I'm having the greatest morning of my life,'" Raed, who ran into Mohamud at 4 a.m. outside a J.C. Penney, told BuzzFeed News.

Later that day, Mohamud called his best friend to ask about his plans. The friend said he was going to see the Christmas tree lighting ceremony. Mohamud told him to stay home, but didn't explain. The two have not spoken since.

Marc Aspinall for BuzzFeed News

Shortly after his arrest, Mohamud was appointed three lawyers from the Portland Federal Public Defender's Office: Steve Sady, Steve Wax, and Lisa Hay. According to attorneys from around the country, the three were among the best terrorism lawyers in the U.S. All three declined to comment.

Mohamud's trial began on Jan. 10, 2013, more than two years after the arrest. In her opening statement, Assistant U.S. Attorney Pamala Holsinger called Mohamud a "prolific user" of extremist websites, saying he was "well known" for his work for Samir Khan.

Holsinger said the government had contacted Mohamud because a “known terrorist” was trying to recruit him. She said the government would prove Mohamud’s attempt to travel to Alaska was a step toward his ultimate destination: Yemen. The prosecutor concluded by emphasizing the best evidence against Mohamud: “The defendant dialed this phone. And when the phone didn’t go off, he dialed it again.”

Sady, in his opening statement, accused the FBI of using “flattery” to get a manipulable teenager to do their bidding, invoking God and appealing to his fragile ego to make him do “the little things and big things that ended up bringing evidence into court today.” The federal defender told the jury he understood the difficulty of putting aside emotion to acquit a person who thought he was carrying out a heinous act. He implored jurors to evaluate the case based on law rather than hypothetical destruction.

“We all want law enforcement to stop crime,” Mohamud’s defense lawyer said. “But the FBI cannot create the very crime they intend to stop.”

“In America, we don’t create crime. The entrapment defense is how this fundamental American value is made real in the courts,” Sady said. “It’s a line the government cannot cross. We all want law enforcement to stop crime. But the FBI cannot create the very crime they intend to stop.”

The government’s case was a rare look into an FBI undercover investigation — warts and all. Over nine days, 14 agents took the stand. Several were forced to confront off-color comments caught on tape during surveillance. During his cross-examination,

Special Agent Mario Galindo — who had just explained to the jury that the reason the first face-to-face meeting was not recorded was because he accidentally left the recorder powered on the night before the operation — was asked to confirm a sexually suggestive comment he made after Mohamud first met the bomb expert, Hussein.

Sady: Did you express a feeling of enthusiasm by using a metaphor for sexual excitement?

Galindo: Which one?

Sady: Did you say, “You’ve got a lot of people with woodies up here right now?”

Galindo: Yes, I said that.

Both undercover agents testified for days. At one point, Lisa Hay grilled Youssef:

Hay: Did Mohamud say what kind of truck?

Youssef: He did not.

Hay: So the FBI decided what kind of truck, didn't they?

Youssef: Yes.

Hay: The FBI decided the size of the bomb?

Youssef: Yes.

Hay: The FBI designed the bomb?

Youssef: Yes.

Mohamud didn't testify in his own defense, though both his parents did. Barre told the court that he wished he had read his son's text messages to see what was going on with him. Then, during cross-examination by prosecutor Ethan Knight, the distraught father attacked the actions of the FBI:

Knight: You were concerned, and that's why you went to the FBI?

Barre: I went to the FBI to get help to stop him not to leave the country.

Knight: Because you were concerned that he might be brainwashed, isn't that right?

Barre: That is what I was afraid of. But can I tell you, the FBI brainwashed my son.

Several of Mohamud's friends took the stand on his behalf, calling him "goofy" and "fun-loving." Raed, however, was subpoenaed to testify for the prosecution. He wasn't happy about it and found a small way to rebel.

"The prosecution, they were like, 'Make sure you look at the jury and you talk to them eye to eye,'" Raed told BuzzFeed News. "But I'm like, no. If I were here on the defense side, sure, I can be talking straight to the jury. But I'm here because I'm forced to. So I'm going to answer your questions and go on with my day."

"I did look at Mohamed," Raed went on. "We did make eye contact. He was crying."

The trial closed after 14 days. Knight gave the government's summation. He reminded the jury that Mohamud had believed the bomb was real. The case, Knight argued, was about "a choice, a single and remarkable choice by this defendant to take the lives of thousands of people."

“An individual simply cannot be entrapped to commit an offense such as this,” Knight said. “This is the type of offense that one commits only because one wholeheartedly wants to.”

Steven T. Wax, left, and Stephen R. Sady, right. *Rick Bowmer / AP Photo*

Sady, the defense lawyer, gave an impassioned closing argument, citing Aleksandr Solzhenitsyn, the Soviet novelist who was forced into exile after publishing *The Gulag Archipelago*. “Solzhenitsyn says, ‘There is a line between good and evil that runs through the hearts of all people,’” Sady said. “The government shouldn’t be pushing that line.”

After seven hours of deliberations, the jury returned a guilty verdict.

Nine months later, Mohamud was sentenced. The government asked that Mohamud be given 40 years in prison, while his defense team pleaded for 10 years. Judge Garr King sentenced Mohamud to 30, citing a case of “imperfect entrapment” carried out by the government.

“Now, the jury found that defendant was not entrapped, but imperfect entrapment is available as a defense,” King said from the bench. “And in this case, it weighs slightly in favor of defendant in this case. The court realizes the agents often reminded the defendant he could back out of the plan if he had a change of heart, but that is balanced by the government’s inducement through the agent’s use of praise and religious references.”

Marc Aspinall for BuzzFeed News

Just over a month after Mohamud's conviction, the Supreme Court published its decision not to hear the ACLU lawsuit challenging the constitutionality of the FISA Amendments Act, or FAA. As a criminal defendant who had been charged using evidence obtained through warrantless surveillance, Mohamud was one of the people who the court believed had standing to sue in place of the ACLU. The government, however, did not notify him of the surveillance until nearly a year after his conviction.

Sady and his team furiously litigated the issue. They filed a [motion](#) asking the court to force the government to disclose what it had learned about Mohamud using FAA warrantless surveillance. Although the attorneys were careful not to single out particular

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pieces of evidence for scrutiny, their motion hinted at many possible questions. Did the FBI database that Special Agent DeLong searched when he found out that Mohamud corresponded with Khan include electronic data swept up by FAA laws? What about other types of FAA surveillance that had become publicly known since the Snowden disclosures? Were those surveillance methods used against Mohamud? Could Mohamud be sure he hadn't been targeted in a myriad of ways, some of them potentially unconstitutional?

For Mohamud, those questions meant the difference between prison and a new trial. Under a legal doctrine known as “[the fruit of the poisonous tree](#),” courts must suppress any evidence that has roots in illegal government conduct, even if a warrant is later issued to legally obtain the same evidence. If it turns out that unconstitutional surveillance first led the FBI to Mohamud, the prosecution's entire case could collapse.

Judge King, however, denied Mohamud's request for more information about the FBI's tactics, saying he would review the legality of the surveillance in private meetings with prosecutors.

Mohamud's attorneys resorted to [broader legal arguments](#). Much like the ACLU, they claimed the FAA provided “none of the protections that the First and Fourth Amendments require to limit governmental intrusions on privacy.” A vein of frustration ran through the pleadings, with the defense acknowledging at one point that it sought “suppression of unknown evidence [...] gathered at unknown times by unknown means by unknown persons and agencies operating under unknown protocols.”

The government [responded](#) that the warrantless surveillance in the case did not originally target Mohamud, but rather unspecified foreigners living abroad “who generally are not protected by the Fourth Amendment.” The fact that communications belonging to American citizens living within the borders of their own country — such as Khan and Mohamud — might have been “incidentally” acquired under the authority of the FAA did not “render the collection unreasonable.”

Again, Judge King sided with the prosecution, [denying Mohamud's request](#) for a new trial. (King declined a request for an interview.)

On Sep. 4, 2015, [Mohamud's attorneys filed a brief](#) asking the 9th Circuit of the Court of Appeals to overturn King's decision. The government has until December to file its response. Oral arguments could happen as soon as January 2016. Regardless of the outcome, the losing party is likely to appeal the matter before the Supreme Court.

A victory for the defense could end a significant chapter in the history of American law enforcement. It would follow other incremental decisions — including June's passing of the [USA Freedom Act](#), which curbed an NSA program that collected most Americans' phone records — that have begun to roll back the emergency policies enacted in the tense days after Sept. 11. Crucially, it wouldn't just end particular programs, but establish a

security.

By contrast, a victory for the prosecution would not just keep Mohamud in prison, but also continue the preventive approach to law enforcement that has developed since Sept. 11.

“The history of the criminal justice system demonstrates that infringements on rights begin in cases against a particular targeted group that does not have any public support,” Joshua Dratel, a defense attorney who has represented many American Muslims accused of terrorism, told BuzzFeed News. “However, over time those methods that get approved in those cases contaminate ordinary cases against ordinary persons, and especially against those who have politically unpopular opinions.”

On a recent autumn evening, Raed and Mohamed met at a bar in Corvallis to share memories about their friend, the convicted terrorist. The two hadn’t talked about Mohamud for a while, in part because things had been rough around campus after he got arrested.

“I mean, my name is Mohamed,” Mohamed told BuzzFeed News. “A lot of racist things have happened to me, many times, even before the incident. Afterwards, when I was on campus and people knew I knew Mohamed or hung out with him, they’d say things like, ‘Oh, Mo, you fucking terrorist!’”

“It’s sad, you know,” Raed said, as he flipped through Facebook photos showing himself and his friends at an anti-jihad rally. “For us to have to show up and be like, ‘No, this isn’t really us.’”

Would they want to see him again? The friends said nothing for a long time. Eventually, Mohamed broke the silence.

“The only reason I’d want to see him again would be to sit down with him, just like this,” he said, making a sweeping gesture over the table. “Because I’m curious. I want to figure out why. I want to say to him, ‘Some of your friends were [at Pioneer Square]. Why did you want to do it to them?’ Not ‘Why did you want to do it to everybody?’ Because he, at that time, obviously did not care about everybody. But he had such a close relationship with so many people who were there or could have been there. Why would he specifically want to do that to them?”

Raed then mentioned that Mohamud had written him a few times from prison. “They’re, like, normal conversations,” he said of the letters. “Like we’re talking like friends. He’s asking how am I doing, how’s my family doing, how’re our friends doing.”

Raed never wrote back.

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Exhibit II

National Security

A new travel ban with ‘mostly minor technical differences’? That probably won’t cut it, analysts say.

By [Matt Zapotosky](#) February 22

Senior policy adviser Stephen Miller said President Trump’s revised travel ban will have “mostly minor technical differences” from the iteration frozen by the courts, and Americans would see “the same basic policy outcome for the country.”

That is not what the Justice Department has promised. And legal analysts say it might not go far enough to allay the judiciary’s concerns.

A senior White House official said Wednesday that Trump will issue a revised executive order on immigration next week, as the administration is working to make sure the implementation goes smoothly. Trump had said previously that the order would come this week. Neither the president nor his top advisers have detailed exactly what the new order will entail. Miller’s comments on Fox News, while vague, seem to suggest the changes might not be substantive. And that could hurt the administration’s bid to lift the court-imposed suspension on the ban, analysts said.

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“If you’re trying to moot out litigation, which is to say, ‘Look, this litigation is no longer necessary,’ it is very bad to say our intent here is to engage in the prohibited outcome,” said Leon Fresco, who worked in the office of immigration litigation in President Barack Obama’s Justice Department.

Trump’s original travel ban temporarily barred from entering the United States refugees and citizens of seven Muslim-majority countries: Iraq, Iran, Sudan, Somalia, Syria, Yemen and Libya. When it was first implemented, State Department officials unilaterally revoked tens of thousands of visas, and the order seemed to affect even legal permanent residents, though the White House counsel soon clarified that it should not.

A federal district judge in Virginia later upheld that freeze. While the Justice Department could have appealed to the full appeals court — or even to the Supreme Court — it asked the 9th Circuit judges last week to hold off because a new executive order was in the works.

“Rather than continuing this litigation, the President intends in the near future to rescind the Order and replace it with a new, substantially revised Executive Order to eliminate what the panel erroneously thought were constitutional concerns,” Justice Department lawyers wrote.

Officials still plan a new order, but White House press secretary Sean Spicer said Tuesday that they would not rescind the old one. And speaking to Fox News’s Martha MacCallum, Miller seemed to play down how substantial even the revisions would be — which would seem to put him at odds with the Justice Department.

“Well, one of the big differences that you’re going to see in the executive order is that it’s going to be responsive to the judicial ruling, which didn’t exist previously. And so these are mostly minor technical differences,” he said. “Fundamentally, you’re still going to have the same basic policy outcome for the country, but you’re going to be responsive to a lot of very technical issues that were brought up by the court and those will be addressed. But in terms of protecting the country, those basic policies are still going to be in effect.”

Legal analysts have said previously that there are obvious ways in which the order could be cleaned up to help it pass legal muster — though anything that maintains outright bans might face a tough court battle.

Trump could craft an order that clearly exempts green-card holders — who have the best case to sue over the order — and he could also potentially exempt any current visa holders. But the 9th Circuit panel said that would not address claims “by citizens who have an interest in specific noncitizens’ ability to travel to the United States.”

And no matter what it does, the Trump administration must contend with the president’s own call on the campaign trail for a “total and complete shutdown of Muslims entering the United States” and campaign surrogate Rudolph W. Giuliani’s claim that Trump said “Muslim ban” and asked him to form a commission to determine “the right way to do it legally.”

A federal judge in Virginia referenced those comments in ordering the ban frozen with respect to Virginia residents and institutions, calling it “unrebutted evidence” that Trump’s directive might violate the First Amendment. That is important because if judges found even the new order was designed to discriminate against Muslims — and not to protect national security — they might similarly strike it down. The president does possess broad power to set immigration policy, and even his original executive order might ultimately pass legal muster, analysts have said. So far, courts have just weighed temporary injunctions on the ban, not directly and finally deciding whether Trump exceeded his authority.

“To the extent that the new executive order just makes technical changes, then we don’t see it solving any of the legal problems,” said Lee Gelernt, deputy director of the American Civil Liberties Union’s national Immigrants’ Rights Project, who is involved in a legal challenge to the ban in New York.

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At the White House briefing Wednesday, Spicer said that officials would not “ultimately prevail in court, but in the revised order officials had been “very clear about understanding what the court said, and trying to tailor that specifically.”

He also said he was not concerned that Trump’s prior remarks about targeting Muslims would hinder the administration’s case.

“The president was very clear in his executive order that these were countries that we didn’t have the proper vetting for when it came to ensuring the safety of Americans,” Spicer said. “That’s what the executive order said. ... It was crafted in a way that was very clear about the countries and was not focused on anything else but the vetting requirements.”

Revisions, analysts said, could ultimately help Trump prevail — particularly if he applied a ban only to the issuance of new visas, and if he issued robust procedures for those whose visas were revoked to challenge that action. His and Giuliani’s comments would be an obstacle, but they would not necessarily block him forever from using his powers on immigration.

“Are you permanently prohibited from ever doing something like this because you at one time said something that was inappropriate?” Fresco said. “The courts will have to decide what they believe here.”

Philip Rucker and John Wagner contributed to this report.

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Transcript of Donald Trump's Immigration Speech

SEPT. 1, 2016

Following is a transcript of the remarks by Donald J. Trump on immigration in Phoenix on Wednesday, as transcribed by the Federal News Service.

TRUMP: Wow. Thank you. That's a lot of people, Phoenix, that's a lot of people.

(APPLAUSE)

Thank you very much.

Thank you, Phoenix. I am so glad to be back in Arizona.

(APPLAUSE)

The state that has a very, very special place in my heart. I love people of Arizona and together we are going to win the White House in November.

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Now, you know this is where it all began for me. Remember that massive crowd also? So, I said let's go and have some fun tonight. We're going to Arizona, O.K.?

This will be a little bit different. This won't be a rally speech, per se. Instead, I'm going to deliver a detailed policy address on one of the greatest challenges facing our country today, illegal immigration.

(APPLAUSE)

I've just landed having returned from a very important and special meeting with the president of Mexico, a man I like and respect very much. And a man who truly loves his country, Mexico.

And, by the way, just like I am a man who loves my country, the United States.

(APPLAUSE)

We agree on the importance of ending the illegal flow of drugs, cash, guns, and people across our border, and to put the cartels out of business.

(APPLAUSE)

We also discussed the great contributions of Mexican-American citizens to our two countries, my love for the people of Mexico, and the leadership and friendship between Mexico and the United States. It was a thoughtful and substantive conversation and it will go on for awhile. And, in the end we're all going to win. Both countries, we're all going to win.

This is the first of what I expect will be many, many conversations. And in a Trump administration we're going to go about creating a new relationship between our two countries, but it's going to be a fair relationship. We want fairness.

(APPLAUSE)

But to fix our immigration system, we must change our leadership in
~~Washington and we must change it quickly. Sadly, sadly there is no other way. The~~

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about them and the special interests spend a lot of money trying to cover them up because they are making an absolute fortune. That's the way it is.

Today, on a very complicated and very difficult subject, you will get the truth. The fundamental problem with the immigration system in our country is that it serves the needs of wealthy donors, political activists and powerful, powerful politicians. It's all you can do. Thank you. Thank you.

(APPLAUSE)

Let me tell you who it does not serve. It does not serve you the American people. Doesn't serve you. When politicians talk about immigration reform, they usually mean the following: amnesty, open borders, lower wages. Immigration reform should mean something else entirely. It should mean improvements to our laws and policies to make life better for American citizens.

(APPLAUSE)

Thank you. But if we're going to make our immigration system work, then we have to be prepared to talk honestly and without fear about these important and very sensitive issues. For instance, we have to listen to the concerns that working people, our forgotten working people, have over the record pace of immigration and its impact on their jobs, wages, housing, schools, tax bills and general living conditions.

These are valid concerns expressed by decent and patriotic citizens from all backgrounds, all over. We also have to be honest about the fact that not everyone who seeks to join our country will be able to successfully assimilate. Sometimes it's just not going to work out. It's our right, as a sovereign nation, to chose immigrants that we think are the likeliest to thrive and flourish and love us.

(APPLAUSE)

Then there is the issue of security. Countless innocent American lives have been stolen because our politicians have failed in their duty to secure our borders and enforce our laws like they have to be enforced. I have met with many of the great

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people, so many, many people. So sad. They will be joining me on this stage in a little while and I look forward to introducing, these are amazing, amazing people.

Countless Americans who have died in recent years would be alive today if not for the open border policies of this administration and the administration that causes this horrible, horrible thought process, called Hillary Clinton.

(APPLAUSE)

This includes incredible Americans like 21-year-old Sarah Root. The man who killed her arrived at the border, entered federal custody and then was released into the U.S., think of it, into the U.S. community under the policies of the White House Barack Obama and Hillary Clinton. Weak, weak policies. Weak and foolish policies.

He was released again after the crime, and now he's out there at large. Sarah had graduated from college with a 4.0, top student in her class one day before her death.

Also among the victims of the Obama-Clinton open-border policy was Grant Ronnebeck, a 21-year-old convenience store clerk and a really good guy from Mesa, Arizona. A lot of you have known about Grant.

He was murdered by an illegal immigrant gang member previously convicted of burglary, who had also been released from federal custody, and they knew it was going to happen again.

Another victim is Kate Steinle. Gunned down in the sanctuary city of San Francisco, by an illegal immigrant, deported five previous times. And they knew he was no good.

Then there is the case of 90-year-old Earl Olander, who was brutally beaten and left to bleed to death in his home, 90 years old and defenseless. The perpetrators were illegal immigrants with criminal records a mile long, who did not meet Obama administration standards for removal. And they knew it was going to happen.

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with a hammer. Her killer had been arrested on multiple occasions but was never, ever deported, despite the fact that everybody wanted him out.

A 2011 report from the Government Accountability Office found that illegal immigrants and other non-citizens, in our prisons and jails together, had around 25,000 homicide arrests to their names, 25,000.

On top of that, illegal immigration costs our country more than \$113 billion a year. And this is what we get. For the money we are going to spend on illegal immigration over the next 10 years, we could provide one million at-risk students with a school voucher, which so many people are wanting.

While there are many illegal immigrants in our country who are good people, many, many, this doesn't change the fact that most illegal immigrants are lower skilled workers with less education, who compete directly against vulnerable American workers, and that these illegal workers draw much more out from the system than they can ever possibly pay back.

And they're hurting a lot of our people that cannot get jobs under any circumstances.

But these facts are never reported. Instead, the media and my opponent discuss one thing and only one thing, the needs of people living here illegally. In many cases, by the way, they're treated better than our vets.

Not going to happen anymore, folks. November 8th. Not going to happen anymore.

(APPLAUSE)

AUDIENCE: Trump! Trump! Trump!

The truth is, the central issue is not the needs of the 11 million illegal immigrants or however many there may be — and honestly we've been hearing that number for years. It's always 11 million. Our government has no idea. It could be

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Frankly our government has no idea what they're doing on many, many fronts, folks.

(APPLAUSE)

But whatever the number, that's never really been the central issue. It will never be a central issue. It doesn't matter from that standpoint. Anyone who tells you that the core issue is the needs of those living here illegally has simply spent too much time in Washington.

(APPLAUSE)

Only the out of touch media elites think the biggest problems facing America — you know this, this is what they talk about, facing American society today is that there are 11 million illegal immigrants who don't have legal status. And, they also think the biggest thing, and you know this, it's not nuclear, and it's not ISIS, it's not Russia, it's not China, it's global warming.

To all the politicians, donors, and special interests, hear these words from me and all of you today. There is only one core issue in the immigration debate, and that issue is the well being of the American people.

(APPLAUSE)

Nothing even comes a close second. [Hillary Clinton](#), for instance, talks constantly about her fears that families will be separated, but she's not talking about the American families who have been permanently separated from their loved ones because of a preventable homicide, because of a preventable death, because of murder.

No, she's only talking about families who come here in violation of the law. We will treat everyone living or residing in our country with great dignity. So important.

We will be fair, just, and compassionate to all, but our greatest compassion must be for our American citizens.

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Thank you.

President Obama and Hillary Clinton have engaged in gross dereliction of duty by surrendering the safety of the American people to open borders, and you know it better than anybody right here in Arizona. You know it.

President Obama and Hillary Clinton support sanctuary cities. They support catch and release on the border. They support visa overstays. They support the release of dangerous, dangerous, dangerous, criminals from detention. And they support unconstitutional executive amnesty.

Hillary Clinton has pledged amnesty in her first 100 days, and her plan will provide Obamacare, Social Security, and Medicare for illegal immigrants, breaking the federal budget.

On top of that she promises uncontrolled, low-skilled immigration that continues to reduce jobs and wages for American workers, and especially for African-American and Hispanic workers within our country. Our citizens.

Most incredibly, because to me this is unbelievable, we have no idea who these people are, where they come from. I always say Trojan horse. Watch what's going to happen, folks. It's not going to be pretty.

This includes her plan to bring in 620,000 new refugees from Syria and that region over a short period of time. And even yesterday, when you were watching the news, you saw thousands and thousands of people coming in from Syria. What is wrong with our politicians, our leaders if we can call them that. What the hell are we doing?

(APPLAUSE)

Hard to believe. Hard to believe. Now that you've heard about Hillary Clinton's plan, about which she has not answered a single question, let me tell you about my plan. And do you notice...

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And do you notice all the time for weeks and weeks of debating my plan, debating, talking about it, what about this, what about that. They never even mentioned her plan on immigration because she doesn't want to get into the quagmire. It's a tough one, she doesn't know what she's doing except open borders and let everybody come in and destroy our country by the way.

(APPLAUSE)

While Hillary Clinton meets only with donors and lobbyists, my plan was crafted with the input from Federal Immigration offices, very great people. Among the top immigration experts anywhere in this country, who represent workers, not corporations, very important to us.

I also worked with lawmakers, who've led on this issue on behalf of American citizens for many years. And most importantly I've met with the people directly impacted by these policies. So important.

Number one, are you ready? Are you ready?

(APPLAUSE)

We will build a great wall along the southern border.

(APPLAUSE)

AUDIENCE: Build the wall! Build the wall! Build the wall!

And Mexico will pay for the wall.

(APPLAUSE)

One hundred percent. They don't know it yet, but they're going to pay for it. And they're great people and great leaders but they're going to pay for the wall.

On day one, we will begin working on an impenetrable, physical, tall, power, beautiful southern border wall.

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We will use the best technology, including above and below ground sensors that's the tunnels. Remember that, above and below.

(APPLAUSE)

Above and below ground sensors. Towers, aerial surveillance and manpower to supplement the wall, find and dislocate tunnels and keep out criminal cartels and Mexico you know that, will work with us. I really believe it. Mexico will work with us. I absolutely believe it. And especially after meeting with their wonderful, wonderful president today. I really believe they want to solve this problem along with us, and I'm sure they will.

(APPLAUSE)

Number two, we are going to end catch and release. We catch them, oh go ahead. We catch them, go ahead.

(APPLAUSE)

Under my administration, anyone who illegally crosses the border will be detained until they are removed out of our country and back to the country from which they came.

(APPLAUSE)

And they'll be brought great distances. We're not dropping them right across. They learned that. President Eisenhower. They'd drop them across, right across, and they'd come back. And across.

Then when they flew them to a long distance, all of a sudden that was the end. We will take them great distances. But we will take them to the country where they came from, O.K.?

Number three. Number three, this is the one, I think it's so great. It's hard to believe, people don't even talk about it. Zero tolerance for criminal aliens. Zero.

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Zero. They don't come in here. They don't come in here.

According to federal data, there are at least two million, two million, think of it, criminal aliens now inside of our country, two million people criminal aliens. We will begin moving them out day one. As soon as I take office. Day one. In joint operation with local, state, and federal law enforcement.

Now, just so you understand, the police, who we all respect — say hello to the police. Boy, they don't get the credit they deserve. I can tell you. They're great people. But the police and law enforcement, they know who these people are.

They live with these people. They get mocked by these people. They can't do anything about these people, and they want to. They know who these people are. Day one, my first hour in office, those people are gone.

(APPLAUSE)

And you can call it deported if you want. The press doesn't like that term. You can call it whatever the hell you want. They're gone.

Beyond the two million, and there are vast numbers of additional criminal illegal immigrants who have fled, but their days have run out in this country. The crime will stop. They're going to be gone. It will be over.

(APPLAUSE)

They're going out. They're going out fast.

Moving forward. We will issue detainers for illegal immigrants who are arrested for any crime whatsoever, and they will be placed into immediate removal proceedings if we even have to do that.

We will terminate the Obama administration's deadly, and it is deadly, non-enforcement policies that allow thousands of criminal aliens to freely roam our streets, walk around, do whatever they want to do, crime all over the place.

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Since 2013 alone, the Obama administration has allowed 300,000 criminal aliens to return back into United States communities. These are individuals encountered or identified by ICE, but who were not detained or processed for deportation because it wouldn't have been politically correct.

My plan also includes cooperating closely with local jurisdictions to remove criminal aliens immediately. We will restore the highly successful Secure Communities Program. Good program. We will expand and revitalize the popular 287(g) partnerships, which will help to identify hundreds of thousands of deportable aliens in local jails that we don't even know about.

Both of these programs have been recklessly gutted by this administration. And those were programs that worked.

This is yet one more area where we are headed in a totally opposite direction. There's no common sense, there's no brain power in our administration by our leader, or our leaders. None, none, none.

On my first day in office I am also going to ask Congress to pass Kate's Law, named for Kate Steinle...

(APPLAUSE)

... to ensure that criminal aliens convicted of illegal reentry receive strong mandatory minimum sentences. Strong.

(APPLAUSE)

And then we get them out.

Another reform I'm proposing is the passage of legislation named for Detective Michael Davis and Deputy Sheriff Danny Oliver, two law enforcement officers recently killed by a previously deported illegal immigrant.

The Davis-Oliver bill will enhance cooperation with state and local authorities to

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We're going to triple the number of ICE deportation officers.

(APPLAUSE)

Within ICE I am going to create a new special deportation task force focused on identifying and quickly removing the most dangerous criminal illegal immigrants in America who have evaded justice just like Hillary Clinton has evaded justice, O.K.?

(APPLAUSE)

Maybe they'll be able to deport her.

(APPLAUSE)

The local police who know every one of these criminals, and they know each and every one by name, by crime, where they live, they will work so fast. And our local police will be so happy that they don't have to be abused by these thugs anymore.

There's no great mystery to it, they've put up with it for years, and now finally we will turn the tables and law enforcement and our police will be allowed to clear up this dangerous and threatening mess.

We're also going to hire 5,000 more Border Patrol agents.

(APPLAUSE)

Who gave me their endorsement, 16,500 gave me their endorsement.

And put more of them on the border instead of behind desks which is good. We will expand the number of border patrol stations significantly.

I've had a chance to spend time with these incredible law enforcement officers, and I want to take a moment to thank them. What they do is incredible.

(APPLAUSE)

And getting their endorsement means so much to me. More to me really than I

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Number four, block funding for sanctuary cities. We block the funding. No more funds.

(APPLAUSE)

We will end the sanctuary cities that have resulted in so many needless deaths. Cities that refuse to cooperate with federal authorities will not receive taxpayer dollars, and we will work with Congress to pass legislation to protect those jurisdictions that do assist federal authorities. Number five, cancel unconstitutional executive orders and enforce all immigration laws.

(APPLAUSE)

We will immediately terminate President Obama's two illegal executive amnesties in which he defied federal law and the Constitution to give amnesty to approximately five million illegal immigrants, five million.

(BOOING)

And how about all the millions that are waiting on line, going through the process legally? So unfair.

Hillary Clinton has pledged to keep both of these illegal amnesty programs, including the 2014 amnesty which has been blocked by the United States Supreme Court. Great.

Clinton has also pledged to add a third executive amnesty. And by the way, folks, she will be a disaster for our country, a disaster in so many other ways.

And don't forget the Supreme Court of the United States. Don't forget that when you go to vote on November 8. And don't forget your Second Amendment. And don't forget the repeal and replacement of Obamacare.

