

Insider Perspectives: National Security and Immigration

Rescinding the Travel Ban Will Improve National Security

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Note:

This brief is part of a series of papers exploring the intersection between national security and immigration issues. The papers are aimed at helping to facilitate constructive conversations that will lead to bipartisan efforts to modernize our immigration system. We begin with the premise that our nation's immigration system can, and should, treat immigrants with dignity and compassion while serving our national security interests. The author is a senior advisor to the National Immigration Forum on national security matters and a former DHS Assistant Secretary for Counterterrorism and Threat Prevention during the Trump administration.



Introduction

President-elect Joe Biden has indicated he will rescind the travel and refugee bans President Trump enacted through Executive Order (EO) 13780 and Proclamation 9645.¹ I join many in the national security community in applauding this intended action. These bans damaged our nation's reputation and were an unnecessary distraction from needed security enhancements. However, as a national security official who participated in screening and vetting enhancements and the implementation of the travel bans, I urge the Biden administration to leverage some of the security enhancements that accompanied EO 13780 and Proclamation 9645 to make our country even safer.

Rescind the Travel and Refugee Bans on Day 1

The travel ban did not improve national security for several reasons. First, that the travel restrictions have become known as “Muslim bans” alone causes significant damage to our national security. Muslim communities within our country have felt targeted, and overseas the U.S. is viewed as racist, bigoted, and cruel. We have lost the moral high ground from which the U.S. encourages nations around the globe to adhere to principles such as treating everyone with dignity and equal justice under the law.²

Furthermore, America's approach to national security relies on strong alliances with foreign governments, nongovernmental organizations and private industry. We have damaged those relationships.³ The only way to begin to repair America's reputation, and begin restoring those alliances critical to national security, is to rescind these bans immediately.



** The views expressed are those of the author and do not reflect the official policy or position of the Department of Homeland Security (DHS) or the U.S. Government. DHS cannot attest to the substantive or technical accuracy of the information.*

¹ “The Biden Plan for Securing Our Values as a Nation of Immigrants,” Joe Biden for President: Official Campaign Website, August 5, 2020, <https://joebiden.com/immigration/>.

² Rosanna Kim and Ariana Berengaut, “Restoring U.S. Global Leadership on Refugee Protection,” National Conference on Citizenship & Penn Biden Center for Diplomacy and Global Engagement, October 2020, <https://global.upenn.edu/sites/default/files/penn-biden-center/Restoring%20U.S.%20Global%20Leadership%20on%20Refugee%20Protection.pdf>, 3.

³ Patricia Stottlemeyer, “Ex-Military, Intelligence, and Foreign Policy Officials: Travel Ban Harms National Security,” Just Security, April 4, 2018, <https://www.justsecurity.org/54506/ex-military-intelligence-foreign-policy-officials-travel-ban-harms-national-security/>.

Beyond the effects of perceived racism and xenophobia, the national security consequences of these efforts were wide-ranging. For example:

- The restrictions exacerbated lack of access to medical care in rural U.S. communities,⁴ which is proving to be an even greater calamity in the midst of a global pandemic.
- The rhetoric used to justify the need for anti-immigrant measures likely increased prejudice,⁵ leading to a documented increase in hate crimes^{6,7} and domestic terrorism⁸ over the past four years.^{9,10}
- The overemphasis on radical Islamist terrorism was one of the contributing factors to the national security community's slow response to the rising threat of domestic terrorism from racially and ethnically motivated violent extremists and anti-government extremists.
- Reputational damage led to economic loss and difficulty recruiting talent to the U.S., which impedes one of the strategies the U.S. has leveraged for decades: to introduce foreigners to U.S. freedoms, values and institutions in hopes that they will share their experiences when they return home. Building bridges with tourists and talented foreign students and professionals creates goodwill that can help us avoid conflict in the future.¹¹ But the U.S. share of the international travel market was 11.7% in 2018, compared to 13.7% in 2015, "a loss of 14 million annual visitors and \$59.4 billion in traveler spending," according to the U.S. Travel Association.^{12,13} The downtrend continued in 2019, with the U.S. market share declining to 11.3%.¹⁴ The number of new international students also declined each year of the Trump administration, with a 10% overall decline between 2016 and 2019.¹⁵

⁴ Sam Peak, "Trump's Travel Ban Is Worsening Health Care Shortages in Rural America," Niskanen Center, January 31, 2019, <https://www.niskanencenter.org/trumps-travel-ban-is-worsening-health-care-shortages-in-rural-america/>.

