

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**ARAB AMERICAN CIVIL RIGHTS
LEAGUE**, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Case No. 2:17-cv-10310-VAR-SDD

Hon. Victoria A. Roberts

Mag. J. Stephanie D. Davis

Statement Regarding Concurrence

Pursuant to E.D. Mich. L.R. 7.1(a), on March 15, 2017, Plaintiffs' counsel e-mailed Defendants' counsel seeking concurrence in this motion. On March 15, 2017, Attorney Briana Yuh of the U.S. Department of Justice stated that Defendants do not concur.

PLAINTIFFS' MOTION FOR EXPEDITED DISCOVERY

Plaintiffs, by and through undersigned counsel, hereby move for expedited discovery. In support of their Motion, Plaintiffs rely upon the accompanying Brief in Support of Their Motion to Expedite Discovery and the Declaration of Jason Raofield in Support of Plaintiffs' Motion for Expedited Discovery (Attachment C, hereinafter "Raofield Decl.") and exhibits thereto, which are incorporated herein by reference. A proposed order is attached.

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**PLAINTIFFS' BRIEF IN SUPPORT OF MOTION
FOR EXPEDITED DISCOVERY**

Plaintiffs request entry of an order requiring Defendants to respond on an expedited basis to the very narrowly tailored discovery requests submitted with this motion. Good cause exists to grant expedited discovery because the discovery sought bears directly on Plaintiffs' claim that the executive action at issue was motivated by religious animus and based on a pretextual justification. The requested discovery is thus directly relevant to demonstrating likelihood of success on the merits of a motion for preliminary injunction to be filed by Plaintiffs.

I. FACTUAL BACKGROUND

A. The Overt Religious Animus Leading to the Executive Order

In a press release issued on December 7, 2015—a copy of which is still posted on his campaign website—Candidate Trump declared that as President he

would immediately implement “a total and complete shutdown of Muslims entering the United States.” In that statement, he insisted that this Muslim Ban was necessary to prevent “horrendous attacks” on U.S. soil because “there is great hatred towards Americans by large segments of the Muslim population.” *See* Raofield Decl., ¶ 3, Ex. A.

This statement was not an anomaly: it was consistent with statements and proposals Candidate Trump had made and would continue to make throughout the presidential campaign. In fact, in a series of interviews in the weeks prior to his press release, Candidate Trump had indicated that he would require Muslims in the United States to register with the government, and he insisted that the country had “absolutely no choice” but to shut down mosques. *See* Raofield Decl., ¶¶ 4, 5, Exs. B, C.

In March 2016, Candidate Trump explained his rationale during an interview with CNN: “I think Islam hates us. There is something—there is something there that is a tremendous hatred.” *See* Raofield Decl., ¶ 6, Ex. D. During a debate the following day, when asked whether his comments were meant to refer to all 1.6 billion Muslims worldwide, he responded, “I mean a lot of them!” Later in the debate he characterized the threat as involving “large portions of a group of people, Islam, large portions want to use very, very harsh means.” *See* Raofield Decl., ¶ 7, Ex. E. In an interview later that month, he asserted: “Frankly, look, we’re having

problems with the Muslims, and we're having problems with Muslims coming into the country." *See* Raofield Decl., ¶ 8, Ex. F. That same day, he attacked Hillary Clinton in a tweet, saying she wanted to "let the Muslims flow in. No way!" *See* Raofield Decl., ¶ 9, Ex. G.

On June 13, 2016, one day after the Pulse nightclub shooting in Orlando, Candidate Trump delivered a major address on "Terrorism, Immigration, and National Security," in which he defiantly declared: "I called for a ban after San Bernardino, and was met with great scorn and anger but now, many are saying I was right. . . . We cannot continue to allow thousands upon thousands of people to pour into our country, many of whom have the same thought process as this savage killer." He also accused "Muslim communities" of refusing to "turn in the people who they know are bad—and they do know where they are." *See* Raofield Decl., ¶ 10, Ex. H.

In a similar address on August 15, 2016, Candidate Trump cataloged a long list of terror attacks he said were linked by the "common thread" that they all "involved immigrants or the children of immigrants." In this speech, invoking offensive Muslim stereotypes, he decried "the oppression of women and gays in many Muslim nations" and the targeting of "Christians driven from their homes," and he called for the establishment of an "ideological screening test" to ferret out those who do not share his values. He went on to proclaim that American "values

should be taught by parents and teachers, and impressed upon all who join our society. Assimilation is not an act of hostility, but an expression of compassion.”

See Raofield Decl., ¶ 11, Ex. I.

Following his election victory, the open hostility toward Islam continued unabated. President-elect Trump selected General Michael Flynn to serve as his national security adviser despite the fact that General Flynn had described “Islamism” in a speech a few months earlier as “a vicious cancer inside the body of 1.7 billion people on this planet and it has to be excised.” *See* Raofield Decl., ¶ 12, Ex. J. He also selected as his senior advisor Stephen Bannon, who had said in a radio interview that “most people in the Middle East, at least 50%, believe in being sharia-compliant” and that the United States is “the wrong place” for them. *See* Raofield Decl., ¶ 13, Ex. K.

In December 2016, when the President-elect was asked whether he had changed his “plans to create a Muslim registry or ban Muslim immigration,” he responded: “Hey, you’ve known my plans all along and it’s, they’ve proven to be right. 100 percent correct.” *See* Raofield Decl., ¶ 14, Ex. L. In yet another unmistakable message to Muslims, he asked Rev. Franklin Graham to speak at his inauguration despite (or perhaps because of) the fact that Graham has spent the past fifteen years characterizing Islam as “a religion of war,” and insisting Islam

“has not been hijacked by radicals. This is the faith, this is the religion.” *See* Raofield Decl., ¶ 15, Ex. M.

B. The First Unconstitutional Executive Order

After just one week in office, President Trump signed Executive Order 13769, 82 Fed. Reg. 8977 (Jan. 27, 2017) (the “E.O.”), banning entry by individuals from seven predominantly Muslim countries (Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen), banning admission of refugees from Syria indefinitely, and prohibiting all other refugee admissions for 120 days. During fiscal year 2016, admissions from Syria accounted for nearly a third of all Muslim refugee admissions; and 99% of Syrian refugees were Muslim while less than 1% were Christian. *See* Raofield Decl., ¶ 16, Ex. N. Plaintiffs allege that President Trump targeted Syria because he could bar entry by large numbers of Muslims with little impact on Christian refugee admissions. Indeed, on the same day that he signed the E.O., President Trump said in an interview that Christian refugees claiming religious persecution would be given priority over Muslims. *See* Raofield Decl., ¶ 17, Ex. O.

Around the country, states, nonprofit organizations, and individuals initiated emergency legal proceedings alleging that the intent and effect of the E.O. was to discriminate against Muslims and disparage Islam. Those allegations found a wealth of support in the public record, as discussed above.

The fallout was swift and devastating. As chaos overtook the airports, President Trump insisted that the threat posed by Muslim immigration was so pervasive that it would compromise national security to allow even a few days to prepare for orderly implementation. Indeed, when Judge Robart entered a TRO blocking key portions of the E.O., President Trump tweeted: “Just cannot believe a judge would put our country in such peril. If something happens blame him and court system. People pouring in. Bad!” *See* Raofield Decl., ¶ 18, Ex. P.

C. The Attempt to Disguise the Overt Religious Animus

President Trump’s position was (and is) that his exercise of executive power was not motivated by religious animus. Notwithstanding the litany of public statements to the contrary, President Trump implies that he had a change of heart and decided not to pursue a Muslim Ban after all. Instead, he purportedly chose to focus on individuals presenting the greatest risk to our country by barring entry of individuals from seven specific countries.

There is enormous reason to be skeptical. First, the seven countries targeted by the January 27 E.O. are all overwhelmingly Muslim. Second, as the Ninth Circuit noted in *Washington v. Trump*, despite “repeated invitations” to do so, the government “pointed to no evidence that any alien from any of the countries

named in the Order has perpetrated a terrorist attack in the United States.”¹ Third, as discussed in detail in Section II(A), the evidence suggests that Candidate Trump merely worked with others to construct a sham justification—using nationality as a proxy for faith—to disguise the religious animus motivating his action.

D. The Second Unconstitutional Executive Order

On March 6, 2017, President Trump signed Executive Order 13780, 82 Fed. Reg. 13209 (Mar. 6, 2017) (the “Revised E.O.”), which had an effective date of March 16, 2017 and replaced Executive Order 13769 (the “Original E.O.”). Although the Revised E.O. includes some changes, it retains the core features of the Original E.O., including a ban on entry for a period of 90-days by individuals from six of the same seven predominantly Muslim countries, a mechanism to extend that ban indefinitely, suspension of refugee admissions for 120 days, and a drastic reduction in the cap on total refugee admissions. For the reasons discussed below, the evidence clearly suggests that the Revised E.O. is motivated by the same religious animus as the Original E.O.

First, during a town hall on February 21, 2017, White House senior advisor Stephen Miller, a chief architect, announced that the Revised E.O. was driven by the very same policy. “And so these are mostly minor, technical differences. Fundamentally, you are still going to have the same, basic policy outcome for the

¹ *Washington v. Trump*, 847 F.3d 1151, 1168 (9th Cir. 2017) (per curiam).

country.” Indeed, when asked directly whether changes were being made in a good faith attempt to alleviate constitutional concerns, Mr. Miller was defiant: “The rulings from those courts were flawed, erroneous and false. The president’s actions were clearly legal and constitutional.” *See* Raofield Decl., ¶ 19, Ex. Q. Similarly, following the Ninth Circuit’s decision in *Washington v. Trump*, Mr. Trump said “we can tailor the order to that decision and get just about everything, in some ways, more.” *See* Raofield Decl., ¶ 20, Ex. R. And in a press briefing the day the Revised E.O. was issued, Press Secretary Sean Spicer said “the principles of the executive order remain the same.” *See* Raofield Decl., ¶ 21, Ex. S.

Second, in an after-the-fact attempt to justify his action, President Trump instructed the Departments of Homeland Security and Justice to “demonstrate that the security threat for these seven countries is substantial and that these seven countries have all been exporters of terrorism into the United States.” Intelligence officials reportedly viewed this post-hoc review as “a conclusion in search of evidence.” *See* Raofield Decl., ¶ 22, Ex. T.

Third, two recent intelligence reports actually *refuted* the President’s justification for targeting entry by individuals from specific countries:

- The draft of one report was titled “Citizenship Likely an Unreliable Indicator of Terrorist Threat to the United States,” and it found that less than half of the 82 individuals involved in terrorist activities since 2011 were foreign-born, and of those: “The top seven origin countries of the foreign-born individuals are: Pakistan (5), Somalia

(3), and Bangladesh, Cuba, Ethiopia, Iraq, and Uzbekistan (2).” *See* Raofield Decl., ¶ 23, Ex. U.

- The other report found that “most foreign-born, US-based violent extremists [were] likely radicalized several years after their entry to the United States, limiting the ability of screening and vetting officials to prevent their entry,” and that many entered as minors and “nearly all parents who entered the country with minor-age children likely did not espouse a violent extremist ideology at the time they entered or at any time since, suggesting these foreign-born individuals were likely not radicalized by their parents.” *See* Raofield Decl., ¶ 24, Ex. V.

If President Trump had been motivated by national security concerns as opposed to religious animus, he would have understood from these intelligence reports that his approach would *not* improve security. Nevertheless, he persisted. The Revised E.O. now targets six of the seven largely Muslim countries that were originally targeted (Iraq was removed), only one of which was among the “top seven” countries identified in the intelligence report discussed above.

Faced with a lack of real evidence to support his pretextual justification, President Trump resorted to declaring, in Section 1(b)(iv) of the Revised E.O., that the Original E.O. “did not provide a basis for discriminating for or against members of any particular religion” and “was not motivated by animus toward any religion.” That transparent proclamation does nothing to refute the evidence that his actions were driven by deep-seated and long-standing animus toward Muslims.

II. THE NARROW DISCOVERY REQUESTED

This case comes down to a clear factual dispute. Plaintiffs allege that President Trump's executive action is motivated by overt religious animus hidden behind a flimsy pretext that has been refuted by multiple intelligence reports. President Trump insists that, although he originally proposed "a total and complete shutdown of Muslims entering the United States," he had a change of heart and acted entirely without religious animus when he barred entry by individuals from specific predominantly Muslim countries. Thus, the parties have offered two competing versions of events, only one of which can be true. And the Defendants are in possession of the evidence necessary to resolve this dispute.

At this stage of the litigation, Plaintiffs seek narrowly-tailored expedited discovery of three specific categories of evidence. The requests include a total of 5 document requests (Attachment A) and 10 interrogatories (Attachment B). Although this case will ultimately require much broader discovery, Plaintiffs have limited their discovery requests to topics that are (i) at the heart of the dispute between the parties and directly relevant to likelihood of success on the merits for a motion for preliminary injunction, and (ii) avoid issues of executive privilege.²

² As the case proceeds, this expedited discovery will also inform the parties and the Court as to whether Plaintiffs have a need for discovery *not available from other sources* that may be sufficient to overcome any potential assertion of executive privilege. *See, e.g., Nixon v. Sirica*, 487 F.2d 700, 717 (D.C. Cir. 1973).

A. The Pivotal Role of the Giuliani Commission Prior to the Election

Plaintiffs seek evidence from *prior to the election* that is directly relevant to the question whether Candidate Trump’s position genuinely evolved from a Muslim Ban to a focus on the risk presented by individuals from specific countries. Plaintiffs allege that, in fact, Candidate Trump merely worked with others during that period to develop a pretext in order to *disguise* his religious animus and *justify* action targeting Muslims once he became President.

In May of 2016, following widespread condemnation of his proposed Muslim Ban, Candidate Trump turned to former New York City Mayor Rudolph Giuliani. In numerous public appearances since that time, Mr. Giuliani has indicated that he responded by putting together a “commission” to advise Candidate Trump.

In early July 2016, Mr. Giuliani described a memorandum his commission had prepared for Candidate Trump, and he suggested that this memorandum had caused the candidate’s proposal to shift from a “general ban” to “very specific, targeted criteria” focusing on specific countries. *See* Raofield Decl., ¶ 25, Ex. W. Later that month, Candidate Trump was asked whether this reflected a rollback of his blanket ban on Muslims, and he said: “I actually don’t think it’s a rollback. In fact, you could say it’s an expansion.” *See* Raofield Decl., ¶ 26, Ex. X. But when asked about this again in a debate one month before the election, he claimed that:

“The Muslim ban is something that in some form has morphed into extreme vetting from certain areas of the world.” *See* Raofield Decl., ¶ 27, Ex. Y.

On November 15, 2016, in a nationally televised interview one week after the election, Mr. Giuliani again attributed the purported evolution of the Muslim Ban to the work of the Giuliani commission:

Actually, within a day or two of his saying that, he called me and asked me to put a little group together that included Congressman McCaul, General Flynn — I can’t remember who else, a few other people. We wrote a paper for him. And he amended it to the ban would be restricted to particular countries, and it would not be a ban.

It would involve extreme vetting.... All the rest from countries [other than Syria] that contain dangerous populations of radical Islamic extremists, he will subject them to extreme vetting, but not a ban. *See* Raofield Decl., ¶ 28, Ex. Z.

This was the genesis of the purported policy shift, and a key member of the Giuliani commission was General Flynn who, during the campaign, described “Islamism” as a “vicious cancer inside the body of 1.7 billion people on this planet.” *See* Raofield Decl., ¶ 12, Ex. J.

On January 27, 2017, during the signing ceremony for E.O. 13769, President Trump said the intent was to keep “radical Islamic terrorists” out of the country. *See* Raofield Decl., ¶ 29, Ex. AA. In defending it in the days that followed, the administration’s allies again pointed to the pivotal role of the Giuliani commission. Tellingly, when Mr. Giuliani was asked why it targeted seven overwhelmingly

Muslim countries, he explained: “So when he first announced it, he said ‘Muslim ban.’ He called me up. He said ‘Put a commission together. Show me the right way to do it legally.’” *See* Raofield Decl., ¶ 30, Ex. BB. That is consistent with Plaintiffs’ allegation that President Trump was motivated by religious animus and merely looking for a way to overcome legal challenges.

Congressman McCaul, Chairman of the House Committee on Homeland Security, was identified by Mr. Giuliani as a key member of the commission. Rep. McCaul spoke publicly about the role of the Giuliani commission, although he described the President’s action as diverging from the recommendations in the memorandum the commission prepared in “May or June” of 2016. *See* Raofield Decl., ¶ 31, Ex. CC. According to the spokeswoman for Rep. McCaul’s committee: “The white paper did talk about the idea of a Muslim ban, but in the context of what a bad idea that was.” *See* Raofield Decl., ¶ 32, Ex. DD.

The work of the Giuliani commission is central to whether President Trump’s action was based on religious animus, as Plaintiffs allege, or “evidence” of risk. Plaintiffs’ requests have been narrowly crafted to find those answers:

- Document Request No. 1 seeks production of a single document (the memorandum produced by the Giuliani commission prior to the election) that has been the subject of extensive public discussion by those involved in its drafting.
- Document Request Nos. 2-4 seek other documents prior to the election involving specific individuals, including members of

the Giuliani commission, a related “Roundtable on Defeating Radical Islamic Terrorism,” and the Trump Campaign.

- Interrogatory Nos. 1-4 seek basic information regarding the individuals involved in the relevant policy discussions prior to the election, and basic information regarding those discussions.

B. The Important Role of Congressional Staffers Prior to the Inauguration

Plaintiffs seek evidence that is directly relevant to the question whether, *prior to the inauguration*, Congressional staffers were involved in communications demonstrating that the action was motivated by religious animus, or confirming that nationality was used as a pretext for targeting Muslims.

Following the election, members of the transition team consulted with staff working for the House Judiciary Committee. It has been widely reported that these staffers carried out this work unbeknownst to members of the Committee, and Committee Chairman Rep. Bob Goodlatte has verified that the staffers’ involvement ended before the inauguration. *See* Raofield Decl., ¶¶ 33-35, Exs. EE, FF, GG. Plaintiffs seek discovery of communications involving those Congressional staffers prior to the inauguration:

- Document Request No. 5 seeks documents and communications involving Congressional staffers who contributed to the relevant policy discussions.
- Interrogatory No. 5 seeks basic information regarding the Congressional staffers involved in those policy discussions.

C. Five Discrete Interrogatories Regarding Statements in the Executive Orders

Finally, Interrogatory Nos. 6-10 seek limited information regarding specific statements in the executive orders, to establish the factual basis for the directives.

III. THE ORDER REQUESTED

To facilitate orderly and expedited discovery, Plaintiffs request an order requiring Defendants: (1) to produce within 2 business days a copy of the single document called for by Document Request No. 1 (the memorandum prepared by the Giuliani commission); (2) to respond within 5 business days to Interrogatory Nos. 1-10; and (3) to produce within 10 business days documents responsive to Document Request Nos. 2-5.

IV. GOOD CAUSE EXISTS TO GRANT EXPEDITED DISCOVERY

The Court may, for good cause, authorize discovery prior to the Rule 26(f) meeting of the parties. *See* Fed. R. Civ. P. 26(d) 1993 Advisory Committee Notes (“Discovery can begin earlier [than the limitation established by Rule 26(d)(1)] . . . by local rule, order, or stipulation. This will be appropriate in some cases, such as those involving requests for a preliminary injunction.”). Litigants are entitled to expedited discovery “upon a showing of good cause,” *North Atlantic Operating Co. v. Huang*, 194 F. Supp. 3d 634, 637 (E.D. Mich. 2016), which exists “where the need for expedited discovery, in consideration of the administration of justice, outweighs the prejudice to the responding party.” *Fabreeka Int’l Holdings, Inc. v.*

Haley, No. 15-cv-12958, 2015 WL 5139606, at *5 (E.D. Mich. Sept. 1, 2015) (internal citations and quotation marks omitted).

Good cause for expedited discovery exists at this stage in the litigation in cases where a preliminary injunction is sought. “The courts within the Sixth Circuit have endorsed the view, expressed in the Committee Notes, that expedited discovery is generally appropriate in cases requesting preliminary injunctive relief.” *Radio Sys. Corp. v. Sunbeam Prod., Inc.*, No. 3:12-CV-648, 2013 WL 416295, at *2 (E.D. Tenn. Jan. 30, 2013); *see SEC v. Wilson*, No. 12-cv-15062, 2012 WL 5874456, at *4 (E.D. Mich. Nov. 20, 2012) (authorizing discovery prior to preliminary injunction hearing, including depositions, subpoenas, interrogatories, document requests, and requests for admissions, and requiring responses to discovery within seven days); *see also Oglala Sioux Tribe v. Van Hunnik*, 298 F.R.D. 453, 456 (D.S.D. 2014) (permitting “expedited discovery in order to prepare a motion for preliminary injunction”); *OMG Fid., Inc. v. Sirius Techs., Inc.*, 239 F.R.D. 300, 305-06 (N.D.N.Y. 2006) (permitting expedited discovery, where “plaintiff contemplate[d] a motion for a preliminary injunction,” to permit plaintiff “to develop evidence for use in support of such a motion”).

A. Expedited Discovery Will Facilitate the Court’s Determination of a Motion for Preliminary Injunction.

The discovery sought by Plaintiffs will inform the Court’s ruling on Plaintiffs’ forthcoming motion for a preliminary injunction, when the Court will

need to consider “(1) whether the movant has a strong likelihood of success on the merits; (2) whether the movant would suffer irreparable injury without the injunction; (3) whether issuance of the injunction would cause substantial harm to others; and (4) whether the public interest would be served by issuance of the injunction.” *Am. Civil Liberties Union of Ky. v. McCreary Cnty.*, 354 F.3d 438, 445 (6th Cir. 2003), *aff’d*, 545 U.S. 844 (2005) (internal quotations omitted).

1. Religious Animus Is a Fundamental Part of Plaintiffs’ Claims.

“When a party seeks a preliminary injunction on the basis of a potential constitutional violation, ‘the likelihood of success on the merits often will be the determinative factor.’” *Obama for Am. v. Husted*, 697 F.3d 423, 436 (6th Cir. 2012) (quoting *Jones v. Caruso*, 569 F.3d 258, 265 (6th Cir. 2009)). Plaintiffs seek expedited discovery to support their motion for a preliminary injunction.

Plaintiffs have asserted claims based on violations of their First and Fifth Amendment rights. These claims are based on the fundamental truth that the “Constitution’s guarantee of equality ‘must at the very least mean that a bare [governmental] desire to harm a politically unpopular group cannot’ justify disparate treatment of that group.” *United States v. Windsor*, 133 S. Ct. 2675, 2693 (2013) (quoting *Dep’t of Agriculture v. Moreno*, 413 U.S. 528, 534-35 (1973)). Government action may not be motivated by a “discriminatory purpose.” *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265-66

(1977); *see also Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 534 (1993) (“The Free Exercise Clause, like the Establishment Clause, extends beyond facial discrimination. . . . Official action that targets religious conduct for distinctive treatment cannot be shielded by mere compliance with the requirement of facial neutrality.”).

Although the executive branch has significant authority in matters concerning immigration, that authority does not extend to committing unconstitutional acts. While “the Executive may exercise its plenary power over immigration and visa issues negatively on the basis of any ‘facially legitimate and bona fide reason,’” *Am. Acad. of Religion v. Chertoff*, 463 F. Supp. 2d 400, 415 (S.D.N.Y. 2006) (quoting *Kleindienst v. Mandel*, 408 U.S. 753, 769-70 (1972)), a facially legitimate and bona fide reason means “any *constitutionally permissible* reason.” *Id.* at 415 n.17 (emphasis in original); *see also Zadvydas v. Davis*, 533 U.S. 678, 695 (2001) (stating that Executive and Legislative Branch decision-making on immigration matters “is subject to important constitutional limitations”). Discriminating against individuals on the basis of their religion is not constitutionally permissible.

