Atlanta, GA, May 19, 2017 — Asian Americans Advancing Justice (“Advancing Justice”) strongly condemns the federal government’s latest attempt to immediately implement a Muslim Ban. Advancing Justice joined a diverse group of civil and human rights organizations in signing on to a letter to the Office of Management and Budget (“OMB”) strongly opposing the Department of State’s (“DOS”) request for emergency review and approval of a “new extreme vetting” policy.

On May 4, 2017, the DOS published a notice for public comment on the extreme vetting policy. Under the proposed policy, DOS plans to collect an unprecedented amount of highly personal information from certain individuals applying for U.S. visas, who consular officers deem to require enhanced screening for “national security.” The proposal includes a new mandatory requirement that applicants provide all “social media platforms and identifiers, also known as handles, used during the last five years.” Applicants must also provide detailed information about their “domestic and international travel history during the last fifteen years—an immensely difficult task considering “domestic travel” is not defined and could easily include even short trips to nearby cities—including the source of funds for those trips.

"Even in the best of times, this kind of unfettered discretion and ability to examine religious, social, and personal beliefs would lead to a dramatic increase in racial profiling,” said Christina Sinha, Staff Attorney and National Security & Civil Rights Program Manager at Advancing Justice-Asian Law Caucus. “But in times such as these, when the government has shown remarkably consistent and blatant animus towards the Muslim community, this can only add up to one thing. A backdoor Muslim Ban."

"We are strongly opposed to this proposal, which gives an incredible amount of unfettered discretion to DOS agents, who are empowered to invade the personal lives of any visa applicant to evaluate them for ‘terrorism’ or other ‘national security’ issues,” said Laboni Hoq, Litigation Director at Advancing Justice-Los Angeles. “Given this Administration’s rhetoric, it is clear that those are code phrases for ‘Muslims.’ Applicants are left without any recourse if agents misunderstand culture-, language-, and context-specific social media posts, and have almost no avenue to challenge agents if their visas are denied because of the religious views that are discernable through their social media or travel history.”

"The government seeks to force through this troubling proposal with practically no time for review. At minimum, the public should have had a full opportunity to comment on the government’s tracking of the social media usage of future Americans and visitors to the U.S. and its potential chilling effect on the speech of both applicants and the US citizens and residents who engage with them,” said Elica Vafaie, Staff Attorney and National Security & Civil Rights Program Manager at Advancing Justice-Asian Law Caucus. Advancing Justice created an online tool to assist the public in navigating the highly specific and truncated comment process, which allowed over 240 individuals to more easily submit comments. In addition to joining the Coalition letter, Advancing Justice also submitted a separate letter opposing the policy.
This is not the first time this administration has targeted a minority group for heightened visa vetting. Earlier this year, Advancing Justice was joined by over 30 civil rights groups in opposing a proposal to conduct invasive screenings of long-term visitors from China. “This coalition – which together represents millions of impacted community members and concerned Americans – shows the strong opposition this administration can expect every time it tries to implement its deplorable Muslim Ban,” said Megan Essaheb, Assistant Director of Immigration and Immigrants’ Rights, Advancing Justice | AAJC. “Our groups stand ready to reject every attempt to exclude or demonize immigrant and vulnerable communities.”

About Asian Americans Advancing Justice – Atlanta

Asian Americans Advancing Justice – Atlanta (formerly Asian American Legal Advocacy Center or AALAC) is the first non-profit law center dedicated to Asian immigrants and refugees (“Asian Americans”) in the Southeast.

Our goal is to engage, educate and empower under-represented Asian Americans to greater civic participation.

We are one of five independent organizations that make up the national Asian Americans Advancing Justice. Together with our affiliates in Chicago, DC, Los Angeles and San Francisco, we bring more than 100 years of collective experience in addressing the civil rights issues faced by Asian Americans and other vulnerable and underserved communities. Visit www.advancingjustice-atlanta.org.