⁵ Brian F. Schaffner, "Follow the Racist? The Consequences of Trump's Expressions of Prejudice for Mass Rhetoric," n.d., http://www.ashford.zone/images/2018/09/followtheracist_v2.pdf.

⁶ A study of FBI data demonstrated that since President Trump's election there has been an anomalous spike in hate crimes concentrated in counties where President Trump won by larger margins. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3102652

⁷ Michael Balsamo, "Hate Crimes in US Reach Highest Level in More than a Decade," Associated Press, November 16, 2020, <https://apnews.com/article/hate-crimes-rise-FBI-data-ebbca8458aba96575da905650120d>.

⁸ Peter Baker and Michael D. Shear, "El Paso Shooting Suspect's Manifesto Echoes Trump's Language," *The New York Times*, August 4, 2019, <https://www.nytimes.com/2019/08/04/us/politics/trump-mass-shootings.html>.

⁹ Vanessa Williamson and Isabella Gelfand, "Trump and Racism: What Do the Data Say?," Brookings Institution, August 14, 2019, <https://www.brookings.edu/blog/fixgov/2019/08/14/trump-and-racism-what-do-the-data-say/>.

¹⁰ ADL Center on Extremism, "Murder and Extremism in the United States in 2019" (Anti-Defamation League, February 2020), <https://www.adl.org/media/14107/download>.

¹¹ Elizabeth Neumann, "Opinion: Curbing Student Visas Is a Short-Sighted Plan by the Trump Administration I Once Served," *Austin American-Statesman*, October 23, 2020, <https://www.statesman.com/story/opinion/columns/your-voice/2020/10/23/opinion-curbing-student-visas-is-short-sighted-plan-by-trump-administration-i-once-served/114468082/>.

¹² John Austin and Steve Tobocman, "The Heartland Needs Immigrants to Grow," *Barron's*, February 20, 2020, <https://www.barrons.com/articles/the-heartland-needs-immigrants-to-grow-the-new-travel-ban-wont-help-51582219638>.

¹³ "The U.S. Is Losing Market Share: But We Have A Huge Opportunity," Fact Sheet: International Inbound Travel (Market Share) (U.S. Travel Association, May 15, 2019), <https://www.ustravel.org/research/fact-sheet-international-inbound-travel-market-share>.

¹⁴ "U.S. Travel Answer Sheet" (U.S. Travel Association, March 16, 2020), <https://www.ustravel.org/research/us-travel-answer-sheet>.

¹⁵ "International Students in the United States," Fast Facts 2020 (Open Doors), accessed December 17, 2020, https://opendoorsdata.org/fast_facts/fast-facts-2020/.

A Misguided Approach to Securing the Borders

On its surface, the ostensible purpose of EO 13780 is not problematic: “to improve the screening and vetting protocols and procedures associated with the visa-issuance process and the USRAP,” which stands for U.S. Refugee Admissions Program.¹⁶ This policy has existed implicitly or explicitly since 9/11. In fact, some of the enhancements made under EO 13780 are natural evolutions of policy and programming established during the George W. Bush and Barack Obama administrations.

The error inherent in the executive order was a misunderstanding of the capabilities of the screening and vetting systems and the nature of the threat. The executive order asserted that “terrorist groups have sought to infiltrate several nations through refugee programs,”¹⁷ and “recent history shows that some of those who have entered the United States through our immigration system have proved to be threats to our national security.”¹⁸ The executive order then lists two examples of a legitimate vetting failure and one example that most national security analysts would not consider a vetting failure (the individual migrated to the U.S. as a child and radicalized many years later). The executive order also states that the FBI had more than 300 active investigations of refugees underway.¹⁹ These were the justifications for banning refugees, immigrants, and travel from a handful of specific countries.

The logic contains several flaws: First, nationality has not proved to correlate to terrorism. A Cato Institute working paper published July 2019 examined “the relationship between immigration and terrorism ... using bilateral migration data for 170 countries from 1990 to 2015” and found “no relationship between immigration and terrorism, whether measured by the number of attacks or victims, in destination countries.”²⁰ Thus, a travel restriction based on a nationality alone is largely ineffective.



¹⁶ “Executive Order 13780 of March 6, 2017, Protecting the Nation From Foreign Terrorist Entry,” Code of Federal Regulations, title 3 (2017): Section 1(h), 13209. [info.gov/content/pkg/FR-2017-03-09/pdf/2017-04837.pdf](https://www.federalregister.gov/content/pkg/FR-2017-03-09/pdf/2017-04837.pdf), 13209.