This Court will therefore need to determine whether the Revised E.O. “was motivated by intentional discrimination,” which “‘demands a sensitive inquiry into such circumstantial and direct evidence of intent as may be available.’” *Farm*

Labor Org. Comm. v. Ohio State Highway Patrol, 308 F.3d 523, 534 (6th Cir. 2002) (quoting *Vill. of Arlington Heights*, 429 U.S. at 266). In conducting this inquiry, courts must consider the precise types of evidence sought by Plaintiffs here, including the “historical background of the decision . . . , particularly if it reveals a series of official actions taken for invidious purposes”; the “specific sequence of events leading up the challenged decision”; the existence of “[d]epartures from the normal procedural sequence”; the existence of “[s]ubstantive departures . . . , particularly if the factors usually considered important by the decisionmaker strongly favor a decision contrary to the one reached,” and “contemporary statements by members of the decisionmaking body, minutes of its meetings, or reports.” *Vill. of Arlington Heights*, 429 U.S. at 267-68. Courts need not limit this inquiry to “the last in a series of governmental actions,” where “the history of the government’s actions” has bearing on the animus inquiry. *McCreary Cnty. v. Am. Civil Liberties Union of Ky.*, 545 U.S. 844, 866 (2005).

As discussed in Sections I and II, the discovery sought is directly relevant to probability of success on the merits because it is precisely the type of evidence the Court must consider in assessing Plaintiffs’ allegation that the President’s action was motivated by religious animus and used nationality as a pretext for faith. *Cf. CLT Logistics v. River W. Brands*, 777 F. Supp. 2d 1052, 1074 (E.D. Mich. 2011) (Roberts, J.) (denying motion for preliminary injunction without prejudice, and

noting that if plaintiffs needed more evidence to show likelihood of success on the merits, “they should file a motion for expedited discovery”).

2. *Expedited Discovery Is Warranted Because Plaintiffs Are Suffering Irreparable Harm.*

As detailed in Plaintiffs’ Second Amended Complaint, Plaintiffs, their members, and their clients, are suffering irreparable injury due to the violation of their constitutional and statutory rights. The Revised E.O. prevents families from reuniting and denies organizational plaintiffs the ability to engage in activities that are central to their missions. “[I]f . . . a constitutional right is being threatened or impaired, a finding of irreparable injury is mandated.” *McCreary Cnty.*, 354 F.3d at 445 ((citing *Elrod v. Burns*, 427 U.S. 347, 373 (1976))); *see also Detroit Free Press v. Ashcroft*, 303 F.3d 681, 710 (6th Cir. 2002) (“[E]ven a minimal infringement upon First Amendment rights constitutes irreparable injury sufficient to justify injunctive relief.”). These injuries cannot be remedied by an award of monetary damages and are precisely the types of irreparable harm for which preliminary injunctions are appropriate. And Plaintiffs need expedited discovery to support their motion for a preliminary injunction. Time is therefore of the essence.

In addition, enjoining the Revised E.O. would not work substantial harm on others. Indeed, the Sixth Circuit has noted that in the immigration context, where the government can still review individual cases, it does not cause substantial harm

to enjoin the application of an overbroad rule. *Detroit Free Press*, 303 F.3d at 711. And the public's interest is unquestionably served by ensuring that the laws enacted in the United States are free from invidious religious discrimination. *See id.* (finding that the public interest was served by an injunction prohibiting closed immigration proceedings because "we are a country deeply committed to preserving the rights and freedoms guaranteed by our democracy").

B. Plaintiffs' Requests Are Narrowly Tailored and Will Not Unduly Burden Defendants.

Courts have found that expedited discovery is particularly appropriate where the requests are "narrowly tailored to only seek the discovery that is warranted at this early stage of the litigation." *Psychopathic Records Inc. v. Anderson*, No. 08-cv-13407, 2008 WL 4852915, at *2 (E.D. Mich. Nov. 7, 2008) (ordering third-party discovery of the defendant's email correspondence). As explained in Section II above, Plaintiffs' requests are carefully crafted to seek narrow categories of evidence, during specific time periods, and involving specific individuals, regarding topics directly relevant to likelihood of success on the merits.

V. CONCLUSION

For these reasons, this motion for expedited discovery should be granted.

Dated: March 16, 2017

Respectfully submitted,

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CERTIFICATE OF SERVICE

This motion and the accompanying brief, attachments, declaration, and exhibits thereto were filed on March 16, 2017, via the Court's ECF system, which provides notice to all counsel of record.

/s/ Jason C. Raofield
Jason C. Raofield (D.C. Bar #463877)

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**ARAB AMERICAN CIVIL RIGHTS
LEAGUE**, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Case No. 2:17-cv-10310-VAR-SDD

Hon. Victoria A. Roberts

Mag. J. Stephanie D. Davis

[PROPOSED] ORDER

Having considered Plaintiffs' Motion for Expedited Discovery ("Motion"), the briefs in support thereof, the proposed Document Requests submitted as Attachment A to the Motion, and the proposed Interrogatories submitted as Attachment B to the Motion, the Court finds that good cause exists to grant the motion for expedited discovery and orders that:

Plaintiffs' Motion is GRANTED.

Defendants shall produce the document sought in Document Request No. 1 (as set forth in Attachment A to the Motion) within 2 business days of the date of this Order.

Defendants shall respond to Interrogatory Nos. 1 through 10 (as set forth in Attachment B to the Motion) within 5 business days of the date of this Order.

Defendants shall produce the documents sought in Document Request Nos. 2-5 (as set forth in Attachment A to the Motion) within 10 business days of the date of this Order.

IT IS ORDERED.

Victoria A. Roberts
United States District Judge

Dated: _____

INDEX OF ATTACHMENTS

<u>Attachment</u>	<u>Description</u>
A	Plaintiffs' First Set of Document Requests
B	Plaintiffs' First Set of Interrogatories
C	Declaration of Jason C. Raofield in Support of Plaintiffs' Motion for Expedited Discovery (Attachment C1 - Declaration and Exhibits A-N; and Attachment C2 - Exhibits O-GG)

ATTACHMENT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**ARAB AMERICAN CIVIL RIGHTS
LEAGUE**, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Case No. 2:17-cv-10310-VAR-SDD

Hon. Victoria A. Roberts

Mag. J. Stephanie D. Davis

**PLAINTIFFS' FIRST SET OF DOCUMENT REQUESTS TO
DEFENDANTS**

Plaintiffs hereby propound the following First Set of Document Requests to Defendants under Rule 34 of the Federal Rules of Civil Procedure.

DEFINITIONS AND INSTRUCTIONS

A. Definitions

As used herein, the identified terms or abbreviations have the following meanings:

1. **“DOCUMENT REQUEST”** refers to Plaintiffs' First Set of Document Requests to Defendants in this action.
2. **“INTERROGATORY”** refers to Plaintiffs' First Set of Interrogatories to Defendants in this action.

3. **“TRUMP CAMPAIGN”** means Donald J. Trump for President, Inc., Trump Make America Great Again Committee, and all of their affiliates, parents, subsidiaries, predecessors, successors, partnerships, partners, and all related entities, as well as their officers, directors, employees, internal and outside counsel, agents, representatives, consultants, spokespeople, advisers, and any other person(s) acting under their control or on their behalf.

4. **“CANDIDATE TRUMP”** means Mr. Donald J. Trump, prior to January 20, 2017.

5. **“PROPOSED MUSLIM BAN”** means any and all proposals by and on behalf of Donald J. Trump or the Trump Campaign for prohibitions or restrictions on entry into the United States by Muslims, enhanced vetting procedures for Muslims, prohibitions or restrictions on entry into the United States by refugees and/or individuals from certain countries, or enhanced vetting procedures for refugees and/or individuals entering or seeking to enter the United States from certain countries, including but not limited to Donald J. Trump’s proposal in a press release issued on December 7, 2015, for a “total and complete shutdown of Muslims entering the United States.”

6. **“EXECUTIVE ORDER 13769”** refers to Executive Order No. 13769, entitled “Protecting the Nation From Foreign Terrorist Entry Into the

United States,” which was issued on January 27, 2017, and published at 82 Fed. Reg. 8977-82.

7. **“EXECUTIVE ORDER 13780”** refers to Executive Order No. 13780, entitled “Protecting the Nation From Foreign Terrorist Entry Into the United States,” which was issued on March 6, 2017, and published at 82 Fed. Reg. 13209-19.

8. **“IDENTIFY”** means:

a. when used with respect to a natural person, provide his or her full name, last known business address and telephone number, and last known business position or title and affiliation;

b. when used with respect to a document or written communication, provide its date; the name and job title of the preparer(s), sender(s), and recipient(s) of the document or written communication; the name and job title of all persons to whom copies of the document or written communication were furnished; the subject matter of the document or written communication; and the present or last known location and custodian or custodians of the document or written communication; except that with respect to any document produced in response to Plaintiffs’ Document Requests, you need only identify such document in response to these interrogatories by listing its date, the

name of the sender and recipient of the document, or the stamped production number if any;

c. when used with respect to oral communications, provide the nature and substance of the communication, the date when and place where such oral communication occurred, each person who participated in the communication, and each person present when the communication occurred.

9. “**COMMUNICATION**” means any meeting, telephone conversation, facsimile, incoming or outgoing e-mail message, text message, face-to-face conversation, letter, or other written, oral, or electronic transmittal or exchange of information.

10. “**MEETING**” means any discussion or conversation involving two or more people, whether conducted in person, by telephone, or electronically, and whether held formally or informally, and whether or not scheduled in advance, including conferences, conference calls, online meetings, and videoconferences.

11. “**DOCUMENT**” means, without limitation, and whether or not they are publicly available, the originals, marked copies, drafts, regardless of origin, whether sent or received, whether made or used internally, and both sides thereof, of the following items, whether printed, recorded, taped, written by hand, or produced, reproduced, or stored by any mechanical or electronic process: agreements, brochures, communications, contracts, correspondence, diaries,

electronic mail (“e-mail”) messages, letters, memoranda, manuals, handbooks, circulars, policy statements, minutes of meetings or conferences, notes, reports, summaries or records of personal conversations or interviews, summaries or records of telephone conversations, summaries or records of negotiations or investigations, computer printouts, computer tapes, computer programs, and any and all other electronically stored information, tangible things, writings, drawings, graphs, charts, photographs, sound recordings, images, spreadsheets, or other data or data compilations in whatever form they exist. The term “DOCUMENT” also means every copy of a document where such copy is not an identical duplicate of the original. Any copy of a document bearing any comment or notation that is not a part of the original text is to be considered a separate “DOCUMENT.” Any draft or other preliminary form of any document is also to be considered a separate “DOCUMENT.”

12. **“PERSON”** means any natural person, firm, corporation, partnership, proprietorship, cooperative, association, joint venture, organization, governmental body, committee, commission, group, or other entity, and any agent or employee of any of those individual entities.

13. **“RELATE OR REFER”** or **“RELATING OR REFERRING”** shall be construed broadly and shall mean, for example, pertaining to, containing, describing, reflecting, regarding, illustrating, mentioning, evidencing, embodying,

constituting, supporting, discussing, or having any logical or factual connection whatsoever with the subject matter in question.

14. “**YOU**” and “**YOUR**” refer to the Defendants in this action, including all of their departments, agencies, employees and agents, and any other person or entity acting or purporting to act on their behalf, at their direction, or under their supervision.

15. All uses of the conjunctive herein include the disjunctive and vice versa. Words in the singular form include the plural form and vice versa.

B. Instructions

1. Produce all documents in your possession, custody, or control, or otherwise available to your employees, agents, consultants, attorneys, and accountants, whether past or present.

2. Produce in their entirety all documents that respond, in whole or in part, to any portion of the production requests, including any and all attachments and enclosures.

3. Produce all drafts, marked-up versions, preliminary versions, or other non-identical copies of documents requested, and produce all documents with all hand-written notations, marginalia, and interlineations intact.

4. If any information is withheld by you under a claim of privilege, please set forth in your written response for each document or information for which a claim of privilege is made:

- (a) Principals. The name and title of the author(s), sender(s), addressee(s), and recipient(s) of the document.
- (b) Date. The date of the document.
- (c) Publications. The date and title of each person to whom the contents of the document has been disclosed by copy, exhibition, reading, summarization, or otherwise.
- (d) Descriptions. A description of the nature and subject matter of the document.
- (e) Privilege. A statement of the privilege(s) and the basis or bases upon which the privilege(s) is or are asserted.

5. If any document is withheld under a claim that only part of a document is exempt from production by reason of a privilege or privileges, produce the part(s) of the document that it does not claim is or are exempt from production by reason of a privilege or privileges.

6. If you cannot produce a requested document for any reason, identify the document as fully and accurately as possible and state the reason(s) that the document cannot be produced.

7. Affix Bates numbers to all documents produced.

8. These Requests are continuing in nature. Therefore, you are obligated to provide, by way of supplemental responses and documents, whatever information may hereafter be obtained by you, or by anyone on your behalf, that will supplement this request.

DOCUMENT REQUESTS

1. A copy of the “memorandum” (or “white paper”) that Rudolph Giuliani and others provided to Candidate Trump in approximately May to July 2016, which was discussed extensively by Mr. Giuliani during public appearances on or about July 8, 2016, November 13, 2016 and January 28, 2017, by Rep. Michael McCaul in public appearances in late January and early February 2017, and by Susan Phelan, Spokeswoman for the House Committee on Homeland Security, on or about January 30, 2017.¹

2. All documents or communications created prior to November 8, 2016 involving the “commission” or “group” discussed extensively by Rudolph Giuliani, Rep. Michael McCaul and Susan Phelan in the public appearances

¹http://www.nj.com/politics/index.ssf/2016/07/exclusive_giuliani_source_of_trump_shift_on_muslim.html; www.cnn.com/TRANSCRIPTS/1611/13/sotu.01.html); https://www.washingtonpost.com/news/the-fix/wp/2017/01/29/trump-asked-for-a-muslim-ban-giuliani-says-and-ordered-a-commission-to-do-it-legally/?utm_term=.75466c390ef0; <http://www.mcclatchydc.com/news/politics-government/white-house/article129703344.html>; <https://www.texastribune.org/2017/02/07/michael-mccaul-calls-trumps-travel-ban-rollout-problematic/>.

referenced in Document Request No. 1. This request includes but is not limited to drafts of the document requested in Document Request No. 1, and any responses to that document (or drafts of the document) by Candidate Trump or others working on the Trump Campaign. This request also includes documents or communications referring or relating to the Proposed Muslim Ban, or to enhanced vetting of, or temporarily prohibiting entry into the United States by, refugees and/or individuals from a list of countries to be identified.

3. All documents or communications created prior to November 8, 2016 involving the “Roundtable on Defeating Radical Islamic Terrorism” discussed publicly by Candidate Trump in August 2016,² including documents or communications referring or relating to the Proposed Muslim Ban, or to enhanced vetting of, or temporarily prohibiting entry into the United States by, refugees and/or individuals from a list of countries to be identified.

4. All documents or communications created prior to November 8, 2016 which refer or relate to the Proposed Muslim Ban, or to enhanced vetting of, or temporarily prohibiting entry into the United States by, refugees and/or individuals from a list of countries to be identified, and which were created by, sent by, sent to, or involve any of the following individuals: (i) Candidate Trump, (ii) Mayor Rudolph Giuliani, (iii) Lt. General Michael Flynn, (iv) the Honorable

² <http://www.breitbart.com/2016-presidential-race/2016/08/17/trump-holds-national-security-law-enforcement-roundtable-at-trump-tower/>.

Michael Mukasey, (v) Rep. Michael McCaul, (vi) Senator Jeff Sessions, (vii) Rep. Peter King, (viii) Kansas Secretary of State Kris Kobach, (ix) Steve Bannon, (x) Stephen Miller, (xi) Gene Hamilton; or (xii) Michael Pence.

5. All documents or communications created prior to January 20, 2017 that constitute, refer to, or relate to communications with, or analysis by, Congressional employees or staff members regarding the Proposed Muslim Ban, or to enhanced vetting of, or temporarily prohibiting entry into the United States by, refugees and/or individuals from a list of countries to be identified. This request includes but is not limited to documents relating to any potential executive order, as well as all nondisclosure agreements signed prior to January 20, 2017 by Congressional employees or staff members at issue in this request.

Dated: March 16, 2017

Respectfully submitted,

/s/ Jason C. Raofield

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ATTACHMENT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**ARAB AMERICAN CIVIL RIGHTS
LEAGUE**, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Case No. 2:17-cv-10310-VAR-SDD

Hon. Victoria A. Roberts

Mag. J. Stephanie D. Davis

PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANTS

Plaintiffs hereby propound the following First Set of Interrogatories to Defendants, to be answered separately and under oath under Rule 33 of the Federal Rules of Civil Procedure.

DEFINITIONS AND INSTRUCTIONS

A. Definitions

As used herein, the identified terms or abbreviations have the following meanings:

1. **“DOCUMENT REQUEST”** refers to Plaintiffs’ First Set of Document Requests to Defendants in this action.

2. **“INTERROGATORY”** refers to Plaintiffs’ First Set of Interrogatories to Defendants in this action.

3. **“TRUMP CAMPAIGN”** means Donald J. Trump for President, Inc., Trump Make America Great Again Committee, and all of their affiliates, parents, subsidiaries, predecessors, successors, partnerships, partners, and all related entities, as well as their officers, directors, employees, internal and outside counsel, agents, representatives, consultants, spokespeople, advisers, and any other person(s) acting under their control or on their behalf.

4. **“CANDIDATE TRUMP”** means Mr. Donald J. Trump, prior to January 20, 2017.

5. **“PROPOSED MUSLIM BAN”** means any and all proposals by and on behalf of Donald J. Trump or the Trump Campaign for prohibitions or restrictions on entry into the United States by Muslims, enhanced vetting procedures for Muslims, prohibitions or restrictions on entry into the United States by refugees and/or individuals from certain countries, or enhanced vetting procedures for refugees and/or individuals entering or seeking to enter the United States from certain countries, including but not limited to Donald J. Trump’s proposal in a press release issued on December 7, 2015, for a “total and complete shutdown of Muslims entering the United States.”

6. **“EXECUTIVE ORDER 13769”** refers to Executive Order No. 13769, entitled “Protecting the Nation From Foreign Terrorist Entry Into the

United States,” which was issued on January 27, 2017, and published at 82 Fed. Reg. 8977-82.

7. **“EXECUTIVE ORDER 13780”** refers to Executive Order No. 13780, entitled “Protecting the Nation From Foreign Terrorist Entry Into the United States,” which was issued on March 6, 2017, and published at 82 Fed. Reg. 13209-19.

8. **“IDENTIFY”** means:

a. when used with respect to a natural person, provide his or her full name, last known business address and telephone number, and last known business position or title and affiliation;

b. when used with respect to a document or written communication, provide its date; the name and job title of the preparer(s), sender(s), and recipient(s) of the document or written communication; the name and job title of all persons to whom copies of the document or written communication were furnished; the subject matter of the document or written communication; and the present or last known location and custodian or custodians of the document or written communication; except that with respect to any document produced in response to Plaintiffs’ Document Requests, you need only identify such document in response to these interrogatories by listing its date, the

name of the sender and recipient of the document, or the stamped production number if any;

c. when used with respect to oral communications, provide the nature and substance of the communication, the date when and place where such oral communication occurred, each person who participated in the communication, and each person present when the communication occurred.

9. “**COMMUNICATION**” means any meeting, telephone conversation, facsimile, incoming or outgoing e-mail message, text message, face-to-face conversation, letter, or other written, oral, or electronic transmittal or exchange of information.

10. “**MEETING**” means any discussion or conversation involving two or more people, whether conducted in person, by telephone, or electronically, and whether held formally or informally, and whether or not scheduled in advance, including conferences, conference calls, online meetings, and videoconferences.

11. “**DOCUMENT**” means, without limitation, and whether or not they are publicly available, the originals, marked copies, drafts, regardless of origin, whether sent or received, whether made or used internally, and both sides thereof, of the following items, whether printed, recorded, taped, written by hand, or produced, reproduced, or stored by any mechanical or electronic process: agreements, brochures, communications, contracts, correspondence, diaries,

electronic mail (“e-mail”) messages, letters, memoranda, manuals, handbooks, circulars, policy statements, minutes of meetings or conferences, notes, reports, summaries or records of personal conversations or interviews, summaries or records of telephone conversations, summaries or records of negotiations or investigations, computer printouts, computer tapes, computer programs, and any and all other electronically stored information, tangible things, writings, drawings, graphs, charts, photographs, sound recordings, images, spreadsheets, or other data or data compilations in whatever form they exist. The term “DOCUMENT” also means every copy of a document where such copy is not an identical duplicate of the original. Any copy of a document bearing any comment or notation that is not a part of the original text is to be considered a separate “DOCUMENT.” Any draft or other preliminary form of any document is also to be considered a separate “DOCUMENT.”

12. **“PERSON”** means any natural person, firm, corporation, partnership, proprietorship, cooperative, association, joint venture, organization, governmental body, committee, commission, group, or other entity, and any agent or employee of any of those individual entities.

13. **“RELATE OR REFER”** or **“RELATING OR REFERRING”** shall be construed broadly and shall mean, for example, pertaining to, containing, describing, reflecting, regarding, illustrating, mentioning, evidencing, embodying,

constituting, supporting, discussing, or having any logical or factual connection whatsoever with the subject matter in question.

14. “**YOU**” and “**YOUR**” refer to the Defendants in this action, including all of their departments, agencies, employees and agents, and any other person or entity acting or purporting to act on their behalf, at their direction, or under their supervision.

15. All uses of the conjunctive herein include the disjunctive and vice versa. Words in the singular form include the plural form and vice versa.

B. Instructions

1. Answer each Interrogatory set forth below separately and completely in writing under oath. Your response hereto is to be signed and verified by the person making it, and the objections signed by the attorney making them, as required by Federal Rule of Civil Procedure 33(b).

2. In responding to these Interrogatories, furnish all information that is available to you, including information that is available to you or your counsel, or in the possession, custody or control of you or any agent of yours.

3. Each Interrogatory shall be answered fully unless it is objected to in good faith, in which event the reasons for your objection shall be stated in detail.

4. If an objection pertains to only a portion of an Interrogatory, or a word, phrase, or clause contained within it, you are required to state your objection

to that portion only and to respond to the remainder of the Interrogatory, using your best efforts to do so.

5. If any Interrogatory cannot be responded to in full after exercising due diligence to secure the information, respond to the extent possible, specifying your inability to respond to the remainder and stating whatever information you have concerning the unanswered portions.

6. If any information is withheld by you under a claim of privilege, please set forth in your written response for each document or information for which a claim of privilege is made:

(a) Principals. The name and title of the author(s), sender(s), addressee(s), and recipient(s) of the information.

(b) Date. The date the document or information was created or transmitted.

(c) Publications. The date and title of each person to whom the contents of the information has been disclosed by copy, exhibition, reading, summarization, or otherwise.

(d) Descriptions. A description of the nature and subject matter of the information.

(e) Privilege. A statement of the privilege(s) and the basis or bases upon which the privilege(s) is or are asserted.

7. These Interrogatories are continuing in nature. Therefore, you are obligated to provide, by way of supplemental responses and documents, whatever information may hereafter be obtained by you, or by anyone on your behalf, that will supplement this request.

INTERROGATORIES

1. With respect to the document identified in Document Request No. 1, identify (a) the individual or individuals who prepared the first draft and the date of the first draft, (b) every person who was involved in developing the document or discussions relating to development of the document, (c) all dates on which any version of the document was delivered to Candidate Trump or anyone associated with the Trump Campaign, (d) the manner of transmittal or delivery (e.g., email, facsimile, Federal Express) by which any version of the document was delivered to Candidate Trump or anyone associated with the Trump Campaign, (e) the name of every person who has ever been provided a copy of the document or who has otherwise reviewed the document, and (f) every person who currently has possession, custody or control of a copy of the document.