(APPLAUSE)

~~And don't forget building up our depleted military. And don't forget taking care~~

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(APPLAUSE)

Clinton's plan would trigger a constitutional crisis unlike almost anything we have ever seen before. In effect, she would be abolishing the lawmaking powers of Congress in order to write her own laws from the Oval Office. And you see what bad judgment she has. She has seriously bad judgment.

(BOOING)

Can you imagine? In a Trump administration all immigration laws will be enforced, will be enforced. As with any law enforcement activity, we will set priorities. But unlike this administration, no one will be immune or exempt from enforcement. And ICE and Border Patrol officers will be allowed to do their jobs the way their jobs are supposed to be done.

(APPLAUSE)

Anyone who has entered the United States illegally is subject to deportation. That is what it means to have laws and to have a country. Otherwise we don't have a country.

Our enforcement priorities will include removing criminals, gang members, security threats, visa overstays, public charges. That is those relying on public welfare or straining the safety net along with millions of recent illegal arrivals and overstays who've come here under this current corrupt administration.

(APPLAUSE)

Number six, we are going to suspend the issuance of visas to any place where adequate screening cannot occur.

(APPLAUSE)

According to data provided by the Senate Subcommittee on Immigration, and the national interest between 9/11 and the end of 2014, at least 380 foreign born

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now the largest number of people are under investigation for exactly this that we've ever had in the history of our country.

Our country is a mess. We don't even know what to look for anymore, folks. Our country has to straighten out. And we have to straighten out fast.

The number is likely higher. But the administration refuses to provide this information, even to Congress. As soon as I enter office I am going to ask the Department of State, which has been brutalized by Hillary Clinton, brutalized.

(BOOING)

Homeland Security and the Department of Justice to begin a comprehensive review of these cases in order to develop a list of regions and countries from which immigration must be suspended until proven and effective vetting mechanisms can be put in place.

I call it extreme vetting right? Extreme vetting. I want extreme. It's going to be so tough, and if somebody comes in that's fine but they're going to be good. It's extreme.

And if people don't like it, we've got have a country folks. Got to have a country. Countries in which immigration will be suspended would include places like Syria and Libya. And we are going to stop the tens of thousands of people coming in from Syria. We have no idea who they are, where they come from. There's no documentation. There's no paperwork. It's going to end badly folks. It's going to end very, very badly.

For the price of resettling one refugee in the United States, 12 could be resettled in a safe zone in their home region. Which I agree with 100 percent. We have to build safe zones and we'll get the money from Gulf states. We don't want to put up the money. We owe almost \$20 trillion. Doubled since Obama took office, our national debt.

~~But we will get the money from Gulf states and others. We'll supervise it. We'll~~

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Another reform involves new screening tests for all applicants that include, and this is so important, especially if you get the right people. And we will get the right people. An ideological certification to make sure that those we are admitting to our country share our values and love our people.

(APPLAUSE)

Thank you. We're very proud of our country. Aren't we? Really? With all it's going through, we're very proud of our country. For instance, in the last five years, we've admitted nearly 100,000 immigrants from Iraq and Afghanistan. And these two countries according to Pew Research, a majority of residents say that the barbaric practice of honor killings against women are often or sometimes justified. That's what they say.

(APPLAUSE)

That's what they say. They're justified. Right? And we're admitting them to our country. Applicants will be asked their views about honor killings, about respect for women and gays and minorities. Attitudes on radical Islam, which our president refuses to say and many other topics as part of this vetting procedure. And if we have the right people doing it, believe me, very, very few will slip through the cracks. Hopefully, none.

(APPLAUSE)

Number seven, we will insure that other countries take their people back when they order them deported.

(APPLAUSE)

There are at least 23 countries that refuse to take their people back after they've been ordered to leave the United States. Including large numbers of violent criminals, they won't take them back. So we say, O.K., we'll keep them. Not going to happen with me, not going to happen with me.

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Due to a Supreme Court decision, if these violent offenders cannot be sent home, our law enforcement officers have to release them into your communities.

(APPLAUSE)

And by the way, the results are horrific, horrific. There are often terrible consequences, such as Casey Chadwick's tragic death in Connecticut just last year. Yet despite the existence of a law that commands the secretary of state to stop issuing visas to these countries.

Secretary Hillary Clinton ignored this law and refused to use this powerful tool to bring nations into compliance. And, they would comply if we would act properly.

In other words, if we had leaders that knew what they were doing, which we don't.

The result of her misconduct was the release of thousands and thousands of dangerous criminal aliens who should have been sent home to their countries. Instead we have them all over the place. Probably a couple in this room as a matter of fact, but I hope not.

According to a report for the Boston Globe from the year 2008 to 2014 nearly 13,000 criminal aliens were released back into U.S. communities because their home countries would not, under any circumstances, take them back. Hard to believe with the power we have. Hard to believe.

We're like the big bully that keeps getting beat up. You ever see that? The big bully that keeps getting beat up.

These 13,000 releases occurred on Hillary Clinton's watch. She had the power and the duty to stop it cold, and she decided she would not do it.

(BOOING)

And Arizona knows better than most exactly what I'm talking about.

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Those released include individuals convicted of killings, sexual assaults, and some of the most heinous crimes imaginable.

The Boston Globe writes that a Globe review of 323 criminals released in New England from 2008 to 2012 found that as many as 30 percent committed new offenses, including rape, attempted murder, and child molestation. We take them, we take them.

(BOOING)

Number eight, we will finally complete the biometric entry-exit visa tracking system which we need desperately.

(APPLAUSE)

For years Congress has required biometric entry-exit visa tracking systems, but it has never been completed. The politicians are all talk, no action, never happens. Never happens.

Hillary Clinton, all talk. Unfortunately when there is action it's always the wrong decision. You ever notice?

In my administration we will ensure that this system is in place. And, I will tell you, it will be on land, it will be on sea, it will be in air. We will have a proper tracking system.

Approximately half of new illegal immigrants came on temporary visas and then never, ever left. Why should they? Nobody's telling them to leave. Stay as long as you want, we'll take care of you.

Beyond violating our laws, visa overstays pose — and they really are a big problem — pose a substantial threat to national security. The 9/11 Commission said that this tracking system should be a high priority and would have assisted law enforcement and intelligence officials in August and September 2001 in conducting a search for two of the 9/11 hijackers that were in the United States on expired visas.

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And you know what that would have meant, what that could have meant. Wouldn't that have been wonderful, right? What that could have meant.

Last year alone nearly half a million individuals overstayed their temporary visas. Removing these overstays will be a top priority of my administration.

(APPLAUSE)

If people around the world believe they can just come on a temporary visa and never, ever leave, the Obama-Clinton policy, that's what it is, then we have a completely open border, and we no longer have a country.

We must send a message that visa expiration dates will be strongly enforced.

Number nine, we will turn off the jobs and benefits magnet.

(APPLAUSE)

We will ensure that E-Verify is used to the fullest extent possible under existing law, and we will work with Congress to strengthen and expand its use across the country.

Immigration law doesn't exist for the purpose of keeping criminals out. It exists to protect all aspects of American life. The work site, the welfare office, the education system, and everything else.

That is why immigration limits are established in the first place. If we only enforced the laws against crime, then we have an open border to the entire world. We will enforce all of our immigration laws.

(APPLAUSE)

And the same goes for government benefits. The Center for Immigration Studies estimates that 62 percent of households headed by illegal immigrants use some form of cash or non-cash welfare programs like food stamps or housing assistance.

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Those who abuse our welfare system will be priorities for immediate removal.

(APPLAUSE)

Number 10, we will reform legal immigration to serve the best interests of America and its workers, the forgotten people. Workers. We're going to take care of our workers.

And by the way, and by the way, we're going to make great trade deals. We're going to renegotiate trade deals. We're going to bring our jobs back home. We're going to bring our jobs back home.

We have the most incompetently worked trade deals ever negotiated probably in the history of the world, and that starts with Nafta. And now they want to go TPP, one of the great disasters.

We're going to bring our jobs back home. And if companies want to leave Arizona and if they want to leave other states, there's going to be a lot of trouble for them. It's not going to be so easy. There will be consequence. Remember that. There will be consequence. They're not going to be leaving, go to another country, make the product, sell it into the United States, and all we end up with is no taxes and total unemployment. It's not going to happen. There will be consequences.

(APPLAUSE)

We've admitted 59 million immigrants to the United States between 1965 and 2015. Many of these arrivals have greatly enriched our country. So true. But we now have an obligation to them and to their children to control future immigration as we are following, if you think, previous immigration waves.

We've had some big waves. And tremendously positive things have happened. Incredible things have happened. To ensure assimilation we want to ensure that it works. Assimilation, an important word. Integration and upward mobility.

(APPLAUSE)

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Within just a few years immigration as a share of national population is set to break all historical records. The time has come for a new immigration commission to develop a new set of reforms to our legal immigration system in order to achieve the following goals.

To keep immigration levels measured by population share within historical norms. To select immigrants based on their likelihood of success in U.S. society and their ability to be financially self-sufficient.

(APPLAUSE)

We take anybody. Come on in, anybody. Just come on in. Not anymore.

You know, folks, it's called a two-way street. It is a two-way street, right? We need a system that serves our needs, not the needs of others. Remember, under a Trump administration it's called America first. Remember that.

(APPLAUSE)

To choose immigrants based on merit. Merit, skill, and proficiency. Doesn't that sound nice? And to establish new immigration controls to boost wages and to ensure that open jobs are offered to American workers first. And that in particular African-American and Latino workers who are being shut out in this process so unfairly.

(APPLAUSE)

And Hillary Clinton is going to do nothing for the African-American worker, the Latino worker. She's going to do nothing. Give me your vote, she says, on November 8th. And then she'll say, so long, see you in four years. That's what it is.

She is going to do nothing. And just look at the past. She's done nothing. She's been there for 35 years. She's done nothing. And I say what do you have to lose? Choose me. Watch how good we're going to do together. Watch.

(APPLAUSE)

5

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national interest. We've been living under outdated immigration rules from decades ago. They're decades and decades old.

To avoid this happening in the future, I believe we should sunset our visa laws so that Congress is forced to periodically revise and revisit them to bring them up to date. They're archaic. They're ancient. We wouldn't put our entire federal budget on auto pilot for decades, so why should we do the same for the very, very complex subject of immigration?

So let's now talk about the big picture. These 10 steps, if rigorously followed and enforced, will accomplish more in a matter of months than our politicians have accomplished on this issue in the last 50 years. It's going to happen, folks. Because I am proudly not a politician, because I am not behold to any special interest, I've spent a lot of money on my campaign, I'll tell you. I write those checks. Nobody owns Trump.

I will get this done for you and for your family. We'll do it right. You'll be proud of our country again. We'll do it right. We will accomplish all of the steps outlined above. And, when we do, peace and law and justice and prosperity will prevail. Crime will go down. Border crossings will plummet. Gangs will disappear.

And the gangs are all over the place. And welfare use will decrease. We will have a peace dividend to spend on rebuilding America, beginning with our American inner cities. We're going to rebuild them, for once and for all.

For those here illegally today, who are seeking legal status, they will have one route and one route only. To return home and apply for reentry like everybody else, under the rules of the new legal immigration system that I have outlined above. Those who have left to seek entry —

Thank you.

Thank you. Thank you. Those who have left to seek entry under this new system — and it will be an efficient system — will not be awarded surplus visas, but will have

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future. TRUMP: We will break the cycle of amnesty and illegal immigration. We will break the cycle. There will be no amnesty.

(APPLAUSE)

Our message to the world will be this. You cannot obtain legal status or become a citizen of the United States by illegally entering our country. Can't do it.

(APPLAUSE)

This declaration alone will help stop the crisis of illegal crossings and illegal overstays, very importantly. People will know that you can't just smuggle in, hunker down and wait to be legalized. It's not going to work that way. Those days are over.

(APPLAUSE)

Importantly, in several years when we have accomplished all of our enforcement and deportation goals and truly ended illegal immigration for good, including the construction of a great wall, which we will have built in record time. And at a reasonable cost, which you never hear from the government.

(APPLAUSE)

And the establishment of our new lawful immigration system then and only then will we be in a position to consider the appropriate disposition of those individuals who remain.

That discussion can take place only in an atmosphere in which illegal immigration is a memory of the past, no longer with us, allowing us to weigh the different options available based on the new circumstances at the time.

(APPLAUSE)

Right now, however, we're in the middle of a jobs crisis, a border crisis and a terrorism crisis like never before. All energies of the federal government and the legislative process must now be focused on immigration security. That is the only

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Whether it's dangerous materials being smuggled across the border, terrorists entering on visas or Americans losing their jobs to foreign workers, these are the problems we must now focus on fixing. And the media needs to begin demanding to hear Hillary Clinton's answer on how her policies will affect Americans and their security.

(APPLAUSE)

These are matters of life and death for our country and its people, and we deserve answers from Hillary Clinton. And do you notice, she doesn't answer.

She didn't go to Louisiana. She didn't go to Mexico. She was invited.

She doesn't have the strength or the stamina to make America great again. Believe me.

(APPLAUSE)

What we do know, despite the lack of media curiosity, is that Hillary Clinton promises a radical amnesty combined with a radical reduction in immigration enforcement. Just ask the Border Patrol about Hillary Clinton. You won't like what you're hearing.

The result will be millions more illegal immigrants; thousands of more violent, horrible crimes; and total chaos and lawlessness. That's what's going to happen, as sure as you're standing there.

This election, and I believe this, is our last chance to secure the border, stop illegal immigration and reform our laws to make your life better. I really believe this is it. This is our last time. November 8. November 8. You got to get out and vote on November 8.

(APPLAUSE)

It's our last chance. It's our last chance. And that includes Supreme Court

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I am going to ask — these are really special people that I've gotten to know. I'm going to ask all of the "Angel Moms" to come join me on the stage right now.

These are amazing women.

(APPLAUSE)

These are amazing people.

(APPLAUSE)

AUDIENCE: USA! USA! USA!

I've become friends with so many. But Jamiel Shaw, incredible guy, lost his son so violently. Say just a few words about your child.

(SPEAKER'S VOICE): My son Ronald da Silva (ph) was murdered April 27, 2002 by an illegal alien who had been previously deported. And what so — makes me so outrageous is that we came here legally.

Thank you, Mr. Trump. I totally support you. You have my vote.

TRUMP: Thank you, thank you.

(SPEAKER'S VOICE): God bless you.

(APPLAUSE)

TRUMP: You know what? Name your child and come right by. Go ahead.

(SPEAKER'S VOICE): Laura Wilkerson. And my son was Joshua Wilkerson. He was murdered by an illegal in 2010. And I personally support Mr. Trump for our next president.

(APPLAUSE)

(SPEAKER'S VOICE): My name is Ruth Johnston Martin (ph). My husband

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2002. And I support this man who's going to change this country for the better. God bless you.

(APPLAUSE)

(SPEAKER'S VOICE): My name Maureen Maloney (ph), and our son Matthew Denise (ph) was 23 years old when he was dragged a quarter of a mile to his death by an illegal alien, while horrified witnesses were banging on the truck trying to stop him.

(APPLAUSE)

(SPEAKER'S VOICE): Our son Matthew Denise, if Donald Trump were president in 2011, our son Matthew Denise and other Americans would be alive today.

(APPLAUSE)

(SPEAKER'S VOICE): Thank you. My name is Kathy Woods (ph). My son Steve (ph), a high school senior, 17 years old, went to the beach after a high school football game. A local gang came along, nine members. The cars were battered to — like war in Beirut. And all I can say is they murdered him and if Mr. Trump had been in office then the border would have been secure and our children would not be dead today.

(APPLAUSE)

(SPEAKER'S VOICE): Hi. My name is Brenda Sparks (ph), and my son is named Eric Zapeda (ph). He was raised by a legal immigrant from Honduras only to be murdered by an illegal in 2011. His murderer never did a second in handcuffs or jail. Got away with killing an American. So I'm voting for trump. And by the way, so is my mother.

(APPLAUSE)

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Little Rock, Arkansas. Thank you. And if you don't vote Trump, we won't have a country. Trump all the way.

(APPLAUSE)

(SPEAKER'S VOICE): I'm Shannon Estes (ph). And my daughter Shaley Estes (ph), 22 years old, was murdered here in Phoenix last July 24 by a Russian who overstayed his visa. And vote Trump.

(APPLAUSE)

(SPEAKER'S VOICE): I'm Mary Ann Mendoza, the mother of Sergeant Brandon Mendoza, who was killed in a violent head-on collision in Mesa.

Thank you.

I want to thank Phoenix for the support you've always given me, and I want to tell you what. I'm supporting the man who will — who is the only man who is going to save our country, and what we our going to be leaving our children.

(APPLAUSE)

(SPEAKER'S VOICE): I'm Steve Ronnebeck, father of Grant Ronnebeck, 21 years old. Killed January 22, 2015 by an illegal immigrant who shot him in the face. I truly believe that Mr. Trump is going to change things. He's going to fight for my family, and he's going to fight for America.

(APPLAUSE)

TRUMP: These are amazing people, and I am not asking for their endorsement, believe me that. I just think I've gotten to know so many of them, and many more, from our group. But they are incredible people and what they're going through is incredible, and there's just no reason for it. Let's give them a really tremendous hand.

(APPLAUSE)

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So, now is the time for these voices to be heard. Now is the time for the media to begin asking questions on their behalf. Now is the time for all of us as one country, Democrat, Republican, liberal, conservative to band together to deliver justice, and safety, and security for all Americans.

Let's fix this horrible, horrible, problem. It can be fixed quickly. Let's our secure our border.

(APPLAUSE)

Let's stop the drugs and the crime from pouring into our country. Let's protect our social security and Medicare. Let's get unemployed Americans off the welfare and back to work in their own country.

This has been an incredible evening. We're going to remember this evening. November 8, we have to get everybody. This is such an important state. November 8 we have to get everybody to go out and vote.

We're going to bring — thank you, thank you. We're going to take our country back, folks. This is a movement. We're going to take our country back.

Thank you.

(APPLAUSE)

Thank you.

This is an incredible movement. The world is talking about it. The world is talking about it and by the way, if you haven't been looking to what's been happening at the polls over the last three or four days I think you should start looking. You should start looking.

(APPLAUSE)

Together we can save American lives, American jobs, and American futures.

~~Together we can save America itself. Join me in this mission we're going to make~~

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Thank you. I love you. God bless you, everybody. God bless you. God bless you, thank you.

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Exhibit KK



PewResearchCenter

MENU

RESEARCH AREAS

JANUARY 30, 2017

Key facts about refugees to the U.S.

BY JENS MANUEL KROGSTAD ([HTTP://WWW.PEWRESEARCH.ORG/AUTHOR/JKROGSTAD/](http://www.pewresearch.org/author/jkrogstad/)) AND JYNNAH RADFORD ([HTTP://WWW.PEWRESEARCH.ORG/AUTHOR/JRADFORD/](http://www.pewresearch.org/author/jradford/))



Syrian refugees take notes during their vocational ESL class at the International Rescue Committee center in San Diego on Aug. 31, 2016. (Frederic J. Brown/AFP/Getty Images)

An executive order (<https://www.nytimes.com/2017/01/27/us/politics/refugee-muslim-executive-order-trump.html>) signed Jan. 27 by President Donald Trump suspends refugee admissions for 120 days while security procedures are reviewed, though the resettlement of persecuted religious minorities may continue during this time on a case-by-case basis. Under the plan, the maximum number of refugees allowed into the U.S. in fiscal 2017 will likely decline from 110,000 to 50,000. Separately, admission of Syrian refugees will be suspended pending a revision of security screening measures.

About 3 million refugees have been resettled in the U.S. since Congress passed the Refugee Act of 1980

(<https://www.acf.hhs.gov/orr/resource/the-refugee-act>), which created the Federal Refugee Resettlement Program and the current national standard for the screening and admission of refugees into the country.

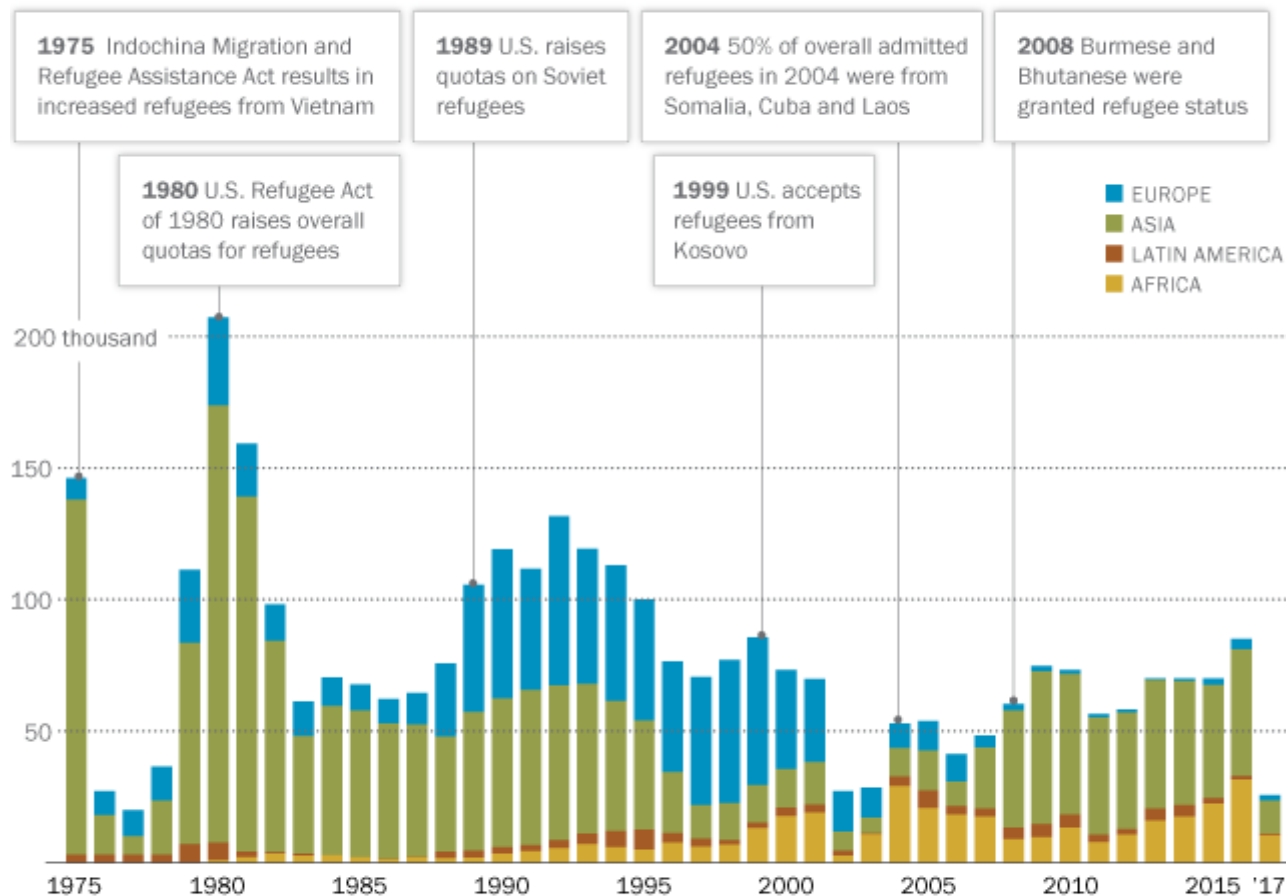
This is not the first time U.S. refugee admissions have been stopped. After the 2001 terrorist attacks, the U.S. largely suspended refugee resettlement for three months while security measures were examined. Today, the refugee admissions process (<https://www.state.gov/j/prm/ra/admissions/>) can take up to 18 to 24 months, and includes a review of applications by the State Department and other federal agencies, in-person interviews, health screenings and, for many, cultural orientations.

Here are key facts from our research about refugees entering the United States:

1 Historically, **the total number of refugees coming to the U.S. has fluctuated** (<http://www.pewresearch.org/fact-tank/2016/06/17/where-refugees-to-the-u-s-come-from/>) **along with global events and U.S. priorities.** From 1990 to 1995, an average of about 112,000 refugees arrived in the U.S. each year, with many coming from the former Soviet Union. However, refugee admissions dropped off to fewer than 27,000 in 2002 following the terrorist attacks in 2001. This number has since trended up.

The shifting origins of refugees to the U.S. over time

Number of refugees admitted to the U.S., by region of origin of principal applicant and fiscal year



Source: Refugee Processing Center, 1975-2016.

Note: Data do not include special immigrant visas and certain humanitarian parole entrants. Does not include refugees admitted under the Private Sector Initiative. Europe includes former Soviet Union states. Asia includes Middle Eastern and North African countries. Africa includes sub-Saharan Africa, but also Sudan and South Sudan. Latin America includes Caribbean. Data for fiscal 2017 are through Dec. 31, 2016; fiscal 2017 began Oct. 1, 2016.

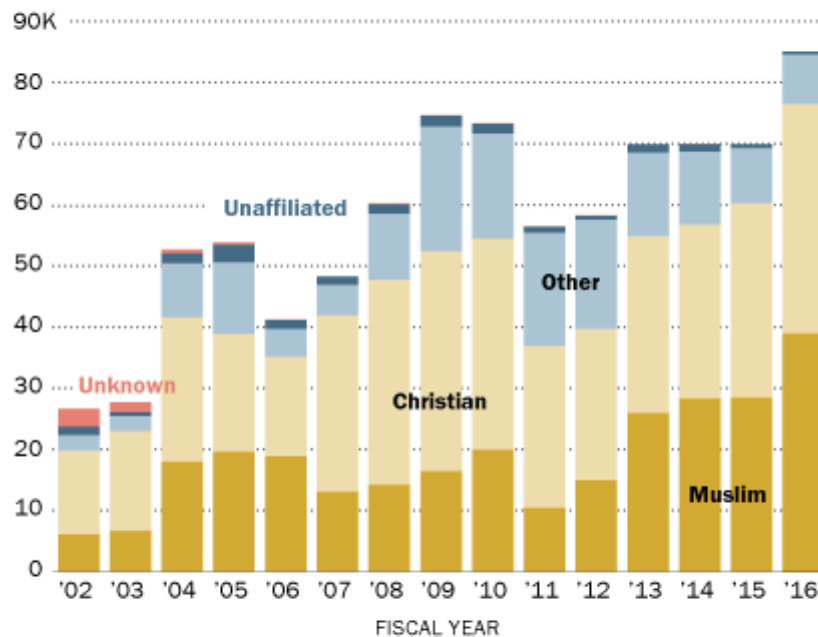
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2 The U.S. admitted 84,995 refugees in the fiscal year ending in September 2016, the most in any year during the Obama administration. An additional 31,143 refugees have been admitted to the U.S. from Oct. 1 through Jan. 24, including more than 1,136 refugee admissions since Trump became president on Jan. 20. Though refugee admissions would drastically drop under Trump’s proposal, the U.S. had been on pace to reach the Obama administration’s goal of admitting 110,000 refugees (<http://www.pewresearch.org/fact-tank/2017/01/20/u-s-on-track-to-reach-obama-administrations-goal-of-resettling-110000-refugees-this-year/>) in fiscal 2017, which would have been the highest number since 1994.

3 In fiscal 2016, the highest number of refugees from any nation came from the Democratic Republic of Congo. The Congo accounted for 16,370 refugees followed by Syria (12,587), Burma (aka Myanmar, with 12,347), Iraq (9,880) and Somalia (9,020). Over the past decade, the largest numbers of refugees have come from Burma (159,692) and Iraq (135,643).

U.S. admits its highest number of Muslim refugees on record in fiscal 2016

Number of refugees entering the U.S. by religious affiliation



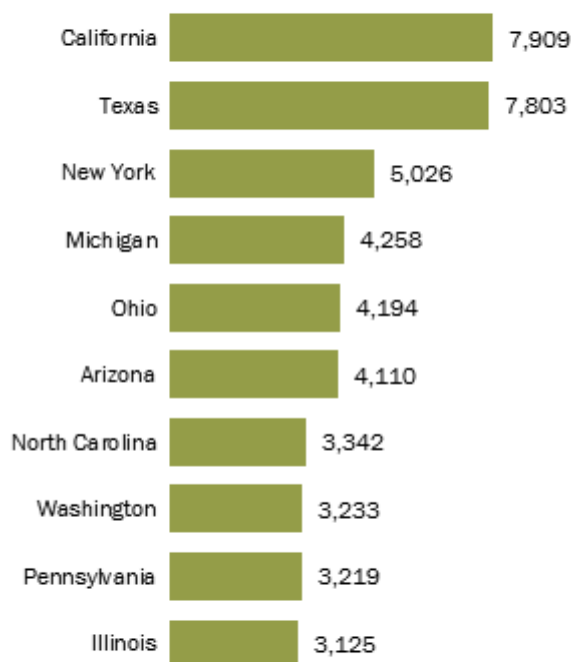
Note: "Other religions" include Hindus, Buddhists, Jews and other religions. Data do not include special immigrant visas and certain humanitarian parole entrants. Fiscal years are Oct. 1 through Sept. 30 each year. Source: U.S. State Department's Refugee Processing Center accessed Oct. 3, 2016.

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4 Nearly 39,000 Muslim refugees (<http://www.pewresearch.org/fact-tank/2016/10/05/u-s-admits-record-number-of-muslim-refugees-in-2016/>) entered the U.S. in fiscal 2016, the highest number on record, according to a Pew Research Center analysis of data from the State Department's Refugee Processing Center (http://ireports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt_WebArrivalsReports/MX%20-%20Arrivals%20by%20Nationality%20and%20Religion). Muslims made up nearly half (46%) of refugee admissions, a higher share than for Christians, who accounted for 44% of refugees admitted. Muslims exceeded Christians on this measure for the first time since 2006, when a large number of Somali refugees entered the U.S. From fiscal years 2002 to 2016, the U.S. admitted 399,677 Christian refugees and 279,339 Muslim refugees, meaning that 46% of all refugees who have entered the U.S. during this time have been Christian while 32% have been Muslim.

California, Texas and New York were the top states by number of refugees resettled in fiscal 2016

Number of refugees resettled in in fiscal year 2016



Note: Fiscal year began Oct. 1, 2015, and ended Sept. 30, 2016.
 Top 10 states by resettlement shown.
 Source: U.S. State Department's Refugee Processing Center
 accessed Nov 22, 2016.