¹⁷ “Executive Order 13780,” 13210.

¹⁸ “Executive Order 13780,” 13212.

¹⁹ “Executive Order 13780,” 13212.

²⁰ Andrew C. Forrester et al., “Do Immigrants Import Terrorism?” (Cato Institute, July 31, 2019), <https://www.cato.org/sites/cato.org/files/pubs/pdf/working-paper-56-update.pdf>, 2.

The second flaw in the executive order's logic is an overstatement of the threat in citing 300 active investigations on refugees. For context, that number represents less than 0.085% of refugees admitted in the five years prior to the executive order;²¹ and approximately 3 to 4% of the FBI's counterterrorism preliminary and full investigations in a given year.²² So while it was important to strengthen vetting, the threat does not justify a full-scale travel ban.

The administration's own reporting further demonstrates this disconnect. Section 11 of EO 13780 directs the Department of Homeland Security (DHS) and Department of Justice (DOJ) to make publicly available the number of foreign nationals in the U.S. who have been charged, convicted, or removed from the U.S. based on terrorism-related offenses, activity, or affiliation. The report was supposed to be issued annually, but only one "Initial Report" was issued in January 2018 to cover the period of Sept. 11, 2001, through Dec. 31, 2016.²³ The report did not provide detailed underlying data to support its assertions and became the subject of a lawsuit under the Information Quality Act, in which plaintiffs asked for "the retraction or correction of a misleading report on the national origin of terrorists."²⁴ Several immigration and legal experts have written on the flawed analysis contained in the report.²⁵ But the bigger finding may be what is left unsaid. Based on the Trump administration's agenda — and the persistent effort to find examples of how immigrants pose a terrorist threat — one can safely assume that if the data supported the idea that refugees were a primary source of terrorist activity, the administration eagerly would have used the data to back up its assertion.

Continued enhancements to vetting procedures are wise, and investing in the infrastructure of the U.S. Refugee Admissions Program (USRAP) is needed, but travel restrictions are not necessary to mitigate the threat foreign nationals pose. (See our [Robust Refugee Programs Aid National Security](#) paper for more recommendations on strengthening the USRAP).

The third is a failure to recognize the improvements the U.S. government has made in screening and vetting since 9/11, and particularly after the attempt by Umar Farouk Abdulmutallab to detonate a bomb hidden in his underwear and take down an aircraft on descent into Detroit on Christmas Day 2009.²⁶

²¹ In the five years prior to the EO, 353,078 refugees were resettled in the United States. See: "Refugee Admissions Report," Admissions and Arrivals (Refugee Processing Center, November 30, 2020), <https://www.wrapsnet.org/admissions-and-arrivals/>.

²² A 2016 New York Times Report stated "the F.B.I. has averaged 10,000 assessments annually, and 7,000 to 10,000 preliminary or full investigations involving international terrorism". See: Adam Goldman, "Why Didn't the F.B.I. Stop the New York Bombing?," *The New York Times*, September 21, 2016, <https://www.nytimes.com/2016/09/22/us/fbi-terror-ahmad-khan-rahami.html>.

²³ "Executive Order 13780: Protecting the Nation From Foreign Terrorist Entry Into the United States Initial Section 11 Report" (U.S. Department of Homeland Security and U.S. Department of Justice, January 2018), <https://www.dhs.gov/publication/executive-order-13780-protecting-nation-foreign-terrorist-entry-united-states-initial>.

²⁴ "Protect Democracy's Lawsuit Challenging the Government's Publication of Disinformation about Foreign Terrorism" (Protect Democracy, 2019), <https://protectdemocracy.org/false-terrorism-report/release/>.

²⁵ For example, Carrie Cordero and Paul Rosenzweig, "Beware the Slippery Slope in the DOJ-DHS Report on Foreign-Born Terrorists," *Lawfare* (Lawfare Institute, January 19, 2018), <https://www.lawfareblog.com/beware-slippery-slope-doj-dhs-report-foreign-born-terrorists>, and Faiza Patel, "Trump Administration's Fuzzy Math on Terrorist Origins Is More than Misleading — It's Dishonest" (Just Security, January 16, 2018), <https://www.justsecurity.org/51084/trump-administrations-fuzzy-math-terrorist-origins-misleading-its-dishonest/>.

²⁶ "Umar Farouk Abdulmutallab Sentenced to Life in Prison for Attempted Bombing of Flight 253 on Christmas Day 2009," (U.S. Department of Justice, February 16, 2012), <https://www.justice.gov/opa/pr/umar-farouk-abdulmutallab-sentenced-life-prison-attempted-bombing-flight-253-christmas-day>.