2. With respect to the “commission” (or “group”) referred to in Document Request No. 2, identify (a) every person who was a member of the commission or its staff, (b) the dates and locations of any meetings of the

commission or its staff, and (c) the names of all individuals in attendance at each meeting of the commission or its staff.

3. With respect to the “Roundtable on Defeating Radical Islamic Terrorism” referred to in Document Request No. 3, identify (a) every person who participated in the Roundtable, (b) the dates and locations of any meetings of the Roundtable, and (c) the names of all individuals in attendance at each meeting of the Roundtable.

4. With respect to each individual identified in response to Interrogatory Nos. 1 through 3, state whether such individual has a security clearance, the date on which such individual was issued that security clearance, whether such individual is an attorney, and whether such individual was formally retained to provide legal advice to Donald J. Trump or the Trump Campaign and, if so, identify the date of any engagement letter relating to such representation.

5. Identify each Congressional employee or staff member involved before January 20, 2017 in communications referring or relating to Candidate Trump’s Proposed Muslim Ban, or to enhanced vetting of, or temporarily prohibiting entry into the United States by, refugees and/or individuals from a list of countries to be identified. For each such individual, state whether the individual entered into a nondisclosure agreement relating to their involvement in

this issue, and identify the date on which the individual entered into the nondisclosure agreement.

6. Identify all foreign-born individuals from Iran, Libya, Somalia, Sudan, Syria or Yemen, who are among the “hundreds of persons” referred to in Section 1(h) of Executive Order 13780 (i.e., “Since 2001, hundreds of persons born abroad have been convicted of terrorism-related crimes in the United States.”). For each such individual, identify the date of conviction, the court in which the conviction occurred, the docket number of the relevant case, the crime(s) with which the individual was convicted, the date the individual was admitted to the United States, the nation(s) of origin and citizenship of the individual, and the process by which the individual entered the United States (i.e., as a visitor, immigrant, or refugee).

7. Identify all “foreign nationals” involved in the post-September 11, 2001 “attacks” referred to at the end of the first paragraph of Section 1 of Executive Order 13769 (i.e., “these measures did not stop attacks by foreign nationals who were admitted to the United States”). For each such individual, identify the date and location of the “attack,” the date the individual was admitted to the United States, the nation(s) of origin and citizenship of the individual, and the process by which the individual entered the United States (i.e., as a visitor, immigrant, or refugee).

8. Identify every individual (a) whose nation of origin is Iran, Libya, Somalia, Sudan, Syria or Yemen, and (b) who was involved in carrying out a terrorist attack in the United States involving at least one fatality since September 11, 2001. For each such individual, identify the date the individual was admitted to the United States, and the process by which the individual entered the United States (i.e., as a visitor, immigrant, or refugee).

9. Section 3(c) of Executive Order 13780 provides: “Waivers. Notwithstanding the suspension of entry pursuant to section 2 of this order, a consular officer, or, as appropriate, the Commissioner, U.S. Customs and Border Protection (CBP), or the Commissioner’s delegate, may, in the consular officer’s or the CBP official’s discretion, decide on a case-by-case basis to authorize the issuance of a visa to, or to permit the entry of, a foreign national for whom entry is otherwise suspended if the foreign national has demonstrated to the officer’s satisfaction that denying entry during the suspension period would cause undue hardship, and that his or her entry would not pose a threat to national security and would be in the national interest.” Section 6(c) of that order provides: “Notwithstanding the temporary suspension [on refugee admissions], the Secretary of State and the Secretary of Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion . . .” As of the date of the response to this Interrogatory, separately:

- a. identify, by country, type of visa, outcome (grant or denial), and date of decision, the number of waivers that have been granted or denied pursuant to Section 3(c) with respect to “the issuance of a visa”;
- b. identify, by country, type of visa, outcome (grant or denial), and date of entry, the number of waivers that have been granted or denied pursuant to Section 3(c) with respect to “the entry of, a foreign national for whom entry is otherwise suspended”; and
- c. identify, by country and outcome, the number of refugees admitted or approved for admission, or denied, on a case-by-case basis under Section 6(c).

10. With respect to the period beginning on March 16, 2017 and continuing through the date of the response to this Interrogatory, (a) identify, by country, the number and types of visas granted outside the waiver process provided for in Executive Order 13780, to any individual who is a citizen of Iran, Libya, Somalia, Sudan, Syria or Yemen, and (b) identify, by country and religion, the number of individuals admitted to the United States as refugees.

Dated: March 16, 2017

Respectfully submitted,

/s/ Jason C. Raofield

Jason C. Raofield (D.C. Bar
#463877)

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ATTACHMENT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ARAB AMERICAN CIVIL RIGHTS
LEAGUE, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Case No. 2:17-cv-10310-VAR-SDD

Hon. Victoria A. Roberts

Mag. J. Stephanie D. Davis

**DECLARATION OF JASON RAOFIELD IN SUPPORT OF PLAINTIFFS’
MOTION FOR EXPEDITED DISCOVERY**

Pursuant to 28 U.S.C. § 1746(2), I, Jason Raofield, hereby declare as follows:

1. I am a Partner at the firm of Covington & Burling and serve as counsel to American Civil Liberties Union of Michigan, Arab American Studies Association, Adeeb Saleh, Sofana Bella, Hilal Alkateeb and S.A.
2. I respectfully submit this declaration in support of Plaintiffs’ Motion for Expedited Discovery.
3. Attached hereto as **Exhibit A** is a true and correct copy of a printout of a press release from Donald J. Trump for President, Inc., dated December 7, 2015 and titled “Donald J. Trump Statement on Preventing Muslim Immigration,”

printed from <https://www.donaldjtrump.com/press-releases/donald-j.-trump-statement-on-preventing-muslim-immigration>.

4. Attached hereto as **Exhibit B** is a true and correct copy of a printout of a Politico article, dated November 18, 2015 and titled “Trump: ‘Absolutely No Choice’ but to Close Mosques,” printed from <http://www.politico.com/story/2015/11/trump-close-mosques-216008>.

5. Attached hereto as **Exhibit C** is a true and correct copy of a printout of an NBC News article, dated November 20, 2015 and titled “Donald Trump’s Plan for a Muslim Database Draws Comparison to Nazi Germany,” printed from <http://www.nbcnews.com/politics/2016-election/trump-says-he-would-certainly-implement-muslim-database-n466716>.

6. Attached hereto as **Exhibit D** is a true and correct copy of the relevant portions of a transcript of an Anderson Cooper 360° interview of Donald Trump, dated March 9, 2016 and titled “Exclusive Interview with Donald Trump,” printed from <http://transcripts.cnn.com/TRANSCRIPTS/1603/09/acd.01.html>.

7. Attached hereto as **Exhibit E** is a true and correct copy of a printout of an CNS News article, dated March 11, 2016 and titled “Trump Doubles Down on ‘Islam Hates Us’; ‘I Don’t Want to Be So Politically Correct’,” printed

from <http://www.cnsnews.com/news/article/susan-jones/trump-doubles-down-islam-hates-us-i-dont-want-be-so-politically-correct>.

8. Attached hereto as **Exhibit F** is a true and correct copy of a printout of a Washington Times article, dated March 22, 2016 and titled “Trump on Brussels Attacks: ‘We’re Having Problems with Muslims’,” printed from <http://www.washingtontimes.com/news/2016/mar/22/donald-trump-brussels-we-have-be-very-very-careful/>.

9. Attached hereto as **Exhibit G** is a true and correct copy of a printout of a Tweet from @realDonaldTrump, dated March 22, 2016 and sent at 7:59 PM, printed from <https://twitter.com/realdonaldtrump/status/712473816614772736?lang=en>.

10. Attached hereto as **Exhibit H** is a true and correct copy of a printout of a press release from Donald J. Trump for President, Inc., dated June 13, 2016 and titled “Donald J. Trump Addresses Terrorism, Immigration, and National Security,” printed from <https://www.donaldjtrump.com/press-releases/donald-j.-trump-addresses-terrorism-immigration-and-national-security>.

11. Attached hereto as **Exhibit I** is a true and correct copy of a printout of a Politico article, dated August 15, 2016 and titled “Full text: Donald Trump’s Speech on Fighting Terrorism,” printed from <http://www.politico.com/story/2016/08/donald-trump-terrorism-speech-227025>.

12. Attached hereto as **Exhibit J** is a true and correct copy of a printout of a CNN article, dated November 22, 2016 and titled “Michael Flynn in August: Islamism a ‘Vicious Cancer’ in Body of All Muslims That ‘Has to Be Excised,’” printed from <http://www.cnn.com/2016/11/22/politics/kfile-michael-flynn-august-speech/>.

13. Attached hereto as **Exhibit K** is a true and correct copy of a printout of a SoundCloud webpage containing an audio interview between Stephen Bannon and Rosemary Jenks on December 8, 2015. The audio is available at: <https://soundcloud.com/breitbart/breitbart-news-daily-rosemary-jenks-december-8-2015>.

14. Attached hereto as **Exhibit L** is a true and correct copy of a printout of a ThinkProgress article, dated December 21, 2016 and titled “Trump Reaffirms Muslim Ban with Islam-bashing Adviser Standing Behind Him,” printed from <https://thinkprogress.org/trump-reaffirms-muslim-ban-berlin-ef54a6ed7b37#.diszkg4tb>.

15. Attached hereto as **Exhibit M** is a true and correct copy of a printout of a Huffington Post article, dated January 18, 2017 and titled “A Pastor Who Said Islam is ‘Evil’ Is Speaking at Trump’s Inauguration,” printed from http://www.huffingtonpost.com/entry/franklin-graham-islamophobia-trump-inauguration_us_587e3ea5e4b0aaa369429373.

16. Attached hereto as **Exhibit N** is a true and correct copy of a printout of a Pew Research Center article, dated October 5, 2016 and titled “U.S. Admits Record Number of Muslim Refugees in 2016,” printed from <http://www.pewresearch.org/fact-tank/2016/10/05/u-s-admits-record-number-of-muslim-refugees-in-2016/>.

17. Attached hereto as **Exhibit O** is a true and correct copy of a printout of a Christian Broadcasting Network article, dated January 27, 2017 and titled “Brody File Exclusive: President Trump Says Persecuted Christians Will Be Given Priority As Refugees,” printed from <http://www1.cbn.com/thebrodyfile/archive/2017/01/27/brody-file-exclusive-president-trump-says-persecuted-christians-will-be-given-priority-as-refugees>.

18. Attached hereto as **Exhibit P** is a true and correct copy of a Tweet from @realDonaldTrump, dated February 5, 2017 and sent at 12:39 PM, printed from <https://twitter.com/realdonaldtrump/status/828342202174668800?lang=en>.

19. Attached hereto as **Exhibit Q** is a true and correct copy of a printout of a Salon article, dated February 22, 2017 and titled “Stephen Miller Admits the New Executive Order On Immigration Ban is Same as the Old,” printed from <http://www.salon.com/2017/02/22/stephen-miller-admits-the-new-executive-order-on-immigration-ban-is-same-as-the-old/>.

20. Attached hereto as **Exhibit R** is a true and correct copy of a printout of the relevant portion of a transcript, dated February 16, 2017 and titled “Trump Live News Conference; President Trump's News Conference; Trump Defensive Over Media; Trump talks Travel Ban Rollout. Aired 2- 2:30p ET,” printed from <http://transcripts.cnn.com/TRANSCRIPTS/1702/16/cnr.05.html>.

21. Attached hereto as **Exhibit S** is a true and correct copy of a printout of the relevant portion of a transcript, dated March 6, 2017 and titled Press Gaggle by Press Secretary Sean Spicer, printed from <https://www.whitehouse.gov/the-press-office/2017/03/06/press-gaggle-press-secretary-sean-spicer>.

22. Attached hereto as **Exhibit T** is a true and correct copy of a printout of a CNN article, dated February 25, 2017 and titled “White House Effort to Justify Travel Ban Causes Growing Concern for Some Intelligence Officials,” printed from <http://www.cnn.com/2017/02/23/politics/white-house-effort-to-justify-travel-ban-causes-growing-concern-for-some-intel-officials/>.

23. Attached hereto as **Exhibit U** is a true and correct copy of a printout of a USA Today article, dated Feb. 24, 2017 and titled “DHS Memo Contradicts Threats Cited by Trump’s Travel Ban,” printed from <http://www.usatoday.com/story/news/2017/02/24/dhs-memo-contradict-travel-ban-trump/98374184/>.

24. Attached hereto as **Exhibit V** is a true and correct copy of a printout of an MSNBC article, dated March 2, 2017 and titled “TRMS Exclusive: DHS

document undermines Trump case for travel ban,” printed from <http://www.msnbc.com/rachel-maddow-show/trms-exclusive-dhs-document-undermines-trump-case-travel-ban>.

25. Attached hereto as **Exhibit W** is a true and correct copy of a printout of a NJ Advance Media for NJ.com article, dated July 9, 2016 and titled “Giuliani Says He’s Source of Trump’s Shift on Muslim Ban,” printed from http://www.nj.com/politics/index.ssf/2016/07/exclusive_giuliani_source_of_trump_shift_on_muslim.html.

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27. Attached hereto as **Exhibit Y** is a true and correct copy of a printout of a Politico article, dated October 9, 2016 and titled “Trump Defends Proposal for Muslim Ban As Call for ‘Extreme Vetting,’” printed from <http://www.politico.com/story/2016/10/2016-presidential-debate-donald-trump-muslim-ban-extreme-vetting-229468>.

28. Attached hereto as **Exhibit Z** is a true and correct copy of a printout of the relevant portion of a transcript of a CNN State of the Union interview, dated

November 13, 2016 and titled “Interview With Former New York Mayor Rudy Giuliani,” printed from <http://www.cnn.com/TRANSCRIPTS/1611/13/sotu.01.html>.

29. Attached hereto as **Exhibit AA** is a true and correct copy of a printout of a New York Times article, dated January 27, 2017 and titled “Trump Bars Refugees and Citizens of 7 Muslim Countries,” printed from https://www.nytimes.com/2017/01/27/us/politics/trump-syrian-refugees.html?_r=1.

30. Attached hereto as **Exhibit BB** is a true and correct copy of a printout of a Washington Post article, dated January 29, 2017 and titled “Trump Asked for a ‘Muslim Ban,’ Giuliani Says – and Ordered a Commission To Do It ‘Legally,’” printed from https://www.washingtonpost.com/news/the-fix/wp/2017/01/29/trump-asked-for-a-muslim-ban-giuliani-says-and-ordered-a-commission-to-do-it-legally/?utm_term=.bffa7599140b.

31. Attached hereto as **Exhibit CC** is a true and correct copy of a printout of a Texas Tribune article, dated February 7, 2017 and titled “At Homeland Security Hearing, McCaul Calls Trump’s Travel Ban Rollout ‘Problematic,’” printed from <https://www.texastribune.org/2017/02/07/michael-mccaul-calls-trumps-travel-ban-rollout-problematic/>.

32. Attached hereto as **Exhibit DD** is a true and correct copy of a printout of a McClatchy Washington Bureau article, dated January 30, 2017 and titled

“GOP Lawmaker Says He Warned Trump Against ‘Muslim Ban,’” printed from <http://www.mcclatchydc.com/news/politics-government/white-house/article129703344.html>.

33. Attached hereto as **Exhibit EE** is a true and correct copy of a printout of a Politico article, dated January 30, 2017 and titled “Hill Staffers Secretly Worked on Trump’s Immigration Order,” printed from <http://www.politico.com/story/2017/01/trump-immigration-congress-order-234392>.

34. Attached hereto as **Exhibit FF** is a true and correct copy of a printout of a CNN article, dated January 31, 2017 and titled “House Republican Defends Staffers Working on Executive Order,” printed from <http://www.cnn.com/2017/01/31/politics/house-staff-worked-on-trump-executive-orders/>.

35. Attached hereto as **Exhibit GG** is a true and correct copy of a printout of a MSN article, dated January 31, 2017 and titled “Capitol Hill Staff Secretly Wrote Trump’s Travel Ban Order,” printed from <https://www.msn.com/en-us/lifestyle/family-relationships/capitol-hill-staff-secretly-wrote-trump%E2%80%99s-travel-ban-order/vp-AAmrcKo>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this day, March 16, 2017

/s/ Jason C. Raofield

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C	Printout of an NBC News article, dated November 20, 2015 and titled “Donald Trump’s Plan for a Muslim Database Draws Comparison to Nazi Germany”
D	Relevant portions of a transcript of an Anderson Cooper 360° interview of Donald Trump, dated March 9, 2016 and titled “Exclusive Interview with Donald Trump”
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**RAOFIELD DECLARATION
EXHIBIT A**



- DECEMBER 07, 2015 -

DONALD J. TRUMP STATEMENT ON PREVENTING MUSLIM IMMIGRATION

(New York, NY) December 7th, 2015, -- Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on. According to Pew Research, among others, there is great hatred towards Americans by large segments of the Muslim population. Most recently, a poll from the [Center for Security Policy](#) released data showing "25% of those polled agreed that violence against Americans here in the United States is justified as a part of the global jihad" and 51% of those polled, "agreed that Muslims in America should have the choice of being governed according to Shariah." Shariah authorizes such atrocities as murder against non-believers who won't convert, beheadings and more unthinkable acts that pose great harm to Americans, especially women.

Mr. Trump stated, "Without looking at the various polling data, it is obvious to anybody the hatred is beyond comprehension. Where this hatred comes from and why we will have to determine. Until we are able to determine and understand this problem and the dangerous threat it poses, our country cannot be the victims of horrendous attacks by people that believe only in Jihad, and have no sense of reason or respect for human life. If I win the election for President, we are going to Make America Great Again." - *Donald J. Trump*

Next Release: [Donald J. Trump Announces State Directors in Massachusetts and Mississippi](#)

Previous Release: [Donald J. Trump Announces Statewide Leadership Team in Oklahoma](#)

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**RAOFIELD DECLARATION
EXHIBIT B**

POLITICO

Trump remarked that things are "happening a lot faster than anybody understands."

Trump: 'Absolutely no choice' but to close mosques

By NICK GASS | 11/18/15 06:45 AM EST

The United States will have "absolutely no choice" but to close down some mosques where "some bad things are happening," Donald Trump said in a recent interview, explaining his rationale for doing so.

"Nobody wants to say this and nobody wants to shut down religious institutions or anything, but you know, you understand it. A lot of people understand it. We're going to have no choice," the Republican presidential said in an interview from Trump Tower on Fox News' "Hannity" on Tuesday night.

Those remarks go further than Trump did on Monday, when he said he would "strongly consider" closing mosques as part of a response to last Friday's terrorist attacks in Paris that killed more than 130 and injured hundreds more.

Asked to explain his shifting position by Sean Hannity, Trump remarked that things are "happening a lot faster than anybody understands."

"There's absolutely no choice. Some really bad things are happening and they're happening fast," he said, taking a dig at President Barack Obama's response to the attacks. "Certainly a lot faster than our president understands because he doesn't understand anything. He doesn't get it. Refuses to even call it by its correct name," which Trump termed "radical Islam."

In terms of the refugee situation, Trump said he had "a feeling that a lot of bad things will happen out of this."



2016

Bobby Jindal drops out of White House race

By ALEX ISENSTADT

"But yet we take everybody. We don't know where they come from, we don't know what their crime record is. It could be wonderful. It could be a disaster," he speculated, again pledging that if he wins the presidency, "they're going out."

"We can't take a chance. You know, if you take thousands of people, and again I hear it's going to be many more than what you're talking about right now. But if you take thousands of people, Sean, all you need is a couple. You know, you don't need 25, you don't need 100," he said. "Look at the damage done in Paris with just a few people."

Trump repeatedly reiterated his desire to "blast the hell out of" ISIL targets and "bomb the hell out of" the terrorist group's oil resources.

"Now they're just starting to do that, but they're two years late," Trump said. "Interestingly after Paris, all of a sudden they start bombing sites that they knew about for a year and a half. But they started bombing them after the tragic events of Paris. So, so many things are wrong. We need leadership in the world now. You know, it's really a worldwide leadership, but boy, do we need leadership in our country."

**RAOFIELD DECLARATION
EXHIBIT C**

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POLITICS > 2016 ELECTION

CONGRESS WHITE HOUSE JUSTICE DEPARTMENT NATIONAL SECURITY FIRST READ

POLITICS NOV 20 2015, 9:27 AM ET

Donald Trump's Plan for a Muslim Database Draws Comparison to Nazi Germany

by VAUGHN HILLYARD

SHARE



NEWTON, Iowa — Donald Trump "would certainly implement" a database system tracking Muslims in the United States, the Republican front-runner told NBC News on Thursday night.

"I would certainly implement that. Absolutely," Trump said in Newton, Iowa, in between campaign town halls.

"There should be a lot of systems, beyond databases," he added. "We should have a lot of systems."

When asked whether Muslims would be legally obligated to sign into the database, Trump responded, "They have to be — they have to be."

On Friday morning, Trump rival Jeb Bush called the comments "just wrong."

"You talk about internment, you talk about closing mosques, you talk about registering people. That's just wrong. I don't care about campaigns," he said on CNBC. "It's not a question of toughness. It's to manipulate people's angst and their fears. That's not strength, that's weakness."

Hillary Clinton also denounced Trump's statement on Twitter.

Ibrahim Hooper, national spokesman for the Council on American-Islamic Relations, sounded incredulous when he was asked about Trump's comments, telling NBC News: "We're kind of at a loss for words."

"What else can you compare this to except to prewar Nazi Germany?" Hooper asked. "There's no other comparison, and [Trump] seems to think that's perfectly OK."

Rabbi Jack Moline, executive director of the nonprofit Interfaith Alliance, drew the same comparison Thursday night.

"My father was in World War II, and he fought to preserve America against what the Nazis were doing," Moline told NBC News.

"This is exactly why there is an America, to not be like that," he said.

Trump was repeatedly asked to explain how his idea was different. Four times, he responded: "You tell me."

He also ignored a question of whether there would be consequences for Muslims who do not register into the hypothetical database.

Asked where they would be registered, the real estate mogul said Muslims would be signed up at "different places."

"It's all about management," he said. "Our country has no management."

Trump tied his reasoning for the database to the need to identify who is in the country legally.

"It would stop people from coming in illegally," Trump said. "We have to stop people from coming into our country illegally."

During a town hall that aired just before making those remarks, Trump reiterated his calls not to allow Syrian refugees into the country, saying bringing them "into this country is suicide. I call it the Trojan horse."

Ben Carson, currently second in recent national polling, suggested Thursday morning in Alabama that trying to distinguish terrorists among Syrian refugees coming into the United States would be like having "a rabid dog running around your neighborhood."

"Doesn't mean that you hate all dogs, by any stretch of the imagination," Carson said. "But you're putting your intellect into motion and you're thinking how do I protect my children."

VAUGHN HILLYARD  

CONTRIBUTORS KATY TUR

TOPICS 2016 ELECTION, DONALD TRUMP

FIRST PUBLISHED NOV 19 2015, 9:17 PM ET

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EXHIBIT D**



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ANDERSON COOPER 360 DEGREES

Exclusive Interview with Donald Trump. Aired 8-9p ET

Aired March 9, 2016 - 20:00 ET

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

(COMMERCIAL BREAK)

ERIN BURNETT, CNN HOST, OUTFRONT: Thanks so much for watching live from Miami. We will be back here tomorrow night. AC 360 starts now.

[20:00:24] ANDERSON COOPER, CNN HOST: And good evening from Miami- Dade College. We are now just an hour away from tonight's Univision Democratic debate seen right here on CNN. Bernie Sanders and Hillary Clinton are going to take the stage shortly. She, of course, coming off a win in Mississippi, which was expected. What wasn't expected was his win in Michigan. There is no overstatement to call it a shocker especially considering he was down by about 20 points in the polls going in. So what happens on the debate stage behind me tonight has taken on a completely new level of importance in a race that's gone to a new level.