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(http://www.pewresearch.org/fact-tank/2016/12/06/just-10-states-resettled-more-than-half-of-recent-refugees-to-u-s/ft_16-12-02_usrefugees_total/)

5 **California, Texas and New York** (<http://www.pewresearch.org/fact-tank/2016/12/06/just-10-states-resettled-more-than-half-of-recent-refugees-to-u-s/>) **resettled nearly a quarter of all refugees in fiscal 2016**, together taking 20,738 refugees. Other states that received at least 3,000 refugees included Michigan, Ohio, Arizona, North Carolina, Washington, Pennsylvania and Illinois. By contrast, Arkansas, the District of Columbia and Wyoming each resettled fewer than 10 refugees. Delaware and Hawaii took in no refugees.

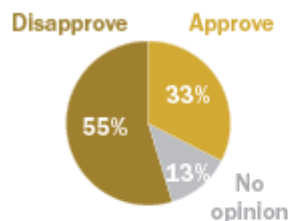
6 **The U.S. public has seldom approved of accepting large numbers of refugees.** In October 2016, 54% of registered voters said the U.S. (<http://www.people-press.org/2016/10/27/7-opinions-on-u-s-international-involvement-free-trade-isis-and-syria-russia-and-china/>) does not have a responsibility to accept refugees from Syria, while 41% said it does. There was a wide partisan gap on this measure, with 87% of Trump supporters saying the U.S. doesn't have a responsibility to accept Syrians, compared with only 27% of Clinton supporters who said the same. U.S. public opinion polls (<http://www.pewresearch.org/fact-tank/2015/11/19/u-s-public-seldom-has-welcomed-refugees-into-country/>) from previous decades show Americans have largely opposed admitting large numbers of refugees from countries where people are fleeing war and oppression.

Over the Decades, American Public Generally Hasn't Welcomed Refugees

% who say ...

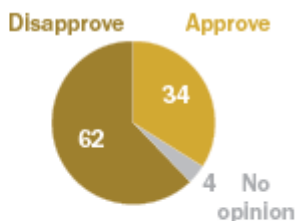
Hungarians, 1958

Would you approve or disapprove of a plan to permit **65,000** refugees who escaped the Communist regime in Hungary to come to the U.S.?



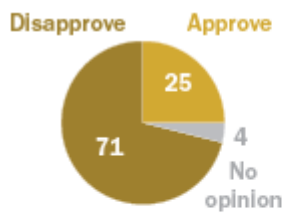
Indochinese, 1979

Do you approve or disapprove of the U.S. gov't's plan to double the number of refugees from Indochina admitted, to **14,000 a month**?



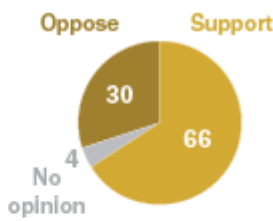
Cubans, 1980

Many refugees from Cuba have come to the U.S. recently. Do you approve or disapprove of allowing most of these Cuban refugees to settle in the U.S.?



Ethnic Albanians, 1999

Several hundred ethnic Albanian refugees from Kosovo have been brought to the U.S. Do you support or oppose the decision to bring them here?



Source: Gallup (Hungarians, July-August 1958; Albanians, May 1999) CBS/New York Times (Indochinese, July 1979; Cubans, June 1980)

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Note: This is an update of a post originally published on Jan. 27, 2017.



Jens Manuel Krogstad (<http://www.pewresearch.org/author/jkrogstad/>) is a writer/editor focusing on Hispanics, immigration and demographics at Pew Research Center.

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POSTS | EMAIL

60 Comments



Anonymous • 1 month ago (#comment-674937)

Believe or not, we know that most of "so-called Congolese Refugees" are actually Rwandese from RWANDA. They will all tell you that they are from Rutshuru or Mulenge, because these are the regions that were infiltrated by them. The Congolese citizenship is inherited from blood and as a rule in the East, you have to proof from which family you come

Exhibit LL

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK**

HAMEED KHALID DARWEESH, et al.,

on behalf of themselves and others
similarly situated,

Petitioners,

v.

DONALD J. TRUMP, President of the
United States, et al.,

Respondents.

Case No. 1:17-cv-00480
(Amon, J.)

Date: February 16, 2017

**BRIEF OF FORMER NATIONAL SECURITY OFFICIALS
AS AMICI CURIAE IN SUPPORT OF PETITIONERS**

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INTEREST OF *AMICI CURIAE*

Amici curiae are former national security, foreign policy and intelligence officials who have worked on pressing national security matters in the U.S. government. A number of amici have worked at senior levels in administrations of both political parties. Amici have collectively devoted decades to combatting the various terrorist threats that the United States faces in an increasingly dangerous and dynamic world. Amici have all held the highest security clearances. A significant number were current on active intelligence regarding credible terrorist threat streams directed against the United States as recently as one week before the issuance of the January 27, 2017 Executive Order on “Protecting the Nation from Foreign Terrorist Entry into the United States” (“Order”).¹

Amici all agree that the United States faces real threats from terrorist networks and must take all prudent and effective steps to combat them, including the appropriate vetting of travelers to the United States. Amici are nevertheless not aware of any specific threat that would justify the broad bans on entry into the United States established by this Order. In amici’s professional opinion, the Order

¹ This amicus brief derives from the sworn Joint Declaration of ten of the signatories, first submitted in *Washington v. Trump*, No. 17-35105, ___ F.3d ___, 2017 WL 526497, slip op. (9th Cir. Feb. 9, 2017) [hereinafter “Ninth Circuit Opinion”], and also attached to the Petitioners’ motion.

cannot be justified on national security or foreign policy grounds, and ultimately, the Order undermines—rather than enhances—the security of the United States.

ARGUMENT

The Order serves no rational national security or foreign policy purpose. Certainly, it does not perform its declared task of “protecting the nation from foreign terrorist entry into the United States.” To the contrary, the Order disrupts thousands of lives, including those of refugees and visa holders who have already been vetted by standing procedures that Respondents have not shown to be inadequate.

Left in place, the Order could do long-term damage to our national security and foreign policy interests. It will endanger troops in the field, and disrupt key counterterrorism and national security partnerships. It will aid the propaganda effort of the Islamic State in Iraq and the Levant (“ISIL”) and support its recruitment message. By feeding the narrative that the United States is at war with Islam, the Order will impair relationships with the very Muslim communities that law enforcement professionals rely on to address the threat of terrorism. And it will have a damaging humanitarian and economic impact.

In prior cases, courts have deferred to the “considered judgment” of the President only after administrative records have revealed that the President’s decision rested on counsel from expert agencies with broad experience on the

matters presented. Here, there is no evidence that the Order was subjected to an interagency legal and policy process. Rebranding a proposal first advertised as a “Muslim Ban” as “Protecting the Nation from Foreign Terrorist Entry into the United States” does not disguise the Order’s discriminatory intent, or make it necessary, effective or faithful to America’s Constitution, laws, and values.

I. THE EXECUTIVE ORDER CANNOT BE JUSTIFIED ON NATIONAL SECURITY OR FOREIGN POLICY GROUNDS.

On January 27, 2017, President Donald Trump signed an executive order imposing a number of bans on the entry of non-citizens into the United States.² The President’s stated goals for the Order were to “protect[] the nation from foreign terrorist entry into the United States” and to “ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.”³

As former U.S. officials responsible for the national security and foreign relations of the United States in multiple presidential administrations, we have devoted our careers to the same goals. Our first priority has always been the

² Exec. Order No. 13,769, 82 Fed. Reg. 8,977 (Jan. 27, 2017). The Order bans entry into the United States by nationals of Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen for 90 days, bans all refugee admissions for 120 days, and indefinitely bans the entry of all Syrian refugees. The Order exempts diplomats (from the ban on entry for nationals) and refugees whom on a case-by-case basis are deemed to be in the national interest (from the ban on all refugee admissions for 120 days).

³ *Id.*

safety and welfare of the American people. Yet the Order bears no rational relation to the President’s stated aims. It targets countries whose nationals have committed no lethal terrorist attacks on U.S. soil in the last forty years. It bars the entry of refugees—the vast majority of whom are vulnerable women and children⁴—when in the modern era of screening, no refugee has ever killed a U.S. citizen in a terrorist attack in the United States.⁵

Even now, weeks after the signing of the Order, Respondents have supplied no information that would justify such a categorical ban. They identify no basis for believing that there is a heightened or particularized threat from these seven countries. They make no showing that our immigration system has suffered from inadequate consideration of national origin or religious affiliation, and identify no flaw in the current individualized vetting procedures—developed by national security officials across several presidential administrations in response to particular threats identified by U.S. intelligence.⁶

⁴ U.S. Dep’t of State, *The Refugee Processing and Screening System*, <https://www.state.gov/documents/organization/266671.pdf>.

⁵ Alex Nowrasteh, *Little National Security Benefit to Trump’s Executive Order on Immigration*, CATO at Liberty (Jan. 25, 2017) [hereinafter “Nowrasteh 2017”].

⁶ Ninth Circuit Opinion, *supra* note 1, at 26 (“Although we agree that the Government’s interest in combating terrorism is an urgent objective of the highest order, the Government has done little more than reiterate that fact.” (internal citations and quotation marks omitted)); *Aziz v. Trump*, No. 1:17-cv-00116-LMB-TCB, __ F.Supp.3d __ at 6, 2017 WL 580855 (E.D. Va. Feb. 13, 2017)

A. There is no national security or foreign policy basis for suspending entry of aliens from the seven named countries.

No rational national security purpose is served by the Order's blanket ban on entry into the United States of nationals of Iraq, Syria, Sudan, Iran, Somalia, Libya, and Yemen.

First, not a single American has died in a terrorist attack on U.S. soil at the hands of citizens of these seven nations in the last forty years.⁷ The Order opens with a reference to the September 11, 2001 attacks, and White House officials have since pointed to those attacks as justification for its restrictions.⁸ But none of the September 11 hijackers were citizens of the seven targeted countries.⁹ In fact, the overwhelming majority of individuals who were charged with—or who died in the course of committing—terrorist-related crimes inside the United States since September 11 have been U.S. citizens or legal permanent residents.¹⁰

(“Defendants . . . have not offered any evidence to identify the national security concerns that allegedly prompted this EO, or even described the process by which the president concluded that this action was necessary.” (citations omitted)).

⁷ Nowrasteh 2017, *supra* note 5.

⁸ Jan. 27 Order §1; Sabrina Siddiqui, *Trump Signs ‘Extreme Vetting’ Executive Order for People Entering the US*, *The Guardian* (Jan. 27, 2017).

⁹ Central Intelligence Agency, *11 September 2001 Hijackers*, https://www.cia.gov/news-information/speeches-testimony/2002/DCI_18_June_testimony_new.pdf.

¹⁰ See Peter Bergen et al., *Terrorism in America After 9/11*, New America Foundation, www.newamerica.org/in-depth/terrorism-in-america/; George Washington University Program on Extremism, *ISIS in America: From Retweets to*

Second, Respondents have identified no information or basis for believing that a heightened or particularized future threat has suddenly arisen from the seven named countries. Those of us who were current on active intelligence concerning all credible terrorist threat streams directed against the United States as of January 20, 2017 know of no specific threat—just seven days later—that would justify the ban of these seven countries. The Order itself points to no such factual basis, and Respondents have offered none.¹¹

Third, Respondents have identified no flaw in existing procedures that would justify the bans in the Order. They offer no reason to shift abruptly to group-based bans, when the United States already has a tested system of individualized vetting, developed and implemented by national security professionals across the government. Since the September 11, 2001 attacks, the United States has developed a rigorous system of security vetting, leveraging the

Raqqa 6 (Dec. 2015), <https://cchs.gwu.edu/isis-in-america>; Nora Ellingsten, *It's Not Foreigners Who Are Plotting Here: What the Data Really Show*, *Lawfare* (Feb. 7, 2017); see also Felicia Schwartz & Ben Kesling, *Countries Under U.S. Entry Ban Aren't Main Sources of Terror Attacks*, *The Wall St. J.* (Jan. 29, 2017). One other set of data, relied on by White House officials, has been widely criticized for its definition of terrorism-related offenses, among other issues. See, e.g., Molly Redden, *Trump Powers "Will Not be Questioned" on Immigration, Senior Official Says*, *The Guardian* (Feb. 12, 2017), <https://www.theguardian.com/us-news/2017/feb/12/trump-administration-considering-narrower-travel-ban>.

¹¹ Oral Argument, *Washington v. Trump*, No. 17-35105, at 9:30, http://www.ca9.uscourts.gov/media/view_video.php?pk_vid=0000010885.

full capabilities of the law enforcement and intelligence communities. This vetting system is applied to travelers not once, but multiple times, and it is continually re-evaluated to ensure its effectiveness. Successive administrations have strengthened the vetting process through robust information-sharing and data integration. This allows the government to identify potential terrorists without resorting to blanket bans on countries or refugees.¹²

Finally, the Order cannot be defended as a mere continuation of recent U.S. counterterrorism policy. Because threat streams constantly evolve, we sought continually to improve vetting when serving as national security officials. That effort included reviews in 2011 and 2015-16, when the U.S. government acted in response to particular threats identified by intelligence sources. In 2011, after receiving derogatory information regarding two Iraqi nationals who had entered the United States as refugees, the U.S. government undertook an extensive interagency review of its vetting system. The flow of refugees from Iraq slowed during the pendency of the review,¹³ and upon completion of the review, the U.S.

¹² See, e.g., *The Security of U.S. Visa Programs: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016) (written statements of David Donahue and Sarah R. Saldaña), <https://www.hsgac.senate.gov/hearings/the-security-of-us-visa-programs>.

¹³ Refugee Processing Center, Interactive Reporting, http://ireports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt_WebArrivalsReports/MX%20-%20Arrivals%20by%20Nationality%20and%20Religion; Jon Finan, *Sorry, Mr.*

government implemented new, stronger security procedures in areas of identified vulnerability.¹⁴

Likewise, in late 2015 and early 2016, in response to the emerging threat posed by ISIL, the U.S. government took several steps to strengthen the Visa Waiver Program, which allows citizens from thirty-eight approved countries to travel to the United States without first obtaining a visa. President Obama introduced a series of new measures to enhance security screenings and traveler risk assessments in the program and bolster our relationship with partner countries.¹⁵ Around the same time, President Obama signed into law a statute that removed from the Visa Waiver Program those nationals of existing Visa Waiver Program countries who: (1) had been present in Iraq, Syria, Iran or Sudan after

President: The Obama Administration Did Nothing Similar to Your Immigration Ban, Foreign Policy (Jan. 30, 2017).

¹⁴ *Ten Years After 9/11: Preventing Terrorist Travel, Hearing Before the United States S. Comm. on Homeland Sec. and Governmental Affairs*, 112th Cong. 522 (2011) (written statements of Rand Beers and Janice L. Jacobs), <https://www.hsgac.senate.gov/hearings/ten-years-after-9/11-preventing-terrorist-travel>; Andorra Bruno, *Iraqi and Afghan Special Immigrant Visa Programs*, Cong. Research Serv., 14 (2016).

¹⁵ The White House, *Visa Waiver Program Enhancements* (Nov. 30, 2015), <https://obamawhitehouse.archives.gov/the-press-office/2015/11/30/fact-sheet-visa-waiver-program-enhancements>; U.S. Dep't of Homeland Security, *DHS Announces Further Travel Restrictions for the Visa Waiver Program* (Feb. 18, 2016), <https://www.dhs.gov/news/2016/02/18/dhs-announces-further-travel-restrictions-visa-waiver-program>.

March 1, 2011, or (2) were dual nationals of one of those four countries.¹⁶ Several months later, the Secretary of Homeland Security—acting under the new statute and in consultation with the Director of National Intelligence and the Secretary of State—expanded the list of four countries to include Yemen, Libya and Somalia.¹⁷

Contrary to Respondents' claims, these previous reforms provide no justification for a blanket, group-based ban on the entry of nationals from these seven countries. The enhancement of security in the refugee system allowed for *more searching, individualized vetting* of travelers, the opposite of the categorical ban in this Order. Likewise, the reforms to the Visa Waiver Program did not automatically bar anyone—including nationals of any country—from travel to the United States. The affected individuals were simply required to obtain *individually-vetted visas* before entering the United States, just as nationals from the more than 150 other nations not currently part of the Visa Waiver Programs must do.

To keep our country safe from terrorist threats, the U.S. government must gather all credible evidence about growing threat streams—including through the

¹⁶ 8 U.S.C. § 1187; U.S. Dep't of State, *Visa Waiver Program*, <https://travel.state.gov/content/visas/en/visit/visa-waiver-program.html>.

¹⁷ The exemptions for Yemen, Libya and Somalia only applied to those who had traveled to or been present in one of those countries, not dual nationals. U.S. Dep't of Homeland Security, *DHS Announces Further Travel Restrictions for the Visa Waiver Program*, *supra* note 15.

best available intelligence—to thwart those threats before they ripen. Through the years, national security-based immigration restrictions have: (1) responded to specific, credible threats based on individualized information, (2) rested on the best available intelligence, and (3) been subject to thorough interagency legal and policy review. The present Order does not rest on such tailored grounds, but rather on (1) generalized bans, (2) that are not supported by any new intelligence that Respondents have cited or of which we are aware, and (3) were not vetted through careful interagency legal and policy review.

B. The suspension of refugee admissions is not justified by national security or foreign policy concerns.

The Order’s 120-day ban on refugee admissions, and its indefinite ban on Syrian refugee admissions, serve no national security or foreign policy purpose. We know of no factual basis for Respondents’ claim that refugees pose a particular security threat to the United States that would justify the Order’s categorical bans.

From 1975 to the end of 2015, over three million refugees have been admitted to the United States. According to a recent study, only three have killed people in terrorist attacks on U.S. soil.¹⁸ All three were Cuban refugees, who murdered three people in two attacks in the 1970s. Critically, these refugees were admitted and carried out their crimes before the creation of the modern refugee

¹⁸ Alex Nowrasteh, *Terrorism and Immigration: A Risk Analysis*, Cato Institute (Sept. 13, 2016).

vetting system in 1980.¹⁹ No refugee has killed an American in a terrorist attack in the United States since that system was put in place.²⁰ According to the study, over that same period, only twenty refugees were convicted of any terrorism-related crimes on U.S. soil at all.²¹

In part, this is because refugees already receive the most thorough vetting of any travelers to the United States.²² Refugee candidates are vetted recurrently throughout the resettlement process, as “pending applications continue to be checked against terrorist databases, to ensure new, relevant terrorism information has not come to light.”²³ By the time refugees referred by the United Nations High Commissioner for Refugees (“UNHCR”) are approved for resettlement in the United States, they have been reviewed not only by UNHCR but also by the National Counterterrorism Center, the Federal Bureau of Investigation, the Department of Homeland Security, the Department of Defense, the Department of State and the U.S. intelligence community more broadly.²⁴

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*; see also Nowrasteh 2017, *supra* note 5.

²² U.S. Dep’t of State, *U.S. Refugee Admissions Program FAQs*, <https://www.state.gov/j/prm/releases/factsheets/2017/266447.htm>.

²³ Amy Pope, *The Screening Process for Refugee Entry into the United States* (Nov. 20, 2015), <https://obamawhitehouse.archives.gov/blog/2015/11/20/infographic-screening-process-refugee-entry-united-states>.

²⁴ U.S. Dep’t of State, *U.S. Refugee Admissions Programs FAQs*, *supra* note 22.

The refugee vetting process is also reviewed and strengthened on an ongoing basis in response to particular threats.²⁵ For Syrian applicants, the Department of Homeland Security recently added a layer of enhanced review that involves collaboration between the Refugee, Asylum, and International Operations Directorate and the Fraud Detection and National Security Directorate. Among other measures, this review provided additional, intelligence-driven support to refugee adjudicators that U.S. officials could then use to more precisely question refugees during their security interviews.²⁶ Respondents allege no specific information about any vetting step omitted by current procedures.

While the United States' own individualized vetting process is the most important step, additional considerations make the U.S. refugee system difficult for terrorists to exploit. Under current vetting procedures, refugees often wait eighteen to twenty-four months to be cleared for entry into the United States.²⁷ Further, of all refugees determined by the UNHCR to be eligible for resettlement, less than

²⁵ U.S. Dep't of Homeland Security, *U.S. Citizenship and Immigration Services* (Dec. 3, 2015), https://www.uscis.gov/sites/default/files/USCIS/Refugee%2C%20Asylum%2C%20and%20Int%271%20Ops/Refugee_Security_Screening_Fact_Sheet.pdf.

²⁶ U.S. Dep't of State, *The Refugee Processing and Screening System*, *supra* note 5; Andorra Bruno, *Syrian Refugee Admissions and Resettlement in the United States: In Brief*, Cong. Research Serv., 4-5 (2016).

²⁷ U.S. Dep't of State, *U.S. Refugee Resettlement Processing for Iraqi and Syrian Beneficiaries of an Approved I-130 Petition* (Mar. 11, 2016), <https://www.state.gov/j/prm/releases/factsheets/2016/254649.htm>.

one percent were resettled in any country at all in 2015,²⁸ meaning that a would-be terrorist posing as a refugee has very little chance of being resettled *anywhere*.

Finally, the UNHCR resettlement program places refugees in dozens of countries, and refugees do not decide where they are resettled or which country accepts them, meaning that the odds of any individual refugee being settled into the United States in particular are exceedingly low.

II. THE ORDER'S OVERBREADTH HARMS OUR NATIONAL SECURITY AND FOREIGN POLICY INTERESTS.

The Order's overreach will do lasting harm to the national security and foreign policy interests of the United States.

A. The Order is of unprecedented scope.

The Order effectively amounts to a bar on entry to the United States of nationals from any of the seven listed countries. The Order revoked the visas of anywhere between 60,000 to 100,000 people,²⁹ initially encompassed as many as 500,000 green card holders,³⁰ and creates a forward-looking ban on countless more

²⁸ U.N. High Commissioner for Refugees, *Resettlement*, <http://www.unhcr.org/en-us/resettlement.html>.

²⁹ Justin Jouvenal et al., *Justice Dept. Lawyer Says 100,000 Visas Revoked Under Travel Ban; State Dept. Says about 60,000*, Wash. Post (Feb. 3, 2017).

³⁰ Marcelo Rochabrun, *Trump Order Will Block 500,000 Legal U.S. Residents from Returning to America from Trips Abroad*, ProPublica (Jan. 28, 2017). The Order could conceivably again encompass green card holders depending upon whether a

individuals. The Order bars doctors and patients, grandmothers and infants, parents and children, tourists and business travelers, police officers and those fighting alongside our Service Members abroad, all without regard to individual threat or circumstance.

This is an order of unprecedented scope. We know of no case where a president has invoked authority under the Immigration and Nationality Act to suspend admission of such a sweeping class of people. Even after the September 11 attacks, the U.S. government did not invoke the provisions of law cited by the Administration to broadly bar entrants based on nationality, national origin or religious affiliation. Across the decades, executive orders under the Immigration and Nationality Act have generally targeted specific government officials,³¹ undocumented immigrants³² or individuals whose personalized screenings indicated that they posed a national security risk.³³

White House Counsel opinion is deemed authoritative by the implementing agencies. *See* Ninth Circuit Opinion, *supra* note 2, at 21-22.

³¹ *See, e.g.*, Proclamation No. 6958, 61 Fed. Reg. 60,007 (Nov. 22, 1996).

³² *See, e.g.*, Exec. Order No. 12,807, 57 Fed. Reg. 23,133 (May 24, 1992); Exec. Order No. 12,324, 46 Fed. Reg. 48,109 (Sept. 29, 1981).

³³ *See, e.g.*, Exec. Order No. 13,726, 81 Fed. Reg. 23,559 (Apr. 19, 2016); Exec. Order No. 13,694, 80 Fed. Reg. 18,077 (Apr. 1, 2015).

Some have claimed that historical examples involving Cuba, Iran, or Haiti are akin to this Order. But the first two orders included large exceptions,³⁴ and the third imposed no restrictions on lawful travel by visa holders at all.³⁵ And above

³⁴ In 1980, during the Iranian Hostage Crisis, President Carter invalidated all visas issued or reissued to Iranian citizens for future entry into the country. Sanctions Against Iran Remarks Announcing U.S. Actions, April 7, 1980, <http://www.presidency.ucsb.edu/ws/?pid=33233>. But the White House also carved out exceptions for humanitarian need, to include those “visiting a sick aunt,” and students who were in a course of study in the United States. The White House even encouraged Iranians in the United States whose visas were set to expire to apply for asylum. One White House official said, “[o]nce in the good old United States legally, or illegally for the matter, they are cloaked in the mantle of the constitutional and legal protections we all value.” Charles R. Babcock, *Carter’s Visa Crackdown Won’t Hurt Immediately*, Wash. Post (Apr. 9, 1980); Robert Pear, *Visa Restrictions Chiefly Apply to Iranians Outside of America*, N.Y. Times (Apr. 8, 1980); see U.S. Dep’t of Justice, 1980 Statistical Yearbook of the Immigration and Naturalization Service (1981).

In 1986, in the course of a diplomatic impasse over a migration agreement, President Reagan issued a presidential proclamation suspending the “[e]ntry of Cuban nationals as immigrants” into the United States. Proclamation No. 5517, 51 Fed. Reg. 30,470 (Aug. 26, 1986). But that proclamation included a major exception for the immediate relatives of U.S. citizens. *Id.*; U.S. Dep’t of Justice, 1987 Statistical Yearbook of the Immigration and Naturalization Service (1987); see also David Bier, Trump’s Ban on Immigration from Certain Countries is Illegal, *Cato at Liberty*, Dec. 8, 2016. Both actions were taken to exert pressure against a particular national government—and in the case of Cuba, to “resume normal migration”—not to minimize a threat posed by particular people.

³⁵ In 1991, President Bush issued an Executive Order that imposed restrictions on “undocumented aliens” who were “coming by sea to the United States without necessary documents.” Exec. Order 12,807, 57 Fed. Reg. 23,133 (June 1, 1992). However, legal travel and immigration continued from Haiti into the United States in this period. Even as to those without documents, the Bush Administration offered those repatriated the option of seeking in-country refugee processing. Maureen Taft-Morales, Cong. Research Serv., *Haiti: Efforts to Restore President*

all, no modern example even approaches the unqualified sweep of this Order, which bans nearly 220 million people from seven separate countries from traveling to the United States.

B. The Order will do serious damage to our national security and foreign policy interests.

The Order will harm the interests of the United States in a number of respects.

1. The Order will endanger U.S. troops in the field.

Every day, U.S. Service Members work and fight alongside allies from some of the named countries, who put their lives on the line to protect Americans and further American interests abroad. Those barred by the Order include individuals working alongside our men and women in Iraq fighting against ISIL.³⁶ Soldiers from these countries have already voiced resentment at the Order.³⁷ The Order

Aristide, 1991-1994, 14 (1995); U.S. Dep't of State, Bureau of Consular Affairs, *Report of the Visa Office* (2000), tables XII, XIII, XIV, XV, XVIII, XIX, <https://travel.state.gov/content/visas/en/law-and-policy/statistics/annual-reports/report-of-the-visa-office-2000.html>.

³⁶ Rebecca Kheel, *Trump Travel Order Complicates ISIS Fight in Iraq*, The Hill (Feb. 1, 2017); Dan de Luce, *Trump's Immigration Order Gives Ammunition to ISIS, Endangers U.S. Troops*, Foreign Policy (Jan. 29, 2017).

³⁷ David Zucchino, *Travel Ban Drives Wedge Between Iraqi Soldiers and Americans*, N.Y. Times (Feb. 3, 2017).

may also obstruct ongoing training, education, and other security cooperation programs underway with several of the listed countries.³⁸

Moreover, the Order will affect interpreters and others who have assisted our troops at great risk to their own lives. The Order initially banned all such individuals from coming to the United States. Days later, U.S. officials announced that it would allow “the entry of Iraqi nationals with a Special Immigrant Visa to the United States.”³⁹ But even that step leaves unaddressed tens of thousands of others who assisted the United States and who are waiting for admission as “Priority 2” refugees outside of the now closed Special Immigrant Visa program.⁴⁰ By discouraging future assistance and cooperation from these and other affected military allies and partners, the Order will jeopardize the safety and effectiveness of our troops.

2. The Order will disrupt essential counterterrorism, foreign policy, and national security partnerships.

³⁸ U.S. Dep’t of Defense & Dep’t of State, *Joint Report to Congress: Foreign Military Training* (FY 2015-2016).

³⁹ U.S. Customs and Border Protection, *Protecting the Nation from Foreign Terrorist Entry into the United States* (Feb. 2, 2017).

⁴⁰ U.S. Dep’t of State et al., *Report to the Congress, Proposed Refugee Admissions for Fiscal Year 2016*, at 57 (2016); Stephanie Ott, *What Happens to Iraqis who Worked with the U.S. military*, Al Jazeera (Feb. 1, 2017); Urban Justice Center, International Refugee Assistance Project, *IRAP Stands With Iraqi Allies of the United States Affected by Executive Order* (Feb. 1, 2017).

The Order will disrupt key counterterrorism, foreign policy, and national security partnerships that are critical to our country's efforts to address the threat posed by terrorist groups such as ISIL. The Order has sparked intense international criticism and alienated U.S. allies. Partner countries in the Middle East, on whom we rely for vital counterterrorism cooperation, are expressing disapproval and even threatening reciprocity, jeopardizing years of diplomatic effort.⁴¹

The Order will also endanger U.S. intelligence sources in the field. For up-to-date information, our intelligence officers often rely on human sources in some of the countries listed. The Order breaches faith with those very sources, who have risked much or all to keep Americans safe—and whom our officers had promised to protect.⁴² Finally, by suspending visas, this Order halts the collection of important intelligence that occurs during visa screening processes, information that can be used to recruit agents and identify regional trends of instability.⁴³

⁴¹ Rebecca Savransky, *Iraq Parliament Approves 'Reciprocity Measure' In Trump Immigration Ban's Wake*, The Hill (Jan. 30, 2017); Loveday Morris, *Iraqi Leader to U.S.: Americans Come to Iraq to Fight With ISIS, but I Haven't Banned You*, Wash. Post (January 31, 2017); Kevin Liptak, *Travel Ban Remains Sticking Point in Trump Calls with US Allies*, CNN (Feb. 9, 2017).