A 2018 Cato Institute study of failures in terrorism vetting revealed a significant drop in such failures after 9/11, which they Cato credits to the many enhancements made over the succeeding 15 years:

There were 52 vetting failures in the 15 years leading up to 9/11, four times as many as in the 15 years since the attacks. From 2002 to 2016, the vetting system failed and permitted the entry of 1 radicalized terrorist for every 29 million visa or status approvals. This rate was 84 percent lower than during the 15-year period leading up to the 9/11 attacks. Only 1 of the 13 post-9/11 vetting failures resulted in a deadly attack in the United States. Thus, the rate for deadly terrorists was 1 for every 379 million visa or status approvals from 2002 through 2016.²⁷

I am not suggesting there were no vetting failures after 2015.²⁸ Rather, those failures often were because of technology or policy errors from 5 to 15 years earlier that bore consequences more recently.

While screening and vetting improvements were needed in 2017 and will need to continue in the Biden administration, from a security perspective, there is no evidence that nationality-based travel bans were justified in 2017. Moreover, additional vetting capabilities provided through the National Vetting Center²⁹ are providing significant enhancements to our vetting capabilities. Enhancements will continue over the next three to four years, but no evidence indicates that nationality-based travel restrictions are necessary while those enhancements are implemented.

For all of these reasons, the immediate cancellation of the travel bans is clearly justified. As the Biden administration prepares to rescind the travel restrictions, it should consider the following recommendations:



²⁷ David J. Bier, “Extreme Vetting of Immigrants: Estimating Terrorism Vetting Failures” (Cato Institute, April 17, 2018), <https://www.cato.org/publications/policy-analysis/extreme-vetting-immigrants-estimating-terrorism-vetting-failures>.

²⁸ Office of the Inspector General, Department of Homeland Security, *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Washington, DC, 2016), <https://www.oig.dhs.gov/assets/Mgmt/2016/OIG-16-130-Sep16.pdf>.

²⁹ See Robust Refugee Programs Aid National Security for more information on the National Vetting Center for more information on the National Vetting Center.

Rescind with Proper Insight from and Guidance for Operators

The nation owes our national security professionals clear-cut guidance. Federal employees have experienced significant whiplash over the last four years from hastily drafted orders that lacked input from operators and appropriate guidance on implementation. While incoming Biden administration personnel likely will have more experience than many of their predecessors in the Trump administration, it is critical for the Agency Review Teams to engage with operators during the transition period to ensure that draft executive orders account for operational realities. As to rescinding the travel restrictions:

- Proper guidance should be given to DHS' Customs and Border Protection (CBP) and the Department of State's Consular Affairs to ensure consistent implementation across all embassies and ports of entry.
- Messaging for potential travelers will need to be provided prior to implementation so that people who have been waiting for four years to be reunited with loved ones understand what requirements they may need to meet to update their eligibility for travel.
- Depending on the level of access the Trump administration provides the Biden transition team, the executive order may need to have an effective date 48 to 72 hours after signature to ensure an orderly implementation.

Leverage the Security Enhancements, Programs and Tools Developed Under Section 2, EO 13780

The U.S.'s "push the borders out" approach^{30,31} to homeland security requires encouragement of, and investments in, enhancing our partners' security. If other countries' security practices are strong, then we are more secure. The tools and procedures that were developed to run a systematic evaluation of all countries in support of the travel ban EO resulted in valuable data for the United States and strengthened other countries' identity management and information sharing practices. These tools should be kept, but the punitive aspects of these procedures should be exchanged for diplomatic incentives.



³⁰ Pushing the borders out has been a key theme of post 9/11 border security. See Chapter 37, Jack K. Riley, "Border Control," (McGraw-Hill Companies, Inc., 2006), <https://www.rand.org/pubs/reprints/RP1216.html>, 589.

³¹ Rosanna Kim and Ariana Berengaut, "Restoring U.S. Global Leadership on Refugee Protection," National Conference on Citizenship & Penn Biden Center for Diplomacy and Global Engagement, October 2020, <https://global.upenn.edu/sites/default/files/penn-biden-center/Restoring%20U.S.%20Global%20Leadership%20on%20Refugee%20Protection.pdf>.