First though, the Republicans who are going to be taking part in tomorrow's CNN debate at a nearby University of Miami. I sat down today with Donald Trump the front-runner. And as you might imagine, he made headlines. He said that he expects a softer tone tomorrow night at the debate. However, he is still calling his leading rival lying Ted. We will bring you the interview in depth right after Sara Murray sets the Republican stage.

(BEGIN VIDEOTAPE)

DONALD TRUMP (R), PRESIDENTIAL CANDIDATE: I was watching the news in one of the rooms, and every single advertisement was about me. And it was during my tournament. I'm turning my tournament. I go from tournament to horrible

TRUMP: And besides that. Iraq did not knock down the world trade center. Just in case you had any questions.

COOPER: Do you think Islam is at war with the west?

TRUMP: I think Islam hates us. There is something -- there is something there that is a tremendous hatred there. There's a tremendous hatred. We have to get to the bottom of it. There's an unbelievable hatred of us.

COOPER: In Islam itself?

TRUMP: You're going to have to figure that out. OK. You'll get another Pulitzer, right? But you'll have to figure that out. But there's a tremendous hatred. And we have to be very vigilant. We have to be very careful. And we can't allow people coming into this country who have this hatred of the United States.

COOPER: I guess the question is ...

TRUMP: And of people that are not Muslim.

[20:35:01] COOPER: I guess the question is, is there a war between the west and radical Islam or between the west and Islam itself?

TRUMP: Well, it's radical but it's very hard to define. It's very hard to separate because you don't know who is who.

Look, these two young people that got married, she supposedly radicalized him. Who knows what happened?

COOPER: The San Bernardino killer?

TRUMP: The bottom line is they killed 14 people. They gave them baby showers. I mean, they were friends of theirs and they walked in and they killed them. There's unbelievable hatred.

You look at Paris, 138 people killed. Many, many people are going to die in the hospital. Mortally wounded, horribly wounded, horribly wounded. And they walk into a room and boom, boom, boom. There's a sickness going on that's unbelievable. And honestly, you have to get to the bottom of it.

COOPER: You talked about going after the families of terrorists. You now reversed that essentially ...

TRUMP: I didn't reverse anything.

COOPER: You would still want to go after the families of terrorists?

**RAOFIELD DECLARATION
EXHIBIT E**

Trump Doubles Down on 'Islam Hates Us'; 'I Don't Want to Be So Politically Correct'

By Susan Jones (/author/susan-jones) | March 11, 2016 | 5:18 AM EST



(CNSNews.com) - "I don't want to be so politically correct," Republican Donald Trump said Thursday night as he repeated his claim that "there is tremendous hate" on the part of Muslims toward America.

The controversy erupted Wednesday night, when Trump told CNN's Anderson Cooper (<http://cnsnews.com/news/article/susan-jones/trump-i-think-islam-hates-us>), "I think Islam hates us." At the CNN-hosted debate on Thursday, moderator Jake Tapper asked Trump, "Did you mean all 1.6 billion Muslims?"

"I mean a lot of them! I mean a lot of them," Trump responded. "There's something going on that maybe you don't know about, maybe a lot of other people don't know about, but there's tremendous hatred. And I will stick with exactly what I said to Anderson Cooper."

Rubio, invited to weigh in, said, "a lot of people find appeal in the things Donald says, because he says what people wish they could say. The problem is, presidents can't just say anything they want. It has consequences, here and around the world."

Rubio then talked about two Christian missionaries in Muslim-majority Bangladesh who rely on "friendly Muslims" for their safety and security. "And they tell me that today they have a very hostile environment in which to operate in because the news is coming out that in America, leading political figures are saying that America doesn't like Muslims. So this is a real impact."

Rubio agreed that "radical Islam is a danger in the world," but he also reminded the audience that Muslims have fought and died for this country: "Anyone out there that has the uniform of the United States on and is willing to die for this country is someone that loves America -- no matter what their religious background may be."

"Marco talks about consequences," Trump said. "Well, we've had a lot of consequences, including airplanes flying into the World Trade Center, the Pentagon and could have been the White House. There have been a lot of problems."

"Now you can say what you want, and you can be politically correct if you want. I don't want to be so politically correct. I like to solve problems. We have a serious, serious problem of hate."

"There is tremendous hate. There is tremendous hate. Where large portions of a group of people, Islam, large portions want to use very, very harsh means. Let me go a step further. Women are treated horribly. You know that. You do know that. Women are treated horribly, and other things are happening that are very, very bad."

"Now I will say this, there is tremendous hatred. The question was asked, what do you think? I said, there is hatred. Now it would be very easy for me to say something differently. And everybody would say, oh, isn't that wonderful. We better solve the problem before it's too late," Trump warned, without explaining how he'd solve it.

Rubio, responding, said, "I'm not interested in being politically correct. I'm not interested in being politically correct. I'm interested in being correct."

The senator agreed that "Islam has a major problem on its hands" with radicalization, but he also said Americans need to work with Muslims who are not radicals. "We are going to have to work with people of the Muslim faith even as Islam itself faces a serious crisis within it of radicalization."

Returning to the topic several minutes later, Trump said, "In large mosques, all over the Middle East, you have people chanting 'death to the USA.' Now, that does not sound like a friendly act to me."

Susan Jones

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Barbi Benton Was Gorgeous In The 70s, But What She Looks Like Today Is Incredible

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**RAOFIELD DECLARATION
EXHIBIT F**

Trump on Brussels attacks: 'We're having problems with Muslims'



In this photo provided by Georgian Public Broadcaster and photographed by Ketevan Kardava, injured women are seen in Brussels Airport in Brussels, Belgium, after explosions were heard Tuesday, March 22, 2016. A developing situation left a number dead in explosions ... more >

By David Sherfinski - *The Washington Times* - Tuesday, March 22, 2016

Republican presidential front-runner Donald Trump reacted to Tuesday's terrorist attacks in Brussels by invoking the Sept. 11, 2001, terrorist attacks and saying the United States has to be careful about who comes into the country.

"We have to be very careful. We're not babies. We can't do this anymore. We can't have these attacks anymore. We can't have World Trade Centers anymore, and...planes flying into the Pentagon," Mr. Trump said on "Fox and Friends."

"It's time to be smart, it's time to look carefully," he said. "People will come in, but we have to be very, very careful as to who comes into our country or we're going to have problems like you've never seen. We probably already will have, but we're going to have problems like you've never seen before."

SEE ALSO: ISIS celebrates Brussels airport, subway blasts; supporters take to Twitter

The attacks at an airport and metro in Belgium have killed at least 26 people and wounded dozens of others.

"Frankly, look, we're having problems with the Muslims, and we're having problems with Muslims coming into the country and we are seeing it, whether it's California where they killed 14 people," Mr. Trump said in a separate appearance on Fox Business Network.

Mr. Trump was referring to last year's San Bernardino terrorist attacks carried out by a radicalized husband-and-wife team, and he also mentioned last year's attacks in Paris. A suspect in the Paris attacks in November was taken into custody last week in Belgium.

SEE ALSO: Obama condemns terror attacks in Brussels

Mr. Trump had called for a temporary ban on Muslims entering the United States in the wake of the San Bernardino attacks last year.

"You need surveillance. You have to deal with the mosques, whether we like it or not," he said. "I mean, you know, these attacks aren't coming out of — they're not done by Swedish people, that I can tell you."

"Look, we have to be smart. We have to be vigilant. We have to watch very closely what's going on," he said. "We have to look at the mosques. We have to study what's going on."

Mr. Trump's Republican rivals in the presidential race also reacted to the news Tuesday.

In a statement on his Facebook page, Sen. Ted Cruz of Texas said that “our hearts break for the men and women of Brussels this morning.”

“Make no mistake — these terror attacks are no isolated incidents,” Mr. Cruz said. “They are just the latest in a string of coordinated attacks by radical Islamic terrorists perpetrated by those who are waging war against all who do not accept their extreme strain of Islam.”


Ohio Gov. John Kasich, also a 2016 GOP candidate, said in a statement he’s sickened by the pictures of the carnage, by the injuries and by the loss of life in Belgium.


“The wave of terror that has been unleashed in Europe and elsewhere around the world are attacks against our very way of life and against the democratic values upon which our political systems have been built,” Mr. Kasich said.


“We and our allies must rededicate ourselves to these values of freedom and human rights. We must utterly reject the use of deadly acts of terror,” he said.



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**RAOFIELD DECLARATION
EXHIBIT G**





Donald J. Trump 
@realDonaldTrump


Incompetent Hillary, despite the horrible attack in Brussels today, wants borders to be weak and open-and let the Muslims flow in. No way!

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**RAOFIELD DECLARATION
EXHIBIT H**



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- JUNE 13, 2016 -

DONALD J. TRUMP ADDRESSES TERRORISM, IMMIGRATION, AND NATIONAL SECURITY

Thank you for joining me today.

This was going to be a speech on Hillary Clinton and how bad a President, especially in these times of Radical Islamic Terrorism, she would be.

Even her former Secret Service Agent, who has seen her under pressure and in times of stress, has stated that she lacks the temperament and integrity to be president.

There will be plenty of opportunity to discuss these important issues at a later time, and I will deliver that speech soon.

But today there is only one thing to discuss: the growing threat of terrorism inside of our borders.

The attack on the Pulse Nightclub in Orlando, Florida, was the worst terrorist strike on our soil since September 11th, and the worst mass shooting in our country's history.

So many people dead, so many people gravely injured, so much carnage, such a disgrace.

The horror is beyond description.

The families of these wonderful people are totally devastated. Likewise, our whole nation, and indeed the whole world, is devastated.

We express our deepest sympathies to the victims, the wounded, and their families.

We mourn, as one people, for our nation's loss - and pledge our support to any and all who need it.

I would like to ask now that we all observe a moment of silence for the victims of the attack.

[SILENCE]

Our nation stands together in solidarity with the members of Orlando's LGBT Community.

This is a very dark moment in America's history.

A radical Islamic terrorist targeted the nightclub not only because he wanted to kill Americans, but in order to execute gay and lesbian citizens because of their sexual orientation.

It is a strike at the heart and soul of who we are as a nation.

It is an assault on the ability of free people to live their lives, love who they want and express their identity.

It is an attack on the right of every single American to live in peace and safety in their own country.

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We need to respond to this attack on America as one united people – with force, purpose and determination.

But the current politically correct response cripples our ability to talk and think and act clearly.

If we don't get tough, and we don't get smart – and fast – we're not going to have a country anymore -- there will be nothing left.

The killer, whose name I will not use, or ever say, was born to Afghan parents who immigrated to the United States. His father published support for the Afghan Taliban, a regime which murders those who don't share its radical views. The father even said he was running for President of that country.

The bottom line is that the only reason the killer was in America in the first place was because we allowed his family to come here.

That is a fact, and it's a fact we need to talk about.

We have a dysfunctional immigration system which does not permit us to know who we let into our country, and it does not permit us to protect our citizens.

We have an incompetent administration, and if I am not elected President, that will not change over the next four years -- but it must change, and it must change now.

With fifty people dead, and dozens more wounded, we cannot afford to talk around the issue anymore -- we have to address it head on.

I called for a ban after San Bernardino, and was met with great scorn and anger but now, many are saying I was right to do so -- and although the pause is temporary, we must find out what is going on. The ban will be lifted when we as a nation are in a position to properly and perfectly screen those people coming into our country.

The immigration laws of the United States give the President the power to suspend entry into the country of any class of persons that the President deems detrimental to the interests or security of the United States, as he deems appropriate.

I will use this power to protect the American people. When I am elected, I will suspend immigration from areas of the world when there is a proven history of terrorism against the United States, Europe or our allies, until we understand how to end these threats.

After a full, impartial and long overdue security assessment, we will develop a responsible immigration policy that serves the interests and values of America.

We cannot continue to allow thousands upon thousands of people to pour into our country, many of whom have the same thought process as this savage killer.

Many of the principles of Radical Islam are incompatible with Western values and institutions.

Radical Islam is anti-woman, anti-gay and anti-American.

I refuse to allow America to become a place where gay people, Christian people, and Jewish people, are the targets of persecution and intimidation by Radical Islamic preachers of hate and violence.

It's not just a national security issue. It is a quality of life issue.

If we want to protect the quality of life for all Americans – women and children, gay and straight, Jews and Christians and all people – then we need to tell the truth about Radical Islam.

We need to tell the truth, also, about how Radical Islam is coming to our shores.

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We are importing Radical Islamic Terrorism into the West through a failed immigration system -- and through an intelligence community held back by our president.

Even our own FBI Director has admitted that we cannot effectively check the backgrounds of the people we are letting into America.

All of the September 11th hijackers were issued visas.

Large numbers of Somali refugees in Minnesota have tried to join ISIS.

The Boston Bombers came here through political asylum.

The male shooter in San Bernardino -- again, whose name I won't mention -- was the child of immigrants from Pakistan, and he brought his wife -- the other terrorist -- from Saudi Arabia, through another one of our easily exploited visa programs.

Immigration from Afghanistan into the United States has increased nearly five-fold in just one year. According to Pew Research, 99% of people in Afghanistan support oppressive Sharia Law.

We admit many more from other countries in the region who share these same oppressive views.

If we want to remain a free and open society, then we have to control our borders.

Yet, Hillary Clinton -- for months and despite so many attacks -- repeatedly refused to even say the words "radical Islam," until I challenged her yesterday to say the words or leave the race.

However, Hillary Clinton -- who has been forced to say the words today after policies she supports have caused us so much damage -- still has no clue what Radical Islam is, and won't speak honestly about what it is.

She is in total denial, and her continuing reluctance to ever name the enemy broadcasts weakness across the world.

In fact, just a few weeks before the San Bernardino slaughter, Hillary Clinton explained her refusal to say the words Radical Islam. Here is what she said: "Muslims are peaceful and tolerant people, and have nothing whatsoever to do with terrorism."

Hillary Clinton says the solution is to ban guns. They tried that in France, which has among the toughest gun laws in the world, and 130 were brutally murdered by Islamic terrorists in cold blood. Her plan is to disarm law-abiding Americans, abolishing the 2nd amendment, and leaving only the bad guys and terrorists with guns. She wants to take away Americans' guns, then admit the very people who want to slaughter us.

I will be meeting with the NRA, which has given me their earliest endorsement in a Presidential race, to discuss how to ensure Americans have the means to protect themselves in this age of terror.

The bottom line is that Hillary supports the policies that bring the threat of Radical Islam into America, and allow it to grow overseas.

In fact, Hillary Clinton's catastrophic immigration plan will bring vastly more Radical Islamic immigration into this country, threatening not only our security but our way of life.

When it comes to Radical Islamic terrorism, ignorance is not bliss -- it's deadly.

The Obama Administration, with the support of Hillary Clinton and others, has also damaged our security by restraining our intelligence-gathering and failing to support

law enforcement. They have put political correctness above common sense, above your safety, and above all else.

I refuse to be politically correct.

I will do the right thing--I want to straighten things out and to Make America Great Again.

The days of deadly ignorance will end, and they will end soon.

As President I will give our intelligence community, law enforcement and military the tools they need to prevent terrorist attacks.

We need an intelligence-gathering system second to none. That includes better cooperation between state, local and federal officials -- and with our allies.

I will have an Attorney General, a Director of National Intelligence, and a Secretary of Defense who will know how to fight the war on Radical Islamic Terrorism -- and who will have the support they require to get the job done.

We also must ensure the American people are provided the information they need to understand the threat.

The Senate Subcommittee on Immigration has already identified hundreds of immigrants charged with terrorist activities inside the United States since September 11th.

Nearly a year ago, the Senate Subcommittee asked President Obama's Departments of Justice, State and Homeland Security to provide the immigration history of all terrorists inside the United States.

These Departments refused to comply.

President Obama must release the full and complete immigration histories of all individuals implicated in terrorist activity of any kind since 9/11.

The public has a right to know how these people got here.

We have to screen applicants to know whether they are affiliated with, or support, radical groups and beliefs.

We have to control the amount of future immigration into this country to prevent large pockets of radicalization from forming inside America.

Even a single individual can be devastating, just look at what happened in Orlando. Can you imagine large groups?

Truly, our President doesn't know what he is doing. He has failed us, and failed us badly, and under his leadership, this situation will not get any better -- it will only get worse.

Each year, the United States permanently admits more than 100,000 immigrants from the Middle East, and many more from Muslim countries outside the Middle East. Our government has been admitting ever-growing numbers, year after year, without any effective plan for our security.

In fact, Clinton's State Department was in charge of the admissions process for people applying to enter from overseas.

Having learned nothing from these attacks, she now plans to massively increase admissions without a screening plan, including a 500% increase in Syrian refugees.

This could be a better, bigger version of the legendary Trojan Horse.

We can't let this happen.

Altogether, under the Clinton plan, you'd be admitting hundreds of thousands of refugees from the Middle East with no system to vet them, or to prevent the radicalization of their children.

The burden is on Hillary Clinton to tell us why she believes immigration from these dangerous countries should be increased without any effective system to screen who we are bringing in.

The burden is on Hillary Clinton to tell us why we should admit anyone into our country who supports violence of any kind against gay and lesbian Americans.

The burden is also on Hillary Clinton to tell us how she will pay for it. Her plan will cost Americans hundreds of billions of dollars long-term.

Wouldn't this money be better spent on rebuilding America for our current population, including the many poor people already living here?

We have to stop the tremendous flow of Syrian refugees into the United States – we don't know who they are, they have no documentation, and we don't know what they're planning.

What I want is common sense. I want a mainstream immigration policy that promotes American values.

That is the choice I put before the American people: a mainstream immigration policy designed to benefit America, or Hillary Clinton's radical immigration policy designed to benefit politically-correct special interests.

We've got to get smart, and tough, and vigilant, and we've got to do it now, because later is too late.

Ask yourself, who is really the friend of women and the LGBT community, Donald Trump with his actions, or Hillary Clinton with her words? Clinton wants to allow Radical Islamic terrorists to pour into our country—they enslave women, and murder gays.

I don't want them in our country.

The terrorist attack on the Pulse Night Club demands a full and complete investigation into every aspect of the assault.

In San Bernardino, as an example, people knew what was going on, but they used the excuse of racial profiling for not reporting it.

We need to know what the killer discussed with his relatives, parents, friends and associates.

We need to know if he was affiliated with any radical Mosques or radical activists and what, if any, is their immigration status.

We need to know if he travelled anywhere, and who he travelled with.

We need to make sure every single last person involved in this plan – including anyone who knew something but didn't tell us – is brought to justice.

If it can be proven that somebody had information about any attack, and did not give this information to authorities, they must serve prison time .

America must do more – much more – to protect its citizens, especially people who are potential victims of crimes based on their backgrounds or sexual orientations.

It also means we must change our foreign policy.

The decision to overthrow the regime in Libya, then pushing for the overthrow of the regime in Syria, among other things, without plans for the day after, have created space for ISIS to expand and grow.

These actions, along with our disastrous Iran deal, have also reduced our ability to work in partnership with our Muslim allies in the region.

That is why our new goal must be to defeat Islamic terrorism, not nation-building.

For instance, the last major NATO mission was Hillary Clinton's war in Libya. That mission helped unleash ISIS on a new continent.

I've said NATO needs to change its focus to stopping terrorism. Since I've raised that criticism, NATO has since announced a new initiative focused on just that.

America must unite the whole civilized world in the fight against Islamic terrorism, just like we did against communism in the Cold War.

We've tried it President Obama's way. He gave the world his apology tour, we got ISIS, and many other problems, in return.

I'd like to conclude my remarks today by again expressing our solidarity with the people of Orlando who have come under attack.

When I am President, I pledge to protect and defend all Americans who live inside of our borders. Wherever they come from, wherever they were born, all Americans living here and following our laws will be protected.

America will be a tolerant and open society.

America will also be a safe society.

We will protect our borders at home.

We will defeat ISIS overseas.

We will ensure every parent can raise their children in peace and safety.

We will make America rich again.

We will make America safe again.

We will make American Great Again.

Thank you.

The media talks about "homegrown," terrorism, but Islamic radicalism, and the networks that nurture it, are imports from overseas.

Yes, there are many radicalized people already inside our country as a result of the poor policies of the past. But the whole point is that it will be much, much easier to deal with our current problem if we don't keep on bringing in people who add to the problem.

For instance, the controversial Mosque attended by the Boston Bombers had as its founder an immigrant from overseas charged in an assassination plot.

This shooter in Orlando was the child of an immigrant father who supported one of the most repressive regimes on Earth. Why would we admit people who support violent hatred?

Hillary Clinton can never claim to be a friend of the gay community as long as she continues to support immigration policies that bring Islamic extremists to our country who suppress women, gays and anyone who doesn't share their views.

She can't have it both ways. She can't claim to be supportive of these communities while trying to increase the number of people coming in who want to oppress them.

How does this kind of immigration make our life better? How does this kind of immigration make our country better?

Why does Hillary Clinton want to bring people here—in vast numbers—who reject our values?

Immigration is a privilege, and we should not let anyone into this country who doesn't support our communities – all of our communities.

America has already admitted four times more immigrants than any country on earth, and we continue to admit millions more with no real checks or scrutiny.

Not surprisingly, wages for our workers haven't budged in many years.

So whether it's matter of national security, or financial security, we can't afford to keep on going like this. We owe \$19 trillion in debt, and no longer have options.

All our communities, from all backgrounds, are ready for some relief. This is not an act of offense against anyone; it is an act of defense.

I want us all to work together, including in partnership with our Muslim communities. But Muslim communities must cooperate with law enforcement and turn in the people who they know are bad – and they do know where they are.

I want to fix our schools, roads, bridges and job market. I want every American to succeed. Hillary Clinton wants to empty out the Treasury to bring people into the country that include individuals who preach hate against our own citizens.

I want to protect our citizens – all of our citizens.

Next Release: [Donald J. Trump Campaign Schedule for Monday June 13th](#)

Previous Release: [Donald J. Trump Addresses Terrorism, Immigration, and National Security](#)

**RAOFIELD DECLARATION
EXHIBIT I**

POLITICO

Full text: Donald Trump's speech on fighting terrorism

By POLITICO STAFF | 08/15/16 03:15 PM EDT

Donald Trump's remarks on terrorism on August 15, as prepared for delivery.

Thank you. It is great to be with you this afternoon.

Today we begin a conversation about how to Make America Safe Again.

In the 20th Century, the United States defeated Fascism, Nazism, and Communism.

Now, a different threat challenges our world: Radical Islamic Terrorism.

This summer, there has been an ISIS attack launched outside the war zones of the Middle East every 84 hours.

Here, in America, we have seen one brutal attack after another.



2016

Trump's new normal

By ELI STOKOLS and NOLAN D. MCCASKILL

13 were murdered, and 38 wounded, in the assault on Ft. Hood.

The Boston Marathon Bombing wounded and maimed 264 people, and ultimately left five dead – including 2 police officers.

In Chattanooga, Tennessee, five unarmed marines were shot and killed at a military recruiting center.

Last December, 14 innocent Americans were gunned down at an office party in San Bernardino, another 22 were injured.

In June, 49 Americans were executed at the Pulse Nightclub in Orlando, and another 53 were injured. It was the worst mass shooting in our history, and the worst attack on the LGBTQ community in our history.

In Europe, we have seen the same carnage and bloodshed inflicted upon our closest allies.

In January of 2015, a French satirical newspaper, Charlie Hebdo, was attacked for publishing cartoons of the prophet Mohammed. Twelve were killed, including two police officers, and 11 were wounded. Two days later, four were murdered in a Jewish Deli.

In November of 2015, terrorists went on a shooting rampage in Paris that slaughtered 130 people, and wounded another 368. France is suffering gravely, and the tourism industry is being massively affected in a most negative way.

In March of this year, terrorists detonated a bomb in the Brussels airport, killing 32 and injuring 340.