⁴² Michael V. Hayden, *Former CIA Chief: Trump's Travel Ban Hurts American Spies – and America*, Wash. Post (Feb. 5, 2017).

⁴³ This process is particularly important in countries like Iran and Libya, where internal conflict or lack of diplomatic ties limit on-the-ground intelligence collection.

3. The Order will hinder domestic law enforcement efforts.

Domestic law enforcement relies heavily on partnerships with American Muslim communities to fight homegrown terrorism.⁴⁴ One report found that in the years since September 11, 2001, Muslim communities have helped U.S. security officials prevent nearly two out of every five Al-Qaeda plots threatening the United States.⁴⁵ By alienating Muslim-American communities in the United States, the Order will harm our efforts to enlist their aid in identifying radicalized individuals who might launch attacks of the kind recently seen in San Bernardino and Orlando.

The Order's disparate impact on Muslim travelers and immigrants feeds ISIL's propaganda narrative and sends the wrong message to the Muslim community at home and abroad: that the U.S. government is at war with them based on their religion.⁴⁶ Less than a day after President Trump signed the Order,

⁴⁴ Kristina Cooke & Joseph Ax, *U.S. Officials Say American Muslims Do Report Extremist Threats*, Reuters (Jun. 16, 2016).

⁴⁵ Muslim Public Affairs Council, *Data on Post-9/11 Terrorism in the United States* (Jun. 2012), <http://www.mpac.org/assets/docs/publications/MPAC-Post-911-Terrorism-Data.pdf>.

⁴⁶ Muslim refugees from the seven listed countries made up 82.2 percent of all Muslim refugee arrivals to the United States from January 1, 2016 to February 11, 2017. Refugee Processing Center, Interactive Reporting, Admissions and Arrivals http://ireports.wrapsnet.org/InteractiveReporting/EnumType/Report?ItemPath=/rpt_WebArrivalsReports/MX%20%20Arrivals%20by%20Nationality%20and%20Religion.

jihadist groups began citing its contents in recruiting messages online.⁴⁷ The Order may even endanger Christian communities overseas, by handing ISIL a recruiting tool and propaganda victory that spreads their message that the United States is engaged in a religious war.

4. The Order will have a devastating humanitarian impact.

The Order will have an immediate and devastating humanitarian impact. First and foremost, the Order disrupts the travel of men, women and children who have been victimized by actual terrorists. Tens of thousands of other travelers today face deep uncertainty about whether they may travel to or from the United States for reasons including medical treatment, study or scholarly exchange, funerals or other pressing family reasons. While the Order allows the Secretaries of State and Homeland Security to admit travelers from targeted countries on a case-by-case basis, in our experience it would be unrealistic for these overburdened agencies to apply such procedures to every one of the thousands of affected individuals with urgent and compelling needs to travel. Finally, closing our borders to refugees who otherwise would have had the opportunity to resettle in the United States will keep them in dangerous conditions and shift the burden to overstretched allies who are currently accepting far more than their fair share of refugees.

⁴⁷ Joby Warrick, *Jihadist Groups Hail Trump's Travel Ban as a Victory*, Wash. Post (Jan. 29 2017).

5. The Order will cause economic damage to American citizens and residents.

Finally, the Order will affect many foreign travelers who annually inject hundreds of billions of dollars into the U.S. economy, supporting well over a million U.S. jobs.⁴⁸ Since the Order was issued, dozens of affected companies have noted the damaging impact it can be expected to have on strategic economic sectors including defense, technology, and medicine.⁴⁹ About a third of U.S. innovators were born outside the United States, and their scientific and technological innovations often contribute to making our nation and the world safe.⁵⁰ The harm caused by the ban to the economic dynamism of our country will carry long-term negative and serious consequences for our national security.

⁴⁸ U.S. Dep't of Commerce, *Department of Commerce Releases October Travel and Tourism Expenditures* (Dec. 15, 2016), <http://trade.gov/press/press-releases/2016/department-of-commerce-releases-october-travel-tourism-expenditures-121516.asp>.

⁴⁹ See, e.g., Br. for Technology Companies and Other Businesses as Amici Curiae in Support of Appellees, *Washington v. Trump*, No. 17-35105, ___ F.3d ___, 2017 WL 526497 (9th Cir. Feb. 9, 2017).

⁵⁰ Adams Nager, et al., *The Demographics of Innovation in the United States*, Information Technology & Innovation Foundation 29 (Feb. 2016), <http://www2.itif.org/2016-demographics-of-innovation.pdf>. Iran's universities, for example, have produced an "inordinate amount of intellectual talent in computer science and cybersecurity." These scientists are drawn to universities in the United States, where their research is then used by entities such as the Office of Naval Research and DARPA. Patrick O'Neill, *How Academics Are Helping Cybersecurity Students Overcome Trump's Immigration Order*,

III. THE ORDER WAS ILL-CONCEIVED, POORLY IMPLEMENTED AND ILL-EXPLAINED.

Respondents have presented no evidence that the Order was subject to the thorough interagency policy and legal processes designed to address current terrorist threats.

In every recent administration, presidents considering a change to immigration policy have followed an interagency review process that allows experts and security professionals to ensure that all relevant uncertainties are addressed by policy and legal experts, appropriate preparations are made for implementation, and any potential risks are effectively mitigated. Before recommendations are submitted to the President, the National Security Council oversees a legal and policy process that typically includes the following important components: a review by the career professionals in institutions of the U.S. government charged with implementing an order; a review by the career lawyers in those institutions to ensure legality and consistency in interpretation; and a senior policy review across all relevant agencies, including Deputies and Principals at the cabinet level.

Cyberscoop (Jan. 30, 2017), <https://www.cyberscoop.com/trump-immigration-ban-cybersecurity-iran-protests/>.

This practice of interagency deliberation has been followed even—and especially—in times of national emergency in order to set temporary exclusions or establish criteria for admission to the United States. In the immediate aftermath of the September 11, 2001 attacks, when the Bush Administration considered whether the President should invoke 8 U.S.C. § 1182(f) to bar certain immigrants or take other actions to secure the border, officials engaged in consultations across the national security agencies to arrive at a decision.⁵¹ The reexamination of the vetting system in 2011⁵² and the security reforms to the Visa Waiver Program in 2015-16⁵³ reflect similar interagency consultation.

The process that produced this Order departed from decades of standard practice across administrations of both parties.⁵⁴ Respondents offer no evidence that the present Order resulted from experienced intelligence and security professionals recommending changes in response to identified threats. We know

⁵¹ Edward Alden, *The Closing of the American Border* 104-06 (2008); Thomas R. Eldridge, et al., *9/11 and Terrorist Travel: A Staff Report of the National Commission on Terrorist Attacks Upon the United States* 151-54 (2004); Memorandum from Stuart Levey, Assoc. Deputy Att’y Gen., to Dan Levin, Counsel to the Att’y Gen., & David Ayres, Dep’t of Justice Chief of Staff (Oct. 3, 2001).

⁵² Jon Finer, *supra* note 13.

⁵³ *See supra* notes 15-17 and surrounding text.

⁵⁴ This is no less true of executive orders issued at the start of a new presidency. *See, e.g.*, Henry B. Hogue, Cong. Research Serv., *Presidential Transition Act: Provisions and Funding* (2016); William Glaberson & Helene Cooper, *Obama’s Plan to Close Prison at Guantánamo May Take Year*, N.Y. Times (Jan. 12, 2009).

of no process underway before January 20, 2017 to change current immigration vetting procedures. According to extensive reporting, since that date, Respondents followed no such process.⁵⁵ Nor, apparently, did the White House consult officials from any of the seven agencies tasked with enforcing immigration laws, much less the congressional committees and subcommittees that oversee them. Respondents' repeated need to clarify confusion that ensued in the wake of the Order only confirms that the Order received little, if any, advance scrutiny by the Departments of State, Justice, Homeland Security or the intelligence community.⁵⁶

As telling, this Order was apparently issued without interagency legal process. In recent history, administrations of both political parties have followed a protocol of submitting proposed Orders to the Attorney General, the Justice Department's Office of Legal Counsel ("OLC") and all other agency legal offices

⁵⁵ The Secretary of Homeland Security reportedly received his first full briefing as the President signed the Order. Michael D. Shear & Ron Nixon, *How Trump's Rush to Enact an Immigration Ban Unleashed Global Chaos*, N.Y. Times (Jan. 29, 2017). The Secretary of Defense was neither consulted during the drafting of the order nor given an opportunity to provide input. Evan Perez et al., *Inside the Confusion of the Trump Executive Order and Travel Ban*, CNN (Jan. 30, 2017). Most State Department officials reportedly first heard of the Order through the media. Jonathan Allen & Brendan O'Brien, *How Trump's Abrupt Immigration Ban Sowed Confusion at Airports, Agencies*, Reuters (Jan. 29, 2017).

⁵⁶ Customs and border officials reported that their superiors could not provide clear guidance about the new policy. Shear & Nixon, *supra* note 55; *see also* Allen & O'Brien, *supra* note 54 (quoting CBP chief of passenger operations at John F. Kennedy International Airport declaring, "[w]e are as much in the dark as everybody else.").

involved with enforcing the law.⁵⁷ Legal review by multiple agencies helps to identify potentially unforeseen legal implications of an order, determines the lawfulness of the proposed action, and analyzes whether the proposed language has established legal meaning that can be interpreted consistently with other laws and regulations governing the field. Here, the White House reportedly never asked the Department of Homeland Security for legal review in advance of the Order being promulgated, so “[t]he Department . . . was left making a legal analysis on the order after [President] Trump signed it.”⁵⁸ Unsurprisingly, the resulting Order contains numerous ambiguities and inconsistencies that immediately caused confusion, forcing implementing agencies to improvise.⁵⁹

On January 27, the Office of Legal Counsel issued a cursory memorandum that declared the Order “approved with respect to form and legality.”⁶⁰ But the OLC memorandum conspicuously omits any legal analysis or discussion of either the Order’s impact on permanent U.S. residents or the constitutional provisions plainly implicated, *i.e.*, the Due Process, Equal Protection, and Establishment and Free Exercise of Religion Clauses. Soon thereafter, the Acting Attorney General

⁵⁷ See, e.g., Exec. Order No. 11,030, 27 Fed. Reg. 5,847 (Jun. 19, 1962).

⁵⁸ Perez et al., *supra* note 54; Shear & Nixon, *supra* note 54.

⁵⁹ Allen & O’Brien, *supra* note 54.

⁶⁰ Memorandum from Curtis E. Gannon, Acting Assistant Att’y Gen. (Jan. 27, 2017).

concluded that the Department of Justice would not defend the Order because she was not “convinced that the Executive Order is lawful.”⁶¹

The Department of Homeland Security initially construed the Executive Order not to apply to people with lawful permanent residence. Overnight, the White House overruled the Department and instructed the agency to allow lawful permanent residents entry only on a case-by-case basis. Five days later, the White House reversed itself and announced that the Order did not apply to either “green card holders”⁶² or dual nationals.⁶³

When courts in previous cases have deferred to the “considered judgment” of the President, they did so on the basis of administrative records showing that the President’s decision rested on cleared views from expert agencies with broad experience on the matters presented to him. And as the Supreme Court has noted, “[d]epartures from the normal procedural sequence also might afford evidence that improper purposes are playing a role.”⁶⁴

⁶¹ Memorandum from Sally Yates, Acting Att’y Gen., to the Dep’t of Justice (Jan. 30, 2017).

⁶² Memorandum from Donald F. McGahn II, Counsel to the President, to the Acting Sec’y of State, the Acting Att’y Gen., and the Sec’y of Homeland Sec. (Feb. 1, 2017).

⁶³ Geneva Sands et al., *Officials Aim to Clarify Impact on Dual Nationals From Trump’s Immigration Executive Order*, ABC News (Feb. 1, 2017).

⁶⁴ *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 267 (1977).

CONCLUSION

Ours is a nation of immigrants, committed to the faith that we are all equal under the law and that we abhor discrimination, whether based on race, religion, sex, or national origin. As government officials, we sought diligently to protect our country, even while maintaining an immigration system free from intentional discrimination, a system that applies no religious tests and that measures individuals by their merits, not by stereotypes of countries or groups.

Unjustified blanket bans of certain countries or classes of people are beneath the dignity of the nation and Constitution that we took oaths to protect. Although our nation was founded by immigrants fleeing religious persecution, the Order discriminates based on religion. Although our Constitution enshrines the principle that all are equal under the law, the Order discriminates on the basis of national origin. And although the United States accepted over four million refugees in the decades after World War II,⁶⁵ the Order willfully ignores the greatest refugee crisis since that time.

Allowing the Order to take effect would wreak havoc on our nation's security and deeply held American values and threaten innocent lives. Blocking the Order while the underlying legal issues are being adjudicated would not

⁶⁵ Carl J. Bon Tempo, *Americans at the Gate: The United States and Refugees during the Cold War* 1 (2008).

jeopardize national security. It would simply preserve the *status quo ante*, still subjecting individuals to all the rigorous legal vetting processes that are currently in place.

For all of these reasons, the January 27, 2017 Executive Order does not further—but instead harms—sound U.S. national security and foreign policy.

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APPENDIX: LIST OF *AMICI*

1. Madeleine K. Albright served as Secretary of State from 1997 to 2001. A refugee and naturalized American citizen, she served as U.S. Permanent Representative to the United Nations from 1993 to 1997. She has also been a member of the Central Intelligence Agency External Advisory Board since 2009 and of the Defense Policy Board since 2011, in which capacities she has received assessments of threats facing the United States.
2. Jeremy Bash served as Chief of Staff at the U.S. Department of Defense from 2011 to 2013, and as Chief of Staff at the Central Intelligence Agency from 2009 to 2011.
3. Rand Beers served as Deputy Homeland Security Advisor to the President of the United States from 2014 to 2015.
4. Daniel Benjamin served as Ambassador-at-Large for Counterterrorism at the U.S. State Department from 2009 to 2012.
5. Antony Blinken served as Deputy Secretary of State from 2015 to January 20, 2017. He also served as Deputy National Security Advisor to the President of the United States from 2013 to 2015.
6. R. Nicholas Burns served as Under Secretary of State for Political Affairs from 2005 to 2008. He previously served as U.S. Ambassador to NATO and as U.S. Ambassador to Greece.
7. William J. Burns served as Deputy Secretary of State from 2011 to 2014. He previously served as Under Secretary of State for Political Affairs from 2008 to 2011, as U.S. Ambassador to Russia from 2005 to 2008, as Assistant Secretary of State for Near Eastern Affairs from 2001 to 2005, and as U.S. Ambassador to Jordan from 1998 to 2001.
8. James Clapper served as U.S. Director of National Intelligence from 2010 to January 20, 2017.
9. David S. Cohen served as Under Secretary of the Treasury for Terrorism and Financial Intelligence from 2011 to 2015 and as Deputy Director of the Central Intelligence Agency from 2015 to January 20, 2017.

10. Ryan Crocker served as U.S. Ambassador to Afghanistan from 2011 to 2012, U.S. Ambassador to Iraq from 2007 to 2009, U.S. Ambassador to Pakistan from 2004 to 2007, U.S. Ambassador to Syria from 1998 to 2001, U.S. Ambassador to Kuwait from 1994 to 1997, and U.S. Ambassador to Lebanon from 1990 to 1993.

11. Daniel Feldman served as U.S. Special Representative for Afghanistan and Pakistan from 2014 to 2015, Deputy U.S. Special Representative for Afghanistan and Pakistan from 2009 to 2014, and previously Director for Multilateral and Humanitarian Affairs at the National Security Council.

12. Jonathan Finer served as Chief of Staff to the Secretary of State from 2015 until January 20, 2017, and Director of the Policy Planning Staff at the U.S. State Department from 2016 until January 20, 2017.

13. Robert S. Ford served as U.S. Ambassador to Syria from 2011 to 2014, as Deputy Ambassador to Iraq from 2009 to 2010, and as U.S. Ambassador to Algeria from 2006 to 2008.

14. Michèle Flournoy served as Under Secretary of Defense for Policy from 2009 to 2013.

15. Avril D. Haines served as Deputy National Security Advisor to the President of the United States from 2015 to January 20, 2017. From 2013 to 2015, she served as Deputy Director of the Central Intelligence Agency.

16. General (ret.) Michael V. Hayden, USAF, served as Director of the Central Intelligence Agency from 2006 to 2009. From 1995 to 2005, he served as Director of the National Security Agency.

17. Christopher R. Hill served as Assistant Secretary of State for East Asian and Pacific Affairs from 2005 to 2009. He also served as U.S. Ambassador to Macedonia, Poland, the Republic of Korea, and Iraq.

18. John F. Kerry served as Secretary of State from 2013 to January 20, 2017.

19. Marcel Lettre served as Under Secretary of Defense for Intelligence from 2015 to 2017.

20. John E. McLaughlin served as Deputy Director of the Central Intelligence Agency from 2000 to 2004 and as Acting Director in 2004. His duties included briefing President-elect Bill Clinton and President George W. Bush.

21. Lisa O. Monaco served as Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor from 2013 to January 20, 2017.

22. Michael J. Morell served as Acting Director of the Central Intelligence Agency in 2011 and from 2012 to 2013; as Deputy Director of the Central Intelligence Agency from 2010 to 2013; and as a career official from 1980 onward. His duties included briefing Presidents George W. Bush and Barack Obama.

23. Janet A. Napolitano served as Secretary of Homeland Security from 2009 to 2013.

24. James C. O'Brien served as Special Presidential Envoy for Hostage Affairs from 2015 to January 20, 2017. He served in the State Department from 1989 to 2001, including as Principal Deputy Director of Policy Planning and as Special Presidential Envoy for the Balkans.

25. Matthew G. Olsen served as Director of the National Counterterrorism Center from 2011 to 2014.

26. Leon E. Panetta served as Secretary of Defense from 2011 to 2013. From 2009 to 2011, he served as Director of the Central Intelligence Agency.

27. Samantha J. Power served as U.S. Permanent Representative to the United Nations from 2013 to January 20, 2017. From 2009 to 2013, she served as Senior Director for Multilateral and Human Rights on the National Security Council.

28. Susan E. Rice served as U.S. Permanent Representative to the United Nations from 2009 to 2013 and as National Security Advisor from 2013 to January 20, 2017.

29. Anne C. Richard served as Assistant Secretary of State for Population, Refugees and Migration from 2012 to January 20, 2017.

30. Eric P. Schwartz served as Assistant Secretary of State for Population, Refugees and Migration from 2009 to 2011. From 1993 to 2001, he was responsible for refugee and humanitarian issues on the National Security Council, ultimately serving as Special Assistant to the President for National Security Affairs and Senior Director for Multilateral and Humanitarian Affairs.

31. Wendy R. Sherman served as Under Secretary of State for Political Affairs from 2011 to 2015.

32. Vikram Singh served as Deputy Special Representative for Afghanistan and Pakistan from 2010 to 2011 and as Deputy Assistant Secretary of Defense for Southeast Asia from 2012 to 2014.

33. James B. Steinberg served as Deputy National Security Adviser from 1996 to 2000 and as Deputy Secretary of State from 2009 to 2011.

34. Jake Sullivan served as National Security Adviser to the Vice President from 2013 to 2014. From 2011 to 2013, he served as Director of the Policy Planning Staff at the U.S. State Department.

35. Samuel M. Witten served as Principal Deputy Assistant Secretary of State for Population, Refugees, and Migration from 2007 to 2010. From 2001 to 2007, he served as Deputy Legal Adviser at the State Department.

CERTIFICATE OF SERVICE

I, Jonathan Freiman, hereby certify that on February 16, 2017, the foregoing document was filed and served through the CM/ECF system. Parties may access the filings through the Court's CM/ECF System.

/s/ Jonathan Freiman
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Exhibit MM

IN THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

No. 17-35105

STATE OF WASHINGTON, et al.)	
)	
Plaintiffs-Appellees,)	
	)	JOINT DECLARATION OF
vs.	)	MADELEINE K. ALBRIGHT,
	)	AVRIL D. HAINES
	)	MICHAEL V. HAYDEN
	)	JOHN F. KERRY
	)	JOHN E. McLAUGHLIN
DONALD J. TRUMP, President of the	)	LISA O. MONACO
United States, et al.,	)	MICHAEL J. MORELL
	)	JANET A. NAPOLITANO
Defendants-Appellants.	)	LEON E. PANETTA
	)	SUSAN E. RICE
)	
)	
)	
)	

We, Madeleine K. Albright, Avril D. Haines, Michael V. Hayden, John F. Kerry, John E. McLaughlin, Lisa O. Monaco, Michael J. Morell, Janet A. Napolitano, Leon E. Panetta, and Susan E. Rice declare as follows:

1. We are former national security, foreign policy, and intelligence officials in the United States Government:
 - a. Madeleine K. Albright served as Secretary of State from 1997 to 2001. A refugee and naturalized American citizen, she served as U.S. Permanent Representative to the United Nations from 1993 to 1997 and has been a member of the Central Intelligence Agency External Advisory Board since 2009 and the Defense Policy Board since 2011, in which capacities she has received assessments of threats facing the United States.
 - b. Avril D. Haines served as Deputy Director of the Central Intelligence Agency from 2013 to 2015, and as Deputy National Security Advisor from 2015 to January 20, 2017.
 - c. Michael V. Hayden served as Director of the National Security Agency from 1999 to 2005, and Director of the Central Intelligence Agency from 2006 to 2009.
 - d. John F. Kerry served as Secretary of State from 2013 to January 20, 2017.

- e. John E. McLaughlin served as Deputy Director of the Central Intelligence Agency from 2000-2004 and Acting Director of CIA in 2004. His duties included briefing President-elect Bill Clinton and President George W. Bush.
- f. Lisa O. Monaco served as Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor from 2013 to January 20, 2017.
- g. Michael J. Morell served as Acting Director of the Central Intelligence Agency in 2011 and from 2012 to 2013, Deputy Director from 2010 to 2013, and as a career official of the CIA from 1980. His duties included briefing President George W. Bush on September 11, 2001, and briefing President Barack Obama regarding the May 2011 raid on Osama bin Laden.
- h. Janet A. Napolitano served as Secretary of Homeland Security from 2009 to 2013.
- i. Leon E. Panetta served as Director of the Central Intelligence Agency from 2009-11 and as Secretary of Defense from 2011-13.
- j. Susan E. Rice served as U.S. Permanent Representative to the United Nations from 2009-13 and as National Security Advisor from 2013 to January 20, 2017.

2. We have collectively devoted decades to combatting the various terrorist threats that the United States faces in a dynamic and dangerous world. We have all held the highest security clearances. A number of us have worked at senior levels in administrations of both political parties. Four of us (Haines, Kerry, Monaco and Rice) were current on active intelligence regarding all credible terrorist threat streams directed against the U.S. as recently as one week before the issuance of the Jan. 27, 2017 Executive Order on “Protecting the Nation from Foreign Terrorist Entry into the United States” (“Order”).

3. We all agree that the United States faces real threats from terrorist networks and must take all prudent and effective steps to combat them, including the appropriate vetting of travelers to the United States. We all are nevertheless unaware of any specific threat that would justify the travel ban established by the Executive Order issued on January 27, 2017. We view the Order as one that ultimately undermines the national security of the United States, rather than making us safer. In our professional opinion, this Order cannot be justified on national security or foreign policy grounds. It does not perform its declared task of “protecting the nation from foreign terrorist entry into the United States.” To the contrary, the Order disrupts thousands of lives, including those of refugees and visa holders all previously vetted by standing procedures that the Administration has not shown to be inadequate. It could do long-term damage to our national security and foreign policy interests, endangering U.S. troops in the field and disrupting counterterrorism and national security partnerships. It will aid ISIL’s propaganda effort and serve its recruitment message by feeding into the narrative that the United States is at war with Islam. It will hinder relationships with the very communities that law enforcement professionals need to address the threat. It will have a damaging humanitarian and economic impact on the lives and jobs of American citizens and residents. And apart from all of these concerns, the Order offends our nation’s laws and values.

4. There is no national security purpose for a total bar on entry for aliens from the seven named countries. Since September 11, 2001, not a single terrorist attack in the United States has been perpetrated by aliens from the countries named in the Order. Very few attacks on U.S. soil since September 11, 2001 have been traced to foreign nationals at all. The overwhelming majority of attacks have been committed by U.S. citizens. The Administration has identified no information or basis for believing there is now a heightened or particularized future threat from the seven named countries. Nor is there any rational basis for exempting from the ban particular religious minorities (e.g., Christians), suggesting that the real target of the ban remains one religious group (Muslims). In short, the Administration offers no reason why it abruptly shifted to group-based bans when we have a tested individualized vetting system developed and implemented by national security professionals across the government to guard the homeland, which is continually re-evaluated to ensure that it is effective.

5. In our professional opinion, the Order will harm the interests of the United States in many respects:

- a. The Order will endanger U.S. troops in the field. Every day, American soldiers work and fight alongside allies in some of the named countries who put their lives on the line to protect Americans. For example, allies who would be barred by the Order work alongside our men and women in Iraq fighting against ISIL. To the extent that the Order bans travel by individuals cooperating against ISIL, we risk placing our military efforts at risk by sending an insulting message to those citizens and all Muslims.
- b. The Order will disrupt key counterterrorism, foreign policy, and national security partnerships that are critical to our obtaining the necessary information sharing and collaboration in intelligence, law enforcement, military, and diplomatic channels to address the threat posed by terrorist groups such as ISIL. The international criticism of the Order has been intense, and it has alienated U.S. allies. It will strain our relationships with partner countries in Europe and the Middle East, on whom we rely for vital counterterrorism cooperation, undermining years of effort to bring them closer. By alienating these partners, we could lose access to the intelligence and resources necessary to fight the root causes of terror or disrupt attacks launched from abroad, before an attack occurs within our borders.
- c. The Order will endanger intelligence sources in the field. For current information, our intelligence officers may rely on human sources in some of the countries listed. The Order breaches faith with those very sources, who have risked much or all to keep Americans safe – and whom our officers had promised always to protect with the full might of our government and our people.
- d. Left in place, the Executive Order will likely feed the recruitment narrative of ISIL and other extremists that portray the United States as at war with Islam. As government officials, we took every step we could to counter violent extremism. Because of the Order's disparate impact against Muslim travelers and immigrants, it feeds ISIL's narrative and sends the wrong message to the Muslim community here at home and all over the world: that

the U.S. government is at war with them based on their religion. The Order may even endanger Christian communities, by handing ISIL a recruiting tool and propaganda victory that spreads their message that the United States is engaged in a religious war.

- e. The Order will disrupt ongoing law enforcement efforts. By alienating Muslim-American communities in the United States, it will harm our efforts to enlist their aid in identifying radicalized individuals who might launch attacks of the kind recently seen in San Bernardino and Orlando.
- f. The Order will have a devastating humanitarian impact. When the Order issued, those disrupted included women and children who had been victimized by actual terrorists. Tens of thousands of travelers today face deep uncertainty about whether they may travel to or from the United States: for medical treatment, study or scholarly exchange, funerals or other pressing family reasons. While the Order allows for the Secretaries of State and Homeland Security to agree to admit travelers from these countries on a case-by-case basis, in our experience it would be unrealistic for these overburdened agencies to apply such procedures to every one of the thousands of affected individuals with urgent and compelling needs to travel.
- g. The Order will cause economic damage to American citizens and residents. The Order will affect many foreign travelers, particularly students, who annually inject hundreds of billions into the U.S. economy, supporting well over a million U.S. jobs. Since the Order issued, affected companies have noted its adverse impacts on many strategic economic sectors, including defense, technology, medicine, culture and others.

6. As a national security measure, the Order is unnecessary. National security-based immigration restrictions have consistently been tailored to respond to: (1) specific, credible threats based on individualized information, (2) the best available intelligence and (3) thorough interagency legal and policy review. This Order rests not on such tailored grounds, but rather, on (1) general bans (2) not supported by any new intelligence that the Administration has claimed, or of which we are aware, and (3) not vetted through careful interagency legal and policy review. Since the 9/11 attacks, the United States has developed a rigorous system of security vetting, leveraging the full capabilities of the law enforcement and intelligence communities. This vetting is applied to travelers not once, but multiple times. Refugees receive the most thorough vetting of any traveler to the United States, taking on the average more than a year. Successive administrations have continually worked to improve this vetting through robust information-sharing and data integration to identify potential terrorists without resorting to a blanket ban on all aliens and refugees. Because various threat streams are constantly mutating, as government officials, we sought continually to improve that vetting, as was done in response to particular threats identified by U.S. intelligence in 2011 and 2015. Placing additional restrictions on individuals from certain countries in the visa waiver program –as has been done on occasion in the past – merely allows for more individualized vettings before individuals with particular passports are permitted to travel to the United States.

7. In our professional opinion, the Order was ill-conceived, poorly implemented and ill-explained. The “considered judgment” of the President in the prior cases where courts have

deferred was based upon administrative records showing that the President's decision rested on cleared views from expert agencies with broad experience on the matters presented to him. Here, there is little evidence that the Order underwent a thorough interagency legal and policy processes designed to address current terrorist threats, which would ordinarily include a review by the career professionals charged with implementing and carrying out the Order, an interagency legal review, and a careful policy analysis by Deputies and Principals (at the cabinet level) before policy recommendations are submitted to the President. We know of no interagency process underway before January 20, 2017 to change current vetting procedures, and the repeated need for the Administration to clarify confusion after the Order issued suggest that that Order received little, if any advance scrutiny by the Departments of State, Justice, Homeland Security or the Intelligence Community. Nor have we seen any evidence that the Order resulted from experienced intelligence and security professionals recommending changes in response to identified threats.

8. The Order is of unprecedented scope. We know of no case where a President has invoked his statutory authority to suspend admission for such a broad class of people. Even after 9/11, the U.S. Government did not invoke the provisions of law cited by the Administration to broadly bar entrants based on nationality, national origin, or religious affiliation. In past cases, suspensions were limited to particular individuals or subclasses of nationals who posed a specific, articulable threat based on their known actions and affiliations. In adopting this Order, the Administration alleges no specific derogatory factual information about any particular recipient of a visa or green card or any vetting step omitted by current procedures.

