

The Muslim Ban and What Universities Can Do

Please circulate

- (1) **Impact of the Ban**
- (2) **Advice for Staff and Students**
- (3) **What campus administrations can do**
- (4) **Additional Issues**
- (5) **Hate Crimes and Safety on Campus**

(1) Impact of the Muslim Ban:

- The ban impacts students, faculty and staff who are not U.S. citizens and are visa holders--whether immigrant or non-immigrant and have some kind of status with one of the 7 countries. Most visas are included in this order. Very few visas are exempt (unless someone is a dignitary/works with NATO).
- Green card holders may soon be exempted from the ban BUT will likely still be subject to additional questioning and screening at airports.
- The ban may well be extended beyond 90 days, and it is quite possible that additional countries will be added.
- There is language in the ban that opens the door to potentially excluding individuals who are *not* from those seven countries who would “place violent ideologies over American law” or for other ideological reasons (this is coded language for “Muslims”). To our knowledge, this has not happened yet.
- Students are especially vulnerable. Multiple Muslim students who are *not* from those seven countries (including Jordanians) had their student visas revoked in the week or so before the EO was signed. Note that border control has had authority to turn people away on a case-by-case basis long before this executive order. The fear is that this new language could be used to ban people from additional countries on an ad hoc basis, especially those from Muslim-majority countries.
- Right now, authorities have begun stopping people at airports outside the U.S., before getting on a plane. This is because of the stay ruling that said that people currently detained in airports cannot be deported, so they are stranding people outside the U.S. to avoid that. There is a directive from DHS that visa holders who are currently abroad and are covered within the ban are not going to be allowed on planes.
- Students and others coming into the country on visas who have been taken to secondary screening have experienced aggressive ideological questioning, and have reported being made to sign forms giving DHS access to their email and social media accounts.

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- Practices around giving people who have been detained access to their lawyers vary from airport to airport. It helps if one has a legal relationship with a lawyer before traveling – sometimes just a sentence that states the agreement between client and lawyer is sufficient, sometimes they need a client relation G-28 form. In most cases, the lawyer needs to know the client's name to be able to speak with them.

(2) Pragmatic advice for international students and staff:

- Visa holders from those seven countries should not leave the country. If staying in the country will put one in violation of their visa, they should consult with an immigration attorney *before* leaving the country (sentence agreement or G-28 form).
- Green card holders from those seven countries who elect to travel outside the US should make sure that they have a legal relationship with a lawyer *before* leaving the US and should make sure that a trusted person has all their contact info, flight details/itinerary, green card details, and the lawyer's info.
- People with visas or green cards currently outside the US who are able to actually get on a plane to return should give someone they trust all their info (name, date of birth, visa info, passport info, flight/itinerary info, lawyer info) before they travel. They should also try to set up a legal relationship with an immigration attorney *in advance* of traveling (sentence agreement or G-28 form).
- Individuals should not overstay their visas without first consulting an immigration attorney.

What the college or university administration can do:

- The obvious: Keep an eye on the situation. Know the international students and staff you have and what countries they are from and be in touch with them.
- Build a list of pro bono immigration lawyers with whom students or employees can consult with, and/or provide and pay for immigration lawyers for students or employees. This could entail the college or university building a relationship with a few lawyers or a local immigrant rights organization that provides legal counsel so that students feel that they can trust them. Another way to do this is find a local law school with an immigration clinic and partner with them.
Here are some suggestions:
- Given the potential for individuals to be affected who are not from the seven countries *and* the fear and misinformation that are circulating, it would be a good idea to reach out to all international students and employees from Muslim-majority countries and offer legal counsel to them as well.

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- It might be worth having an attorney do a workshop that includes this broader group of students. Depending on how this unfolds, additional international students may need to consult with an immigration lawyer or establish a client relationship with one before leaving the country at the end of the semester.
- Advise international students from Muslim-majority countries, when they travel outside the US, to carry the contact info for your college or university and for an immigration attorney with them and to inform someone in the US of their travel itineraries and all their info (name, DOB, visa, passport, etc).
- Provide “know your rights” trainings and “digital security” training for our college community, especially student activists, international students, students in MSA, the Arab American Cultural Center, etc.
- Provide preventative trainings and resources on campus to combat the ways the Muslim ban can impact everyday campus life. The Muslim ban fuels anti-Muslim racism on our campus. It is based on an ideology circulating and rapidly growing in the U.S. that equates the Muslim religion with violent extremism. This ideology impacts Muslims and non-Muslims as it is based on lumping diverse people into one category: “Muslim.” This created category “Muslim” (Muslim enemy; potentially violent Muslim , etc.) can be used to target Muslims and non-Muslims who are perceived to be Muslim such as non-Muslim Arabs, South Asians.
- Provide free housing for students stuck in the U.S.

(4) Additional immigration issues to think about in the future:

- If colleges/universities are asked to cancel I-20s for international students, it may be important to refuse to do so and continue to enroll those students.
- If students, post-docs, or faculty get stuck outside the US, it may be important to have a mechanism for them to complete their education remotely.

(5) Hate Crimes, Racism, and Safety issues on Campus

- Establish hotlines—perhaps run by community groups. Turn to examples of local committee or neighborhood hotlines that insure someone is ready to respond.
- Get together and talk to one another about what you need to defend your campus/center, etc
- Call upon volunteers who can accompany students if they feel scared. If something happens, the volunteer can go with them somewhere to report what’s going on.

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- Have an ally or a reputable organization report a hate crime with you.
- In case students do not feel comfortable/safe reporting an incident to DOJ or local police provide a list of agencies they can report to Look into whether your city has a citywide human rights commission. If so, it is an effective alternative reporting mechanism. If not, try and establish one. Work with the students to determine who they will report to.
- Train students in securing their devices and using social media safely.