This July, in the South of France, an Islamic terrorist turned his truck into an instrument of mass murder, plowing down and killing 85 men, women and children – and wounding another 308. Among the dead were 2 Americans – a Texas father, and his 11-year-old son.

A few weeks ago, in Germany, a refugee armed with an axe wounded five people in a gruesome train attack.

Only days ago, an ISIS killer invaded a Christian church in Normandy France, forced an 85-year-old priest to his knees, and slit his throat before his congregation.

Overseas, ISIS has carried out one unthinkable atrocity after another. Children slaughtered, girls sold into slavery, men and women burned alive. Crucifixions, beheadings and drownings. Ethnic minorities targeted for mass execution. Holy sites desecrated. Christians driven from their homes and hunted for extermination. ISIS rounding-up what it calls the “nation of the cross” in a campaign of genocide. We cannot let this evil continue.

Nor can we let the hateful ideology of Radical Islam – its oppression of women, gays, children, and nonbelievers – be allowed to reside or spread within our own countries.

We will defeat Radical Islamic Terrorism, just as we have defeated every threat we have faced in every age before.

But we will not defeat it with closed eyes, or silenced voices.

Anyone who cannot name our enemy, is not fit to lead this country. Anyone who cannot condemn the hatred, oppression and violence of Radical Islam lacks the moral clarity to serve as our President.

The rise of ISIS is the direct result of policy decisions made by President Obama and Secretary Clinton

Let’s look back at the Middle East at the very beginning of 2009, before the Obama-Clinton Administration took over.

Libya was stable.

Syria was under control.

Egypt was ruled by a secular President and an ally of the United States.

Iraq was experiencing a reduction in violence.

The group that would become what we now call ISIS was close to being extinguished.

Iran was being choked off by economic sanctions.

Fast-forward to today. What have the decisions of Obama-Clinton produced?

Libya is in ruins, our ambassador and three other brave Americans are dead, and ISIS has gained a new base of operations.

Syria is in the midst of a disastrous civil war. ISIS controls large portions of territory. A refugee crisis now threatens Europe and the United States.

In Egypt, terrorists have gained a foothold in the Sinai desert, near the Suez Canal, one of the most essential waterways in the world.

Iraq is in chaos, and ISIS is on the loose.

ISIS has spread across the Middle East, and into the West. In 2014, ISIS was operating in some 7 nations. Today they are fully operational in 18 countries with aspiring branches in 6 more, for a total of 24 – and many believe it is even more than that. The situation is likely worse than the public knows: a new Congressional report reveals that the Administration has downplayed the growth of ISIS, with 40% of analysts saying they had experienced efforts to manipulate their findings.

At the same time, ISIS is trying to infiltrate refugee flows into Europe and the United States.

Iran, the world's largest state sponsor of terrorism, is now flush with \$150 billion in cash released by the United States – plus another \$400 million in ransom. Worst of all, the Nuclear deal puts Iran, the number one state sponsor of Radical Islamic Terrorism, on a path to nuclear weapons.

In short, the Obama-Clinton foreign policy has unleashed ISIS, destabilized the Middle East, and put the nation of Iran – which chants 'Death to America' – in a dominant position of regional power and, in fact, aspiring to be a dominant world power.

It all began in 2009 with what has become known as President Obama's global 'Apology Tour.'

In a series of speeches, President Obama described America as "arrogant," "dismissive" "derisive" and a "colonial power." He informed other countries that he would be speaking up about America's "past errors." He pledged that we would no longer be a "senior partner," that "sought to dictate our terms." He lectured CIA officers of the need to acknowledge their mistakes, and described Guantanamo Bay as a "rallying cry for our enemies."

Perhaps no speech was more misguided than President Obama's speech to the Muslim World delivered in Cairo, Egypt, in 2009.

In winning the Cold War, President Ronald Reagan repeatedly touted the superiority of freedom over communism, and called the USSR the Evil Empire.

Yet, when President Obama delivered his address in Cairo, no such moral courage could be found. Instead of condemning the oppression of women and gays in many Muslim nations, and the systematic violations of human rights, or the financing of global terrorism, President Obama tried to draw an equivalency between our human rights record and theirs.

His naïve words were followed by even more naïve actions.

The failure to establish a new Status of Forces Agreement in Iraq, and the election-driven timetable for withdrawal, surrendered our gains in that country and led directly to the rise of ISIS.

The failures in Iraq were compounded by Hillary Clinton's disaster in Libya. President Obama has since said he regards Libya as his worst mistake. According to then-Secretary of Defense Robert Gates, the invasion of Libya was nearly a split decision, but Hillary Clinton's forceful advocacy for the intervention was the deciding factor.

With one episode of bad judgment after another, Hillary Clinton's policies launched ISIS onto the world.

Yet, as she threw the Middle East into violent turmoil, things turned out well for her. The Clintons made almost \$60 million in gross income while she was Secretary of State.

Incident after incident proves again and again: Hillary Clinton lacks the judgement, the temperament and the moral character to lead this nation. Importantly, she also lacks the mental and physical stamina to take on ISIS, and all the many adversaries we face – not only in terrorism, but in trade and every other challenge we must confront to turn this country around.

It is time for a new approach

Our current strategy of nation-building and regime change is a proven failure. We have created the vacuums that allow terrorists to grow and thrive.

I was an opponent of the Iraq war from the beginning – a major difference between me and my opponent.

Though I was a private citizen, whose personal opinions on such matters was not sought, I nonetheless publicly expressed my private doubts about the invasion. Three months before

the invasion I said, in an interview with Neil Cavuto, to whom I offer my best wishes for a speedy recovery, that “perhaps [we] shouldn't be doing it yet,” and that “the economy is a much bigger problem.”

In August of 2004, very early in the conflict, I made a detailed statement to Esquire magazine. Here is the quote in full:

“Look at the war in Iraq and the mess that we're in. I would never have handled it that way. Does anybody really believe that Iraq is going to be a wonderful democracy where people are going to run down to the voting box and gently put in their ballot and the winner is happily going to step up to lead the country? C'mon. Two minutes after we leave, there's going to be a revolution, and the meanest, toughest, smartest, most vicious guy will take over. And he'll have weapons of mass destruction, which Saddam didn't have.

“What was the purpose of this whole thing? Hundreds and hundreds of young people killed. And what about the people coming back with no arms and legs? Not to mention the other side. All those Iraqi kids who've been blown to pieces. And it turns out that all of the reasons for the war were blatantly wrong. All this for nothing.”

So I have been clear for a long time that we should not have gone in. But I have been just as clear in saying what a catastrophic mistake Hillary Clinton and President Obama made with the reckless way in which they pulled out.

After we had made those hard-fought sacrifices and gains, we should never have made such a sudden withdrawal – on a timetable advertised to our enemies. Al Qaeda in Iraq had been decimated, and Obama and Clinton gave it new life and allowed it to spread across the world.

By that same token, President Obama and Hillary Clinton should never have attempted to build a Democracy in Libya, to push for immediate regime change in Syria or to support the overthrow of Mubarak in Egypt.

One more point on this: I have long said that we should have kept the oil in Iraq – another area where my judgement has been proven correct. According to CNN, ISIS made as much \$500 million in oil sales in 2014 alone, fueling and funding its reign of terror. If we had controlled the oil, we could have prevented the rise of ISIS in Iraq – both by cutting off a major source of funding, and through the presence of U.S. forces necessary to safeguard the oil and other vital infrastructure. I was saying this constantly and to whoever would listen: keep the oil, keep the oil, keep the oil, I said – don't let someone else get it.

If they had listened to me then, we would have had the economic benefits of the oil, which I wanted to use to help take care of the wounded soldiers and families of those who died – and thousands of lives would have been saved.

This proposal, by its very nature, would have left soldiers in place to guard our assets. In the old days, when we won a war, to the victor belonged the spoils. Instead, all we got from Iraq – and our adventures in the Middle East – was death, destruction and tremendous financial loss.

But it is time to put the mistakes of the past behind us, and chart a new course.

If I become President, the era of nation-building will be ended. Our new approach, which must be shared by both parties in America, by our allies overseas, and by our friends in the Middle East, must be to halt the spread of Radical Islam.

All actions should be oriented around this goal, and any country which shares this goal will be our ally. We cannot always choose our friends, but we can never fail to recognize our enemies.

As President, I will call for an international conference focused on this goal. We will work side-by-side with our friends in the Middle East, including our greatest ally, Israel. We will partner with King Abdullah of Jordan, and President Sisi of Egypt, and all others who recognize this ideology of death that must be extinguished.

We will also work closely with NATO on this new mission. I had previously said that NATO was obsolete because it failed to deal adequately with terrorism; since my comments they have changed their policy and now have a new division focused on terror threats.

I also believe that we could find common ground with Russia in the fight against ISIS. They too have much at stake in the outcome in Syria, and have had their own battles with Islamic terrorism.

My Administration will aggressively pursue joint and coalition military operations to crush and destroy ISIS, international cooperation to cutoff their funding, expanded intelligence sharing, and cyberwarfare to disrupt and disable their propaganda and recruiting. We cannot allow the internet to be used as a recruiting tool, and for other purposes, by our enemy – we must shut down their access to this form of communication, and we must do so immediately.

Unlike Hillary Clinton, who has risked so many lives with her careless handling of sensitive information, my Administration will not telegraph exact military plans to the enemy. I have often said that General MacArthur and General Patton would be in a state of shock if they were alive today to see the way President Obama and Hillary Clinton try to recklessly announce their every move before it happens – like they did in Iraq – so that the enemy can prepare and adapt.

The fight will not be limited to ISIS. We will decimate Al Qaeda, and we will seek to starve funding for Iran-backed Hamas and Hezbollah. We can use existing UN Security Council resolutions to apply new sanctions.

Military, cyber and financial warfare will all be essential in dismantling Islamic terrorism.

But we must use ideological warfare as well

Just as we won the Cold War, in part, by exposing the evils of communism and the virtues of free markets, so too must we take on the ideology of Radical Islam.

While my opponent accepted millions of dollars in Foundation donations from countries where being gay is an offense punishable by prison or death, my Administration will speak out against the oppression of women, gays and people of different faith.

Our Administration will be a friend to all moderate Muslim reformers in the Middle East, and will amplify their voices.

This includes speaking out against the horrible practice of honor killings, where women are murdered by their relatives for dressing, marrying or acting in a way that violates fundamentalist teachings.

Over 1,000 Pakistani girls are estimated to be the victims of honor killings by their relatives each year. Recently, a prominent Pakistani social media star was strangled to death by her brother on the charge of dishonoring the family. In his confession, the brother took pride in the murder and said: “Girls are born to stay home and follow traditions.”

Shockingly, this is a practice that has reached our own shores.

One such case involves an Iraqi immigrant who was sentenced to 34 years in jail for running over his own daughter claiming she had become “too Westernized.”

To defeat Islamic terrorism, we must also speak out forcefully against a hateful ideology that provides the breeding ground for violence and terrorism to grow.

A new immigration policy is needed as well

The common thread linking the major Islamic terrorist attacks that have recently occurred on our soil – 9/11, the Ft. Hood shooting, the Boston Bombing, the San Bernardino attack, the Orlando attack – is that they have involved immigrants or the children of immigrants.

Clearly, new screening procedures are needed

A review by the U.S. Senate Immigration Subcommittee has identified 380 foreign-born individuals charged with terrorism or terrorism-related offenses between 9/11 and 2014, and many more since then.

We also know that ISIS recruits refugees after their entrance into the country – as we have seen with the Somali refugee population in Minnesota.

Beyond terrorism, as we have seen in France, foreign populations have brought their anti-Semitic attitudes with them.

Pew polling shows that in many of the countries from which we draw large numbers of immigrants, extreme views about religion – such as the death penalty for those who leave the faith – are commonplace.

A Trump Administration will establish a clear principle that will govern all decisions pertaining to immigration: we should only admit into this country those who share our values and respect our people.

In the Cold War, we had an ideological screening test. The time is overdue to develop a new screening test for the threats we face today.

In addition to screening out all members or sympathizers of terrorist groups, we must also screen out any who have hostile attitudes towards our country or its principles – or who believe that Sharia law should supplant American law.

Those who do not believe in our Constitution, or who support bigotry and hatred, will not be admitted for immigration into the country.

Only those who we expect to flourish in our country – and to embrace a tolerant American society – should be issued visas.

To put these new procedures in place, we will have to temporarily suspend immigration from some of the most dangerous and volatile regions of the world that have a history of

exporting terrorism.

As soon as I take office, I will ask the State Department and the Department of Homeland Security to identify a list of regions where adequate screening cannot take place. We will stop processing visas from those areas until such time as it is deemed safe to resume based on new circumstances or new procedures.

The size of current immigration flows are simply too large to perform adequate screening.

We admit about 100,000 permanent immigrants from the Middle East every year. Beyond that, we admit hundreds of thousands of temporary workers and visitors from the same regions. If we don't control the numbers, we can't perform adequate screening.

By contrast, my opponent wants to increase the flow of Syrian refugees by 550% percent.

The United States Senate Subcommittee on Immigration estimates that Hillary Clinton's plan would mean roughly 620,000 refugees from all current refugee-sending nations in her first term, assuming no cuts to other refugee programs. This would be additional to all other nonrefugee immigration.

The Subcommittee estimates her plan would impose a lifetime cost of roughly \$400 billion when you include the costs of healthcare, welfare, housing, schooling, and all other entitlement benefits that are excluded from the State Department's placement figures.

In short, Hillary Clinton wants to be America's Angela Merkel, and you know what a disaster this massive immigration has been to Germany and the people of Germany – crime has risen to levels that no one thought would they would ever see. We have enough problems in our country, we don't need another one.

Finally, we will need to restore common sense to our security procedures

Another common feature of the past attacks that have occurred on our soil is that warning signs were ignored.

The 9/11 hijackers had fraud all over their visa applications.

The Russians warned us about the Boston Bombers, here on political asylum, and the attackers were even twice interviewed by the FBI.

The female San Bernardino shooter, here on a fiancé visa from Saudi Arabia, wrote of her support for Jihad online. A neighbor saw suspicious behavior but didn't warn authorities,

because said they didn't want to be accused of racially profiling – now many are dead and gravely wounded.

The shooter in Orlando reportedly celebrated in his classroom after 9/11. . He too was interviewed by the FBI. His father, a native of Afghanistan, supported the oppressive Taliban regime, and expressed anti-American views – and by the way, was just seen sitting behind Hillary Clinton with a big smile on his face all the way through her speech. He obviously liked what she had to say.

The Ft. Hood Shooter delivered a presentation to a room full of mental health experts before the attacks in which he threw out one red flag after another. He even proclaimed that “we love death more than you love life!”

These warnings signs were ignored because political correctness has replaced common sense in our society.

That is why one of my first acts as President will be to establish a Commission on Radical Islam – which will include reformist voices in the Muslim community who will hopefully work with us. We want to build bridges and erase divisions.

The goal of the commission will be to identify and explain to the American public the core convictions and beliefs of Radical Islam, to identify the warning signs of radicalization, and to expose the networks in our society that support radicalization.

This commission will be used to develop new protocols for local police officers, federal investigators, and immigration screeners.

We will also keep open Guantanamo Bay, and place a renewed emphasis on human intelligence. Drone strikes will remain part of our strategy, but we will also seek to capture high-value targets to gain needed information to dismantle their organizations. Foreign combatants will be tried in military commissions.

Finally, we will pursue aggressive criminal or immigration charges against anyone who lends material support to terrorism. Similar to the effort to take down the mafia, this will be the understood mission of every federal investigator and prosecutor in the country.

To accomplish a goal, you must state a mission: the support networks for Radical Islam in this country will be stripped out and removed one by one.

Immigration officers will also have their powers restored: those who are guests in our country that are preaching hate will be asked to return home.

To Make America Safe Again, We Must Work Together Again

Our victory in the Cold War relied on a bipartisan and international consensus. That is what we must have to defeat Radical Islamic terrorism.

But just like we couldn't defeat communism without acknowledging that communism exists – or explaining its evils – we can't defeat Radical Islamic Terrorism unless we do the same.

This also means we have to promote the exceptional virtues of our own way of life – and expecting that newcomers to our society do the same.

Pride in our institutions, our history and our values should be taught by parents and teachers, and impressed upon all who join our society.

Assimilation is not an act of hostility, but an expression of compassion. Our system of government, and our American culture, is the best in the world and will produce the best outcomes for all who adopt it.

This approach will not only make us safer, but bring us closer together as a country.

Renewing this spirit of Americanism will help heal the divisions in our country. It will do so by emphasizing what we have in common – not what pulls us apart.

This is my pledge to the American people: as your President I will be your greatest champion. I will fight to ensure that every American is treated equally, protected equally, and honored equally. We will reject bigotry and oppression in all its forms, and seek a new future built on our common culture and values as one American people.

Only this way, will we make America Great Again and Safe Again – For Everyone.

Thank you.

**RAOFIELD DECLARATION
EXHIBIT J**



Michael Flynn in August: Islamism a 'vicious cancer' in body of all Muslims that 'has to be excised'

By **Andrew Kaczynski, CNN**

🕒 Updated 8:36 PM ET, Tue November 22, 2016

Story highlights

Flynn: "This is Islamism, it is a vicious cancer inside the body of 1.7 billion people on this planet and it has to be excised."

In the same speech, Flynn falsely claimed that Florida Democrats voted to impose Islamic shariah law at the state and local level.

(CNN) — Donald Trump's pick to be national security adviser, retired Lt. Gen. Michael Flynn, called Islamism a "vicious cancer inside the body of 1.7 billion people" that has to be "excised" during an August speech.

Flynn, who has called Islam as a whole a "cancer" in the past, made the comments during a speech to the Ahavath Torah Congregation in Stoughton, Massachusetts. Video of his speech is available on [YouTube](#) and was reviewed by CNN's KFile.

"We are facing another 'ism,' just like we faced Nazism, and fascism, and imperialism and communism," Flynn said. "This is Islamism, it is a vicious cancer inside the body of 1.7 billion people on this planet and it has to be excised."



Flynn's views a departure from US policy 02:44

In the same speech, Flynn falsely claimed that Florida Democrats voted to impose Islamic shariah law at the state and local level. The claim, peddled by far-right blogs in 2014, was rated "pants on fire" by the independent fact-checking organization [PolitiFact](#), which explained that the bill in question was about prohibiting judges from using foreign law in family law cases if the law conflicted with existing U.S. policy. Democrats voted against the bill, saying it was unnecessary and targeted Muslims in the state.

"Look up something called 'the American laws for American courts,'" Flynn said. "I don't know if it's happening up here in Massachusetts, it's happening in other states. I have had people in the media, mainstream media, say, 'oh, that's all a conspiracy, it's a lie.'"

"No, in the state of Florida," he continued. "The state of Florida they have 36 senators at the state level. 36 senators at the state level. 12, of them are Democrats, the Republicans hold the majority in the Florida state senate. All 12 Democrats, all 12 Democrats voted to impose shariah at the local and state level. Now, it was beaten because the Republicans are in charge. I'm telling you, this is 'American laws for America's courts.'"

Flynn didn't respond to a comment request for this story. CNN's KFile [reported](#) last week Flynn shared fake news and interacted with figures of the so-called alt-right on Twitter. On Monday, CNN's KFile [reported](#) Flynn said "who knows" when asked about a conspiracy about the 2013 sarin gas attack in Syria being a "false flag."



In the speech, Flynn fielded a question asking if President Obama was a Muslim.

"Okay let me repeat the question," Flynn said. "Is Obama doing this intentionally or is he incompetent and is he a Muslim? This is where I say we're to blame. We. We. You, me, are to



Related Article: Trump's pick for national security adviser once bashed torture, drone strikes, night raids

hopeful. Maybe we're enlightened. This country, this is going to be a good guy. He says all these things. I'm listening to what he's saying. I'm like, 'wow. This is different. This is different.'

"This is an individual who has an ideology ,and he has apologized for all the ill will of the United States of America over our history, for who we have been. He has. The apology tour. His speech in Cairo was unbelievable. I'm sitting there and I'm listening to it because I was deployed at that time and we were watching what our president's saying because it's going to cause some impact, and boy did it cause some impact. It caused the Muslim world to blow up."

Watch the full speech:

"Field of Fight" with Ret. Lt. Gen. Michael T. Flynn



blame. All you have to do, and most people don't do these things, I do because it's part of who I am, all you got to do is read what he's written and listen to what he says. It's that simple."

"Well before he became president of the United States the first time, he said what he was going to do," Flynn added. "He said it. The second time -- fool me once, shame on me. Fool me twice, shame on you. I mean what happened? The second time he comes in -- honestly, the first time I was kind of

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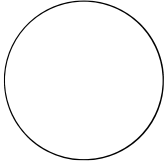
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Aaron Rupar

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Dec 21, 2016 · 3 min read

Trump reaffirms Muslim ban with Islam-bashing adviser standing behind him

“You’ve known my plans all along.”



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During a brief press availability Wednesday afternoon, President-elect Donald Trump reaffirmed his commitment to a shutdown of Muslims entering the United States and was noncommittal about whether he still supports a Muslim registry.

A reporter asked Trump about his Muslim ban in the context of the attack on a Christmas market in Berlin that left 12 dead. The suspected perpetrator is Anis Amri, a Tunisian who German authorities say was known to be in touch with radical Islamist groups.

“Has [the attack] caused you to rethink or reevaluate your plans to create a Muslim registry or ban Muslim immigration in the United States?” the reporter asked.

“Hey, you’ve known my plans all along and it’s, they’ve proven to be right. 100 percent correct. What’s happening is disgraceful,” he replied.

Indeed, the December 2015 statement in which Trump called “for a total and complete shutdown of Muslims entering the United States until our country’s representatives can figure out what is going on” is still on Trump’s website.

Asked to clarify the Muslim ban, Pence puts words in Trump’s mouth

Pence’s description of Trump’s position isn’t the same as Trump’s position.

thinkprogress.org



Trump then had to be reminded by another reporter that his own statement about the Berlin attack characterized it as an example of “ISIS and other Islamist terrorists continually slaughter[ing] Christians in their communities and places of worship as part of their global jihad.”

The reporter asked him, “Your comments about the attack in Berlin being against Christians, do you think that might —”

“Who said that, when did, when was that said?” Trump replied.

“I believe you said it in a press release,” the reporter reminded him.

“It’s an attack on humanity. That’s what it is, it’s an attack on humanity and it’s got to be stopped. Thank you.” Trump replied, ending the availability.

Standing behind Trump was retired Lt. Gen. Michael Flynn, his choice for national security adviser, who earlier this year tweeted on separate occasions that “Fear of Muslims is RATIONAL” and dared “Arab & Persian world ‘leaders’ to step up to the plate and declare their Islamic ideology sick and must B healed.”

Trump has unleashed some of his most Islamophobic rhetoric in the immediate aftermath of attacks like the one in Berlin. He first proposed the Muslim ban last December following the mass shooting in San Bernardino, endorsed the waterboarding of terrorism suspects following the March attacks in Belgium, and reiterated his call for a Muslim ban following

the June mass shooting at an LGBTQ nightclub in Orlando.

In August, Trump introduced the idea of requiring aspiring immigrants to pass an ideological test before being allowed entry to the country.

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POLITICS 01/18/2017 12:56 pm ET | Updated Jan 21, 2017

A Pastor Who Said Islam Is 'Evil' Is Speaking At Trump's Inauguration

Which makes sense, considering Trump once said "Islam hates us."

By Christopher Mathias

An evangelical pastor who thinks Islam is "evil" is set to deliver prayers on Friday at the inauguration ceremony for a president-elect who thinks "Islam hates us."

Rev. Franklin Graham is among [six faith leaders](#) chosen by Donald Trump to offer their prayers, benedictions or other statements during Trump's swearing-in on Jan. 20.

Graham is president of the Christian relief organization Samaritan's Purse and the Billy Graham Evangelistic Association. He is also one of America's more prolific anti-Muslim bigots, and his inclusion in Friday's ceremony has saddened, but not necessarily surprised, American Muslim groups.