9. Maintaining the district court's temporary restraining order while the underlying legal issues are being adjudicated would not jeopardize national security. It would simply preserve the status quo ante, still requiring that individuals be subjected to all the rigorous legal vetting processes that are currently in place. Reinstating the Executive Order would wreak havoc on innocent lives and deeply held American values. Ours is a nation of immigrants, committed to the faith that we are all equal under the law and abhor discrimination, whether based on race, religion, sex, or national origin. As government officials, we sought diligently to protect our country, even while maintaining an immigration system free from intentional discrimination, that applies no religious tests, and that measures individuals by their merits, not stereotypes of their countries or groups. Blanket bans of certain countries or classes of people are beneath the dignity of the nation and Constitution that we each took oaths to protect. Rebranding a proposal first advertised as a "Muslim Ban" as "Protecting the Nation from Foreign Terrorist Entry into the United States" does not disguise the Order's discriminatory intent, or make it necessary, effective, or faithful to America's Constitution, laws, or values.

10. For all of the foregoing reasons, in our professional opinion, the January 27 Executive Order does not further – but instead harms – sound U.S. national security and foreign policy.

Respectfully submitted,

s/MADELEINE K. ALBRIGHT*

s/AVRIL D. HAINES

s/MICHAEL V. HAYDEN

s/JOHN F. KERRY

s/JOHN E. McLAUGHLIN

s/LISA O. MONACO

s/MICHAEL J. MORELL

s/JANET A. NAPOLITANO

s/LEON E. PANETTA

s/SUSAN E. RICE

*All original signatures are on file with Harold Hongju Koh, Rule of Law Clinic, Yale Law School, New Haven, CT. 06520-8215 203-432-4932

We declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. [Individual signature pages follow]

EXECUTED this 5th day of February, 2017

Madeleine Albright

MADELEINE K. ALBRIGHT

EXHIBIT D this 5th day of February, 2017

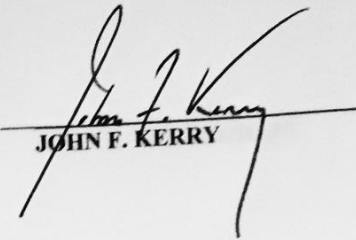


AVRIL D. HAINES

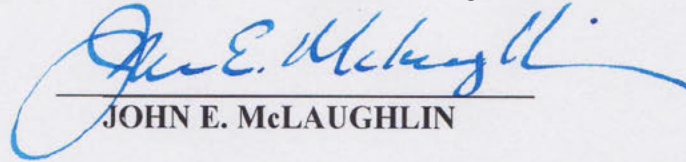
EXECUTED this 5th day of February, 2017


MICHAEL V. HAYDEN

EXECUTED this 5th day of February, 2017



JOHN F. KERRY



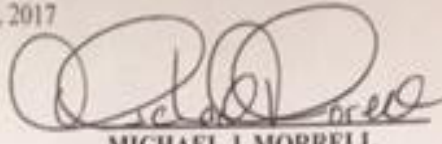
JOHN E. McLAUGHLIN

EXECUTED this 5th day of February, 2017

A handwritten signature in dark ink, appearing to read "Lisa Monaco", written in a cursive style.

LISA O. MONACO

EXECUTED this 5th day of February, 2017

A handwritten signature in black ink, appearing to read "Michael J. Morrell", written over a horizontal line.

MICHAEL J. MORRELL

MORRELL

Handwritten initials "mjm" enclosed within a hand-drawn circle.

EXECUTED this 5th day of February, 2017

/s/
JANET A. NAPOLITANO

EXECUTED this 5th day of February, 2017



LEONE. PANETTA

EXECUTED this 5th day of February, 2017

/s/
SUSAN E. RICE

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by KATIE MCHUGH 6 Mar 2017 | 4495

President Donald Trump's [executive order](#) halting the importation of refugees from six terror-exporting countries also includes a section requiring the government to publicly release information on crimes committed by foreign nationals, including honor killings of women.

This lets the government “be more transparent with the American people and to implement more effectively policies and practices that serve the national interest,” the order states. Department of Homeland Security Secretary John Kelly and U.S. Attorney General Jeff Sessions must work together to provide the public with a report on foreign nationals charged with and convicted of terrorism-related offenses, including those who associate with or provide support to terrorist organizations.

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The order also instructs the government to release information on honor-killings. The government will now track cases involving foreign-born individuals who commit "gender-based violence against women," or **honor killings**. Honor killings are a brutal practice wherein Muslim males will murder or mutilate female family members accused of bringing shame and dishonor to their families and Islam. Like **female genital mutilation**, it is a practice that would not exist in the U.S. without mass immigration bringing its practitioners into U.S. communities.

"Cases of honor killings and/or violence in the U.S. are often unreported because of the shame it can cause to the victim and the victim's family. Also, because victims are often young women, they may feel that reporting the crime to authorities will draw too much attention to the family committing the crime," former U.S. government analyst Farhana Qazi **explained** to Fox News in November 2015.

The order requires the government to release its inaugural report by September 2017, close to the sixteenth anniversary of the 9/11 terror attacks committed by Islamic foreign nationals admitted to the U.S. on various visas. Reports shall be issued every six months from then on.

The transparency will likely increase the broad support Trump's immigration policies enjoy. Typically, the government conceals or refuses to collect immigration-related statistics that reveal troubling consequences of mass immigration policies. A Feb. 8 Morning Consult poll **found** 55 percent of voters supported Trump's executive order, including 82 percent of Republicans. Another McLaughlin & Associates poll release Feb. 8 found 57 percent **support** for a halt of refugee settlement to implement better screening procedures. A Rasmussen Reports poll released on Feb. 2 found 52 percent of voters **avored** a freeze on all refugee resettlement until the government could better screen out terrorists, including 57 percent of young voters.

A 2015 report detailing honor killings can be read **here**.

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**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, *a project of the
Urban Justice Center, Inc., on behalf of itself
and its clients,*
HIAS, INC., *on behalf of itself and its clients,*
MIDDLE EAST STUDIES ASSOCIATION of
*North America, Inc., on behalf of itself and its
members,*
MUHAMMED METEAB,
PAUL HARRISON,
IBRAHIM AHMED MOHOMED,
JOHN DOES Nos. 1 & 3, and
JANE DOE No. 2,

Plaintiffs,

v.

DONALD J. TRUMP, *in his official capacity
as President of the United States,*
DEPARTMENT OF HOMELAND
SECURITY,
DEPARTMENT OF STATE,
OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE,
ELAINE C. DUKE, *in her official capacity as
Acting Secretary of Homeland Security,*
REX W. TILLERSON, *in his official capacity
as Secretary of State,* and
DANIEL R. COATS, *in his official capacity as
Director of National Intelligence,*

Defendants.

Civil Action No. TDC-17-0361

ORDER

For the reasons stated during the October 3, 2017 Case Management Conference, it is
hereby ORDERED that:

Plaintiffs are granted leave to file a Second Amended Complaint and a Motion for a Preliminary Injunction. The Plaintiffs have informed the Court that they are able to file the Second Amended Complaint by **October 5, 2017**. As agreed upon by the parties, Defendants' deadline to file an Answer or other responsive pleading is suspended pending resolution of the Motion for a Preliminary Injunction. The schedule for the briefing of the Motion for a Preliminary Injunction is as follows:

Plaintiffs' Motion: **October 6, 2017 at 12:00 noon**

Defendants' Response: **October 12, 2017 at 12:00 noon**

Plaintiffs' Reply: **October 14, 2017 at 12:00 noon**

A hearing on the Motion is scheduled for **October 17, 2017 at 9:30 a.m.** at the United States Courthouse located at 6500 Cherrywood Lane in Greenbelt, Maryland. The specific courtroom for the hearing will be available the week of the proceeding on the Court's website.

Date: October 4, 2017


THEODORE D. CHUANG
United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE ASSISTANCE
PROJECT, a project of the Urban Justice Center, Inc.,
on behalf of itself and its clients,
40 Rector St, 9th Fl
New York, NY 10006;

HIAS, Inc., on behalf of itself and its clients,
1300 Spring Street, Suite 500
Silver Spring, MD 20910;

MIDDLE EAST STUDIES ASSOCIATION of North
America, Inc., on behalf of itself and its members,
3542 N. Geronimo Avenue
Tucson, AZ 85705;

ARAB-AMERICAN ASSOCIATION OF NEW
YORK, on behalf of itself and its clients,
7111 5th Avenue
Brooklyn, NY 11209;

YEMENI-AMERICAN MERCHANTS
ASSOCIATION, on behalf of itself and its members,
33-42 9st
Long Island City, NY 11106;

JOHN DOES # 1, 3 through 5;

JANE DOE #2;

MUHAMMED METEAB;

MOHAMAD MASHTA;

GRANNAZ AMIRJAMSHIDI;

FAKHRI ZIAOLHAGH;

SHAPOUR SHIRANI; and

AFSANEH KHAZAELI,¹

Civil Action No.: 8:17-cv-361-TDC

**SECOND AMENDED
COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF**

¹ The individual Plaintiffs respectfully request that the Court waive the requirement under Local Rule 102.2(a) to provide addresses. At least one plaintiff in this case has already received harassing phone calls because that plaintiff's address was disclosed in a prior complaint.

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States,
1600 Pennsylvania Avenue NW
Washington, D.C. 20035;

DEPARTMENT OF HOMELAND SECURITY,
Serve on: Elaine Duke,
Acting Secretary of Homeland Security
Washington, D.C. 20528;

DEPARTMENT OF STATE,
Serve on: Rex W. Tillerson,
Secretary of State
2201 C Street NW
Washington, D.C. 20520;

OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE,
Serve on: Dan Coats,
Director of National
Intelligence
Washington, D.C. 20511;

ELAINE DUKE, in her official capacity as Acting
Secretary of Homeland Security
Washington, D.C. 20528;

REX W. TILLERSON, in his official capacity as
Secretary of State
2201 C Street NW
Washington, D.C. 20520;

DAN COATS, in his official capacity as Acting
Director of National Intelligence
Washington, D.C. 20511

Defendants.

INTRODUCTION

In January of this year, a President was inaugurated who had repeatedly and explicitly promised to ban Muslims from entering the United States based on his view that Muslims hate America and the values it represents. One week later, the President signed an executive order seeking to fulfill that promise. The ban it imposed inflicted widespread harm on individuals here and abroad, and the courts swiftly stepped in to stop the Executive from misappropriating powers that belong to Congress and using them to violate individuals' rights. Undissuaded, the President withdrew that order and issued a new one that did essentially the same thing. It, too, was quickly enjoined.

But just before the Supreme Court was to consider whether that second attempt at a Muslim ban was properly enjoined, the President issued a third. This new order, like the first two, cannot be reconciled with the Immigration and Nationality Act or the Constitution, inflicts severe harms on individuals here and abroad, and proffers essentially the same rationale, albeit with a few more bureaucratic trimmings. But this time its bans are indefinite.

Plaintiffs—individuals and organizations injured by the President's attempts to ban Muslims—therefore return to this Court to enforce our constitutional structure and guarantees. Plaintiffs respectfully ask this court to enjoin this latest version of the Muslim ban.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1343 over Plaintiffs' claims under the U.S. Constitution and federal statutes. The Court has additional remedial authority under 28 U.S.C. §§ 2201-02.

2. Venue is proper under 28 U.S.C. §1391(e) and Local Rule 501.4.a.ii. Defendants are officers or employees of the United States acting in their official capacities, and agencies of the

United States. Plaintiffs HIAS, John Doe #1, Shapour Shirani, and Fakhri Ziaolhagh reside in the Southern Division of this District. No real property is involved in this action.

PARTIES

3. The Plaintiffs in this case are both individuals and organizations. The individual plaintiffs are United States citizens or lawful permanent residents whose efforts to reunite here with relatives abroad have been delayed or indefinitely thwarted by the President's executive order issued on January 27, 2017 ("EO-1"),² the executive order issued on March 6, 2017 ("EO-2"),³ and/or the proclamation issued on September 24, 2017 ("EO-3")⁴ (collectively, "the EOs" or "the Orders"). Some individual plaintiffs have approved immigrant visa petitions for their relatives abroad and await the issuance of these visas. Others were forced to endure a prolonged separation from their loved ones because of the EOs.

4. The organizational plaintiffs have members and clients who, like the individual plaintiffs, have relatives abroad who are nationals of a banned country and who are seeking immigrant or nonimmigrant visas. The organizational plaintiffs assert standing on their own behalf and well as on behalf of their clients or members.

5. Plaintiff International Refugee Assistance Project ("IRAP"), a project of the Urban Justice Center, Inc., provides and facilitates free legal services for vulnerable populations around

² Exec. Order 13769, *Protecting the Nation From Foreign Terrorist Entry Into the United States*, 82 Fed. Reg. 8977 (Jan. 27, 2017).

³ Exec. Order 13780, *Protecting the Nation From Foreign Terrorist Entry Into the United States*, 82 Fed. Reg. 13209 (Mar. 6, 2017).

⁴ Proc. No. 9645, *Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry into the United States by Terrorists or Other Public Safety Threats*, 82 Fed. Reg. 45161 (Sept. 24, 2017).

the world, including but not limited to refugees, who seek to escape persecution and find safety in the United States and other Western countries. IRAP has clients in the United States and abroad.

6. Founded in 2008 as a student organization at Yale Law School, IRAP initially served Iraqi refugees who were victims of the Iraq War. In 2010, IRAP became part of the Urban Justice Center and now has offices in New York as well as the Middle East. IRAP has expanded its client base since its inception to assist displaced persons from Afghanistan, Egypt, Eritrea, Ethiopia, Iran, Jordan, Kuwait, Libya, Pakistan, Palestine, Somalia, Sudan, Syria, Turkey, and Yemen. Through in-house casework, as well as supervision of 900 students from 29 law schools in the United States and Canada and pro bono attorneys from over 75 international law firms and multinational corporations, IRAP directly assists thousands of displaced persons in urgent registration, protection, and resettlement cases every year.

7. IRAP lawyers provide legal assistance to refugees and other immigrants to the United States throughout their resettlement processes. IRAP lawyers advise their clients on the resettlement process and other avenues to safety, write legal briefs and compile physical evidence in advance of clients' interviews with United States Citizenship and Immigration Services ("USCIS"), prepare them for their oral testimony in their interviews, and conduct regular follow-up with USCIS until the clients are safely resettled.

8. IRAP clients include many individuals in the United States who need assistance filing family reunification petitions for family members overseas.

9. IRAP also assists U.S.-based Iraqi and Syrian citizens and lawful permanent residents in filing petitions in order to get their family members overseas into the Direct Access Program of the United States Refugee Admissions Program (USRAP).

10. IRAP also assists countless Iraqi and Afghan citizens who have served the United States government to obtain Special Immigrant Visas, with the support of U.S. citizen veterans of Iraq and Afghanistan.

11. Since its inception, IRAP has helped to resettle over 3,200 individuals to 55 countries, with the majority resettled to the United States. It has provided legal assistance to nearly 20,000 more individuals.

12. The overwhelming majority of IRAP's clients, including clients abroad and those within the United States, identify as Muslim.

13. As set forth in greater detail below, implementation of the EOs has caused substantial harm to IRAP and its clients, and will continue to harm them.

14. IRAP asserts claims on behalf of itself and its clients in the United States and abroad. The rights of its clients that IRAP seeks to vindicate here are inextricably bound up with its organizational mission and purpose, and its clients face numerous hurdles to bringing suit in their own names.

15. Plaintiff HIAS, the world's oldest refugee resettlement agency, is a faith-based organization that aims to rescue people around the world whose lives are in danger. The organization works toward a world in which displaced people find welcome, safety, and freedom.

16. Founded in 1881 to assist Jews fleeing pogroms in Russia and Eastern Europe, HIAS now serves refugees and persecuted people of all faiths and nationalities around the globe. Since HIAS's founding, the organization has helped more than 4.5 million refugees start new lives.

17. HIAS has offices in eleven countries worldwide, including headquarters in Silver Spring, Maryland, which is its principal place of business, and another domestic office in New York City.

18. Refugee resettlement lies at the heart of HIAS's work in the United States. It is one of nine non-profit organizations designated by the federal government to undertake this humanitarian work through contracts with the Department of State and the Department of Health and Human Services. HIAS also provides resettlement experts in support of the United Nations High Commissioner for Refugees (UNHCR).

19. In 2016, HIAS provided services to more than 350,000 refugees and asylum seekers globally. HIAS's client base includes refugees and other persecuted people abroad and in the United States who are from Syria, Chad, Venezuela, Iraq, Iran, Sudan, Somalia, Yemen, Ukraine, Bhutan, the Democratic Republic of Congo, Afghanistan, Eritrea, Tanzania, Ethiopia, Burundi, South Sudan, Uganda, Russia, Belarus, and Burma, among other countries. Many of these clients are Muslim.

20. HIAS provides programs and services to refugees, including employment, psychosocial, and legal services. HIAS has also been approved to refer cases of particularly vulnerable refugees directly for third-country resettlement to the United States and other countries. Around the world, HIAS provides legal services to protect the rights of refugees, and to register, document, and secure the status of refugees.

21. HIAS is also assigned clients via the State Department's allocation process, which determines which refugee clients will be resettled by HIAS. For clients who have newly arrived in the United States, HIAS either provides direct resettlement services or partners with other organizations across the country to do so. These services include arranging housing and providing essential furnishings, food, clothing, initial cash assistance, initial health screening, cultural and community orientation, and, through case management services, assistance with enrollment in English language classes and employment services, as well as referrals for health and legal services.

22. HIAS, directly and through affiliated agencies, also provides assistance to refugee and asylee clients in the United States who are seeking to gain entry for family members abroad who still face persecution. Such assistance includes (but is not limited to) the preparation and filing of I-130 and I-730 petitions on behalf of its U.S.-based clients seeking to obtain visas permitting their family members abroad to join them in the United States.

23. As set forth in greater detail below, implementation of EO-1 and EO-2 has caused substantial harm to HIAS and its clients, and EO-3 will continue to harm them.

24. HIAS asserts claims on behalf of itself and its clients. The rights of its clients that HIAS seeks to vindicate here are inextricably bound up with its organizational mission and purpose, and its clients face numerous hurdles to bringing this suit in their own names.

25. Plaintiff Middle East Studies Association (MESA) is a non-profit learned society that brings together scholars, educators, and those interested in the study of the Middle East from all over the world. From its inception in 1966 with 51 founding members, MESA has increased its membership to more than 2,400 and now serves as an umbrella organization for fifty-five institutional members. MESA's membership includes both graduate students and faculty working in the field of Middle East studies, both in the United States and abroad.

26. As set forth in greater detail below, MESA and its members have been harmed in a variety of ways by EO-1 and EO-2, and will be harmed by EO-3.

27. MESA asserts claims on behalf of itself and its members.

28. Plaintiff Arab-American Association of New York (AAANY) is a social service and advocacy organization based in Brooklyn, New York. AAANY was founded in 2001 by prominent and active members of the Arab-American and Arab immigrant communities to respond to the needs of low-income Arab immigrants in New York City, and has since become the largest legal service organization in southwest Brooklyn. Serving over 5,000 people a year, the majority

of whom are women and girls, AAANY works to support and empower the Arab-American and Arab immigrant community by providing legal services regarding immigration, family, and housing law matters, among others; mental health care; English as a Second Language (ESOL) classes; academic tutoring for children; cultural events; youth mentorship programs; voter registration; and a host of other free services and programs.

29. As set forth in greater detail below, the implementation of EO-1 and EO-2 has caused substantial harm to AAANY and its clients, and EO-3 will continue to harm them.

30. AAANY asserts claims on behalf of itself and its clients. The rights of its clients that AAANY seeks to vindicate here are inextricably bound up with its organizational mission and purpose, and its clients face numerous hurdles to bringing this suit in their own names.

31. Plaintiff Yemeni-American Merchants Association (“YAMA”) is an association of business owners and activists that was founded in response to EO-1 to protect the Yemeni-American community from harassment and harm and to help Yemeni-American business owners navigate immigration and other issues.

32. YAMA is based in New York and has organized strikes, meetings, educational forums, and other events to protest against Muslim-targeted travel restrictions and also provide information and support for Yemeni business owners and other members of the Yemeni community.

33. YAMA currently has between 200 and 300 members. As set forth in greater detail below, YAMA and its members have been harmed in a variety of ways by EO-1 and EO-2, and will be by EO-3.

34. YAMA asserts claims on behalf of itself and its members.

35. Plaintiff John Doe #1 is a lawful permanent resident and national of Iran who lives in Montgomery County, Maryland. He is a scientist. He came to the United States in 2014 on an exchange visitor visa. In 2016, he obtained his lawful permanent resident status through the

National Interest Waiver program for people with extraordinary abilities. His pioneering scholarly works are recognized as cutting edge in the sciences. Both John Doe #1 and his wife, who is not a party, are non-practicing Muslims.

36. Plaintiff John Doe #3 is a lawful permanent resident and national of Iran who lives in Anne Arundel County, Maryland. He came to the United States in 2011 through the diversity (green card) lottery. John Doe #3 worked as a teacher in Iran, and currently works in the engineering field.

37. Plaintiff John Doe #4 is a U.S. citizen of Iranian origin who lives in Georgia. He moved to the United States in 1977 and became a citizen in 1999. He is a tenured professor with over 80 published scientific articles, which collectively have been cited more than a thousand times. Both John Doe #4 and his wife, who is not a party, are non-practicing Muslims. He has an approved I-130 visa petition for his wife, who is a national of Iran, where she still lives.

38. John Doe #5 is a U.S. citizen of Yemeni origin who lives in New York City. He immigrated to the United States in 1994 and now owns a grocery store and several wireless stores. He has an approved I-130 visa petition for his mother, a Yemeni national who fled from her home to Jordan after war broke out in Yemen in 2015.

39. Plaintiff Jane Doe #2 is a U.S. citizen of Syrian origin who lives in Mecklenburg County, North Carolina. She is from a Muslim family and is enrolled in college where she is studying to become a healthcare technician. She filed a family-based I-130 visa petition for her sister who is a Syrian refugee currently living in a refugee-designated area in Saudi Arabia with her husband and two young children. That petition has been approved.

40. Plaintiff Mohammed Meteab is a lawful permanent resident of the United States who lives in Springfield, Massachusetts. He came to the United States in 2015 as a refugee along with his wife and two children. He now has a third child, a U.S. citizen born in the United States.

Plaintiff Meteab is one of five brothers; he, his wife, his two elder children, and all five brothers are Iraqi. One brother came to the United States as a refugee. The other three brothers have been approved as refugees by the United Nations High Commission for Refugees and remain in Jordan, awaiting resettlement. Two of the three are approved to come to the United States but do not yet have travel documents. Mr. Meteab is a Sunni Muslim, as are his brothers.

41. Plaintiff Mohamad Mashta is a United States lawful permanent resident of Syrian origin who lives in Celina, Ohio. He came to the United States on a student visa in 2012 and subsequently applied for and was granted asylum. He has a Master's degree in electrical engineering and works as an engineer. His I-130 visa petition for his wife, a Syrian national who fled to Sudan with her family, has been approved. Both Mr. Mashta and his wife are practicing Muslims.

42. Plaintiff Grannaz Amirjamshidi is a United States citizen of Iranian origin who lives in Campbell, California. She came to the United States in 2009 as a diversity visa lottery winner and now works as an engineer manager at a manufacturing company. She has a master's degree in Operation Management. Ms. Amirjamshidi's mother is an Iranian citizen who lives in Canada and who has been granted twelve tourist visas in seven years to come to the United States to visit Ms. Amirjamshidi and her family. Her most recent tourist visa application is pending.

43. Plaintiff Shapour Shirani is U.S. Citizen of Iranian origin who lives in Boyds, Maryland. He moved to the United States in 1993. Mr. Shirani is a nonpracticing Muslim. He has an approved I-130 visa petition for his wife, who is a national of and still lives in Iran.

44. Plaintiff Fakhri Ziaolhagh is a U.S. Citizen of Iranian origin who lives in Gaithersburg, Maryland. Ms. Ziaolhagh moved to the United States in 2008, on an employer-sponsored visa, together with her husband and her younger son. She is a practicing Muslim. She has an approved

I-130 visa petition for her older son, who is a national of and still lives in Iran, separated from the rest of their family.

45. Plaintiff Afsaneh Khazaeli is a U.S. Citizen of Iranian origin who lives in Illinois. She came to the United States in 1977 with her husband, who entered on a student visa. Ms. Khazaeli is the sole proprietor of a sewing store. She has an approved visa application for her sister, an Iranian national. Ms. Khazaeli and her family are nonpracticing Muslims.

46. As set forth in greater detail below, implementation of all the EOs has caused and will continue to cause harm to Plaintiffs John Doe #1, John Does #3 through #5, Jane Doe #2, Mateab, Mashta, Amirjamshidi, Shirani, Ziaolhagh, and Khazaeli (collectively, the “Individual Plaintiffs”).

47. Defendant Donald Trump is the President of the United States. He is sued in his official capacity. In that capacity, he issued the EOs.

48. Defendant U.S. Department of Homeland Security (“DHS”) is a cabinet-level department of the United States federal government. Its components include U.S. Citizenship and Immigration Services (“USCIS”), Customs and Border Protection (“CBP”), and Immigration and Customs Enforcement (“ICE”). CBP’s responsibilities include inspecting and admitting immigrants and nonimmigrants arriving with U.S. visas at international points of entry, including airports and land borders. USCIS’s responsibilities include adjudicating requests for immigration benefits for individuals located within the United States. ICE’s responsibilities include enforcing federal immigration law within the interior of the United States. Both EO-2 and EO-3 assign DHS a variety of responsibilities regarding their enforcement.

49. Defendant U.S. Department of State (“DOS”) is a cabinet-level department of the United States federal government. DOS is responsible for the issuance of immigrant and nonimmigrant visas abroad. Both EO-2 and EO-3 assign DOS a variety of responsibilities regarding their enforcement.

50. Defendant Office of the Director of National Intelligence (“ODNI”) is an independent agency of the United States federal government. The ODNI has specific responsibilities and obligations with respect to implementation of EO-2 and EO-3.

51. Defendant Rex Tillerson is the Secretary of State and has responsibility for overseeing enforcement and implementation of EO-2 and EO-3 by all DOS staff. He is sued in his official capacity.

52. Defendant Elaine Duke is the Acting Secretary of Homeland Security. Acting Secretary Duke has responsibility for overseeing enforcement and implementation of EO-2 and EO-3 by all DHS staff. She is sued in her official capacity.

53. Defendant Dan Coats is the Director of National Intelligence, and has responsibility for overseeing enforcement and implementation of EO-2 and EO-3 by all ODNI staff. He is sued in his official capacity.

FACTUAL ALLEGATIONS

President Trump’s Expressed Intent To Target Muslims and To Favor Christians Seeking to Enter the Country

54. President Trump has repeatedly made clear his intent to enact policies that exclude Muslims from entering the United States and to favor Christians seeking to enter the United States.

55. On December 7, 2015, then-Presidential candidate Trump issued a statement on his campaign website. Entitled, “DONALD J. TRUMP STATEMENT ON PREVENTING MUSLIM IMMIGRATION,” the statement declared that “Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country’s representatives can figure out what is going on.”

56. The statement, which remained on President Trump’s campaign website until it was selectively removed on May 8, 2017—the day this Court’s preliminary injunction of Section 2(c) of EO-2 was argued before the Fourth Circuit, sitting en banc—invoked stereotypes of Muslims,

falsely suggesting that all Muslims believe in “murder against non-believers who won’t convert” and “unthinkable acts” against women.

57. Defending his proposed Muslim ban the next day, candidate Trump told Good Morning America, “What I’m doing is I’m calling very simply for a shutdown of Muslims entering the United States—and here’s a key—until our country’s representatives can figure out what is going on.”

58. When asked the same day on MSNBC how his Muslim ban would be applied by customs officials, candidate Trump said, “That would be probably—they would say, are you Muslim?” A reporter followed up by asking, “And if they said yes, they would not be allowed in the country[?]” Candidate Trump responded, “That’s correct.”

59. Candidate Trump repeatedly reiterated his support for targeting Muslims seeking to enter the United States.

60. On March 9, 2016, candidate Trump stated, “I think Islam hates us. There’s . . . a tremendous hatred there There’s an unbelievable hatred of us We can’t allow people coming into this country who have this hatred of the United States . . . and [of] people that are not Muslim”

61. The next day, during a debate, candidate Trump said he would “stick with exactly” what he had said the night before. When asked if he was referring to all 1.6 billion Muslims worldwide, he explained, “I mean a lot of them.” Candidate Trump stated later in the same debate, “There is tremendous hate. There is tremendous hate. Where large portions of a group of people, Islam, large portions want to use very, very harsh means.”

62. On March 22, 2016, candidate Trump stated that “we’re having problems with the Muslims, and we’re having problems with Muslims coming into the country,” adding, “You need

surveillance. You have to deal with the mosques whether we like it or not These attacks aren't . . . done by Swedish people. That I can tell you.”

63. The same day, candidate Trump stated on Twitter that a Democratic candidate for President, Hillary Clinton, wanted to “let the Muslims flow in.”

64. On May 11, 2016, candidate Trump announced that he was putting together an “immigration commission,” to be headed by Rudy Giuliani, that would “look at the ‘Muslim ban,’ or ‘temporary ban’ as we call it.”

65. As Mr. Giuliani corroborated two days after EO-1 was issued, that commission was tasked with coming up with a way to “legally” implement a “Muslim ban,” and it recommended using territory as a proxy for religion.

66. In the months after announcing creation of the “immigration commission,” candidate Trump heavily foreshadowed the contours of the EOs to come. He explained, for example, that he would impose the ban pursuant to the president’s authority under 8 U.S.C. § 1182(f), and that it would operate on the basis of geography. When pressed to name the countries that would be affected, candidate Trump demurred, but stated that his ban would incorporate a pre-existing list of what he called “terror nations.” This list, as it turned out, was the list of countries exempted from the Visa Waiver Program, which allows the nationals of participating countries to enter the United States for certain purposes for 90 days without first obtaining a visa.

