The 2017 Immigration and Travel Ban – Quick FAQs

On Jan. 27th, President Trump signed the Executive Order “Protecting the Nation from Foreign Terrorist Entry into the United States” commonly referred to that the immigration and travel ban. This order bans nationals from seven (7) countries from U.S. entry for at least 90 days. On Jan. 30th, the administration clarified that those with current and active green cards should not be impacted. For now, the process and implementation of this order remains murky. The Kansas State University (KSU) has been negatively impacted by the order. On Jan. 31st, the KSU Faculty Senate has reported that there “is at least one KSU student travelling abroad on university business who is now unable to return. The Association of Public and Land Grant Universities, to which K-State belongs, has issued a statement calling for the order to be reconsidered." The university is advising those potentially impacted—including U.S. permanent residents or those with dual citizenships—to remain in the U.S. for the immediate future and monitor the developments closely.

What is an Executive Order?
This is an official statement indicating how the President expects federal agencies to use their resources. It is, broadly, a formal “executive action,” as defined in Article II of the Constitution. Such orders do not create new law—Congress does that. Orders detail how the President wants the government to work within parameters established by Congress and the Constitution.

What does this Executive Order do? Who is affected?
- For 120 days, any refugees awaiting resettlement in the U.S. are not allowed entry.
- All Syrian refugee entry into the U.S. is prohibited until further notice.
- People with most types of visas coming from seven majority-Muslim countries—Iraq, Iran, Syria, Somalia, Sudan, Libya, and Yemen—are prohibited from U.S. entry. Holders of active green cards are now thought to be allowed entry.
- This order is considered to encourage “extreme vetting” for entry/return into the U.S. for
  - any permanent U.S. resident (green-card holders) traveling overseas for any reason.
  - any green-card holders from those countries who are in the U.S. and travelling outside the U.S.

Why are people so concerned? What’s the current and future impact?
- International students and faculty, regardless of their status, have expressed fears of expulsion and detention outside of the country while traveling. Beyond travel, people around the country and in MHK have expressed concerns about such legislation encouraging anti-Muslim sentiment and Islamophobia.
- Muslim immigrants contribute significantly to U.S. revenue. A severe drop in U.S. revenue is expected in tourism, investment finance, domestic markets/private companies and institutions because of the order.
- This may signal the direction of any new efforts to revise the Homeland Security and State departments vetting system—making refugee and immigrant entry into the US improbable.

What are the legal issues surrounding this Executive Order?
- Judges in four cities—Alexandria, VA; Boston, MA; New York, NY; and Seattle, WA—issued a temporary, nationwide stay on the order. These decisions state that refugees in transit be released and not returned to their countries of origin.
- The National Council on American-Islamic Relations plans to challenge the constitutionality of the order with more than 20 individual cases.
- Many who question the order’s legality cite the Immigration and Nationality Act of 1965, which forbids discrimination against immigrants based on their "nationality, place of birth, or place of residence."
- Attorney Generals in 15 states and Washington, DC have indicated opposition to the order on grounds of violations of rights to due process and equal protection as well as the Constitution’s Establishment Clause

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1 Executive actions also include presidential memoranda, proclamations and directives. Presidential memoranda are less formal and impactful than executive orders and outline the administration’s position on a policy issue.

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barring discrimination based on religion. The order does not expressly indicate travel detention based on religion. However, the minimal detail on how to enforce the order may mean that perceptions about religious activity could influence choices to needlessly detain some people.

Sally Q. Yates, the acting attorney general, indicated that Department of Justice lawyers would not defend the order against legal challenges, citing concerns about its lawfulness as well as its status as a “wise or just” policy. She was fired the same day.

What resources are available to those who need them?

On short notice, these resources seem to be the best for additional information and support.

- **KSU Office of International Student and Scholar Services** ([http://www.k-state.edu/isss/](http://www.k-state.edu/isss/)). The best people to contact there are Sara Thurston, Director (saratg@ksu.edu), and Maria Beebe, Associate Director (pappy@ksu.edu).
- **International Refugee Committee (IRC)** in Wichita, KS provides support refugees and immigrants transitioning to U.S. life after fleeing violence and persecution ([https://www.rescue.org/united-states/wichita-ks](https://www.rescue.org/united-states/wichita-ks)).
- **The Illinois Coalition for Immigrant and Refugee Rights (ICIRR)** coalition encourages the full and equal participation of immigrants and refugees in U.S. civic, cultural, social, and political life. They have created a flier with info on immigrant and refugee rights in light of the order ([http://www.icirr.org/news-events/news/details/1072/know-your-rights](http://www.icirr.org/news-events/news/details/1072/know-your-rights)).

What can I do?

- **Donate**
  - These organizations work to address some of the concerns raised by this order. Money and/or time, in whatever increments, always help.
    - The American Civil Liberties Union (ACLU) defends and preserves individual rights and liberties guaranteed by the U.S. Constitution and its laws. They are legally fighting against several of Trump’s policies. ([https://www.aclu.org/](https://www.aclu.org/))
    - The Council on American Islamic Relations (CAIR) is the nation’s largest Muslim civil rights and advocacy organization and has filed a federal lawsuit on behalf of more than 20 people challenging the order’s constitutionality. They are also tracking Anti-Muslim hate crimes. ([https://www.cair.com/](https://www.cair.com/))
    - Immigration Equality is the largest LGBTQ immigrant rights organization (think about how the ban on refugees affects queer and trans applicants) and they have long split their work between free legal assistance and political advocacy to change immigration law. ([https://www.immigrationequality.org/](https://www.immigrationequality.org/))
- **Call your representatives**
  - Let them know your thoughts on President Trump’s executive orders and how it impacts you.
- **Boycott and protest**
  - Boycott companies that profit from or comply with the ban.
  - As you feel safe enough and compelled to do so, join protests planned throughout the country, including at airports.

More, General Information

- The vetting process: [https://www.rescue.org/article/how-us-refugee-vetting-and-resettlement-process-really-works](https://www.rescue.org/article/how-us-refugee-vetting-and-resettlement-process-really-works)

This information was compiled by the American Ethnic Studies Department at Kansas State University. Please contact us for more information about our source material of how these kinds of actions are more broadly connected to the experiences and histories of underserved communities and peoples of color in the U.S.  

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