Overview of Security Tools

In response to EO 13780, the secretary of Homeland Security established criteria to assess a foreign government's identity management and information sharing practices as well as evaluate national security and public safety risks. The criteria were defined as follows:

- 1) Identity Management Information** — “focus[es] on whether a foreign government ensures the integrity of travel documents by issuing electronic passports, reporting lost or stolen passports, and making available additional identity-related information.”³²
- 2) National Security and Public Safety Information** — “focus[es] on whether a country shares criminal history information as well as the identities of known and suspected terrorists, provides travel document exemplars, and facilitates the [U.S. government]’s receipt of information about airline passengers and crews traveling to the United States.”³³
- 3) National Security and Public Safety Risk Assessment** — “focus[es] on indicators of national security risk, including whether the foreign government is a known or potential terrorist safe haven and whether it regularly declines to receive returning nationals following final orders of removal from the United States.”³⁴

As I explained in congressional testimony in September 2019:

The screening and vetting enterprise is made all the more effective and robust with the inclusion of reliable information from foreign partners. This information is critical to validating an individual's identity and determining whether they pose a national security or public safety threat to the United States. The individuals' home government often has information about their citizens' and residents' identity and risk that are not otherwise readily available in U.S. databases. The U.S. Government (USG) has faced inconsistent access to foreign government information about foreign nationals seeking to enter the United States. Therefore, the USG has worked to update international partnerships and standards to assist screening and vetting programs. These efforts include improving international security standards for travel documents via the International Civil Aviation Organization (ICAO), reporting lost and stolen travel documents through INTERPOL, and adding some regularity to traditional liaison relationships through Homeland Security Presidential Directive-6. However, prior to Executive Order (EO) 13780, the USG had not developed a holistic means for assessing the performance of these relationships or for encouraging compliance with standards.

The criteria reflect a combination of long-standing USG goals, as well as standards established by international bodies such as the United Nations (UN), ICAO, and INTERPOL. The baseline requirements incorporate best practices derived from proven and effective security partnerships, and from internationally recognized identity management, law enforcement, and national security practices and initiatives. DHS collected and evaluated data regarding all foreign governments.

³² *Oversight of the Trump Administration's Muslim Ban*, 116 Cong. (2019) (testimony of Elizabeth Neumann and Todd Hoffman), <https://docs.house.gov/meetings/JU/JU01/20190924/109976/HHRG-116-JU01-Wstate-NeumannE-20190924.pdf>, 3.

³³ *Oversight*.

³⁴ *Oversight*.

DHS identified 16 countries as having deficient information-sharing practices and presenting national security concerns, and another 31 countries as “at risk” of similarly failing to meet the baseline. The State Department then undertook diplomatic efforts over a 50-day period to encourage all foreign governments to improve their practices. As a result of that effort, numerous countries provided DHS with travel document exemplars and agreed to share information on known or suspected terrorists.

The performance metrics for these criteria were “refined and modified” in Presidential Proclamation 9983, based on the experience DHS gleaned conducting the worldwide reviews between 2017 and 2019:³⁵

For example, while the prior model determined whether a country shares certain needed information, the revised model accounts for how frequently the country shares that information and the extent to which that data contributes to border and immigration screening and vetting. As another example, the prior system asked whether a country issued electronic passports at all, whereas the refined metrics assess whether a country issues electronic passports for all major classes of travel documents. Similarly, the lost and stolen passports criterion previously assessed whether a country had prior instances of reporting loss or theft to the International Criminal Police Organization (INTERPOL), whereas the revised model now assesses whether the country has reported lost or stolen passports to INTERPOL within 30 days of a report of a loss or theft.³⁶

Recommendations for the Biden Administration

As described above, the data gleaned from the worldwide review is valuable for security. The process of engaging countries and encouraging them to address identified vulnerabilities strengthens everyone’s security. Thus, these review tools should be kept, but the purpose of them should change. The U.S. government can drive global security enhancements without travel restrictions.

When President Biden issues the executive order and/or presidential proclamation to rescind the travel restrictions, he should direct the secretary of Homeland Security, in coordination with the secretary of state, to conduct a 90-day review of the programs and security enhancements developed as part of the requirements of Section 2 of Executive Order 13780 and Proclamation 9645 and make recommendations to the president on how such tools can be leveraged. Those recommendations could include:

- DHS should continue the worldwide review of countries every three years evaluating against the criteria described above.
- The State Department should incorporate the mitigation of identified vulnerabilities into its security sector assistance plans and encourage countries to address vulnerabilities as soon as possible.
- Congress should appropriate and DHS should allocate more funding to the headquarters office that manages screening and vetting and international information sharing. This office’s responsibilities are broader than the worldwide review. A lack of

³⁵ U.S. President, Proclamation, “Improving Enhanced Vetting Capabilities and Processes for Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats, Proclamation 9983 of January 31, 2020,” *Federal Register* 85, no. 24 (February 5, 2020): 6699, <https://www.federalregister.gov/documents/2020/02/05/2020-02422/improving-enhanced-vetting-capabilities-and-processes-for-detecting-attempted-entry-into-the-united>.