67. Lest there be any doubt about what he was proposing, however, candidate Trump repeatedly rejected the notion that he was backing away from the promised Muslim ban—which he continued to defend as a good idea—and instead emphasized that he was using territory as a proxy for religion.

68. On June 13, 2016, for example, candidate Trump stated in a major speech on national security, “I called for a ban after San Bernardino and was met with great scorn and anger. But

now many . . . are saying that I was right to do so.” In the same prepared speech, he promised to use the president’s authority under 8 U.S.C. § 1182(f) to “suspend immigration from [certain] areas of the world.”

69. Later that same day, candidate Trump tweeted: “In my speech on protecting America I spoke about a temporary ban, which includes suspending immigration from nations tied to Islamic terror.”

70. Two days later, on June 15, candidate Trump explained that “it’s a temporary ban, in particular for certain people coming from certain horrible—where you have tremendous terrorism in the world. You know what those places are.”

71. On June 25, 2016, candidate Trump stated that he “do[esn’t] want people coming in from certain countries.” When asked which countries, candidate Trump explained to one media outlet that “they’re pretty well decided. All you have to do is look!” and to another, “I want people that have bad thoughts out. I would limit specific terrorist countries and we know who those countries are.”

72. When pressed once more, two days later, to identify the countries he would target for his ban, candidate Trump stated that he would focus on “terror nations”: “Look it up. They have a list of terror nations.”

73. In an interview aired on 60 Minutes on July 17, 2016, when asked about the proposed Muslim ban, candidate Trump replied: “Call it whatever you want. We’ll call it territories, ok?” Asked again whether Muslims would be banned, candidate Trump said that “there’s nothing like” the Constitution “[b]ut it doesn’t necessarily give us the right to commit suicide, as a country, okay?” He again reiterated: “Call it whatever you want.”

74. In a July 24, 2016 interview on Meet the Press, candidate Trump was asked if a plan similar to the EOs he eventually signed was a “rollback” from “[t]he Muslim Ban.” Candidate

Trump responded: “I don’t think so. I actually don’t think it’s a rollback. In fact, you could say it’s an expansion. I’m looking now at territories.”

75. Candidate Trump continued: “People were so upset when I used the word Muslim. Oh, you can’t use the word Muslim. Remember this. And I’m okay with that, because I’m talking territory instead of Muslim.”

76. When speaking to Sean Hannity of Fox News the next day, candidate Trump again rejected the idea that he was retreating from his proposed Muslim ban, stating that his “position’s gotten bigger now” because he is “talking about territories now.” Candidate Trump explained that “we’re talking about territories” because “[p]eople don’t want me to say Muslim.”

77. In a major prepared speech on immigration on August 15, 2016, candidate Trump again invoked false stereotypes of Muslims. He explained that his immigration policy—which he called “extreme, extreme vetting”—would ensure that those we admit “share our values,” which means screening out those who support “honor killings,” or “who believe Sharia law should supplant American law.”

78. Candidate Trump continued and outlined a plan to ask the Departments of State and Homeland Security to identify “a list of regions where inadequate screening cannot take place” so that the United States could “stop processing visas from those areas until such time as it is deemed safe to resume based on new circumstances or new procedures.” Although he then claimed that “[t]he size of current immigration flows [are too large to perform adequate screening,” the only “immigration flow” he expressed concern about was that from the Middle East: “We admit about 100,000 permanent immigrants from the Middle East every year. Beyond that, we admit hundreds of thousands of temporary workers and visitors from the same regions. Hundreds of thousands. If we don’t control the numbers, we can’t perform adequate screening.”

79. In a speech on September 1, 2016, candidate Trump reiterated that he would task federal agencies with “develop[ing] a list of regions and countries from which immigration must be suspended until proven and effective vetting mechanisms can be put in place. I call it extreme vetting right? Extreme vetting. I want extreme.”

80. This “extreme vetting,” candidate Trump explained, would include asking immigrant applicants “their views about honor killings, about respect for women and gays and minorities,” and their “[a]ttitudes on radical Islam.”

81. During a nationally-televised presidential debate on October 9, 2016, candidate Trump was asked again about his proposed Muslim ban. He answered that “[t]he Muslim ban is something that in some form has morphed into extreme vetting for certain areas of the world.” When pressed to “please explain whether the Muslim ban still stands,” candidate Trump replied: “It is called extreme vetting. We are going to areas like Syria.”

82. On December 21, 2016, president-elect Trump was asked whether he “had cause to rethink or reevaluate [his] plans to create a Muslim register or ban Muslim immigration to the United States.” He replied: “You know my plans all along, and I’ve been proven to be right, 100 percent correct.”

The January 27 Order/EO-1

83. After conducting a campaign in which a ban on Muslim admissions was a key promise, President Trump took action to carry out that promise by issuing EO-1 on January 27, one week after being inaugurated.

84. Statements made by President Trump and his advisors around the time of the signing of EO-1 confirm President Trump’s intent to discriminate against Muslims. In an interview with the Christian Broadcasting Network released the same day that he signed EO-1, President Trump stated that it was designed to give Christians priority when applying for refugee status. “If you

were a Muslim you could come in [to the United States], but if you were a Christian, it was almost impossible,” he said. “[T]hey were chopping off the heads of everybody but more so the Christians. And I thought it was very, very unfair. So we are going to help them.”

85. Consistent with this expressed religious animus towards Muslims and preference for Christians, EO-1 disfavored Muslims while giving special treatment to non-Muslims.

86. Section 3 of EO-1, for example, banned any entry for 90 days for individuals from seven countries, each of which is more than ninety percent Muslim: Syria, Sudan, Iraq, Iran, Libya, Somalia, and Yemen. The combined population of those countries is more than 97% Muslim.

87. As promised on the campaign trail, EO-1 provided a mechanism for the government to extend and/or expand the 90-day ban at the end of the 90 day period. Section 3 of EO-1 directed the Secretary of Homeland Security to “immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat,” and to “submit to the President a report on the results of the review . . . within 30 days of the date of this order.” At that point, the “Secretary of State shall request all foreign governments that do not supply such information to start providing such information,” and 60 days after that—precisely at the end of the initial 90 day ban period—EO-1 provided for the President to issue a proclamation indefinitely banning travelers from a list of countries deemed to be non-compliant “until compliance occurs.”

88. Although this review provision remained in effect for 48 days, the 30-day review to be conducted by the Secretary of Homeland Security pursuant to EO-1 was never completed.

89. Section 5 of EO-1 prohibited refugee admissions for 120 days, except for Syrian refugees, who were banned indefinitely.

90. EO-1 discriminated between persons of majority and minority faiths in their country of origin. Section 5(b) required the government to “prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual’s country of nationality” once the 120-day ban on refugee admissions is complete.

91. During those 120 days, moreover, Section 5(e) allowed the admission of certain refugees on a discretionary case-by-case basis, “only so long as [the Secretaries of State and Homeland Security] determine that the admission of such individuals as refugees is in the national interest—including when the person is a religious minority in his country of nationality facing religious persecution.”

92. As the President conceded, these provisions were intended to allow Christian refugees to enter the United States, even while Muslim refugees from the same countries were prohibited from doing so. And indeed, Muslims would have been severely disadvantaged under the minority-faith preferences set forth in Sections 5(b) and 5(e). During the past three fiscal years, only 12% of Muslim refugees hailed from a country where Islam is a minority faith.

93. There is no statutory, regulatory, or constitutional basis for favoring refugees from minority faiths over refugees from majority faiths. There is no basis in the Refugee Act of 1980, as amended—which governs the admission of refugees to the United States and their resettlement herein—to prioritize refugees fleeing persecution on the basis of religion, as opposed to the other congressionally-recognized bases. *See* 8 U.S.C. § 1101(a)(42) (defining “refugee”).

94. Section 5(d) of EO-1 reduced, by more than half, the annual refugee admissions allotment that was set prior to the current fiscal year by President Obama (from 110,000 to 50,000).

95. As of February 2017, approximately 41,000 refugees had already been resettled in the United States, and there were tens of thousands more refugees in the USRAP pipeline.

96. Shortly after EO-1 was signed, USCIS cancelled nearly all refugee processing interviews abroad.

97. Additionally, DOS suspended security checks for refugees, a process that typically takes between 18-24 months.

98. Section 5(d)'s reduction in the annual refugee admissions allotment essentially halted the United States' refugee resettlement process.

99. Section 5(g) of EO-1, meanwhile, sought to expand the limited role State and local governments have in the refugee resettlement process in order to facilitate the recently-stated desire and intent of some states and localities to discriminate against refugees on the basis of their nationality and/or religion. *See, e.g., Exodus Refugee Immigration, Inc. v. Pence*, 838 F.3d 902 (7th Cir. 2016) (affirming preliminary injunction on equal protection grounds of state executive order issued by then-Governor of Indiana, Mike Pence, that sought to prevent the resettlement in the State of refugees from Syria).

100. In addition to Sections 3 and 5, other sections of EO-1 reinforced stereotypes about Muslims and discriminated against them. Multiple sections, for example, associated Muslims with violence, bigotry, and hatred, inflicting stigmatic and dignitary harms, among other types of injury. These included Sections 1 and 2, which portrayed EO-1 as protecting citizens from foreign nationals “who would place violent ideologies over American law” and “who intend to commit terrorist attacks in the United States”; and Section 10, which required the Secretary of Homeland Security to periodically publish information about the number of “foreign nationals” involved in, among other things, terrorism-related activities, radicalization, and “gender-based violence against women, including honor killings”—direct echoes of candidate Trump’s broad statements denigrating Islam and Muslims.

101. Further, on information and belief, since EO-1 was signed, CBP has questioned foreign nationals entering from certain countries about their religious beliefs to determine whether or not they are Muslim, and has subjected Muslim travelers from countries other than the seven designation nations to disproportionate and unwarranted scrutiny and interrogation.

102. There is no sound basis for concluding that Muslims generally, or Muslims from particular countries, are more likely to commit violent acts of terror.

103. A previous program to track certain foreign nationals predominantly from Muslim-majority countries, the National Security Entry-Exit Registration System (“NSEERS”), did not lead to the conviction or even identification of a single terrorist, even though it subjected tens of thousands of people to additional screening and investigation.

104. EO-1 remained in effect until March 16, 2017, when EO-2, signed on March 6, became effective and rescinded and replaced EO-1.

The Chaotic and Irregular Implementation of EO-1

105. The preparation and implementation of EO-1 were extremely unusual and chaotic, at least in part because President Trump issued it without consulting the federal agencies tasked with protecting the national security.

106. The White House bypassed regular channels for input and cooperation with other components of the Executive Branch, including the Secretaries of Homeland Security, Defense, and State, as well as the Department of Justice.

107. Moreover, CBP was not given clear operational guidance during critical times in the implementation of EO-1.

108. EO-1 was signed without final review or legal analysis from DHS, which—along with the DOS—was principally charged with implementing it.

109. Then-Secretary of Homeland Security Kelly was reportedly in the midst of a conference call to discuss EO-1 when someone on the call learned from watching television that the order they were discussing had already been signed.

110. Similarly, Secretary of Defense Mattis, who had publicly criticized President Trump's proposal to ban Muslims from the United States, reportedly did not see a final version of EO-1 until the day it was signed, and was not consulted during its preparation.

111. EO-1 did not arise out of the usual process of consulting with the relevant cabinet-level officials and agencies before issuing an executive order. Instead, EO-1 was primarily drafted by a small team of Presidential aides, overseen by then-chief White House strategist Stephen K. Bannon.

112. Mr. Bannon has previously made anti-Muslim comments. He criticized former President George W. Bush for referring to Islam as "a religion of peace," calling President Bush "one of the dumbest presidents in the history of these United States."

113. Congressional staff who worked on EO-1 reportedly were required to sign nondisclosure agreements, and not even the members of Congress they served were allowed to know of their work on EO-1. On information and belief, this arrangement was also highly unusual.

114. During the days leading up to and following the signing of EO-1, its scope and provisions were changed without any rational relationship to its purported justifications.

115. For example, the night after EO-1 was signed, DHS issued guidance interpreting § 3(c) as not applying to lawful permanent residents. Overnight, the White House overruled that guidance, applying EO-1 to lawful permanent residents subject to a case-by-case exception process, in a decision closely associated with Mr. Bannon.

116. After the detention at airports of many individuals, including lawful permanent residents, led to chaos nationwide, then-DHS Secretary Kelly issued a statement "deem[ing] the

entry of lawful permanent residents to be in the national interest.” Secretary Kelly’s statement was made pursuant to Section 3(g) of the order, which requires such a decision to be made “on a case-by-case basis.”

117. Finally, on February 1, the Counsel to the President purported to interpret EO-1 as exempting lawful permanent residents from the ban entirely.

118. Similarly, initial guidance from DOS indicated that individuals with dual citizenship, with one country of citizenship subject to the ban, would be banned from entering the United States. Word of a change in that policy spread irregularly, with notice being given to airlines and foreign nations but contradicted in official U.S. government communications.

119. Finally, CBP announced a changed policy, explaining, in response to the question “Does ‘from one of the seven countries’ mean citizen, national or born in?” that “Travelers are being treated according to the travel document they present.” According to this policy the same individual both was and was not subject to the travel ban depending only on the travel document she presented.

120. The government also reversed itself on its policy toward holders of Special Immigrant Visas from Iraq. Holders of these visas were clearly banned under the terms of EO-1, and they were refused entry when it went into effect. However, on February 2, 2017, they were granted a categorical waiver allowing them to enter the United States notwithstanding the ban.

121. Nationals of the seven banned countries who had immigrated to (but were not yet citizens of) Canada, meanwhile, were inexplicably allowed to enter the United States, even without a waiver—unless they had emigrated to Canada as refugees, in which case they remained banned.

122. Still other aspects of EO-1 and its implementation demonstrated utter disregard for the individuals affected by it. For example, the Administration knew that EO-1 would bar the entry of individuals who were literally mid-air when the order was issued. Nonetheless, and absent any

exigency that would justify it, the order was signed late on a Friday afternoon. That decision had a number of predictable consequences, including: making it more difficult for the federal employees tasked with enforcing the order to obtain instruction on how to interpret and enforce the order's sloppily-written provisions; causing prolonged detentions at airports and land borders, and leading many to be wrongfully deported; and increasing the difficulty advocates had in accessing their clients and the courts.

123. In a tweet on January 30, 2017, President Trump appeared to justify the rushed implementation of EO-1 by claiming that “[i]f the ban were announced with a one week notice, the ‘bad’ would rush into our country during that week. A lot of bad ‘dudes’ out there!”

124. In another tweet the same day, and again in seeming response to criticism about the rollout of EO-1 President Trump stated that, “This was a big part of my campaign.”

125. Even once advocates were able to access the courts and obtain temporary injunctive relief against aspects of EO-1, DHS officials frequently refused or otherwise failed to comply with the court orders, undermining bedrock constitutional principles and inflicting further unlawful injury on the affected individuals.

126. Other actions taken by DHS and DOS to enforce EO-1 exhibited a zealous desire to go beyond even the draconian measures the order actually required.

127. Notwithstanding that Section 3 of EO-1 only barred “entry into the United States of aliens from” one of the aforementioned seven Muslim-majority countries, DHS interpreted it to prohibit the granting of *any* immigration-related benefit to anyone from those countries—including to individuals who are already in the United States. That decision would have had wide-ranging consequences, including: delaying naturalization of lawful permanent residents from those countries who wish to become U.S. citizens; rendering asylees from those countries unable to be lawfully employed once their Employment Authorization Documents expire; and either expelling

or making undocumented any individuals here on nonimmigrant visas (including student, employment, and tourist) that otherwise would have been renewed.

128. DOS, at the request of DHS, issued a letter purporting to provisionally revoke *all* immigrant and nonimmigrant visas of nationals of the seven designated countries on a categorical basis—affecting at least 60,000 people—including of all such individuals already in the United States. The letter is dated January 27, 2017, but only came to light on January 31, 2017, when Department of Justice lawyers filed it in pending litigation. DOS has stated that this action was taken to “implement[]” EO-1.

129. Upon information and belief, DOS has never before revoked a broad swath of valid visas in this manner.

130. Nor, on information and belief, is visa revocation ordinarily undertaken in secret, with no notice to the visa holder and no individualized consideration of whether any particular visa should be revoked.

131. Still further evidence of discriminatory intent and effect is reflected in the statements by President Trump and his Administration seeking to defend and justify EO-1 after it was issued.

132. President Trump, for example, falsely stated that only 109 people were detained over the weekend following the issuance of EO-1, even though he knew or should have known that the number was far higher.

133. Indeed, the federal government has since revealed that at least 2,000 people were detained at airports and land borders while the ban portions of EO-1 were in effect.

134. These chaotic, irregular, and irrational policies, policy changes, and statements indicate that the purported justifications for EO-1 were pretextual and that it was at least substantially motivated by an intent to discriminate against Muslims.

The Nationwide Preliminary Injunction of EO-1

135. A February 3, 2017 order issued by the District Court for the Western District of Washington prohibited the government from enforcing §§ 3(c), 5(a), 5(b), and 5(e) of EO-1. Upon issuance of that injunction, the government appealed to the Ninth Circuit and sought a stay pending appeal.

136. After hearing oral argument, the Ninth Circuit declined to stay the injunction, noting that “although courts owe considerable deference with respect to immigration and national security, it is beyond question that the federal judiciary retains the authority to adjudicate constitutional challenges to executive action.” *Washington v. Trump*, 847 F.3d 1151, 1164 (9th Cir. 2017).

137. In reaching its holding, the Court noted that “[t]he government has pointed to no evidence that any alien from any of the countries named in the order has perpetrated a terrorist attack in the United States.” *Id.* at 1168.

138. The Court also acknowledged “evidence of numerous statements by the President about his intent to implement a ‘Muslim ban’” and observed that “[i]t is well established that evidence of purpose beyond the face of the challenged law may be considered in evaluating Establishment and Equal Protection Clause claims.” *Id.* at 1167.

139. Shortly after the Ninth Circuit’s opinion issued, President Trump tweeted, “SEE YOU IN COURT, THE SECURITY OF OUR NATION IS AT STAKE!” He subsequently denounced the opinion as “a political decision” and stated, “[W]e’re going to see them in court, and I look forward to doing that. It’s a decision that we’ll win, in my opinion, very easily.”

140. On March 7, 2017, the government withdrew its appeal of the preliminary injunction of EO-1.

The March 6 Order/EO-2

141. In the weeks preceding the issuance of EO-2, the President and his closest advisors assured the public that the executive order to come would achieve the same goals as the original, and would have only minor differences.

142. At a press conference on February 16, President Trump defended EO-1 as a “lawful” and “decisive action to keep radical Islamic terrorists out of country,” but nonetheless promised a new order would be issued the following week, “tailored to what [he] considered to be a very bad decision” from the Ninth Circuit. President Trump explained that “we can tailor the order [to the Ninth Circuit] decision and get just about everything, in some ways, more.”

143. In explaining why he was pressing on with a new travel ban, President Trump explained: “I got elected on defense of our country. I keep my campaign promises, and our citizens will be very happy when they see the result.”

144. In the days that followed, senior White House officials reiterated the President’s view that EO-1 was fully lawful, and that the new order would be “tailored” to address “minor” and “very technical issues” they claimed troubled the courts with regard to EO-1. Press Secretary Sean Spicer affirmed that “[t]he principles of the executive order remain the same.” Stephen Miller, a senior advisor to President Trump, explained that EO-2 would constitute “the same, basic policy outcome for the country.”

145. Consistent with these statements, EO-2, explicitly referring to the Ninth Circuit’s ruling, exempts from the ban certain categories of noncitizens that “prompted judicial concerns,” and alters the original order’s “approach to certain other issues or categories of affected aliens” so as “to avoid spending additional time pursuing litigation” over the constitutionality of EO-1.

146. Indeed, notwithstanding an expanded “Policy and Purpose” section and certain other changes discussed more fully below, EO-2 is extremely similar to EO-1 in most material respects.

147. Like its predecessor, EO-2 banned entry for a new 90 day period for individuals from the six of the same seven predominantly Muslim countries identified in EO-1: Syria, Sudan, Iran, Libya, Somalia, and Yemen. EO-2 § 2(c).

148. Like EO-1, and as promised on the campaign, EO-2 also provided a mechanism for the government to extend and/or expand the 90-day ban at the end of the 90 day period. Section 2 of EO-2 directed the Secretary of Homeland Security to “conduct a worldwide review to identify whether, and if so what, additional information will be needed from each foreign country to adjudicate an application by a national of that country for a visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual is not a security or public-safety threat.”

149. In addition, EO-2 explicitly provided that the review need not be conducted in a consistent matter between countries: “The Secretary of Homeland Security may conclude that certain information is needed from particular countries even if it is not needed from every country.” Again, the order provides for the submission of a report on this review within 30 days of the date of the order, a period (50 days rather than 60) for countries to respond to the order, and a provision for the President to thereafter issue a proclamation indefinitely banning travelers from a list of countries deemed to be non-compliant.

150. EO-2 states that “Iraq presents a special case” because of the “close cooperative relationship between the United States and the democratically elected Iraqi government” and because the latter “has expressly undertaken steps to enhance travel documentation, information sharing, and the return of Iraqi nationals subject to final orders of removal.” EO-2 § 4.

151. With this justification, EO-2 exempts foreign nationals of Iraq from the categorical ban on entry applicable to other countries originally targeted by EO-1. Instead, Iraqis are subject to

“thorough review” and “consideration of whether the applicant has connections with ISIS or other terrorist organizations.”

152. Like EO-1, EO-2 allows for waivers to this ban on a discretionary case-by-case basis. EO-2 § 3(c). In contrast to EO-1, which simply stated that visas and other immigration benefits may be issued “when in the national interest,” EO-2 provides nine examples of situations in which a waiver would be appropriate, such as when “the foreign national is an infant, a young child or adoptee” or “an individual needing urgent medical care.” EO-2 § 3(c)(i)-(ix).

153. These and other similar circumstances enumerated in EO-2 reflect specific examples of individuals whose denial of entry pursuant to EO-1 resulted in the filing of lawsuits and widespread public outcry.

154. EO-2 also contains exceptions to this ban for, among others, lawful permanent residents and dual nationals traveling on passports issued by a non-designated country. EO-2 § 3(b).

155. Like EO-1, EO-2 cut the number of refugees who could be admitted to the United States for fiscal year 2017 from 110,000 to 50,000, and prohibits refugee admissions for 120 days, with an exception for discretionary case-by-case admissions. EO-2 §§ 6(a), 6(b). EO-2 also expressly suspended decisions on applications for refugee status for 120 days. EO-2 § 6(a).

156. After EO-2 was issued, but before it went into effect, Defendants began enforcing its provisions regarding refugee resettlement, notwithstanding the fact that the corresponding sections of EO-1 remained enjoined.

157. In addition to the provisions discussed above, EO-2 contains near-verbatim reproductions of all the other substantive provisions of EO-1, including:

- Former Section 4(a), now Section 5(a), which requires the Secretaries of State and Homeland Security, the Attorney General, and the Director of National Intelligence to implement uniform screening standards to identify individuals “who seek to enter the

United States on a fraudulent basis, who support terrorism, violent extremism, acts of violence toward any group or class of people within the United States, or who present a risk of causing harm subsequent to their entry.”

- Former Section 5(g), now Section 6(d), which seeks to expand the limited role State and local governments have in the refugee resettlement process, potentially facilitating the stated desire and intent of some states and localities in the United States to discriminate against lawfully-admitted refugees on the basis of their nationality and/or religion. *See, e.g., Exodus Refugee Immigration*, 838 F.3d 902.
- Former Section 6, now Section 7, which directs the Secretaries of State and Homeland Security to consider rescinding certain waivers of terrorism-related inadmissibility grounds (“TRIG waivers”) authorized by previous administrations. TRIG waivers have historically been used to facilitate the admission to the United States of certain individuals or groups of individuals—often refugees fleeing persecution—who have been forced to give aid to terrorist organizations under duress.
- Former Section 8, now Section 9, which suspends the Visa Interview Waiver Program.
- Former Section 10, now Section 11, which requires the Secretary of Homeland Security to periodically publish information about the number of “foreign nationals” involved in, among other things, terrorism-related activities, radicalization, and “gender-based violence against women, including so-called ‘honor killings.’”

158. The signing and implementation of EO-2 was reportedly delayed because of the positive media reviews President Trump received after his address to a joint session of Congress on February 28, 2017. Although the Trump Administration had previously intended on releasing the revised executive order the following day, on March 1, 2017, White House officials stated that

they delayed the release of the revised Executive Order so that President Trump's speech could continue to receive positive press attention.

159. The delay following President Trump's congressional address marked the third time the administration put off the issuance of the revised Executive Order.

160. After EO-1 was enjoined but before EO-2 was issued, President Trump ordered the Department of Homeland Security and the Department of Justice to produce an intelligence report to demonstrate that the seven Muslim-majority countries originally identified in EO-1 present a substantial security threat and have exported terrorism to the United States.

161. Such an attempt to reverse-engineer a national security justification for an executive action is not common practice.

162. In response, analysts at DHS prepared a draft report, released to the press on February 24, 2017, indicating that there was insufficient evidence that nationals of the seven Muslim-majority countries included in EO-1 pose a terror threat to the United States.

163. The draft report found that citizenship is an "unlikely indicator" of terrorism threats to the United States, and that few people from the countries identified in EO-1 have carried out attacks or been involved in terrorism-related activities in the United States since Syria's civil war started in 2011.

164. A second DHS report, dated March 1, 2017, found that of the limited number of the foreign-born, U.S.-based violent extremists, most become radicalized after living in the U.S. for a number of years.

165. EO-2 does not acknowledge or rely on either of these recent, specific security appraisals from DHS.

166. Instead, EO-2 relies on the State Department's Country Reports on Terrorism describing conditions in 2015 (and published in June 2016).

167. In relying on those reports, however, EO-2 disregards other countries that the State Department describes as safe havens for terrorists, and that pose a similar if not larger threat.

168. For example, the State Department noted in its 2015 chapter on Terrorist Safe Havens that Venezuela has become a haven for terrorist groups, explaining that the country's "porous border with Colombia has made [it] attractive to the Revolutionary Armed Forces of Colombia and the National Liberation Army."

169. Similarly, the State Department concluded that "[t]here are ungoverned, under-governed, and ill-governed areas of Mali that terrorist groups have used to organize, plan, raise funds, communicate, recruit, train and operative in relative security."

170. The same day EO-2 was signed, then-Secretary of Homeland Security John Kelly said in an interview that many other countries not banned in EO-2 raise similar security concerns. "There's probably thirteen or fourteen other countries—not all of them Muslim countries, not all of them in the Middle East—that have very questionable vetting procedures that we can rely on."

171. Secretary Kelly's statements were similar to those of then-White House Chief of Staff Reince Priebus, who stated in January that "[y]ou can point to other countries that have similar problems" as those banned by EO-1.

172. EO-2 also states that "more than 300 persons who entered the United States as refugees are currently subjects of counterterrorism investigations by the Federal Bureau of Investigation." EO-2 does not note that very few F.B.I. initial assessments of terrorism threats become intensive investigations: for example, in the four months from December 2008 to March 2009, the F.B.I. began 11,667 "assessments" related to terrorism, only 427 of which—less than 4%—led to more intensive investigations.

173. Approximately one million individuals have been admitted to the United States as refugees since 2001.

174. EO-2 was motivated by the same anti-Muslim purpose that motivated EO-1. In replicating much of the substance of EO-1, EO-2 seeks to prevent the entry of Muslims into the United States and reinforces stereotypes about Muslims by associating them with terrorism, violence, bigotry, and hatred.

The Nationwide Preliminary Injunctions of EO-2

175. On March 16, 2017, this Court granted in part Plaintiffs' motion for a preliminary injunction and issued a nationwide preliminary injunction of § 2(c) of EO-2, the 90-day nationality ban.

176. This Court held that “[i]n this highly unique case,” the record establishes that any national security justification for EO-2, even if legitimate, is secondary to its primary religious purpose. Accordingly, this Court held that Plaintiffs are likely to succeed on their claim that § 2(c) of EO-2 violates the Establishment Clause.

177. Sitting en banc, the Fourth Circuit affirmed in relevant part by a 10-3 vote. The majority opinion, joined in full by seven judges and in substantial part by two more, applied the “facially legitimate and bona fide” standard of *Kleindienst v. Mandel*, 408 U.S. 753, 770 (1972), as refined by Justice Kennedy’s controlling concurrence (joined by Justice Alito) in *Kerry v. Din*, 135 S. Ct. 2128, 2141 (2015) (Kennedy, J., concurring in the judgment).

178. The majority held that, “in this highly unique set of circumstances,” Plaintiffs had presented “ample evidence” that the “the ‘facially legitimate’ reason proffered by the government is not ‘bona fide.’” It therefore “no longer defer[red] to that reason and instead . . . ‘look[ed] behind’” EO-2 by examining it under the Establishment Clause.

179. In a parallel proceeding, on March 15, 2016, the U.S. District Court for the District of Hawai’i issued a nationwide preliminary injunction of §§ 2 and 6 of EO-2, which, in addition to the 90-day nationality ban, included the 120-day refugee ban, the cut in refugee admissions from

110,000 to 50,000 for fiscal year 2018, and various reporting requirements. The District Court of Hawai'i held that the plaintiffs are likely to prevail on their claims that these sections violate the Establishment Clause.

180. On appeal, a panel of the Ninth Circuit affirmed the Hawai'i district court's preliminary injunction as to § 2(c) and the refugee-related provisions of §6. The Ninth Circuit held, in relevant part, that §2(c) violates the Immigration and Nationality Act ("INA"); the panel did not reach the plaintiffs' constitutional claims. The Ninth Circuit vacated portions of the Hawai'i preliminary injunction that had halted the review procedures set forth in other parts of §§ 2 and 6 of EO-2.