"[Trump] ran a campaign riddled with Islamophobia, so it's no surprise that the person he brings in at inauguration is the pastor with the longest track record of anti-Islam bigotry in the U.S." said Imraan Siddiqi, executive director at the Arizona chapter of the Council on American-Islamic Relations, or CAIR.

"Extremist voices like Graham are given legitimacy by highlighting him on a national platform, therefore his inclusion on this docket seems to be an endorsement of his highly offensive views," Siddiqi said.

'A Religion Of War'



MARK WALLHEISER VIA GETTY IMAGES

Rev. Franklin Graham at a Donald Trump rally in Mobile, Alabama, on Dec. 17, 2016.

A month after the 9/11 terror attacks, Graham, speaking at the dedication of a new chapel, told an audience that Islam [“is a very evil and wicked religion.”](#)

Pressed to clarify his comments by NBC, Graham said, “It wasn’t Methodists flying into those buildings, it wasn’t Lutherans. It was an attack on this country by people of the Islamic faith.”

In 2014, when asked by Christian Today if his views on Islam had changed since those 2001 remarks, Graham [said](#) “I have not changed my opinion at all.”

He added that when he looked at terror groups like the Islamic State, the Taliban and Boko Haram, he thought: “This is Islam. It has not been hijacked by radicals. This is the faith, this is the religion. It is what it is. It speaks for itself.”

Islam, he added, hasn’t changed in 1,500 years. “It is the same,” he said. “It is a religion of war.”

During a 2009 CNN interview, Graham [said](#) that “true Islam cannot be practiced in this country,” and went on to suggest that Islam sanctions horrific crimes.

“You can’t beat your wife,” he said. “You cannot murder your children if you think they’ve committed adultery or something like that, which they do practice in these other countries.”

Video: Franklin Graham Repeats Attacks on Islam



In 2014, Graham [wrote](#) a Facebook post decrying the National Cathedral in Washington for allowing the first-ever Muslim prayer service in the church.

“It’s sad to see a church open its doors to the worship of anything other than the One True God of the Bible who sent His Son, the Lord Jesus Christ, to earth to save us from our sins,” Graham wrote.

In a 2015 interview with Fox News’ Bill O’Reilly, a paranoid Graham warned that the White House had been “[infiltrated by Muslims](#),” although he couldn’t name who these Muslims were. In a [Facebook post](#) a couple days later, Graham nevertheless said these Muslims were “anti-Israel and anti-Semitic—and they are influencing the president who as we all know was raised with a strong Muslim influence in his life.”

This Muslim influence, Graham [said](#) in a later interview on the Christian Broadcasting Network, would somehow lead to the “persecution” of Christians.

“We’re going to see persecution, I believe, in this country because our president is very sympathetic to Islam and the reason I say that ... is because his father was a Muslim, gave him a Muslim name, Barack *Hussein* Obama.”

Also in 2015, Graham proposed a ban on Muslims entering the U.S. — months before Trump made the [same](#) shocking proposal.

“We are under attack by Muslims at home and abroad,” Graham [wrote](#) in a Facebook post. “We should stop all immigration of Muslims to the U.S. until this threat with Islam has been settled. Every Muslim that comes into this country has the potential to be radicalized—and they do their killing to honor their religion and Muhammad.”

“During World War II, we didn’t allow Japanese to immigrate to America, nor did we allow Germans,” he continued. “Why are we allowing Muslims now?”

Later that year, when asked on CNN if he thought Islam is compatible with American values, Graham said, “[I don’t think so](#).”

‘The Fact Is, We’re Scared’



STEPHANIE KEITH/REUTERS

In 2010, the U.S. Army [disinvited](#) Graham from a National Prayer Day event at the Pentagon due to his anti-Muslim remarks. Nihad Awad, national executive director at CAIR, said this week that Trump should do the same and dump Graham from the inauguration lineup.

It's not Islam that's incompatible with American values, Awad argued, it's the views of extremists like Graham.

"Rev. Graham's ill-informed and extremist views are incompatible with the Constitution and with American values of religious liberty and inclusion," he said in a statement.

Neither Trump nor Graham responded to a request for comment on this story.

Graham — who spoke at George W. Bush's first inauguration — told Fox News earlier this month that "[God's hand](#)" played a part in Trump's election victory.

God's involvement notwithstanding, Nazir Harb Michel, who studies Islamophobia as a senior research fellow at Georgetown's Bridge Initiative, told The Huffington Post that Graham's involvement "confirms that Trump sees America as at war with Islam itself and with all Muslims," and that "he does not distinguish between ordinary Muslims and terrorists who claim to be Muslims."

Trump, in fact, said "[I think Islam hates us](#)" during a CNN interview in March.

And that worldview could have real consequences. During his campaign, Trump [called](#) for the creation of a Muslim database or registry, the [surveillance of mosques](#) and the [profiling](#) of Muslims.

There is also evidence Trump would support designating the Muslim Brotherhood a terror group, a move experts say is a [ruse to destroy important American Muslim organizations](#) like CAIR.

"The fact is, we are scared," Michel said. "We don't know what to expect but it already has gotten worse."

Lana Safah, spokeswoman at the Muslim American Society, called Graham an “extremist, Islamophobic pastor whose rhetoric encourages hate and divisiveness.”

That he’s participating in the inauguration, she said, is “very much on par with the path the Trump administration has taken so far: selection of individuals who are a threat to the civil liberties and in many cases, the very safety of minorities in general and Muslims in particular.”

Since his election victory, Trump has [selected anti-Muslim extremists](#) for influential positions in the White House. For example he named retired Lt. General Michael Flynn — who has [likened](#) Islam to a “cancer,” once [tweeted](#) that “fear of Muslims is RATIONAL,” and who [believes in the unhinged conspiracy theory](#) that Shariah law is taking over the country — as national security adviser.

“[Trump] wants to create a new mode of governance where islamophobia is an acceptable norm,” said Hatem Bazian, the director of the Islamophobia Research and Documentation Project at University of California Berkeley.

Graham’s involvement this Friday is “just one more piece in constructing an Islamophobic edifice in this administration,” he said.

Rabiah Ahmed, a spokeswoman at the Muslim Public Affairs Council, said Trump selecting Graham proves the president-elect wasn’t serious when he promised to be a “[president for all Americans](#).”

“We would hope that if President-elect Trump was serious about reflecting the values of our nation and healing the divide that we are currently facing, that he would bring in voices that are bridge builders and not dividers,” Ahmed said. “There are many amazing leaders in the Christian community who work to do that - why not give them a greater platform?”

“There are many, many evangelicals in the United States who do not see their own ability to live out their faith as being in conflict with the rights of American Muslims to do so as well,” said Catherine Orsborn, campaign director for [Shoulder to Shoulder](#), an interfaith organization dedicated to ending anti-Muslim sentiment.

“Unfortunately, Rev. Graham does not seem to share a vision of an America with room for the many faiths that comprise it,” she said.

Hazem Bata, secretary general at the Islamic Society of North America, told HuffPost that “there are so many more pastors that I’m sure have a much more inclusive view of other faiths.”

Bata also said Graham could use a “modest history lesson that Islam and Muslims are not people of war.” The largest conflicts in recent history, he said, pointing to wars from World War I through Vietnam, were not Muslim conflicts.

Bata added that it’d be great to have an imam pray at the inauguration — something no president in history has done, [according to a report in Time](#).

“I think Muslims are part of the fabric of American society,” he said. “And an America without Muslims has [never existed](#). The greater public needs to start seeing Muslims as part and parcel.”

Even if the inauguration is “just ceremonial,” he said, it’s “significant in the public psyche.”

The Huffington Post is documenting the rising wave of anti-Muslim bigotry and violence in America. [Take a stand](#)

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OCTOBER 5, 2016

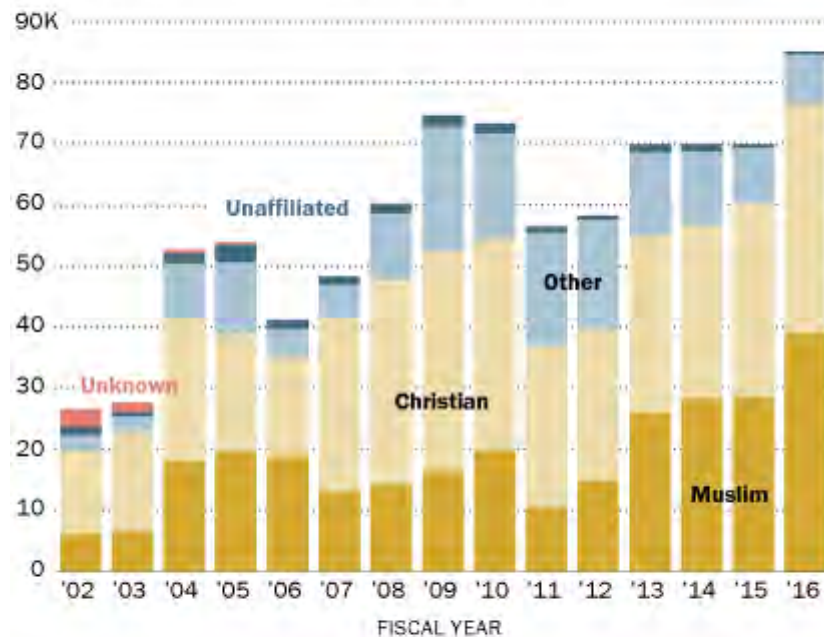
U.S. admits record number of Muslim refugees in 2016

BY PHILLIP CONNOR ([HTTP://WWW.PEWRESEARCH.ORG/STAFF/PHILLIP-CONNOR/](http://www.pewresearch.org/staff/phillip-connor/))

A total of 38,901 Muslim refugees entered the U.S. in fiscal year 2016, making up almost half (46%) of the nearly 85,000 refugees who entered the country in that period, according to a Pew Research Center analysis of data from the State Department's Refugee Processing Center (http://ireports.wrapsnet.org/Interactive-Reporting/EnumType/Report?ItemPath=/rpt_WebArrivalsReports/MX%20-%20Arrivals%20by%20Nationality%20and%20Religion) . That means the U.S. has admitted the highest number of Muslim refugees of any year since data on self-reported religious affiliations first became publicly available in 2002.

U.S. admits its highest number of Muslim refugees on record in fiscal 2016

Number of refugees entering the U.S. by religious affiliation



Note: "Other religions" include Hindus, Buddhists, Jews and other religions. Data do not include special immigrant visas and certain humanitarian parole entrants. Fiscal years are Oct. 1 through Sept. 30 each year.
Source: U.S. State Department's Refugee Processing Center accessed Oct. 3, 2016.

PEW RESEARCH CENTER

(http://www.pewresearch.org/ft_16-10-03_muslimrefugees/) Almost the same number of Christian (37,521) as Muslim refugees were admitted in fiscal 2016, which ended Sept. 30. A slightly lower share of 2016's refugees were Christian (44%) than Muslim, the first time that has happened since fiscal 2006, when a large number of Somali refugees (<http://www.pewresearch.org/fact-tank/2016/06/01/5-facts-about-the-global-somali-diaspora/>) entered the U.S.

People seeking to enter the U.S. as refugees are processed overseas. As part of the process, they are asked a series of questions, including their religious affiliation. When their applications are approved, refugees travel to the U.S. to be resettled by nonprofit groups associated with the Office of Refugee Resettlement (<http://www.acf.hhs.gov/orr/>). Refugees to the U.S. are different from asylum seekers, who claim asylum after already being in the U.S. or crossing into the U.S. via an airport or land border.

Refugees make up a small percentage (about one-in-ten) of the roughly 1 million immigrants granted lawful permanent residency in the U.S. each year. Because the U.S. government does not keep track of the religion of new legal immigrants, it is not possible to say what share of all recent immigrants are Muslim. A 2013 Center report (<http://www.pewforum.org/2013/05/17/the-religious-affiliation-of-us-immigrants/>), however, estimated that as of 2012, roughly six-in-ten new legal immigrants were Christian, compared with one-in-ten who were Muslim.

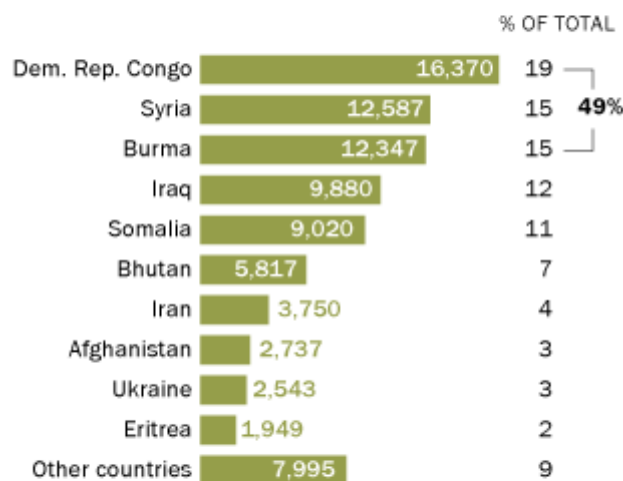
Just two countries – Syria (12,486) and Somalia (9,012) – were the source of more than half of fiscal 2016's Muslim refugees. The rest are from Iraq (7,853), Burma (Myanmar) (3,145), Afghanistan (2,664) and other countries (3,741).

Overall, a far larger total number of Christian refugees than Muslim refugees have entered the U.S. since fiscal 2002. During the past 15 years, the U.S. has admitted 399,677 Christian refugees and 279,339 Muslim refugees, meaning that 46% of all refugees who have entered the U.S. during this time have been Christian while 32% have been Muslim.

In the just-ended fiscal year, about 8,120 refugees (10%) were members of faiths other than Islam or Christianity. More than 3,000 belonged to Buddhist traditions while nearly 2,000 more were Hindu. A much lower number of refugees in 2016 were atheists or claimed no religious affiliation (449 refugees overall, or less than 1% of the year's refugees).

Nearly half of U.S. refugees in 2016 were from D.R. Congo, Syria and Burma (Myanmar)

Number of refugees entering the U.S. in fiscal 2016, by origin country



Note: Data do not include special immigrant visas and certain humanitarian parole entrants.

Source: U.S. State Department's Refugee Processing Center accessed Oct. 3, 2016.

PEW RESEARCH CENTER

(http://www.pewresearch.org/ft_16-10-03_muslimrefugees_countries/) The U.S. received 84,995 refugees in fiscal year 2016, effectively meeting the 85,000 ceiling (<https://www.whitehouse.gov/the-press-office/2015/09/29/presidential-determination-presidential-determination-refugee-admissions>) set by the Obama administration at the beginning of the year. The Democratic Republic of the Congo (16,370), Syria (12,587) and Burma (Myanmar) (12,347) were the top origin countries of refugees in 2016. Together, refugees from these three nations represented nearly half (49%) of all refugees admitted to the U.S. over the past year.

The administration set the goal of resettling 10,000 Syrian refugees (<http://www.npr.org/sections/thetwo-way/2016/08/05/488896247/u-s-is-on-target-to-accept-and-resettle-10-000-syrian-refugees>) in the U.S. in the fiscal year. This goal was exceeded, and refugee status was given to 12,587 Syrians. Nearly all of them (99%) were Muslim and less than 1% were Christian. As a point of comparison, Pew Research Center estimated (http://www.pewforum.org/2015/04/02/religious-projection-table/2050/percent/Middle_East-North_Africa/) Syria's religious composition to be 93% Muslim and 5% Christian in 2010.

Note: This post, originally published Aug. 16, 2016, has been updated to include data for all of fiscal year 2016.



Phillip Connor (<http://www.pewresearch.org/author/pconnor/>) is a research associate focusing on demography and migration studies at Pew Research Center.

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29 Comments



Anonymous • 5 months ago (#comment-672318)

if the U.S. don't stop letting refugees in, something bad is going to happen. and look at Canada they are having problems with them Muslims I guess they want to have there own rules.



Anonymous • 5 months ago (#comment-672285)

The type of immigrants is more important than the quantity. We need and want immigrants who desire to become American Citizens, Speak English, Learn our History, respect and follow our laws, and embrace our flag, customs, etc. This country has failed to maintain the focus on immigration that made our country great. People came here from all walks of life but became dedicated citizens. New Immigrants want us to change our country to resemble the country they have come from, they want their flag, their language, their laws, etc. This is not conducive to making America strong.



Anonymous • 5 months ago (#comment-672322)

Amen!



Anonymous • 5 months ago (#comment-672396)

Well spoken. This is the point that angers generational Americans. The immigrants choose to leave their country and the corruption there for 1 reason or another. They choose to come live the American Dream. Live it and love it. I would never want to leave my United States of America. Our customs are the best. That's why everyone desires to come here



Anonymous • 5 months ago (#comment-672397)

While I agree with the overall point you are making there needs to be some clarification of what I think you are trying to say. If by saying, "embrace our flag," you mean embrace our constitution and our economic model of competitive capitalism then I absolutely agree. However, they are free to practice their religion, say, and do what they want as long as they do not break laws. Bottom line, they simply need to follow the law of our land, which has created the best and most fair playing field in the world (i.e. their Sharia law has no place in our system).

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Brody File Exclusive: President Trump Says Persecuted Christians Will Be Given Priority As Refugees

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Got it!

In an exclusive interview with The Brody File, President Donald Trump says persecuted Christians will be given priority when it comes to applying for refugee status in the United States. “We are going to help them,” President Trump tells CBN News. “They’ve been horribly treated. Do you know if you were a Christian in Syria it was impossible, at least very tough to get into the United States? If you were a Muslim you could come in, but if you were a Christian, it was almost impossible and the reason that was so unfair, everybody was persecuted in all fairness, but they were chopping off the heads of everybody but more so the Christians. And I thought it was very, very unfair.”

The Brody File conducted the interview Friday morning in the Blue Room at The White House. More newsworthy clips are coming soon. The entire interview can be seen this Sunday at 11pm on Freeform (cable TV, formerly ABC Family Channel) during our special CBN News show. This is just the third interview President Trump has done from The White House and it will be the only interview that will air in its’ entirety this weekend.

MANDATORY VIDEO AND COURTESY: CBN NEWS/THE BRODY FILE

DAVID BRODY: *“Persecuted Christians, we’ve talked about this, the refugees overseas. The refugee program, or the refugee changes you’re looking to make.*

As it relates to persecuted Christians, do you see them as kind of a priority here?"

PRESIDENT TRUMP: "Yes."

DAVID BRODY: "You do?"

PRESIDENT TRUMP: "They've been horribly treated. Do you know if you were a Christian in Syria it was impossible, at least very tough to get into the United States? If you were a Muslim you could come in, but if you were a Christian, it was almost impossible and the reason that was so unfair, everybody was persecuted in all fairness, but they were chopping off the heads of everybody but more so the Christians. And I thought it was very, very unfair. So we are going to help them."

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Donald J. Trump ✓

@realDonaldTrump

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Just cannot believe a judge would put our country in such peril. If something happens blame him and court system. People pouring in. Bad!

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50K



30K

140K



James Michael Sama ✓ @JamesMSama · Feb 5



@realDonaldTrump can you give any examples of bad people pouring in? Even a single one? Genuinely curious...

84

37

688



Lorena Caler @lorena_caler · Feb 5



@JamesMSama @realDonaldTrump how about the Boston Marathon pressure cooker bomber? How the Muslims massacring his coworker? Forgot didn't ya

77

10

130



James Michael Sama ✓ @JamesMSama · Feb 5



@lorena_caler @realDonaldTrump what? I'm from Boston.

The claim being made is bad people are pouring into the country NOW. Who? Where?

47

8

292



Lorena Caler @lorena_caler · Feb 5



@JamesMSama @realDonaldTrump sarnev brothers??? Younger ran eldest over. Killed him. Found younger hiding in a boat. See you forgot ready.

44

5

56



James Michael Sama ✓ @JamesMSama · Feb 5



@lorena_caler @realDonaldTrump that happened @ my dad's building, Watertown. Didn't forget. My Q is what's happening NOW?! That's his claim!

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WEDNESDAY, FEB 22, 2017 02:30 PM EST

Stephen Miller admits the new executive order on immigration ban is same as the old

Just like Rudy Giuliani, Miller offered civil rights activists evidence they need to challenge the order

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(Credit: Ron Sachs/mediapunch/ipx)

During a town hall hosted by Fox News Tuesday night, White House adviser Stephen Miller confirmed that President Donald Trump's **new executive order** — which will replace the immigration ban on seven majority-Muslim countries — will effectively have the same policy outcome.

As one of the architects of the first executive order, Miller insisted that “nothing was wrong with the first executive order” — although the 9th U.S. Circuit Court of Appeals refused to reinstate the ban earlier this month. Miller admitted that a new order was necessary to avoid the judicial rulings from the appellate courts.

Although there will be changes in the language of the upcoming executive order, Miller said the policy outcome will remain the same.

“One of the big differences that you are going to see in the executive order is that it is going to be responsive to the judicial ruling which didn't exist previously,” Miller said. “And so these are mostly minor, technical differences. Fundamentally, you are still going to have the same, basic policy outcome for the country.”

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Critics were quick to point out that Miller had involuntarily provided civil rights organizations the material needed to challenge the order once it's signed by the president.

Lawyers that challenged the first executive order cited former New York mayor Rudy Giuliani's **remarks** on Fox News, when he said that Trump sought advice for a legal way to carry out a "Muslim ban." Civil rights activists argued that Giuliani's statement was evidence that the Trump administration wanted to discriminate against people of a certain religion.

Miller still believes the appellate courts' rulings were wrong.

"The rulings from those courts were flawed, erroneous and false," he said. "The president's actions were clearly legal and constitutional and consistent with the longstanding tradition of presidents of the past."

Watch a video of Miller's remarks on Fox News below:

Miller: New order will be responsive to the judicial ruling



Taylor Link is a news writer at Salon. You can find him on Twitter at [@taylorlink_](#)

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CNN NEWSROOM

Trump Live News Conference; President Trump's News Conference; Trump Defensive Over Media; Trump talks Travel Ban Rollout. Aired 2- 2:30p ET

Aired February 16, 2017 - 14:00 ET

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

DONALD TRUMP, PRESIDENT OF THE UNITED STATES: Are you a friendly reporter? Watch how friendly he is.

QUESTION: (INAUDIBLE).

TRUMP: Wait, wait. Watch out how friendly he is. Go ahead.

QUESTION: (INAUDIBLE), Mr. President.

TRUMP: Go ahead.

QUESTION: So, first of all, my name is Jake Turx from Ami Magazine.

[14:00:02] And I (INAUDIBLE) community have been reporting. I haven't seen anybody in my community accuse either yourself or any of the -- any of your staff of being anti-Semitic.

QUESTION: (OFF-MIKE)...

TRUMP: Go ahead.

QUESTION: So first of all, my name is (Inaudible) from (Inaudible) Magazine. I (inaudible). I haven't seen anybody in my

community, including yourself or any of the -- anyone on your staff of being (OFF-MIKE).

Because (OFF-MIKE). However, what we've already heard about and what we (OFF-MIKE) is (OFF-MIKE) so you're general forecast (ph) like 48 (OFF-MIKE). There are people who are everything (ph) happens through their packs (ph) is one of the (OFF-MIKE)...

(CROSSTALK)

TRUMP:...he said he was gonna ask a very simple, easy question. And it's not, its not, not -- not a simple question, not a fair question. OK sit down, I understand the rest of your question.

So here's the story, folks. Number one, I am the least anti- Semitic person that you've ever seen in your entire life. Number two, racism, the least racist person. In fact, we did very well relative to other people running as a Republican -- quiet, quiet, quiet. See, he lied about -- he was gonna get up and ask a very straight, simple question, so you know, welcome to the world of the media. But let me just tell you something, that I hate the charge, I find it repulsive.

I hate even the question because people that know me and you heard the prime minister, you heard Ben Netanyahu (ph) yesterday, did you hear him, Bibi? He said, I've known Donald Trump for a long time and then he said, forget it.