³⁶ U.S. President, Proclamation, “Improving Enhanced Vetting Capabilities.”

funding for personnel and basic IT investments has impeded its mission. A relatively small investment would enable this team to provide technical assistance to address a variety of known security vulnerabilities. Specifically, the funding should be used to:

- Hire a dedicated team with expertise in screening and vetting, identity management, and international information sharing that operates at headquarters and leverages expertise from components such as CBP.
- Fund travel for these subject-matter experts to provide technical assistance to countries with vulnerabilities.
- Develop the back-end classified database necessary for documenting, assessing, and monitoring screening- and vetting-related vulnerabilities and mitigation plans for all countries; ensure access at the appropriate classification levels to those with policy and operational need-to-know. Such a capability would allow policymakers a more sophisticated risk-based approach to Security Sector Assistance investments and equip the vetting enterprise with near real-time information about a country's security vulnerabilities.

Recommendations for Congress

In addition to properly funding the DHS office responsible for coordinating and overseeing screening and vetting, Congress should reauthorize DHS in a manner that confirms the role Congress intends for DHS headquarters to have in the administration of screening and vetting policy programs. In particular, an authorized and properly funded Screening and Vetting Office would enable stronger coordination across the DHS enterprise and interagency partners. Such improvements would enable a DHS-wide approach to biometrics and allow for a streamlined and strategic approach in providing technical assistance to partner countries. Such assistance would help countries address security vulnerabilities and other statutory and policy requirements related to screening and vetting that may remain unimplemented (such as those associated with the Visa Waiver Program).

A DHS reauthorization bill should streamline congressional oversight of DHS, as multiple commissions, think tanks, former secretaries and members of Congress have called for since 2004.³⁷ Streamlining oversight will strengthen oversight, which is necessary to ensure that any increases in expenditures are properly utilized. It also allows headquarters offices to be more responsive to Congress on behalf of the entire department.

Finally, we should not ignore that the inability of Congress to find and pass compromises created the conditions for the executive branch's overreach. Preventing future abuses requires that Congress finally pass broad immigration reforms to modernize our immigration system. In doing so, it should consider restricting the executive's authority as the Cato Institute recommended: "Congress should limit the President's authorities under section 212(f) to prohibit bans based on nationality or religion and raise the evidentiary standard to justify any other ban."³⁸ Certain exceptions should be allowed in the event of war with another country or national emergency. Such exceptions should be narrowly tailored, time limited, and require the president to consult with Congress if such restrictions need to continue beyond the initial time frame.

³⁷ For a summary of calls for streamlining Congressional Oversight, see: "House Committee on Homeland Security," *House Committee on Homeland Security*, October 1, 2020, <https://homeland.house.gov/news/press-releases/chairman-thompson-urges-house-rules-changes-to-streamline-homeland-security-jurisdiction>.

³⁸ David J. Bier, "Reforming the Immigration System: A Brief Outline" (Cato Institute, November 11, 2020), <https://www.cato.org/publications/e-publications/reforming-immigration-system-brief-outline>.

Conclusion

The stated intent behind Executive Order 13780 was to enhance screening and vetting — a valid policy goal that every administration has championed since 9/11. Yet, the implementation of travel restrictions has actually weakened the nation’s ability to “push the borders out.” Amy Pope, former deputy homeland security advisor under President Obama, explains: “Relationships with foreign partners, vital to creating the most meaningful protections to the United States, are being strained. As a result, the U.S. government risks losing the information and intelligence sharing vital to pushing the borders out.”³⁹ The Biden administration will have a heavy lift to repair the relationships we rely on to keep our country safe. Rescinding the travel restrictions will immediately aid that effort.

Moreover, the Biden administration can leverage the knowledge and tools gleaned from the Trump administration’s flawed experiment. It can partner with countries instead of punish them and help raise worldwide security standards. Such steps will make the U.S. safer.



³⁹ Amy Pope, “Immigration and U.S. National Security: The State of Play Since 9/11” (Migration Policy Institute, April 2020), <https://www.migrationpolicy.org/research/immigration-us-national-security-since-911>, 2.

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