181. The government petitioned for certiorari in both cases and moved for a stay of the preliminary injunctions.

182. After Plaintiffs pointed out in their opposition to certiorari that the appeal would be moot on June 14—90 days from the "effective date" of the order, EO-2 § 14—President Trump signed a memorandum to the Secretary of State, the Attorney General, the Secretary of Homeland Security, and the Director of National Intelligence in which he "declare[d]" that "the effective date of each enjoined provision" of EO-2 would "be the date and time at which the referenced injunctions are lifted or stayed with respect to that provision." 82 Fed. Reg. 27965. The memorandum provided further that, "[t]o the extent it is necessary," it "should be construed to amend" EO-2. *Id.*

183. On June 26, 2017, the Supreme Court granted certiorari in both this and the Hawai'i case, consolidated them, and partially stayed both preliminary injunctions. The Court held that the injunctions appropriately "covered not just respondents, but parties similarly situated to them," and stayed the injunctions only to the extent they applied to "foreign nationals abroad who have no connection to the United States at all." *Trump v. Int'l Refugee Assistance Project*, 137 S. Ct. 2080, 2087-88 (2017).

184. Pursuant to President Trump’s June 14 memorandum, *see* 82 Fed. Reg. at 27966, the government began implementing § 2(c)’s nationality ban 72 hours later. The 90-day period expired on September 24, 2017.

The September 24 Presidential Proclamation/EO-3

185. In the months preceding the issuance of EO-3, President Trump has repeatedly made clear that he considers EO-2 to be a “watered down” and “politically correct” version of EO-1 that he only reluctantly signed at the best of “the lawyers” who told him to “tailor it,” and that his ideal travel ban would be far harsher.

186. Indeed, at a rally on the same day this Court issued its injunction of § 2(c), President Trump claimed that EO-2 was a “new order [that] was tailored to the dictates of the Ninth Circuit, in my opinion, flawed ruling,” and as such “was a watered down version of the first order that . . . should have never been blocked to start with.”

187. President Trump emphasized that “[t]he best way to keep foreign terrorists or, as some people would say in certain instances, radical Islamic terrorists from attacking our country is to stop them from entering our country in the first place.” Accordingly, he claimed that he agreed to “tailor” EO-2 to resist legal challenge at the urging of his lawyers, but that he thought “we ought to go back to the first one and go all the way, which is what I wanted to do in the first place.”

188. President Trump repeated these sentiments on June 3, two days after the government filed its petition for certiorari of this Court’s preliminary injunction. “We need to be smart, vigilant, and tough,” he tweeted. “We need the courts to give us back our rights. We need the Travel Ban as an extra level of safety!”

189. President Trump subsequently issued multiple tweets criticizing EO-2 and the litigation surrounding it, and calling for a return to his original “Travel Ban.”

190. On June 5, in a series of tweets, he said, “People, the lawyers and the courts can call it whatever they want, but I am calling it what we need and what it is, a TRAVEL BAN! / The Justice Dept. should have stayed with the original Travel Ban, not the watered down, politically correct version they submitted to S.C. / The Justice Dept. should ask for an expedited hearing of the watered down Travel Ban before the Supreme Court - & seek [a] much tougher version!”

191. After the Ninth Circuit largely upheld the Hawai’i district court’s injunction of § 2 and 6 on June 12, President Trump criticized the court for “[r]ul[ing] against the TRAVEL BAN at such a dangerous time in the history of our country.”

192. This statement echoed a criticism President Trump had leveled against the district judge that enjoined parts of EO-1 in *Washington v. Trump*: “The opinion of this so-called judge, which essentially takes law-enforcement away from our country, is ridiculous and will be overturned!”

193. Other subsequent tweets reiterate the same anti-Muslim animus that President Trump has expressed since he first proposed a Muslim ban.

194. On August 17, following a terrorist attack in Barcelona, President Trump tweeted, “Study what General Pershing of the United States did to terrorists when caught. There was no more Radical Islamic Terror for 35 years!”

195. This statement refers to the apocryphal story of General Pershing executing 49 out of 50 terrorists with bullets dipped in pigs’ blood, leaving the fiftieth person alive to tell the tale. While this is not the first time President Trump has referred to this story, it has been routinely debunked by historians and the press.

196. The next day, President Trump declared that “Radical Islamic Terrorism must be stopped by whatever means necessary! The courts must give us back our protective rights. Have to be tough!”

197. President Trump issued EO-3 on Sunday, September 24, 2017, the day the 90-day nationality ban of EO-2 expired.

198. EO-3 achieves largely the same policy outcomes as both EO-2 and EO-1.

199. Like its predecessors, EO-3's bans are based on nationality. EO-3 applies to five of the same seven predominantly Muslim countries identified in EO-1—Iran, Libya, Somalia, Syria, and Yemen—and bans most, if not all, of their nationals indefinitely.

200. Syrian nationals, for example, are categorically banned, regardless of whether they seek to enter as immigrants or nonimmigrants.

201. For the other four countries, all immigrants are banned, while the permitted entry of nonimmigrants varies based on the type of visa, and will be subjected to “additional scrutiny” or “enhanced screening and vetting requirements.”

202. For Iran, Libya, and Yemen, EO-3 bans entry based on visitor and business visas (B-1, B-2, or B-1/B-2 visas)—by far the most commonly used nonimmigrant visa for nationals from these countries.

203. EO-3 also requires “additional scrutiny” for Iraqi nationals and adds bans for the nationals of Chad, North Korea and Venezuela. The severity and impact of the bans placed on each of these countries, however, varies significantly.

204. EO-3 bans only certain Venezuelan government officials and their immediate relatives who seek to enter the United States on non-immigrant visitor and business visas. All other Venezuelan nationals remain free to travel and emigrate to the United States. Estimates suggest that at most a few hundred Venezuelans will be affected by EO-3 each year.

205. EO-3 categorically bans all nationals of North Korea from entering the United States, either as immigrants or nonimmigrants. But the number of entries to the United States by North

Koreans has been so low historically that fewer than 100 North Koreans on average will be affected by EO-3 per year.

206. In contrast, EO-3 bans all nationals of Chad, a Muslim-majority country, who seek to enter either as immigrants or as nonimmigrants on visitor or business visas. EO-3 effectively blocks travel for most nationals from Chad.

207. The following table summarizes and compares the impact of EO-1, EO-2, and EO-3 on non-refugee populations:

Non-refugee populations banned by EO-1, EO-2 and EO-3				
	EO-1 § 3(c)	EO-2 § 2(c)	EO-3	
			Immigrants	Nonimmigrants
Iraq	All for 90 days	None, but subject to additional scrutiny	None, but subject to additional scrutiny	None, but subject to additional scrutiny
Sudan	All for 90 days	All for 90 days	None	None
Iran	All for 90 days	All for 90 days	All indefinitely	All types of visas indefinitely, except for F, M, and J visas
Libya	All for 90 days	All for 90 days	All indefinitely	All B-1, B-2, and B-1/B-2 visas indefinitely
Somalia	All for 90 days	All for 90 days	All indefinitely	None, but subject to additional scrutiny
Syria	All for 90 days	All for 90 days	All indefinitely	All indefinitely
Yemen	All for 90 days	All for 90 days	All indefinitely	All B-1, B-2, and B-1/B-2 visas indefinitely
Chad	None	None	All indefinitely	All B-1, B-2, and B-1/B-2 visas indefinitely
North Korea	None	None	All indefinitely	All indefinitely
Venezuela	None	None	None	B-1, B-2, and B-1/B-2 visas for certain government officials indefinitely

208. Like EO-1 and EO-2, EO-3 allows for waivers to its entry bans on a discretionary case-by-case basis. EO-3 § 3(c). EO-3's waiver provision is nearly identical to that of EO-2. It requires

applicants to establish that their exclusion would impose “undue hardship” and not be in the “national interest,” in addition to satisfying the statutory requirement to show that they are not inadmissible for any security reasons. The waiver provision also provides nine examples of situations in which a waiver might be appropriate, such as when “the foreign national is an infant, a young child or adoptee” or “an individual needing urgent medical care.” EO-3 § 3(c)(iv)(A)-(J).

209. These and other similar circumstances enumerated in EO-2, now replicated in EO-3, reflect specific examples of individuals whose denial of entry pursuant to EO-1 resulted in the filing of lawsuits and widespread public outcry.

210. Like EO-2, EO-3 also contains exceptions to its bans for, among others, lawful permanent residents and dual nationals traveling on passports issued by a non-designated country. EO-3 § 3(b). These exceptions also reflect specific examples of individuals whose denial of entry pursuant to EO-1 resulted in legal challenges and public condemnation.

211. EO-3 went into effect immediately for individuals already banned from entering the United States by EO-2, as narrowed in the Supreme Court’s stay order. EO-3 § 7(a). It will go into effect in full, even for individuals who can claim a bona fide relationship with an individual or entity in the United States, on October 18, 2017. EO-3 §7(b).

212. Like EO-2, EO-3 makes no mention of the DHS reports issued earlier this year, which found that citizenship is an “unlikely indicator” of terrorism threats to the United States, and that of the limited number of the foreign-born, U.S.-based violent extremists, most become radicalized after living in the U.S. for a number of years.

213. Like its predecessors, EO-3 does not identify any visa vetting failures or otherwise explain how the President concluded that existing vetting procedures were or might be inadequate.

214. To support its nation-based bans on the issuance of immigrant and nonimmigrant visas, EO-3 states that it is based on a country-by-country review performed by DHS, as ordered by EO-

2, to assess whether DHS requires additional information from other countries “to determine that [an] individual is not a security or public-safety threat.” EO-2 §2(a). In performing this review, DHS adopted “baseline criteria,” §1(c), that closely match the statutory requirements for participating in the congressionally established Visa Waiver Program, 8 U.S.C. § 1187(a)(3), (c)(2)(B)-(G), (c)(5)(B).

215. EO-3 claims that “out of nearly 200 evaluated” countries, 16 countries were deemed to be “‘inadequate’ based on an analysis of their identity-management protocols, information-sharing practices, and risk factors.” EO-3 §1(e).

216. Thirty-one other countries were deemed to be “‘at risk’ of becoming ‘inadequate.’” *Id.*

217. EO-3 does not identify which countries were classified as “inadequate” or “at risk.”

218. EO-3 further asserts that, as required by the reporting requirement of EO-2 §2(e), the Secretary of DHS submitted a report to President Trump on September 15, 2017, recommending certain “inadequate” countries to be included in a new presidential proclamation that would impose new travel and visa restrictions.

219. EO-3 does not explain why, among the 16 “inadequate” countries and the 31 “at risk countries,” only Chad, Iran, Libya, North Korea, Somalia, Syria, Venezuela, and Yemen are singled out for new or renewed travel and visa restrictions.

220. EO-3 does not assert that it is impossible to verify the identity or assess the risk of all—or even most—visa applicants from “inadequate” or “at risk” countries.

221. EO-3 acknowledges that information is available from sources other than home-country governments that can facilitate such assessments. EO-3 § 2(f)(i).

222. The government routinely requires and collects such non-governmental vetting information for use in its vetting processes. To take just one example, visa applicants’ identity and relation to family sponsors in the United States can be proven with a DNA or blood test, as

provided for by regulation, and which a consular officer may suggest at any time. *See* 8 C.F.R. §204.2(d)(2)(v).

223. Nor does EO-3 explain why other countries who refuse to share identity and other visa screening information with the United States, like Belgium, are not included in EO-3's travel and visa restrictions.

224. Indeed, a report issued by the General Accounting Office in May 2016 noted that at that time, more than a third of countries participating in the Visa Waiver Program—which enables the nationals of the 38 participating countries to enter the United States for business or tourist purposes for up to 90 days without a visa—refused to share terrorist identity or criminal history information. None of these countries, which are predominantly European, Western, and non-Muslim-majority, are included in EO-3.

225. EO-3 likewise does not explain why different categories of non-immigrant visas are banned for different countries.

226. Nor does EO-3 explain why individuals seeking to enter on the banned categories of non-immigrant visas present a greater security threat than any other individual entering on a non-banned category of non-immigrant visa.

227. EO-3 will have a disproportionate and disparate impact on Muslims. The affected populations from Venezuela and North Korea, the only non-Muslim-majority countries targeted by EO-3, are so small as to be relatively negligible, especially when compared to the affected populations from the Muslim-majority countries targeted by EO-3.

228. The same anti-Muslim purpose that motivated EO-1 and EO-2 animates EO-3. In replicating, extending, and expanding its predecessor bans, EO-3 seeks to prevent the entry of Muslims into the United States and reinforces stereotypes about Muslims by associating them with terrorism, violence, and threats to public safety.

The Grave Harm to Plaintiffs and Their Clients & Members

229. Implementation and enforcement of both EO-1 and EO-2 has already caused Plaintiffs and their members and clients substantial, concrete, and particularized injury. Implementation of EO-3 threatens them with continued irreparable harm if not permanently enjoined.

230. Both EO-1 and EO-2 suspended refugee resettlement, barred entry of non-refugees from designated countries, and intentionally discriminated against Muslims. Both EO-1 and EO-2 have therefore frustrated IRAP's mission and imposed a significant burden on IRAP's work. As a direct result of the imposition and enforcement of EO-1 and EO-2, IRAP and its clients have suffered substantial, concrete injuries, and those will continue under EO-3.

231. IRAP serves displaced persons of all faiths, but the vast majority of its clients, both in the United States and abroad, are Muslim.

232. IRAP counsels persecuted individuals on various legal avenues to safe countries and represents them throughout these processes, with a majority of its clients resettling in the United States.

233. IRAP has clients in the United States who seek to be reunited with family members who remain abroad. IRAP assists those clients in filing visa petitions or other family reunification applications.

234. EO-1 severely restricted IRAP's ability to carry out its work and mission. In the ten days immediately following the issuance of EO-1, IRAP provided assistance to more than forty individuals from Iraq, Iran, Sudan, Libya, Syria, Somalia, and Yemen who, despite being vetted and given permission to enter the United States, had been prevented by EO-1 from doing so.

235. IRAP has existing and prospective clients who will be harmed by EO-3.

236. IRAP represents U.S.-based clients who have filed I-130 petitions to be reunited with family members abroad who are nationals of the countries banned by EO-3.

237. IRAP represents thousands more individuals seeking resettlement through USRAP.

238. IRAP has already used a significant portion of its financial resources and time to represent its clients through legal adjudications and to provide counseling through the demanding vetting process. Restricting issuance of visas and refugee resettlement wastes that investment of resources and time.

239. The EOs have restricted IRAP's ability to carry out its work and mission. The reduction in refugee admissions and the entry bans, for example, have delayed the processing of many of IRAP's clients' cases, which forces IRAP to exhaust more of its resources, as the average lifespan of a case now grows significantly.

240. IRAP attorneys are now providing only limited representation in certain new cases, which, prior to the orders, would have received full representation, as a result of the exorbitant delays the orders have caused and will continue to cause.

241. IRAP relies on volunteers from its law school chapters and pro bono firms to meet the needs of its vast client base. With the increased demands of its caseload resulting from the EOs, IRAP now has very limited capacity to open new law school chapters or begin new relationships with law firms to place cases for direct representation.

242. During EO-2's partially implemented suspension of USRAP, IRAP placed significantly fewer new cases with law firms and student chapters due to EO-2's delays and impact on refugee cases as well as the increased demands on IRAP's staff due to the EOs. Under a full freeze, IRAP risks losing hundreds of volunteers, and relationships with numerous law firms, because they are unable to provide them with a way to partner with them on cases.

243. IRAP's law firm partners also provide financial support to IRAP. If IRAP no longer has cases to place at law firms, and thus have to decrease our number of law firm partners, it will significantly cut into the corporate funding IRAP receives.

244. IRAP's Resettlement Deployment Scheme with UNHCR, which allowed IRAP resettlement experts since early 2016 to be deployed to UNHCR for assisting with their resettlement operations, has been terminated due at least in part to the EOs. This has led to a significant revenue loss to IRAP.

245. Delays caused by the EOs endangers the lives of IRAP's clients abroad, because the longer it takes for their cases to be decided, the longer they are in life-threatening environments.

246. In addition, some of the IRAP clients abroad have family ties to IRAP clients already in the United States, and those U.S. clients are suffering harm as a result of the ongoing delay in reunification with their family members, as well as the risk that their family members may suffer persecution or death in the meantime.

247. The EOs, moreover, have marginalized IRAP's Muslim clients, subjected them to suspicion, scrutiny, and social isolation on the basis of religion and national origin, and inflicted stigmatic and dignitary injuries.

248. IRAP clients who are already inside the U.S. are afraid and fear they are not welcome.

249. Since EO-1's issuance, IRAP clients have been subjected to harassment by law enforcement agencies conducting new security checks. Others have been detained at airports, or rejected from flights multiple times even though they are presenting valid visas.

250. Both EO-1 and EO-2, furthermore, have forced IRAP to devote substantial resources to addressing the order's effects on IRAP's clients and those similarly situated, and the same will be true of EO-3.

251. For example, following the signing of EO-1 on January 27, 2017 at 4:42 P.M. EST, two IRAP clients, Mr. Hameed Khalid Darweesh and Mr. Haider Sameer Abdulkhaleq Alshawi, were detained at John F. Kennedy Airport ("JFK") despite having valid entry documents. As a result, IRAP attorneys were present at JFK from 2 am to 6:30 pm on January 28, 2017 attempting

to secure their lawful release. Together with co-counsel, IRAP filed a habeas petition on behalf of those two clients, together with a motion for class certification (*Darweesh et al. v. Trump et al.*, No. 1:17-cv-480 (E.D.N.Y. filed Jan. 28, 2017)). That litigation recently settled.

252. These actions are not in the scope of normal IRAP legal assistance, as previous IRAP clients were allowed to enter at U.S. ports of entry after receiving final approval to travel.

253. The EOs have further caused IRAP to divert its resources, as IRAP has become the focal point organization for volunteer attorneys all across the country who have sought information on how to assist in responding to the orders.

254. In addition to being the first organization to put out a call to volunteer attorneys, IRAP created and maintains a unique hotline email address (airport@refugeerights.org) to advise attorneys and affected individuals. Since the creation of this email address on January 28, 2017, IRAP has received and responded to over a thousand email messages.

255. IRAP has also developed templates and informational materials for attorneys, affected family members in the United States, and individuals overseas who have been or could be denied travel pursuant to any of the three orders.

256. IRAP also secures and pays for safe housing for clients whose lives are in immediate danger while they await the outcomes of USRAP and other efforts to get them to safety. Clients in urgent situations who face additional delays on their applications will require IRAP to expend significant funding to ensure continued safe housing.

257. IRAP also has at least one current employee who is a national of a country banned by the EOs. EO-3 will prevent this employee from traveling to the United States for IRAP's annual staff retreat, where the organization provides training for its employees and engages in strategic planning for the following year. This employee's absence from the retreat adversely affects IRAP's mission.

258. HIAS and its clients have likewise been significantly harmed by EO-1 and EO-2, and will be by EO-3.

259. HIAS's humanitarian work is grounded in, and an expression of, the organization's sincere Jewish beliefs. The Torah, Judaism's central and most holy text, commands followers to welcome, love, and protect the stranger. The Jewish obligation to the stranger is repeated throughout the Torah, more than any other teaching or commandment. HIAS believes that this religious commandment demands concern for and protection of persecuted people of all faiths. The Torah also teaches that the Jewish people are to welcome, protect, and love the stranger because "we were strangers in the land of Egypt" (Leviticus 19:34). Throughout their history, violence and persecution have made the Jewish people a refugee people. Thus, both history and values lead HIAS to welcome displaced people in need of protection. A refusal to aid persecuted people of any one faith, because of stigma attached to that faith, violates HIAS's deeply held religious convictions.

260. Like EO-1, EO-2 has severely impeded HIAS's religious mission and work by intentionally discriminating against Muslims and prohibiting the entry of all refugees into the United States for 120 days and nationals of the designated countries for 90 days.

261. Before EO-1 was signed, arrangements had been made for many of HIAS's refugee clients to arrive in the United State in January, February, and the months to follow. Despite having been previously vetted and granted refugee status, however, clients from Iran, Sudan, Somalia, Ukraine, Bhutan, the Democratic Republic of Congo, Afghanistan, Eritrea, Tanzania, Ethiopia, Uganda, Russia, Belarus, and Burma were delayed in or prevented from entering the country because of EO-1.

262. The partial impelentation of EO-2 has inflicted significant injuries on HIAS and its clients.

263. At the time of EO-2's issuance, HIAS had approximately 1,400 clients worldwide who were allocated through the Department of State process, had been vetted, and had been approved for refugee status. These refugees had already been allocated and assured to one of HIAS's resettlement sites.

264. A significant number of HIAS's clients who have been vetted and approved as refugees were prevented from entering the United States during fiscal year 2017 because of the first two EOs.

265. Because security and medical clearances have expiration dates, it is likely that many of HIAS' clients lost their readiness for travel because of delays in resettlement caused by EO-1 and EO-2. These medical and security checks now must be repeated, which can take months to years.

266. Of the approximately 1,400 HIAS clients worldwide who, at the time EO-2 was issued, had been allocated through the Department of State process, vetted, and approved for refugee status, some 500 were nationals of one of the six countries banned by EO-2. The overwhelmingly majority of these individuals are Muslim.

267. Every day that HIAS clients' entry is delayed, they remain in precarious situations.

268. Many of HIAS's clients abroad, including clients from the six countries banned by EO-2, have family members in the United States, also HIAS clients, who will suffer as a result of the delay in reuniting with their family members. Some of these U.S. ties are, in fact, individuals who petitioned (often through HIAS) to be reunited with their family members, be it through an I-130 immediate relative visa petition, an I-730 petition for a follow-to-join visa, or some other application.

269. In addition, at the time of EO-2's issuance more than 1,300 refugee applications initiated through HIAS by family members residing in the United States were pending for HIAS

clients abroad. The adjudication of these applications has been substantially delayed because of EO-2.

270. In fact, since EO-1 was signed, consideration of most refugee applicant cases in need of security checks has been suspended. This means that, for many refugees in the pipeline, security checks that typically lasted 18-24 months will now be paused and restarted, potentially adding years to their wait for stable resettlement.

271. The delay in processing of these applications will subject these clients to further risk of persecution and abuse in their current situations, and their family members who petitioned for them to come to the United States will remain in limbo as to whether they will ever be reunited.

272. All three EOs convey an official message of disapproval and hostility toward HIAS's Muslim clients, making clear that the government deems them outsiders, and not full members of the political community.

273. HIAS's Muslim clients in the United States have been marginalized as a result of this anti-Muslim message, have been subjected to baseless suspicion, scrutiny, and social and political isolation on the basis of religion and national origin, and have suffered other dignitary and stigmatic injuries.

274. Additionally, as a result of EO-1, at least one of HIAS's Muslim clients in the United States was detained at an airport for an extended period, handcuffed and separated from his family, and many other clients have otherwise had their travel significantly delayed.

275. Because HIAS is a non-profit resettlement organization that has a cooperative agreement with the federal government on a per-capita basis for each refugee served, and because the Department of State asked HIAS to increase its capacity from the 3,884 refugees resettled in federal fiscal year ("FFY") 2016 to 4,794 refugees in FFY 2017, HIAS was denied crucial funding as a result of EO-2.

276. After EO-1 was issued, the U.S. State Department notified HIAS that its resettlement obligation for FY 2017 would be slashed from nearly 4,800 to just over 2,900 refugees, representing potentially crippling financial losses, especially for many of HIAS's affiliates, which are heavily dependent on funding that flows through HIAS.

277. Losses of this nature translate to irreparable harm to HIAS, its affiliates, and its clients because they will cause (and have already caused) a substantial reduction in program services and closure of resettlement sites. When this happens, the local expertise, relationships, and good will—developed by affiliate staff, often over years and years—are lost entirely or substantially diminished.

278. Building a new resettlement site can take months or years of relationship-building, including cooperation with local government and elected officials, businesses who would be potential employers, landlords, volunteers, and the refugee communities themselves. In addition, fewer resettlement sites may limit the type of specialized assistance and services (e.g., for LGBT refugees) that clients can receive.

279. The EOs will also result in the waste of HIAS resources. For example, in the past year, HIAS has devoted substantial private resources to developing a program with several congregations in Westchester, New York, to welcome Syrian refugee families. Because of the bans, as well as the unexpected and dramatic lowering of the refugee admissions level, the EOs have put those resources to waste. Congregations and family members of HIAS clients have extended resources to prepare for anticipated refugees, by renting apartments and purchasing furnishings. In addition, some refugees who were anticipating resettlement through HIAS left jobs or travelled through other countries and now face precarious situations as a direct result of the EOs.

280. In the weeks and months prior to EO-1, HIAS concluded a formal plan with the Department of State to increase HIAS's national resettlement capacity by 23.4% from 3,884 refugees in FFY 2016 to 4,794 refugees in FFY 2017. This plan caused HIAS to invest substantial resources into expanding existing resettlement sites and opening new refugee resettlement sites in Wisconsin, Delaware, New York, Illinois, and Massachusetts, as approved by the Department of State. These resources have been and will continue be wasted, at least in part, because of EO-1 and EO-2.

281. In addition, HIAS has been forced to divert substantial resources, and will continue to do so, to dealing with the fallout from all three executive orders and their effect on HIAS's clients, including devoting staff time to working with clients in the United States and abroad.

282. Plaintiff MESA and its members have also been harmed by EO-1 and EO-2 and will be harmed by EO-3.

283. MESA has members from the countries banned by all three EOs who are outside the United States and lack U.S. visas.

284. MESA also has members who are United States citizens or lawful permanent residents petitioning for visas for family members abroad.

285. Because of EO-2, MESA's members were not be able to travel to the United States to attend academic conferences or to engage in other collaborative work with MESA members and others in the United States.

286. MESA's members will be similarly affected by EO-3.

287. MESA's members will be prohibited or prevented by EO-3 from attending an annual conference sponsored by MESA. Participation in academic conferences is crucial to the professional success of graduate students and professors, and to their ability to fully engage with

the ideas and scholarship of the broader Middle Eastern studies community. Many important conferences, including the MESA annual meeting, take place in the United States.

288. Graduate students who are MESA members or are studying under MESA members in the United States, often leave the country to complete field work for advanced degrees. Because of the EOs, many such students from the six designated countries fear exclusion from the United States if they leave the country. The inability to leave the United States with an assurance they will be permitted to reenter will impair their ability to engage in research and participate in academic conferences.

289. Such students will also lose their ability to visit family and friends abroad with an assurance they will be permitted to reenter. For example, Iranian students affiliated with MESA cancelled plans to return home for Persian New Year, an important holiday that occurred on March 21, 2017, because of EO-1 and EO-2.

290. MESA members who are U.S.-based faculty have been impacted by EO-1 and EO-2 and will be impacted by EO-3 because potential students from the designated countries have been or will be unable to obtain visas to study with them in the United States.

291. Similarly, MESA's current U.S.-based students from the banned countries will not be able to travel abroad for field work with an assurance they will be permitted to reenter, impacting faculty members' ability to facilitate quality research and educational opportunities.

292. Likewise, U.S.-based MESA faculty members will forego opportunities to travel abroad for research and academic conferences for fear that they will not be readmitted, or will be subjected to harassment or discrimination upon application for reentry to the United States.

293. MESA members will also be precluded from traveling to the designated countries for research or academic conferences when those countries institute reciprocal actions in response to the executive orders, as Iran has done.

294. A large number of MESA members are Muslim or are institutional members whose officers, employees, or members are Muslim.

295. All three EOs convey an official message of disapproval and hostility toward these Muslim members, making clear that the government deems them outsiders, not full members of the political community. This marginalizes them, subjects them to suspicion, scrutiny, and social and political isolation on the basis of religion and national origin, and inflicts other stigmatic and dignitary injuries.

296. MESA itself has been and will be harmed by the EOs. As part of its goal to advance learning, facilitate communication, and promote cooperation, MESA sponsors an annual meeting that is a leading international forum for scholarship, intellectual exchange, and pedagogical innovation. Approximately thirty percent of MESA members are based outside of the United States and must travel to the United States to attend MESA's annual conference. MESA expects that a substantial number of scholars will be unable to attend this year's meeting because of the restrictions imposed by EO-2 and EO-3. They will be similarly prevented from attending meetings in future years because of EO-3.

297. Moreover, in part because of the stigmatic message of the EOs, many members based in Europe and the Middle East are likely to heed international calls to boycott academic conferences in the United States in protest of the orders, including the MESA annual conference. The absence of these scholars, attributable to the Orders, will have a substantial negative effect on the meeting.

298. These and other impacts of the all three EOs will negatively impact MESA's mission of fostering the study and public understanding of the Middle East.

299. In addition, EO-2 has caused and EO-3 will cause serious financial harms to MESA. A large portion of MESA's annual budget is funded through annual membership dues and

registration fees to attend the annual meeting. For each individual who cannot or will not attend the annual meeting, MESA will lose \$90-250 in registration fees.

300. MESA will also suffer other financial injuries related to its annual meeting as a result of the executive order. Some individuals who cannot or will not attend the meeting will allow their MESA membership to lapse as a result. For each such lapsed membership, MESA will lose \$25-300 in membership dues.

301. Plaintiff AAANY has likewise suffered harm due to EO-1 and EO-2 and will continue to be harmed by EO-3.

302. AAANY's mission is to support and empower the Arab-American and Arab immigrant community by providing the tools its members need to achieve independence, productivity, and stability. This includes providing immigration services—which amount to one-third of AAANY's annual budget—ranging from assistance with asylum applications to preparation for the naturalization exam. EO-2 and EO-3 undermine AAANY's mission of helping its clients reunite with their families and build independent and stable lives in the United States.

303. Approximately 20% of AAANY's immigration clients in 2017 are from countries affected by EO-2 and EO-3. Many of AAANY's clients have friends and relatives who have been unable to travel to the United States this year.

304. More critically, EO-2 and now EO-3 threaten the visa petitions of multiple AAANY clients who have relatives abroad in difficult or life-threatening situations. At least 20 AAANY clients have pending visa petitions and therefore will be immediately injured by EO-3, and many more will be affected as their friends and more distant relatives are unable to come to this country.

305. These cases, in which AAANY has spent significant resources helping clients petition for visas for family members, are now in limbo because of EO-3's indefinite bans.

306. In addition, AAANY's clients and staff understand the EOs as official decisions to impugn Islam. This message has a frightening effect for AAANY's clients and staff: anti-Muslim hate crimes have increased and affected many AAANY clients.