So you should take that instead of having to get up and ask a very insulting question like that.

(CROSSTALK)

TRUMP: Yeah, go ahead. Go ahead.

QUESTION: Thank you, I'm Lisa (ph) from the...

(CROSSTALK)

TRUMP: See, it just shows you about the press, but that's the way the press is.

QUESTION: Thank you, Mr. President. Lisa DeJardown (ph) from the PBS News Hour. On national security and immigration, can you give us more details on the executive order you plan for next week? Even its broad outlines?

TRUMP: Yeah.

QUESTION: Will it be focused on specific...

TRUMP: It's a very fair question.

QUESTION: ...countries? And in addition, on the DACA program for immigration.

TRUMP: Right.

QUESTION: What is your plan, do you plan to continue that program or to end it?

TRUMP: We're gonna show great heart, DACA is a very, very difficult subject for me, I will tell you. To me, it's one of the most difficult subjects I have because you have these incredible kids.

In many cases, not in all cases. And some of the cases, having DACA and they're gang members and they're drug dealers, too. But you have some absolutely, incredible kids, I would say mostly. They were brought here in such a way -- it's a very -- it's a very, very tough subject.

We're gonna deal with DACA with heart. I have to deal with a lot of politicians, don't forget and I have to convince them that what I'm saying is -- is right. And I appreciate your understanding on that. But the DACA situation is a very, very -- it's a very difficult thing for me because you know, I love these kids, I love kids, I have kids and grandkids. And I find it very, very hard doing what the law says exactly to do and you know, the law is rough.

I'm not talking about new laws, I'm talking the existing law, is very rough, it's very, very rough. As far as the new order, the new order is going to be very much tailored to the what I consider to be a very bad decision.

But we can tailor the order to that decision and get just about everything, in some ways, more. But we're tailoring it now to the decision, we have some of the best lawyers in the country working on it.

And the new executive order, is being tailored to the decision we got down from the court. OK?

QUESTION: Mr. President...

(CROSSTALK) QUESTION: ...reopening of the White House Visitors Office?

TRUMP: Yes.

QUESTION: And she does a lot of great work for the country as well (ph). Can you talk a little bit about what's first for (ph) Melania Trump does for the country and (inaudible) so opening White House Visitors Office, what does that mean...

TRUMP: Now, that's what I call a nice question. That is very -- who are you with?

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the WHITE HOUSE PRESIDENT DONALD J. TRUMP



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The White House

Office of the Press Secretary

For Immediate Release

March 06, 2017

Press Gaggle by Press Secretary Sean Spicer

James S. Brady Press Briefing Room

1:47 P.M. EST

MR. SPICER: Good afternoon, everybody. Another quiet weekend. (Laughter.)

Q You sure you don't want to do this on camera? (Laughter.)

MR. SPICER: The President signed a new executive order this morning that continues to protect the nation from terrorists entering into the United States, and

And that's what we wanted to highlight today, is the government getting it done.

And the way that the Department of Justice, the Department of Homeland Security and the Department of State were implementing the measures that the President laid forth -- again, if you think about it, the principles of the executive order remain the same. We looked at what the court said, we put together a thing -- we consulted with the relevant agencies and Departments. We talked to Congress. We had an extensive morning of briefings. The call to the press lasted about an hour, I guess.

And so we made sure that everybody knew what we were doing. We sent them out to make sure that the American people could see what they were doing.

And so I just want to be clear that I think we did a phenomenal job of rolling it out and making sure the American people saw the faces of the Departments that were instrumental in implementing it.

I'm sorry, Jon, go ahead.

Q That's all right. The second one has to do with this idea of "element of surprise." With the first executive order and also with this one, there's a 90-day temporary ban on residents entering this country from six predominantly Muslim countries. What's to stop a so-called "bad dude" from one of these countries from coming into the country on the 91st day, or the 92nd day? Why 90 days? Doesn't that get rid of that element of surprise when you say --

MR. SPICER: No, I think that -- no, but -- thank you, that's actually an interesting question. I think part of it is, is that we feel confident that during that 90-day period, the processes could be put in place.

Now, remember, there's two key things that are important. Number one is these six countries are the ones that we don't have the information currently that we feel comfortable -- and as I lifted off why -- I mean, there are some that literally are state-sponsors of terror. And I think when you recognize -- I don't think there's any American that wants a country that is a state-sponsor of terror to be sending their individuals here without us properly vetting them.

You talk about Yemen, the documents that people use in Yemen are not accepted by a whole host of countries because they lack the integrity to ensure that they are not compromised. And I think that there is a big difference in that, but we can -- at the end of that 90-day period, we can let a country off, we can expand the list of

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EXHIBIT T**



White House effort to justify travel ban causes growing concern for some intelligence officials

By **Jake Tapper** and **Pamela Brown**, CNN

🕒 Updated 5:51 AM ET, Sat February 25, 2017

Washington (CNN) — President Donald Trump has assigned the Department of Homeland Security, working with the Justice Department, to help build the legal case for its temporary travel ban on individuals from seven countries, a senior White House official tells CNN.

Other Trump administration sources tell CNN that this is an assignment that has caused concern among some administration intelligence officials, who see the White House charge as the politicization of intelligence -- the notion of a conclusion in search of evidence to support it after being blocked by the courts. Still others in the intelligence community disagree with the conclusion and are finding their work disparaged by their own department.

"DHS and DOJ are working on an intelligence report that will demonstrate that the security threat for these seven countries is substantial and that these seven countries have all been exporters of terrorism into the United States," the senior White House official told CNN. "The situation has gotten more dangerous in recent years, and more broadly, the refugee program has been a major incubator for terrorism."



Related Article: Full text: 9th Circuit rules against reinstating travel ban

The report was requested in light of the Ninth Circuit Court of Appeals' conclusion that the Trump administration "has pointed to no evidence that any alien from any of the countries named in the order has perpetrated a terrorist attack in the United States." The seven countries are Iraq, Iran, Libya, Somalia, Sudan, Syria and Yemen.

The senior White House official said the desire to bolster the legal and public case that these seven countries pose a threat is a work in progress and as of now, it's not clear if DHS and DOJ will offer separate reports or a joint report.

One of the ways the White House hopes to make its case is by using a more expansive definition of terrorist activity than has been used by other

government agencies in the past. The senior White House official said he expects the report about the threat from individuals the seven countries to include not just those terrorist attacks that have been carried out causing loss of innocent American life, but also those that have resulted in injuries, as well as investigations into and convictions for the crimes of a host of terrorism-related actions, including attempting to join or provide support for a terrorist organization.

The White House did not offer an on-the-record comment for this story despite numerous requests. The Department of Homeland Security, however, issued a statement Friday afternoon saying the seven countries were identified by the Obama administration as being of "great concern for terrorism."

Dissension and concern

The White House expectation of what the report will show has some intelligence officials within the administration taking issue with this intelligence review, sources told CNN.

First, some intelligence officials disagree with the conclusion that immigration from these countries should be temporarily banned in the name of making the US safer. CNN has learned that the Department of Homeland Security's in-house intelligence agency, the I&A offered a report that is at odds with the Trump administration's view that blocking immigration from these seven countries strategically makes sense.

It's not clear if this was the conclusion of the I&A report but many DHS officials have said they do not think nationality is the best indicator of potential terrorist inclinations.

A Department of Homeland Security source who asked for anonymity since he was not authorized to speak on the record said the report from the I&A officials did not meet the standards of the agency since it relied upon open source material and did not utilize necessary data from the intelligence community, specifically the FBI.

Others in DHS disagree with that assessment of the I&A report and a senior official in the Department of Homeland Security told CNN that some DHS officials are concerned that the new I&A director -- Acting Undersecretary for Intelligence David Glawe -- may be politicizing intelligence. One source familiar with the department told CNN that Glawe came into I&A "like a bull in a china shop."

A DHS official says the intention was to put together a comprehensive report with multiple sources and other agencies but the individuals in I&A did not do that to the standard that was required by their leadership, so Glawe said the report wasn't sufficient to go forward."

DHS spokeswoman Gillian M. Christensen said the report was "commentary from open source reporting versus an official, robust document with thorough interagency sourcing. The (Office of Intelligence and Analysis) report does not include data from other intelligence community sources. It is clear on its face that it is an incomplete product that fails to find evidence of terrorism by simply refusing to look at all the available evidence."

"Any suggestion by opponents of the President's policies that senior DHS intelligence officials would politicize this process or a report's final conclusions is absurd and not factually accurate. The dispute with this product was over sources and quality, not politics," Christensen added.

The seven countries were originally designated by DHS in the Obama administration for tighter immigration scrutiny -- removing them from the visa waiver program -- but not for a temporary suspension of immigration, as the Trump administration has attempted.

A second issue for many in the intelligence community is the notion of the Trump White House seeking an intelligence report to fit the policy instead of the other way around, sources tell CNN.



Related Article: Trump's travel ban wouldn't have stopped these deadly terrorists

A senior government official told CNN that the normal procedure would be for the Office of the Director of National Intelligence to be tasked with creating such an intelligence report, working with all relevant agencies and providing dissenting views. Theoretically, this would be done before the policy was formulated.

The senior White House official told CNN that it's possible that the National Counterterrorism Center, via the Office of the Director of National Intelligence, and perhaps the National Security Council might also provide reports on the same subject.

A senior government official told CNN that the National Counterterrorism Center, via the Office of the Director of National Intelligence, has already been tasked with such a report, separately from DHS and DOJ. This has prompted some in government to wonder whether the White House is shopping around among agencies for the report that best bolsters their policy and legal support for it.

Other intelligence officials told CNN that such discussions among agencies about differing interpretations of the existing intelligence are not unusual and do not necessarily reflect an effort to "shop around" for intelligence to support a particular policy.

White House to make its case

The White House is determined to prove that the Ninth Circuit argument is wrong, as are Democrats and those in the media, that terror attacks do not predominantly originate from the seven countries targeted by Trump's order.

Rep. Jerrold Nadler said on CNN late last month that "the various people who have, in fact, committed terrorist acts in this country, from 9/11 on, none of them came from any of the seven countries that are the subject of the President's executive order."

The senior White House official told CNN that the Ninth Circuit's language that no one from those seven countries has "perpetrated a terrorist attack" or Nadler's comment that none had "committed terrorist acts" is false.



"It's using the most narrow definition of the term you can use," the official said -- referring only to



Related Article: Ohio State University attack investigation: FBI asks public for help

those who had successfully killed an innocent civilian. That definition does not include those who wounded Americans, or those who plotted but failed in their attacks, or those who tried to join or provide material support to a terrorist group. Information will soon be presented to the public that makes this stronger case using the broader definition.

A case in point: [Somali-born Abdul Razak Ali Artan](#) attempted to run over and stab 13 innocent people at Ohio State University last November. He and his family left Somalia in 2007 and moved to Pakistan, arriving in the US in 2014. He was a legal permanent resident. His attack would not count using the more narrow definition.

"In most cases, the American people don't hear about these cases," the senior White House official said, "but these cases have required thousands of man-hours by law enforcement in any number of plots to commit terrorism against this country. The threat is very jarring."

The White House official said the Obama administration tried to downplay the threat while the Trump administration believes in a culture of "very robust disclosure."

Asked about the report Thursday on "The Lead," Rep. Dan Donovan, R-New York, emphasized that the intelligence community be nonpartisan.

"They should take data, take information, shouldn't interpret it in a political way and provide the President the information he needs to make decisions to protect our country," he said.

Also commenting on the report was Richard Haass, the president of the Council on Foreign Relations, who acknowledged that he hadn't seen the specifics but "it looks wrong to me."

"We ought to be doing the intel first, then set the policy and in large part based upon the intelligence," Haass said. "If these reports are true, it's yet another example where this administration is having real trouble forging a functional relationship with the intelligence community."

UPDATE: This story has been updated to reflect new information from the Department of Homeland Security.

CNN's Jim Sciutto contributed to this report.

**RAOFIELD DECLARATION
EXHIBIT U**

DHS memo contradicts threats cited by Trump's travel ban

Rick Jervis, USA TODAY Published 7:09 p.m. ET Feb. 24, 2017 | Updated 3:36 p.m. ET Feb. 25, 2017



(Photo: Andres Kudacki, AP)

Refugees seeking asylum in the USA from the seven countries listed under President Trump's controversial travel ban do not pose a significant terrorism threat to the United States, according to an internal Department of Homeland Security memo.

The three-page memo, titled "Citizenship Likely an Unreliable Indicator of Terrorist Threat to the United States" and obtained by the Associated Press, was drafted in response to a White House request and contradicts assertions by the Trump administration that the travel ban was necessary to keep Americans safe.

Trump cited terrorism concerns for implementing the travel ban from seven mostly Muslim countries — Syria, Somalia, Iran, Iraq, Sudan, Libya and Yemen. Earlier this month, a panel of the 9th U.S. Circuit Court of Appeals blocked enforcement of the travel order, upholding an earlier decision by a federal judge in Seattle.

Trump and his advisers attacked the court order and vowed to continue the fight in court.

"This is a judicial usurpation of power," White House policy adviser Stephen Miller told *Fox News Sunday* shortly after the court's decision. "It is a violation of judges' proper roles in litigating disputes. We will fight it."

[Trump blasts FBI for 'leaks' during ongoing Russia investigation](http://www.usatoday.com/story/news/politics/2017/02/24/donald-trump-reince-priebus-fbi/98344644/)
(<http://www.usatoday.com/story/news/politics/2017/02/24/donald-trump-reince-priebus-fbi/98344644/>)

[White House holds restricted news briefing, objections mount](http://www.usatoday.com/story/news/politics/2017/02/24/donald-trump-sean-spicer/98362348/)
(<http://www.usatoday.com/story/news/politics/2017/02/24/donald-trump-sean-spicer/98362348/>)

In the Homeland Security memo, analysts show through statistics and reports that relatively few people from the seven countries listed in the travel ban have carried out or been involved in terrorism-related activities in the USA since Syria's war started in 2011.

It said more than half of the 82 people the government determined were inspired by a foreign terrorist group to carry out or try to carry out an attack in the United States were U.S. citizens born in the USA. The others were from 26 countries, with Pakistan, Somalia, Bangladesh, Cuba, Ethiopia, Iraq and Uzbekistan leading the pack.

The memo also asserted that relatively few people from the seven banned countries are given access to the U.S. None of the seven countries accounted for more than 7% of the U.S. visas granted in their region in Fiscal Year 2015, it said.

Homeland Security spokeswoman Gillian Christensen told the Associated Press the memo was from a single intelligence source and not the final comprehensive review requested by the White House. "The ... report does not include data from other intelligence community sources," she said. "It is incomplete."

The assessment drew from unclassified information from Justice Department press releases on terrorism-related convictions and terrorist attack perpetrators killed in the act, State Department visa statistics, the 2016 Worldwide Threat Assessment of the U.S. Intelligence Community, and the State Department Country Reports on Terrorism 2015.

The travel ban sparked protests by thousands of people across the nation and drew condemnation from leaders in countries like Britain, France, Australia and Canada.

Citizenship Likely an Unreliable Indicator of Terrorist Threat to the United States

Scope Note: This paper was prepared at the request of the DHS Acting Under Secretary for Intelligence and Analysis. It assesses the international terrorist threat to the United States and worldwide by citizens of Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. Citizens of these seven countries were impacted by Section 3 of Executive Order (E.O.) 13769 "Protecting the Nation from Foreign Terrorist Entry into the United States." The assessment relies on unclassified information from Department of Justice press releases on terrorism-related convictions and terrorist attack perpetrators killed in the act, Department of State visa statistics, the 2016 Worldwide Threat Assessment of the US Intelligence Community, and the Department of State Country Reports on Terrorism 2015. This paper does not assess the threat of domestic terrorism.

Key Findings

- DHS I&A assesses that country of citizenship is unlikely to be a reliable indicator of potential terrorist activity. Since the beginning of the Syrian conflict in March 2011, the foreign-born primarily US-based individuals who were inspired by a foreign terrorist organization to participate in terrorism-related activity were citizens of 26 different countries, with no one country representing more than 13.5 percent of the foreign-born total.
- Relatively few citizens of the seven countries impacted by E.O. 13769, compared to neighboring countries, maintain access to the United States.
- Terrorist groups in Iraq, Syria, and Yemen pose a threat of attacks in the United States while groups in Iran, Libya, Somalia, and Sudan remain regionally focused.

Citizens of Countries Affected by E.O. 13769 Rarely Implicated in US-Based Terrorism

DHS I&A assesses that country of citizenship is unlikely to be a reliable indicator of potential terrorist activity. Since the beginning of the Syrian conflict in March 2011, at least 82 primarily US-based individuals, who died in the pursuit of or were convicted of any terrorism-related federal offense inspired by a foreign terrorist organization, according to a DHS study of Department of Justice press releases on convictions and terrorist attack perpetrators killed in the act.^{1*} Of the 82 individuals we identified, slightly more than half were native-born United States citizens. Of the foreign-born individuals, they came from 26 different countries, with no one country representing more than 13.5 percent of the foreign-born total.

- The top seven origin countries of the foreign-born individuals are: Pakistan (5), Somalia (3), and Bangladesh, Cuba, Ethiopia, Iraq, and Uzbekistan (2).

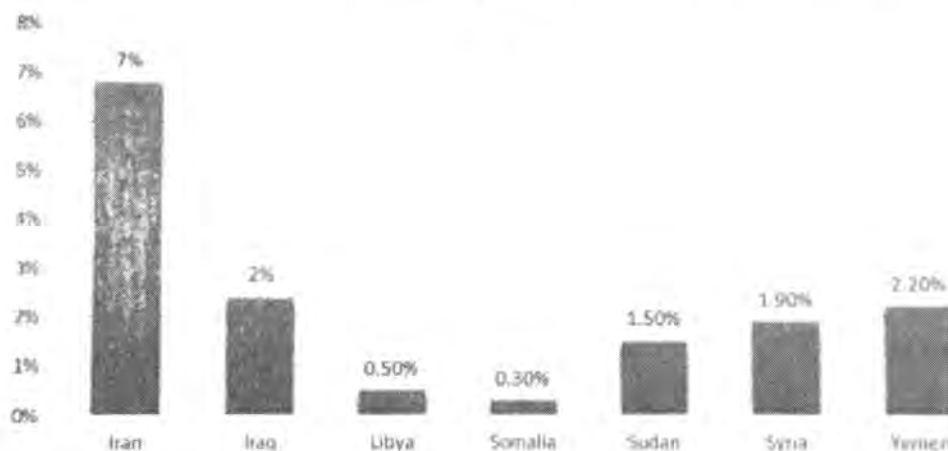
* For the purposes of this paper, we limited our data to individuals prosecuted under 18 U.S.C. Chapter 133B in support of or inspired by a Foreign Terrorist Organization (FTO). We excluded traveling or attempting to travel overseas to join a FTO and activities unrelated to FTOs, to include purely domestic terrorism.

- Of the seven countries impacted by E.O. 13769 that are not listed above, Iran, Sudan, and Yemen had 1 each, and there were no individuals from Syria.

Limited Access to the United States by Citizens of Impacted Countries

Relatively few citizens of the seven countries impacted by E.O. 13769, compared to neighboring countries, maintain access to the United States. None of the seven countries account for more than 7 percent of the US visas granted in their region—the Middle East and North Africa or Sub-Saharan Africa—in Fiscal Year 2015, according to publicly available Fiscal Year 2015 visa issuance data from the Department of State.^{23†}

FY15 US Visas Granted as Percentage of Regional Total



Few of the Impacted Countries Have Terrorist Groups that Threaten the West

Terrorist groups in Iraq, Syria, and Yemen pose a threat of attacks in the United States, while groups in Iran, Libya, Somalia, and Sudan are regionally focused, according to the 2016 Worldwide Threat Assessment of the US Intelligence Community and the Department of State Country Reports on Terrorism 2015.

Iran – Designated as a State Sponsor of Terrorism in 1984, Iran continued its terrorist-related activity in 2015, including support for Hizballah, Palestinian terrorist groups in Gaza, and various groups in Iraq and throughout the Middle East, according to the Country Reports on Terrorism 2015.⁴ Iran used the Islamic Revolutionary Guard Corps-Qods Force (IRGC-QF) to implement foreign policy goals, provide cover for intelligence operations, and create instability

[†] Fiscal Year 2015 is the most recent year we have visa issuance data for both immigrant and non-immigrant visas. A-1, A-2, A-3, C-2, NATO, G-1, G-2, G-3, and G-3 non-immigrant visas were excluded from these calculations to be consistent with section 3(c) in E.O. 13769.

in the Middle East. The IRGC-QF is Iran's primary mechanism for cultivating and supporting terrorists abroad.

Iraq and Syria – The Islamic State of Iraq and the Levant (ISIL) has become the preeminent terrorist threat because of its self-described caliphate in Syria and Iraq, its branches and emerging branches in other countries, and its increasing ability to direct and inspire attacks against a wide range of targets around the world, according to the 2016 Worldwide Threat Assessment.⁵ ISIL's narrative supports jihadist recruiting, attracts others to travel to Iraq and Syria, draws individuals and groups to declare allegiance to ISIL, and justifies attacks across the globe.

Libya – Libya has been locked in civil war between two rival governments and affiliated armed groups, according to the 2016 Worldwide Threat Assessment.⁶ The 17 December 2015 signing of a UN-brokered agreement to form a Government of National Accord resulted from a year-long political dialogue that sought to end the ongoing civil war and reconcile Libya's rival governments. Extremists and terrorists have exploited the security vacuum to plan and launch attacks in Libya and throughout the region.

Somalia – In 2015, al-Shabaab continued to commit deadly attacks in Somalia, seeking to reverse progress made by the Federal Government of Somalia and weaken the political will of the African Union Mission in Somalia troop contributing countries, according to the Country Reports on Terrorism 2015.⁷

Sudan – Sudan was designated as a State Sponsor of Terrorism in 1993 due to concerns about support to international terrorist groups, according to the Country Reports on Terrorism 2015.⁸ In 2014, members of Hamas were allowed to raise funds, travel, and live in Sudan. However, in 2015 the use of Sudan by Palestinian designated terrorist groups appeared to have declined. The last known shipment was interdicted by Israel in 2014.

Yemen – Al-Qa'ida in the Arabian Peninsula remained a significant threat to Yemen, the region, and to the United States in 2015, as efforts to counter the group were hampered by the ongoing conflict in that country, according to the Country Reports on Terrorism 2015.⁹ The Islamic State of Iraq and the Levant in Yemen also exploited the political and security vacuum to strengthen its foothold inside the country.

⁵ DHS I&A; DHS I&A Terrorism-Related Activities Study; 16 FEB 17; DOI 01 MAR 11 – 31 JAN 17; DHS I&A Terrorism-Related Activities Study

⁶ <https://travel.state.gov/content/dam/visas/Statistics/AnnualReports/FY2016AnnualReport/FY16AnnualReport-TableXIV.pdf>

⁷ <https://travel.state.gov/content/dam/visas/Statistics/Non-Immigrant-Statistics/NIVDetailTables/FY15%20NIV%20Detail%20Table.xls>

⁸ <https://www.state.gov/j/ct/rls/crt/2015/257520.htm>

**RAOFIELD DECLARATION
EXHIBIT V**



[The Rachel Maddow Show](#) / [The MaddowBlog](#)



Exclusive: DHS intel doc contradicts case for Trump's travel ban, 3/2/17, 9:02 PM ET

TRMS Exclusive: DHS document undermines Trump case for travel ban

03/02/17 09:15 PM—UPDATED 03/03/17 12:14 AM

The Rachel Maddow Show has obtained, exclusively, a Department of Homeland Security intelligence assessment document. The document, from the Office of Intelligence and Analysis, makes the case that most foreign-born, U.S.-based violent extremists are likely not radicalized when they come to the U.S., but rather become radicalized after living in the U.S. for a number of years.

