

Trump Travel Ban Makes America Less Safe: Ex-Top Security, State Officials

nbcnews.com/news/us-news/trump-travel-ban-makes-america-less-safe-ex-top-security-n717206



U.S. news

by Andrea Mitchell and Richie Duchon / Feb. 6, 2017 / 4:34 AM EST / Updated Feb. 6, 2017 / 10:44 AM EST



Demonstrators march down Pennsylvania Avenue during a protest on Jan. 29, 2017 in Washington. Protesters in Washington and around the country gathered to oppose President Donald Trump's executive order barring the citizens of Muslim-majority countries Iraq, Syria, Iran, Sudan, Libya, Somalia and Yemen from traveling to the United States. Zach Gibson / Getty Images, file



Trump Travel Ban Legal Showdown: Court to Hear Arguments Tuesday Night

Feb. 6, 2017 01:47

President Trump's executive order curtailing immigration "could do long-term damage" to the United States' national security and foreign policy interests, endangering troops and intelligence agents and disrupting efforts to prevent terror attacks, 10 former senior U.S. diplomats and security officials asserted Monday in a court document.

The affidavit, written jointly by two former secretaries of state, two former heads of the CIA, a former secretary of defense, a former secretary of homeland security, and senior officials of the National Security Council, slammed Trump's order as "ill-conceived, poorly implemented and ill-explained."



Washington attorney general on travel ban: Trump does not have 'unfettered authority'

Feb. 6, 2017 02:23

"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,'" the co-authors — John Kerry, Madeleine Albright, Janet Napolitano, Susan Rice, Leon Panetta, John McLaughlin, Avril Haines, Michael Hayden, Lisa Monaco and Michael Morell — wrote in the filing.

The co-authors are mostly Democrats, but notably, Hayden is a retired U.S. Air Force four-star general who served as the director of the CIA under President George W. Bush. And McLaughlin served as deputy director of the CIA under both Clinton and Bush.

The former officials urged the U.S. 9th Circuit Court of Appeals not to reinstate Trump's entry ban while they decide whether the president has the legal or Constitutional authority to issue the sweeping order.

The affidavit was filed early Monday with the court of appeals in support of Washington state's challenge to Trump's executive order, which temporarily banned entry to the U.S. by people from seven Muslim-majority nations: Iraq, Syria, Sudan, Iran, Somalia, Libya, and Yemen for 90 days. The order banned refugees outside of Syria for 120 days, and Syrian refugees indefinitely.



Former CIA Director Gen. Michael Hayden testifies during a hearing before the Senate Armed Services Committee on Aug. 4, 2015. Alex Wong / Getty Images, file

The filing is notable not because of the novelty of the former intelligence officials' arguments, but because they give the case against Trump's entry ban a national security credential that many of its other opponents cannot.

The Justice Department has argued that judges could not make an appropriate determination of the effectiveness of Trump's entry ban in protecting national security without the advantage of national security clearance and briefings. Four of the filing's authors – Kerry, Haines, Monaco and Rice – told the court they were "current on active intelligence regarding all credible terrorist threat streams directed against the U.S." as recently as one week before Trump's order.

The former intelligence officials argue that Trump's entry ban misses its intended target – potential terrorists. "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," they write in the brief. "Very few attacks on U.S. soil since September 11, 2001 have been traced to foreign nationals at all."



Mayor Marty Walsh to Trump on immigration: 'Enough is enough'

Jan. 27, 2017 04:16

The former officials argue the entry ban, if allowed to continue, would compromise U.S. national security by immediately placing American troops fighting alongside soldiers from the affected countries in harm's way.

Recommended

Further, they say, the order would make key countries critical to obtaining intelligence needed to fight ISIS and other terror groups reluctant to share that information.

Because of the order's "disparate" effect on Muslim travelers seeking to enter the U.S., the authors write that the entry ban effectively acts as propaganda for extremist groups like ISIS, by sending the message to Muslims "that the U.S. government is at war with them based on their religion."

Trump has argued that the entry ban is needed while a review of the government's system for vetting refugees and others seeking to enter the U.S. is reviewed. The authors defend the national security vetting apparatus developed since Sept. 11, 2001 as a "rigorous system of security vetting, leveraging the full capabilities of the law enforcement and intelligence communities."

On top of all that, they said, the order "offends our nation's laws and values."

The group's appeal to the federal appeals court is in the form of an affidavit because it is a written statement confirmed under oath for use as evidence in a court. When someone signs an affidavit it means they are effectively swearing the statement is true.

Trump's travel ban has unleashed widespread confusion and chaos at airports around the world - the Justice Department estimated that 100,000 visas were impacted by the ban. The ban has sparked global protests - at airports from Los Angeles to New York, as well as large marches from Miami to London, as well as in small towns that had supported Trump in the election.

MORE FROM news