307. Indeed, over the past year, AAANY and its Arab and Muslim clients have had to adapt to respond to increasingly mainstream Islamophobia. Hate crimes against Muslims in New York City, particularly against women, have become significantly more common since the federal government has attempted to ban Muslims and suggested that Muslims are a national problem and existential threat.

308. EO-3 will cause serious financial harm to AAANY. The indefinite bans of EO-3 mean that AAANY will either no longer be able to provide assistance with immigration petitions for clients from the banned countries (and thus will no longer receive grant support for those legal service activities), or must expend more resources in each case to file a separate request for a waiver of the ban.

309. EO-3 thus puts at risk the DOJ Accredited navigators whom AAANY employs to assist its clients in filing immigration applications, and who refer clients with complex cases to immigration attorneys for consultation and further aid.

310. YAMA and its members have likewise been significantly harmed by EO-1 and EO-2, and will be by EO-3.

311. YAMA members experienced harassment following candidate Trump's anti-Muslim statements. The harassment and become worse after EO-1 was issued and many members reported being victims of almost daily anti-Islamic slurs and comments.

312. YAMA members were also separated from close family members because of EO-1 and EO-2. Now, as a result of EO-3, some YAMA members who have filed visa petitions and are awaiting the arrival of close family members will now have to wait indefinitely.

313. Many YAMA members fear that their close family members are in danger—and will be in indefinite danger if they are barred from reuniting with family the U.S.—because Yemen is presently in the midst of war.

314. YAMA's mission of helping Yemeni-American business owners with immigration-related issues will also be harmed by a ban that prevents its members from pursuing visa petitions to reunite with family members.

315. Plaintiff John Doe #1, a lawful permanent resident, has suffered and will continue to suffer harm because of the EOs. In August 2016, while John Doe #1's application to become a lawful permanent resident was pending, he married an Iranian national who lives in Iran. He applied for a visa on her behalf, and her application was approved on November 3, 2016. At the time EO-1 went into effect, John Doe #1 expected his wife's interview to be scheduled within no more than six weeks based on information published by the National Visa Center. It took until June for John Doe #1's wife to receive her visa; she traveled to the United States to reunite with John Doe #1 in July.

316. EO-1 and EO-2 created significant fear, anxiety and insecurity for John Doe #1 and his wife regarding their future. John Doe #1 felt like he was being forced to choose between his career and being together with his wife, who was banned from entering the country.

317. EO-3 likewise demonizes John Doe #1 and his family for coming from a Muslim country. EO-3 makes John Doe #1 feel unwelcome and sends a clear message that the U.S. government does not want him here.

318. Plaintiff John Doe #3, a lawful permanent resident, has suffered and will continue to suffer harm because of the EOs. John Doe #3 recently applied to become a naturalized citizen, and that petition remains pending with USCIS.

319. In the summer of 2014, John Doe #3 married a national of Iran. In October 2014, John Doe #3 applied for an immigration visa on her behalf. Approximately 19 months later, in May 2016, she had her interview at the U.S. Embassy. At that time, she was informed that her documentation was complete and she needed to wait for administrative processing, but that she should be able to join her husband in two to three months. Because of the issuance of EO-1 and EO-2, she did not receive her visa until May 2017. John Doe #3's wife has since moved to the United States to join him, and they have not traveled since because they are afraid, in light of the EOs, that if they leave the country, they might not be let back in.

320. EO-2 and EO-3 make John Doe #3 feel like the U.S. government does not welcome Muslims in this country (or people President Trump thinks are Muslim) under the assumption that everyone who comes from Iran is an Islamic terrorist.

321. Because of EO-3, if he and his wife start a family, none of his family members, like his parents, who are Iranian citizens, will be able to travel here to visit and see the new life John Doe #3 is making here in the United State.

322. All three orders contribute to his fear of attacks like the shooting in Kansas, where two Indian immigrants were shot and one was killed by a white man motivated by hate.

323. John Doe #4, a U.S. citizen, has suffered and will continue to suffer harm because of the EOs. In December 2015, John Doe married an Iranian citizen. He filed an I-130 petition on her behalf in March 2016, and in May 2017, she had her visa interview at the U.S. Embassy. At the interview, the consular officer assured that everything was fine and that she should check a specific website in about a month for her case number. It has now been months since her interview date, her case number has not appeared on the website, and her visa has not been issued.

324. John Doe #4 does not know what he will do once his wife is subject to EO-3. Being apart from his wife is excruciatingly difficult for him and affects his ability to focus and

concentrate for his job. He and his wife want to start a family, and he feels like the government is forcing him to choose between the United States, where he has built his entire life, and his wife and the family they would like to have.

325. John Doe #4 thought he had escaped government sponsorship of religion once he left Iran. He felt insulted by EO-1, which he understood as an attempt to ban Muslims. Ever since EO-1 was issued, he has noticed that he gets more suspicious looks from people and he has been labeled as a Muslim more often.

326. John Doe #4 continues to feel demeaned by EO-3, the latest version of the government's Muslim ban, because it is still about keeping people out of the United States because of their religion.

327. John Doe #5, a U.S. citizen, has suffered and will continue to suffer harm because of all three orders. When war broke out in Yemen in 2015, his mother and grandmother, who has Alzheimer's Disease, fled from Yemen to Jordan. Shortly thereafter, John Doe #5 filed an I-130 petition on his mother's behalf, and his uncle, who is also a U.S. citizen, did the same for John Doe #5's grandmother. Both I-130 petitions for John Doe #5's mother and grandmother are approved and they are waiting for interviews at the U.S. Embassy in Amman, Jordan.

328. When EO-1 issued, John Doe #5 was reminded of what he had left behind in Yemen. He came to the United States to search for freedom, justice, and opportunity, but the EOs violate those principles.

329. Since EO-1 was issued, John Doe #5 has heard anti-Islamic comments more frequently, and he or someone he knows is exposed to anti-Islamic harassment almost weekly. He feels that EO-3 exacerbates this problem because it normalizes Islamophobia and legitimizes the bad things that people say about Muslims, as well as anti-Muslim violence, and even encourages such

statements and acts. He considers EO-3 to be even worse than EO-1 because it has no end date and he has no way of knowing when the government will stop targeting him and his family.

330. Plaintiff Jane Doe #2, a U.S. citizen, has suffered and will continue to suffer harm because of the orders. Her family-based visa petition for her sister, who is a Syrian refugee currently living on the Saudi Arabia-Yemen border, has been approved, meaning that Jane Doe #2's sister can either wait for a visa to become available or seek resettlement through the U.S. Refugee Admissions Program (USRAP).

331. If EO-3 goes fully into effect, Jane Doe #2's sister will be barred from obtaining a visa. As Syrian refugees, Jane Doe #2's sister and her family are eligible and qualify for the Priority-2 Direct Access Program for Iraqi and Syrian Beneficiaries of Form I-130 Petition for Alien Relatives. But she will have little chance of traveling to the United States as a refugee given EO-2's suspension of USRAP and the high likelihood that Syrian refugees will continued to be barred from entry to the United States.

332. Jane Doe #2's sister, who is Muslim, was internally displaced within Syria in 2012, when continuous bombing of her neighborhood forced her and her family to move to her parent-in-laws with nothing more than their passports and the clothes on their backs. They subsequently fled to Yemen after learning that the Syrian government's selective service would be expanded to include men over the age of 30, which would include her husband.

333. As a result of the war in Yemen, Jane Doe #2's sister and her family had to flee again, this time to Saudi Arabia, where they now live in a refugee hotel close to the border of Yemen. Because the hotel is infested with bugs and human refuse from the bathroom in the unit above theirs leaks into their room, Jane Doe #2's sister and her family are constantly sick and her children regularly vomit. Jane Doe #2's brother-in-law is often away trying to find work and earn money because, as a refugee, he is often cheated out of benefits or wages and he has no recourse. While

he is gone, Jane Doe #2's sister is unable to leave the apartment where they are staying in the daytime. As a result, her children did not believe that the sun rose and set in Saudi Arabia because the room that they are staying in does not have any windows and they only leave the room at night on the few occasions when their father is home. They remain under constant threat from nearby rocket fire and military conflict; they hear shelling every day.

334. Jane Doe #2's sister is running out of options if she is indefinitely banned from the United States by EO-3. The Saudi Arabian government regularly turns off the power to the building there they live with other refugees in order to make life so intolerable that they will leave. Jane Doe #2's sister constantly fears that the government will evict the refugees in her building, as they have done elsewhere, or else so increase the visa fees charged to refugees that she will need to lose her legal status. If she is evicted or loses her status and remains banned from the United States by EO-3, her only option is to go to Mecca and become homeless with her children.

335. Given the terrible living conditions in which her sister's family lives, Jane Doe #2 was devastated when she learned about EO-3. She understands all three EOs as fulfilling the promises President Trump made when he was a candidate to condemn her religion. Ever since the first ban was issued, she has been bullied because of her hijab and she continually doubts that she and her family will have equal opportunities because of their religion. The bans remind her of things the Syrian government would do when they wanted to strip away your rights; these kinds of actions are why she fled Syria. She and her husband question whether they should remain in the United States or pursue other options because they do not want their children to be discriminated against or to think that they are wrong because of the way everyone looks at them.

336. Plaintiff Meteab, a lawful permanent resident, has also suffered and will continue to suffer harm because of the EOs. After the U.S. invasion of Iraq in 2003, Mr. Meteab and his four brothers all cooperated with the U.S. military in helping to establish the transitional government,

in the wake of the conflict in Najaf, Iraq. Because of their cooperation with the U.S. government, they were targeted and threatened by armed militia groups in Iraq.

337. Mr. Meteab is a Sunni Muslim, as are his brothers. In Iraq, they lived together in a Shi'a neighborhood. In 2013, Mr. Meteab and his family were warned by neighbors and community members that if they failed to leave the area, their family would be killed. In 2013, Mr. Meteab's nephew Mosad was shot in the leg. After this, on December 25, 2013, Mr. Meteab's older brother fled to Jordan with his children and two of his nephews, including Mosad. Mr. Meteab and his wife and children joined them in Jordan on January 5, 2014. Mr. Meteab's three other brothers also fled to Jordan in 2014. All of them applied for and received recognition as refugees from the United Nations High Commission for Refugees.

338. In August 2015, after being approved as a refugee, Mr. Meteab came to the United States with his wife and children. His three other brothers, Ali, Abdulateef, and Ahmed, have been approved as refugees but remain in Jordan awaiting resettlement. Abdulateef was approved for resettlement in Canada but is awaiting final clearance. Mr. Meteab's brothers Ali and Ahmed, were approved for resettlement in the United States.

339. In November 2016, Mr. Meteab's brothers Ali and Ahmed were told by the International Organization for Migration that while their refugee applications had been approved, they still did not have travel documents to come to the United States. Jewish Family Services notified Plaintiff Meteab's family of this update at the same time. When Mr. Meteab's brothers learned about EO-1, they realized it would prevent them from joining him in the United States.

340. Since EO-1 was issued, Mr. Meteab and his family have felt afraid because they are Muslim and feel like the EOs have encouraged other people to discriminate against Muslims. His wife, who wears a hijab, does not like to go out in public alone, and his children's teachers have expressed concern for how his children are treated at school because they are Muslim. Mr. Meteab

has noticed that he and his family get more suspicious looks from people in public since EO-1 was issued, and his wife has been harassed so many times taking their children to school that he is considering moving his family to another area.

341. Mr. Meteab feels that EO-3, like its predecessor orders, is a tool for discrimination against Muslims, and he continues to feel personally targeted in this way.

342. Plaintiff Mashta, a United States lawful permanent resident, has also suffered and will continue to suffer harm because of the EOs. Although the immigrant visa petition he filed on behalf of his Syrian wife has been approved and she completed her interview in July this year, she has not yet received her visa. According to the State Department's monthly visa bulletin, a visa is currently available for her, but Mr. Mashta fears she is being unfairly processed because she is a practicing Muslim, as is he. Now she is indefinitely banned from entering the country to reunite with him by EO-3.

343. Being separated from his wife is depressing and painful for Mr. Mashta. He has struggled during the two years that they have been apart, and sometimes he loses hope that they will ever be together. He feels like the ban is making him choose between the country that is his home and being with his wife.

344. The announcement of EO-1 in January devastated Mr. Mashta. He could not sleep and could not work. Now he will always remember the date EO-3 was signed, September 24, because it was so painful to learn that his wife will be banned indefinitely. He continues to have trouble sleeping because of EO-3 and has had to take time off work. He constantly worries about what will happen to him and his wife, and the ban has left him feeling scared, depressed, and anxious. He fears his wife may never get her visa.

345. To Mr. Mashta, the President's bans say that Muslims are not welcome in the country, and that the government does not want Muslims here. He feels like he and his wife are being

accused of being terrorists for no reason, and that Muslims like him cannot get along with other people in America. These accusations are wrong and hurtful. This message of the ban—that Muslims like Mr. Mashta are bad people unless proven otherwise—affects conversations he has all the time. He feels a lot of pressure to defend himself and other Muslims, to prove to people that he is not bad. He never felt that way before EO-1 was issued.

346. Plaintiff Amirjamshidi, a United States citizen, has also suffered and will continue to suffer harm because of the EOs. For the past seven years, her mother has been able to apply for and receive twelve visitor visas to come to the United States from Canada to visit Ms. Amirjamshidi's family. The most recent visa petition, however, has been pending for over a year. Now, if EO-3 goes into effect, it will indefinitely ban Ms. Amirjamshidi's mother from coming to the United States to see her family.

347. Although Ms. Amirjamshidi and her family speak with her mother on the phone every day, that is no substitute for being in the same place and spending time together, especially not for Ms. Amirjamshidi's young son. Ms. Amirjamshidi thinks it is unfair and cruel to keep a child and his grandmother apart like this.

348. In addition, Ms. Amirjamshidi is now pregnant with her second child, which makes the separation from her mother even worse. She cannot stand the idea of her mother not being able to visit while she is pregnant, for the birth, or to meet her new grandchild. Nor will she be able to rely on support and help from her mother after the new baby comes, like so many new mothers do. Every day Ms. Amirjamshidi and her mother are kept apart is painful and unfair.

349. In addition, the EOs make Ms. Amirjamshidi feel singled and condemned just because of who she is. She understands the EOs as an attempt to put in place at least part of the Muslim ban he promised when he was a candidate. The EOs send the message that Muslims like Ms. Amirjamshidi are not welcome in this country and that Muslim communities are bad or dangerous.

EO-3 means the same thing to her as the earlier orders: it is another attempt to make sure that Muslims such as she are viewed as different from other Americans, and sends the message that Muslims should be singled out for worse treatment.

350. Mr. Shirani, a U.S. citizen, has suffered and will continue to suffer harm because of the EOs.

351. In 2004, Mr. Shirani moved back to Iran to marry and live with his wife, an Iranian national. In 2016, Mr. Shirani became more sick following complications from a tumor in his inner ear and moved back to the United States to seek medical treatment. Mr. Shirani filed an I-130 petition for his wife to join him here. The petition was approved, and his wife had her visa interview in February 2017. Mr. Shirani knows of no reason why his wife would not be eligible for a visa. Her visa application is currently in administrative processing.

352. Mr. Shirani suffers severe emotional injury as a result of the forced separation from his wife of over 13 years. He is seriously ill and needs her to care for him. He is also sad and frustrated to be apart from her while dealing with his medical condition.

353. Mr. Shirni believes he has been treated with more suspicion and discriminated against as a Muslim because of the EOs. EO-3 makes him feel even worse because the travel ban is now indefinite.

354. Ms. Ziaolhagh, a U.S. citizen, has suffered and will continue to suffer harm because of the EOs. Ms. Ziaolhagh moved from Iran to the U.S. in 2008 on an employer-sponsored visa with her husband and younger son. She was unable to bring her older sons to the U.S. at the time because they were over 21. One of her sons later came to the United States on a visa, but the older one has remained alone in Iran. She filed an I-130 petition for him in 2009.

355. Ms. Ziaolhagh's I-130 petition was approved, but she and her family knew there would be a long wait for his priority date to become current. The family decided it was worth the wait,

and during the waiting period, Ms. Ziaolhagh's older son decided not to get married and not to travel because the family feared that it could delay or hurt his visa application.

356. Ms. Ziaolhagh's older son's priority date became current in December 2016, and he had his visa interview in May 2017. His visa is now in administrative processing. Ms. Ziaolhagh knows of no reason why his visa should not be issued, and she expects it to issue soon if EO-3 does not go into effect.

357. The continued, and now potentially indefinite separation, from her son is devastating for Ms. Ziaolhagh. Her older son now lives alone in Iran. All of his immediate family members are in the United States. As a mother, Ms. Ziaolhagh constantly thinks of her son, and the pain of separation is especially unbearable at holidays when the entire family should be together.

358. Ms. Ziaolhagh is also injured by the EOs' message to Muslims. She wears a head scarf and notices that people have given her more looks since EO-1; she feels that EO-3 sends the same message, but is even worse because it imposes an indefinite ban.

359. Ms. Khazaeli, a U.S. citizen, has suffered and will continue to suffer harm because of the EOs. Ms. Khazaeli moved to the United States in 1977 with her husband, who entered on a student visa. In 2014, Ms. Khazaeli's husband was diagnosed with liposarcoma, a rare form of cancer. In December 2016, Ms. Khazaeli received the devastating news that her husband's prognosis was terminal.

360. Ms. Khazaeli's sister, an Iranian national, had previously visited the United States. In January 2017, Ms. Khazaeli's sister's visa application to visit the United States for a second time was approved. Because of EO-1, Ms. Khazaeli's sister was not able to secure a visa appointment at an embassy. Since EO-1 went into effect, the availability of visa interview slots has virtually disappeared. Ms. Khazaeli's sister has made active efforts to secure a visa appointment, including by hiring a travel agent to go to embassies in different countries to apply for a new visa on her

behalf. These efforts have been unsuccessful, and now because of EO-3, it is unlikely that Ms. Khazaeli's sister will be able to obtain a visa.

361. Without a visa, Ms. Khazaeli's sister will be unable to say goodbye to her brother-in-law or see him before he dies. Ms. Khazaeli will also be deprived of her sister's support and assistance as she deals with her husband's terminal illness.

362. Ms. Khazaeli feels like a second-class citizen as a result of the EOs. Her family has done everything it can to support the United States. Ms. Khazaeli's son has served for over a decade as a federal counter-terrorism prosecutor, holding positions with both the Department of Justice and the Department of Homeland Security. Ms. Khazaeli's daughter currently serves as a state prosecutor, prosecuting felony cases with child victims. Ms. Khazaeli's husband has been a professor for over 30 years at Southern Illinois University at Edwardsville. In 2017, her husband was awarded the Martin Luther King Jr. Faculty Humanitarian award. Ms. Khazaeli believes her family has been betrayed by the EOs, which have effectively legalized discrimination against Muslims.

363. Ms. Khazaeli has owned a sewing store for 30 years. She was accosted by a customer because of her religion for the first time after EO-1 was issued.

364. The EOs conveys an official message of disapproval and hostility toward the Individual Plaintiffs and their families, making clear that the government deems them outsiders or second-class citizens who are not full members of the political community. This marginalizes them, subjects them to suspicion, scrutiny, and social and political isolation on the basis of religion and national origin, and inflicts other stigmatic and dignitary injuries.

Class Allegations

365. Plaintiffs bring this action as a class action pursuant to Federal Rule of Civil Procedure 23(b) (1) and (b) (2), on behalf of themselves and all other persons in the United States for whom

EO-2 or EO-3 either interferes with family reunification or the ability to travel internationally and return to the United States. This class includes:

- a. Individuals in the United States who currently have an approved or pending petition to the United States government to be reunited with family members who are nationals of banned countries, or who will soon file such petition;
- b. Refugees in the United States who have currently pending, or will soon file, a petition to the United States government to be reunited with family members; and
- c. Nationals of banned countries who reside in the United States and who wish to travel abroad and return to United States or who, prior to issuance of EO-3, did travel abroad with the intent to return and are currently abroad.

366. Separate Subclasses may be appropriate for the Class defined in the preceding paragraph for individuals affected by EO-2 and EO-3.

367. The Plaintiff Class, including potential Subclasses, is so numerous that joinder is impracticable.

368. According to the Annual Report of the Visa Office, in 2015, the last year for which data are available, the United States issued approximately 80,000 immigrant and non-immigrant visas to nationals from the six countries banned by EO-2.

369. The U.S. government previously estimated that between 60,000 and 100,000 people were affected by Section 3(c) of EO-1 while it was in effect.

370. The claims of the Plaintiff Class and Subclass members share common issues of law, including but not limited to whether the EOs violate their associational, religious exercise and due process rights under the First and Fifth Amendments, the Religious Freedom Restoration Act, the Immigration and Nationality Act and the Administrative Procedure Act.

371. The claims of the Plaintiff Class and Subclass members share common issues of fact, including but not limited to whether the EOs are being or will be enforced so as to prevent them or their family members from entering the United States from abroad or from re-entering the United States should they choose to leave the United States briefly, even though they would otherwise be admissible.

372. The claims or defenses of the named Plaintiffs are typical of the claims or defenses of members of the Plaintiff Class and Subclasses.

373. The named Plaintiffs will fairly and adequately protect the interests of the Plaintiff Class and Subclasses. The named Plaintiffs have no interest that is now or may be potentially antagonistic to the interests of the Plaintiff Class and Subclasses. The attorneys representing the named Plaintiffs include experienced civil rights attorneys who are considered able practitioners in federal constitutional litigation. These attorneys should be appointed as class counsel.

374. Defendants have acted, have threatened to act, and will act on grounds generally applicable to the Plaintiff Class and Subclasses, thereby making final injunctive and declaratory relief appropriate to the class as a whole. The Plaintiff Class and potential Subclasses may therefore be properly certified under Federal Rule of Civil Procedure 23(b)(2).

375. Prosecution of separate actions by individual members of the Plaintiff Class and Subclasses would create the risk of inconsistent or varying adjudications and would establish incompatible standards of conduct for individual members of the Plaintiff Class. The Plaintiff Class and Subclasses may therefore be properly certified under Federal Rule of Civil Procedure 23(b)(1).

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

(Establishment Clause, First Amendment to the U.S. Constitution)

376. The foregoing allegations are repeated and incorporated as though fully set forth herein.

377. Both EO-2 and EO-3 violate the Establishment Clause by singling out Muslims for disfavored treatment. Both orders have the purpose and effect of inhibiting religion, and neither is justified by, nor closely fitted to, any compelling governmental interest.

SECOND CLAIM FOR RELIEF
(Equal Protection, Fifth Amendment to the U.S. Constitution)

378. The foregoing allegations are repeated and incorporated as though fully set forth herein.

379. The Due Process Clause of the Fifth Amendment to the U.S. Constitution provides that “No person shall . . . be deprived of life, liberty, or property, without due process of law.” The Clause contains an equal protection component.

380. EO-2 and EO-3 discriminate on the basis of religion, national origin, and race—each a suspect classification—and are not narrowly tailored to serve a compelling governmental interest, and thereby violate the equal protection component of the Due Process Clause.

381. Additionally, EO-2 and EO-3 were substantially motivated by an intent to discriminate against Muslims, on whom the orders have a disparate effect, in further violation of the equal protection component of the Due Process Clause.

THIRD CLAIM FOR RELIEF
(Procedural Due Process, Fifth Amendment to the U.S. Constitution)

382. The foregoing allegations are repeated and incorporated as though fully set forth herein.

383. The Due Process Clause of the Fifth Amendment to the U.S. Constitution provides that “No person shall . . . be deprived of life, liberty, or property, without due process of law.”

384. Congress has created statutory rights related to the petitioning for and issuance of visas and other immigration benefits.

385. Federal agencies have created regulatory rights related to the petitioning for and issuance of visas and other immigration benefits.

386. Individuals must be given due process prior to any deprivation of these statutory and regulatory rights.

387. Additionally, United States citizens and lawful permanent residents have cognizable liberty interests in family reunification and in the ability of their family members to travel to the United States.

388. Individuals must be given due process prior to any deprivation of these liberty interests.

389. EO-2 and EO-3 deprive affected individuals, including Plaintiffs and their members or clients, of the aforementioned statutory and regulatory rights, and of the aforementioned liberty interests, and without due process.

390. EO-2 and EO-3 thus violate the procedural due process guarantee of the Due Process Clause of the Fifth Amendment.

FOURTH CLAIM FOR RELIEF
(Immigration and Nationality Act & Administrative Procedure Act)

391. The foregoing allegations are repeated and incorporated as though fully set forth herein.

392. The Immigration and Nationality Act provides, with certain exceptions not applicable here, that “no person shall receive any preference or priority or be discriminated against in the issuance of an immigrant visa because of the person’s race, sex, nationality, place of birth, or place of residence.” 8 U.S.C. § 1152(a)(1)(A).

393. EO-2 and EO-3 on their face purport to delay and/or deny entry and/or visas to the family members of Individual Plaintiffs and the members, clients, and employees of the organizational Plaintiffs because of their nationality, place of birth, and/or place of residence, in violation of § 1152(a)(1)(A).

394. EO-2 and EO-3 on their face purport to deny or delay applications because Plaintiffs' family members' nationality, place of birth, and/or place of residence, in violation of § 1152(a)(1)(A).

395. EO-2 and EO-3 on their face mandate discrimination against those who apply for and/or hold immigrant visas on the basis of their nationality, place of birth, and/or place of residence, in violation of § 1152(a)(1)(A).

396. The actions of Defendants, as set forth above, constitute final agency action and are arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; and without observance of procedure required by law, in violation of the Administrative Procedure Act, 5 U.S.C. §§ 706(2)(A)-(D).

FIFTH CLAIM FOR RELIEF
(Immigration and Nationality Act & Administrative Procedure Act)

397. The foregoing allegations are repeated and incorporated as though fully set forth herein.

398. The Immigration and Nationality Act sets forth a comprehensive, Congressionally enacted scheme for immigration and admission to the United States. Among other things, it establishes criteria for the issuance of immigrant and nonimmigrant visas, and it specifies the grounds on which an alien may be found ineligible for a visa or admission.

399. The INA also allows the President to suspend or impose restrictions on the entry of aliens, "for such period" as deemed necessary, whenever the President "finds that the entry of any aliens or any class of aliens into the United States would be detrimental to the interests of the United States." 8 U.S.C. §1182(f).

400. EO-2 and EO-3 exceed the Executive's authority under the INA, including under 8 U.S.C. § 1182(f).

401. The actions of Defendants, as set forth above, constitute final agency action and are arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; and without observance of procedure required by law, in violation of the Administrative Procedure Act, 5 U.S.C. §§ 706(2)(A)-(D).

SIXTH CLAIM FOR RELIEF
(Religious Freedom Restoration Act, 42 U.S.C. § 2000bb *et seq.*)

402. The foregoing allegations are repeated and incorporated as though fully set forth herein.

403. EO-2 and EO-3 have had and/or will have the effect of imposing a special disability on the basis of religious views or religious status, by denying or impeding Muslim Plaintiffs, on account of their religion, from accessing benefits relating to their own or their family members' immigration status.

404. In doing so, EO-2 and EO-3 place a substantial burden on Muslims' exercise of religion in a way that is not the least restrictive means of furthering a compelling governmental interest.

405. This substantial burden is not imposed in furtherance of a compelling governmental interest, and is not the least restrictive means of furthering a compelling governmental interest, in violation of the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb *et seq.*

SEVENTH CLAIM FOR RELIEF
(Refugee Act & Administrative Procedure Act)

406. The foregoing allegations are repeated and incorporated as though fully set forth herein.

407. EO-2 purported to limit the number of refugees who could be admitted in fiscal year 2017 to 50,000, despite an earlier proclamation setting a limit of 110,000, in violation of the Refugee Act, 8 U.S.C. § 1157(a)(2).

408. President Trump did not engage in “appropriate consultation” prior to altering the number and allocation of refugee admissions for fiscal year 2017, in violation of the Refugee Act, 8 U.S.C. § 1157.

409. EO-2 made other alterations to the refugee admission process that were not authorized by the Refugee Act and are in violation of the Refugee Act.

410. EO-3 could similarly ban the entry of refugees from the affected countries.

411. The actions of Defendants that have been undertaken pursuant to Section 6 of EO-2, as set forth above, constitute final agency action and are arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; and without observance of procedure required by law, in violation of the Administrative Procedure Act, 5 U.S.C. §§ 706(2)(A)-(D).

**EIGHTH CLAIM FOR RELIEF
(Administrative Procedure Act)**

412. The foregoing allegations are repeated and incorporated as though fully set forth herein.

413. The actions of Defendants that are required or permitted by EO-2 and EO-3, as set forth above, are arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, in violation of the Administrative Procedure Act, 5 U.S.C. § 706(2)(A).

414. The actions of Defendants that are required or permitted by EO-2 and EO-3, as set forth above, are contrary to constitutional right, power, privilege, or immunity, including rights protected by the First and Fifth Amendments to the U.S. Constitution, in violation of the Administrative Procedure Act, 5 U.S.C. § 706(2)(B).

415. The actions of Defendants that are required or permitted by EO-2 and EO-3, as set forth above, are in excess of statutory jurisdiction, authority, or limitations, or short of statutory right, in violation of the Administrative Procedure Act, 5 U.S.C. § 706(2)(C).

416. The actions of Defendants that are required or permitted by EO-2 and EO-3, as set forth above, were without observance of procedure required by law, in violation of the Administrative Procedure Act, 5 U.S.C. § 706(2)(D).

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for the following relief:

A. A preliminary and permanent injunction enjoining Defendants, their officials, agents, employees, assigns, and all persons acting in concert or participating with them from implementing or enforcing any portion of EO-2 or EO-3;

B. A declaration pursuant to 28 U.S.C. § 2201 that EO-2 and EO-3 are, in their entirety, unlawful and invalid;

C. An order awarding Plaintiffs costs of suit, and reasonable attorneys' fees and expenses pursuant to any applicable law;

D. Such other and further relief as the Court deems equitable, just, and proper.

Respectfully submitted,

Dated: October 5, 2017

/s/ Esther Sung

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CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2017, I electronically filed the foregoing Joint Appendix with the Clerk of the Court for the United States Court of Appeals for the Fourth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

/s/ Sharon Swingle
Sharon Swingle