The document follows [another piece of research](#) (pdf) from Homeland Security that undercut President Trump's rationale for a travel ban as a means of keeping violent extremists out. On Friday, [the Associated Press published](#) an analysis from Homeland Security that said citizenship in any given country – including the seven countries [listed in the executive order](#) – is likely an unreliable indicator of whether someone poses a terrorist threat.

The new assessment, obtained by the Rachel Maddow Show and dated March 1, tracks 88 violent, foreign-born

extremists in the United States. More than half of them had been in the U.S. more than 10 years before they were indicted or killed.

Homeland Security tonight has confirmed the authenticity of the document. The department says production of it began in August 2016, and that it likely would have reached the White House. We have asked the White House for comment tonight. They have not responded.

Read the document below:

([Scribd pdf link here](#))

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INTELLIGENCE ASSESSMENT



(U//FOUO) Most Foreign-born, US-based
Violent Extremists Radicalized after Entering
Homeland; Opportunities for Tailored CVE
Programs Exist

March 2017



Homeland Security

Office of Intelligence and Analysis

IA-0091-17

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1 March 2017

(U//FOUO) Most Foreign-born, US-based Violent Extremists Radicalized after Entering Homeland; Opportunities for Tailored CVE Programs Exist

(U//FOUO) Prepared by the Office of Intelligence and Analysis (I&A). Coordinated with CBP, the Department of State, ICE, NCTC, and USCIS.

(U) Scope

(U//FOUO) This Assessment examines the immigration history and radicalization of 88 foreign-born, US-based persons who participated in a terrorism-related activity inspired by at least one named foreign terrorist organization (FTO).^a All examined individuals primarily resided in the United States either at the time of their involvement in a terrorism-related activity or prior to their travel to join an FTO. The list of individuals included in this study was derived from academic and government sources, including a Department of Justice (DOJ) list of unsealed international terrorism and terrorism-related cases. The terrorism-related activities these individuals engaged in were identified in US Government sources or reliable media reporting. These activities include conducting or attempting to conduct an attack in the United States, traveling or attempting to travel from the United States to join an FTO overseas, and providing funds, goods, or logistical assistance to support an FTO. All individuals examined in our study were indicted or killed between March 2011—the start of the Syrian conflict—and December 2016. Individuals who were minors at the time of their indictment or death were not included. Our review did not consider classified or non-disseminated investigative information.

(U//FOUO) This Assessment identifies several factors, some of which are constitutionally protected activity, which we assess contributed to the radicalization of foreign-born, US-based violent extremists mentioned in this report. None of these factors should be viewed as definitive indicators of radicalization to violence absent corroborative information revealing a link to violence or terrorism. This Assessment is intended to inform federal, state, local, tribal, and territorial counterterrorism, law enforcement, and countering violent extremism (CVE) officials, as well as immigrant screening and vetting officials on trends of foreign-born individuals engaged in terrorism activity in the Homeland. It also provides an overview of opportunities to prevent and detect future violent extremist radicalization. The information cutoff date is 31 December 2016.

(U) Key Judgments

(U//FOUO) We assess that most foreign-born, US-based violent extremists likely radicalized several years

after their entry to the United States, limiting the ability of screening and vetting officials to prevent their entry because of national security concerns. We base this assessment on our findings that nearly half of the foreign-born, US-based violent extremists examined in our dataset were less than 16 years old when they entered the country and that the majority of foreign-born individuals resided in the United States for more than 10 years before their indictment or death. A separate DHS study that found recent foreign-born US violent extremists began radicalizing, on average, 13 years after their entry to the United States further supports our assessment.

(U//FOUO) We assess nearly all parents who entered the country with minor-age children likely did not espouse a violent extremist ideology at the time they entered or at any time since, suggesting these foreign-born individuals were likely not radicalized by their parents before or after their arrival in the Homeland. We base this judgment on their admissions to the United States by screening and vetting agencies who review all available derogatory information, our review of press interviews of parents after their child was arrested or killed, and the lack of arrests of the parents since their entry.

* (U//FOUO) DHS defines radicalization as the process through which an individual changes from a nonviolent belief system to a belief system that includes the willingness to actively advocate, facilitate, or use unlawful violence as a method to effect societal or political change.

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material support to ISIS as a group, according to DOJ criminal complaints.^{9,10}

- » (U//FOUO) In 2012, two individuals born in Uzbekistan were arrested for providing material support to the Islamic Jihad Union, according to DOJ criminal complaints.^{11,12} Separately, four Uzbekistan-born individuals were arrested in 2015 for providing material support to ISIS, according to a DOJ criminal complaint and superseding indictment.^{13,14} These two groups comprised six of the nine individuals in our dataset who were born in Uzbekistan.
- » (U//FOUO) All seven individuals born in Bosnia were associates of each other. Six were arrested in 2015 for providing material support to ISIS and one died in 2014 after successfully joining ISIS in Syria, according to DOJ criminal complaints and a press report.^{15,16}
- » (U//FOUO) Two of the seven violent extremists in our dataset who were born in Pakistan were brothers who plotted together to provide material support to al-Qa'ida in the Arabian Peninsula (AQAP), according to a DOJ indictment.¹⁷

(U//FOUO) We assess nearly all parents who entered the country with minor-age children likely did not espouse a violent extremist ideology at the time they entered or at any time since, suggesting these foreign-born individuals were likely not radicalized by their parents before or after their arrival in the Homeland. We base this judgment on their admissions to the United States by screening and vetting agencies who review all available derogatory information, our review of press interviews of parents after their child was arrested or killed, and the lack of arrests of the parents since their entry.

- » (U//FOUO) Two months before Somali immigrant Abdirizak Warsame^{LISPER} was arrested for conspiring to provide material support to ISIS, his mother lectured other parents about the importance of talking with their children about risks stemming from adhering to a violent extremist ideology and the need to work with the FBI, according to press reporting.¹⁸ Warsame was sentenced to 30 months in prison in November 2016 because of his attempt to travel to Syria to join ISIS, according to a press report.¹⁹
- » (U//FOUO) Harlem Suarez's^{LISPER} family was surprised by his arrest for plotting an attack in support of ISIS in 2015, according to a press report.²⁰ The family described Suarez, who was born in Cuba, as curious and unable to hurt anything, according to the same report.²¹ Suarez is currently awaiting trial, according to another press report.²²

- » (U//FOUO) Jose Pimentel's^{USPER} mother publicly apologized to the City of New York after his arrest in 2011, saying she was disappointed with her son's actions, according to multiple press reports.^{23,24,25} Pimentel—who immigrated from the Dominican Republic with his family when he was five—was sentenced to 16 years in prison after pleading guilty in February 2014 to terrorism charges related to plotting to conduct an attack in the Homeland, according to a separate press report.²⁶

(U//FOUO) Similar Radicalization Factors among Native- and Foreign-born US Violent Extremists

(U//FOUO) Our review of 116 native-born US violent extremists, who were publicly identified as having been arrested or killed between March 2011 and December 2016, showed that many had similar experiences and grievances to the 88 foreign-born violent extremists we examined. We assess that these experiences and grievances probably in part contributed to the radicalization of some native- and foreign-born, US-based violent extremists and included perceived injustices against Muslims in the Homeland and abroad because of US policies, feelings of anger and isolation, and witnessing violence as a child. The lack of extensive open source information detailing some of these US violent extremists' radicalization histories prevented us from identifying motivating factors for all individuals examined in our dataset.

- » (U//FOUO) Native-born brothers Nader Saadeh^{USPER} and Alaa Saadeh^{USPER}—who both pleaded guilty after their arrest in 2015 for providing material support to ISIS—believed the United States oppressed its own people and failed to protect Muslims, according to DOJ criminal complaints.^{27,28} Similarly, Ibrahim Mohammad^{USPER}, born in the UAE and arrested in 2015 for providing material support to AQAP, believed the United States was actively at war with Islam, according to another DOJ criminal complaint.²⁹
- » (U//FOUO) Native-born Josh Van Haften^{USPER}, who is awaiting his trial for attempting to travel overseas to join ISIS, became isolated from his peers after a sexual assault required him to register as a sex offender, according to press reporting.³⁰ He was told to leave his housing because he was a sex offender, and he was never able to have a romantic relationship, according to a press interview with Van Haften's mother and her partner.³¹ The FBI assesses isolation to be one of many factors in Van Haften's radicalization, but not the primary one. Similarly, the now-deceased foreign-born former editor of AQAP's Inspire magazine, Samir Khan, and now-deceased ISIS foreign fighter Abdullah Ramo Pazara felt isolated or different from their communities and peers, according to multiple press reports.^{32,33,34}
- » (U//FOUO) At least five foreign-born US violent extremists were exposed to violence or substance abuse as children, according to a review of available press reporting.^{35–39} We judge, however, there are likely additional individuals included in our dataset who were also exposed to violence during their childhood, based on our finding that 41 foreign-born US violent extremists in our dataset entered the United States as a refugee, asylee, or child of a refugee or asylee.

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(U//FOUO) CVE Opportunities to Prevent Radicalization of Foreign-born, US-based Individuals

(U//FOUO) We assess that the integration and mentoring services provided by federal, state, and private sector entities to refugees and asylees offer an opportunity to help foreign-born US residents adjust to their new communities and raise their awareness of and resistance to violent extremist narratives and recruiters, and likely increase their resistance to radicalization. Immigrants not entering the United States as refugees or asylees must prove their ability to provide basic needs for themselves before arriving in the United States, and thus they would not be eligible to receive many of these healthcare, housing, employment, and education services; however, there are many programs available to all immigrants to assist with integration into US society.

- » (U) There are a variety of federal, state, local, and nongovernmental programs aimed at helping refugees and asylees integrate into US society by addressing their basic healthcare, housing, employment, and education needs.⁴⁰ Additionally, USCIS, through its Citizenship and Integration Grant Program, as of September 2016 awarded \$63 million through 308 competitive grants in 37 states to help immigrants prepare and apply for US citizenship, according to USCIS.⁴¹
- » (U) Many nonprofit organizations engage with immigrant communities, including a Georgia-based nonprofit that serves the cultural, psychological, and social-economic needs of refugees and immigrants in Atlanta, according to their website.⁴²

(U//FOUO) The experiences and grievances we assessed as common within these individuals present opportunities for CVE programs focused on integration and mentorship. Such programs could address adolescent immigrants' feelings of isolation, anger, and depression caused by immigration experiences—which could in turn reduce the ability of FTOs to exploit these feelings for recruitment. Program administrators would be positioned to assist adolescents if the administrators are made aware of common radicalization vulnerabilities and behavioral indicators, as well as effective counter-narratives to challenge FTO messaging.

» (U//FOUO) Guled Omar^{USPER}, who was sentenced in 2016 for attempting travel overseas to join ISIS, claimed in a December 2016 press interview that after his older brother traveled to Somalia in 2007 to join al-Shabaab, he was shunned and isolated from the Somali-American community in Minneapolis, which led to his depression, drug use, and taunting by peers.⁴³

» (U) Successful programs for adolescent immigrants could include convening youth from varying cultural backgrounds to promote cultural understanding and providing opportunities to counter anti-immigrant attitudes in mainstream culture, according to research published by a State University of New York at Albany^{USPER} program called Voices for Change: Immigrant Women and State Policy.⁴⁴ Separately, the Department of Health and Human Services' Child Welfare Information Gateway offers online resources for immigrant youth, including a guide on living in America, educational and safety resources for parents, and a handbook for raising children in a new country.⁴⁵

(U//FOUO) We also judge that open discussions with community and religious centers about overseas conflicts and ways that violent extremists may use religion to justify their actions would likely help dissuade some foreign-born, US-based individuals who are seeking answers to their questions from relying exclusively on research conducted online, which is often dominated by FTO messaging that offers only a violent extremist perspective.

» (U//FOUO) Some individuals in our dataset who became interested in conflict zones or their religion sought to educate themselves on the Internet—where they encountered videos and literature espousing violent extremist ideology—rather than their local religious or community leaders, according to press reporting.^{46,47} Somali-Americans Abdi Nur^{USPER} and Guled Omar—who have since been indicted for attempting to provide material support to ISIS—were asked to leave their respective mosques because of their expressions of violent extremist beliefs, which, in effect, pushed their research underground, where they turned to the Internet and had their nascent violent extremist views reinforced, according to a press report.⁴⁸ Abdi Nur was indicted on conspiracy charges for providing material support to ISIS in 2014, according to a DOJ press release.⁴⁹

» (U//FOUO) Abdizirak Warsame stated in his court appearance that he was always listening to one side, referring to the "radical" messages he saw online, according to a press report. Warsame claimed that at the time he did not realize innocent people were being killed, according to the same report, which was likely a reference to terrorists' targeting of civilians.⁵⁰

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INTELLIGENCE ASSESSMENT
01 March 2017

(U//FOUO) Most Foreign-born, US-based Violent Extremists Probably Radicalize After Entering the Homeland

(U//FOUO) I&A examined the immigration history and radicalization activities of 88 foreign-born, US-based violent extremists who were indicted or killed as a result of their participation in a terrorism-related activity inspired by at least one foreign terrorist organization between March 2011 and December 2016.¹ We based this study primarily on DHS immigration records, publicly available court documents and reliable press reporting. Nearly half of the foreign-born violent extremists in our dataset entered the United States when they were under the age of 16 and a majority remained in the United States for over ten years before their indictment or death, suggesting most foreign-born, US-based violent extremists likely radicalized after entering the Homeland.

¹ (U//FOUO) DHS defines radicalization as the process through which an individual changes from a non-violent belief system to a belief system that includes the willingness to actively advocate, facilitate, or use unlawful violence as a means to effect societal or political change.

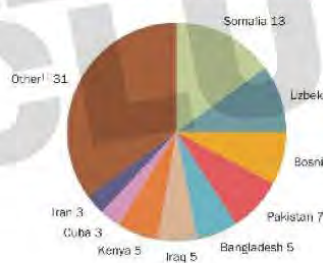
(U) AGE OF ENTRY OF FOREIGN-BORN VIOLENT EXTREMISTS



(U) LENGTH OF TIME IN US OF FOREIGN-BORN VIOLENT EXTREMISTS

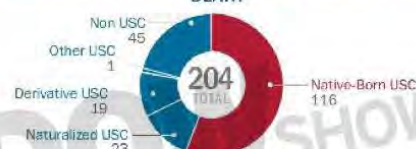


(U) COUNTRIES OF BIRTH OF FOREIGN-BORN VIOLENT EXTREMISTS



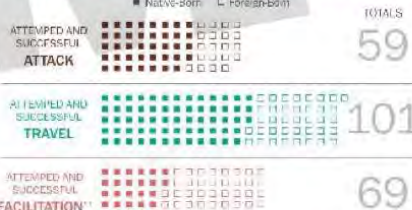
² (U//FOUO) Either one or two, non-viable were born in each of the following 24 countries: Albania, Afghanistan, Australia, Dominican Republic, Egypt, Ethiopia, India, Israel, Kazakhstan, Kuwait, Lebanon, Liberia, Mexico, Morocco, Philippines, Russia, Saudi Arabia, Sierra Leone, Sudan, Syria, Turkey, United Arab Emirates, Yemen, Afghanistan.

(U) NATIVE- AND FOREIGN-BORN VIOLENT EXTREMISTS US CITIZENSHIP (USC) STATUS AT TIME OF INDICTMENT OR DEATH³



(U//FOUO) Non-USC includes legal permanent residents (LPR), conditional visa holders, refugees, and individuals with no status.

(U) TERRORISM-RELATED ACTIVITIES OF NATIVE- AND FOREIGN-BORN VIOLENT EXTREMISTS⁴



⁴ (U//FOUO) Numbers include individuals who participated or were identified in more than one activity.

⁵ (U//FOUO) Facilitation activities include financial or logistical support, and terrorist recruitment.

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(U) Source Summary Statement

(U//FOUO) This Assessment is based primarily on I&A's review of DHS immigration and travel records and publicly available court documents as well as relevant reliable press reporting. The scope of our study did not include consideration of non-disseminated investigative information.

(U//FOUO) I&A has **moderate confidence** that most foreign-born US violent extremists likely radicalize several years after their entry to the United States, based on a review of court documents and press reporting from which we determined the first known sign of radicalization to violence among recent US violent extremists and a body of USCIS data from which we determined the length of time the individuals examined in our current dataset spent in the United States before their indictment or death. We note that there are challenges in determining the exact date that radicalization began, which is often a personal and individualized process that is difficult to observe. Additional reporting on the online activities of the US violent extremists, as well as information from the US violent extremists themselves or their family and friends about possible indicators of their loved ones' radicalization would further strengthen our confidence in this assessment. Our assessment is further supported by our finding that nearly half of the foreign-born individuals in our dataset entered the United States when they were younger than 16 years old, an age group that is typically younger than the age most violent extremists begin radicalizing.

(U//FOUO) We have **moderate confidence** in our assessment that nearly all parents who entered the country with these foreign-born, US-based violent extremists likely did not espouse a violent extremist ideology or exhibit any violent radicalization or mobilization indicators at the time they entered or since. Our assessment is based on a qualitative review of reliable press reporting describing the family life and parents of the individuals in our dataset. Additional information about the parents of these individuals—which is likely contained in immigration screening and vetting interview transcripts related to these individuals and their parents, which we lacked access to—would strengthen our confidence in this assessment.

(U//FOUO) We have **moderate confidence** that provision of services to refugees and asylees and programs tailored to adolescents offer opportunities to provide CVE programs to address radicalization factors possibly relevant to foreign-born US residents. Our assessment is based on a review of services provided to refugees and asylum seekers and current programs focused on immigrant youth, which, collectively, can address many

of the common grievances and experiences of the foreign-born individuals in our dataset.

(U//FOUO) We have **moderate confidence** that open discussions with community and religious centers about overseas conflicts and ways violent extremists may use religion to justify their actions would likely help dissuade some foreign-born, US-based individuals from relying exclusively on Internet research. Our assessment is based on an analysis of current CVE programs and grievances cited by the individuals in our dataset to determine whether these programs would likely address the radicalization factors of these individuals. The inherent challenges involved in proving that CVE efforts have successfully countered radicalization of violent extremists or possible radicalization of vulnerable individuals limit our confidence in this assessment.

(U) Report Suspicious Activity

(U) To report suspicious activity, law enforcement, Fire-EMS, private security personnel, and emergency managers should follow established protocols; all other personnel should call 911 or contact local law enforcement. Suspicious activity reports (SARs) will be forwarded to the appropriate fusion center and FBI Joint Terrorism Task Force for further action. For more information on the Nationwide SAR Initiative, visit <http://nsi.ncirc.gov/resources.aspx>.

(U) Tracked by: HSEC-8.1, HSEC-8.2, HSEC-8.3, HSEC-8.5

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**RAOFIELD DECLARATION
EXHIBIT W**

Giuliani says he's source of Trump's shift on Muslim ban



By **Claude Brodesser-Akner** | NJ Advance Media for NJ.com

[Email the author](#)

on July 09, 2016 at 8:45 AM, updated July 09, 2016 at 12:25 PM

TRENTON -- Former New York City Mayor Rudy Giuliani says he is the reason presumptive Republican presidential nominee Donald Trump appeared to walk back his **call to temporarily ban all Muslims** from entering U.S. last month to instead focus on people from "terror countries."

In mid-May, Trump floated the idea of creating a commission "**perhaps headed by Rudy Giuliani**," to examine the threat of terrorism caused by foreign nationals entering the U.S. during an interview on Fox News.

As it turns out, it wasn't just pie-in-the-sky.

"He said he was **going to ask me** to put together a small group of people, and we've done that," said Giuliani, in an interview with NJ Advance Media on Friday afternoon.

Giuliani, who was once the associate attorney general under President Ronald Reagan, now runs **Giuliani Security & Safety**, a global security and investigative consultancy.

The former mayor said that soon after Trump raised the idea, he began advising the Trump campaign on immigration and security.

"I sent him a memo spelling out sort of what you can do, and what you can't do, and what you could do with legislation," said Giuliani, who served as mayor of New York during the 9/11 terror attacks.



Trump 'unlikely' to pick Christie, sources say

Giuliani declined to share his entire memorandum or the members of his working group, but did offer a concise summary of his personal recommendations.

"I can tell you what I would do, which is set up a much more intense vetting process for people coming in from countries with large concentrations of people who want to kill us," he said.

Five days after the Dec. 2, 2015 **domestic terror attack** in San Bernardino which killed 14 people and left 22 seriously wounded, Trump issued a call "for a **total and complete shutdown** of Muslims entering the United States until our country's representatives can figure out what is going on."

It was immediately met with criticism and derision, even by Giuliani, who appeared on Fox News and said Trump's approach "violates the First Amendment" and that Trump had "**no reasonable basis for it.**"

On April 19, when Trump had become only GOP presidential candidate with a realistic chance of winning the 1,237 delegate votes to clinch the nomination, Giuliani told CNN he vote for the mogul, but stopped short of an endorsement. Instead, he offered something of a flirtation.

"I'll endorse," said Giuliani at the time, "but I'm **not a part of the campaign.**"

By the end of the month, the former mayor **had formally endorsed** Trump, and by mid-May, Trump came forth with his plan to enlist Giuliani formally as a policy adviser.

Little more was heard on the topic of restricting immigration based on religion until Trump, during a visit to Scotland late last month, clarified his position on his controversial Muslim ban.

"I don't want people coming in from the terror countries," Trump told reporters on the links of his Turnberry golf club in Scotland. "You have terror countries! I don't want them, unless they're very, very strongly vetted."

On Friday, Giuliani was asked if Trump had received his memorandum and taken it on-board as policy.

"I know he absorbed the memo," answered the former mayor, who said that Trump's mitigated statements on the Muslim ban revealed as much.

"You can't have a general ban, but you can have very specific, targeted criteria," Giuliani said. "You could certainly say 'We're not going to take any of the Syrian refugees.'"

His advice to Trump has been to focus on strengthening the vetting process particularly for nations with large Islamic populations -- even those who "in some cases are partial allies" of the U.S. "Like Pakistan, or Afghanistan" -- who have terror groups known to be operating within them.

"He is quite aware that most Muslims are not terrorists," Giuliani said of Trump. "He's trying to find a way to make our country safer."

*Claude Brodesser-Akner may be reached at cbrodesser@njadvancemedia.com. Follow him on Twitter [@ClaudeBrodesser](https://twitter.com/ClaudeBrodesser). Find **NJ.com Politics on Facebook**.*

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EXHIBIT X**



Trump on latest iteration of Muslim ban: 'You could say it's an expansion'



By **Jeremy Diamond**, CNN

🕒 Updated 11:45 AM ET, Sun July 24, 2016

Story highlights

Donald Trump is elaborating on his proposed ban of Muslims to the US

The GOP presidential nominee says he's focused country of origin, not religion

Remember this. And I'm OK with that, because I'm talking territory instead of Muslim."

Trump has not defined which countries would be included in that list of territories.



Related Article: The massive implications of Trump's Muslim travel ban in 5 maps

(CNN) — Donald Trump said his latest proposal to stop immigration "from any nation that has been compromised by terrorism" is an "expansion" of his blanket ban on Muslims, in an interview aired Sunday.

"I actually don't think it's a rollback. In fact, you could say it's an expansion," Trump told NBC's Chuck Todd on "Meet the Press." "I'm looking now at territory. People were so upset when I used the word Muslim. Oh, you can't use the word Muslim."

But in the interview aired Sunday, Trump refused to rule out banning individuals from top US allies like France and Germany, agreeing that "they have totally been" compromised by terrorism.

Trump's campaign and top surrogates have insisted over the last month that the real estate mogul had backed off his December proposal to bar all foreign Muslims from the US.

Trump announced in June that as president he would "suspend immigration from areas of the world when there is a proven history of terrorism against the United States, Europe, or our allies."

But questions remained as to whether that proposal was an expansion of his proposed ban on Muslims, or a rollback.

His campaign insisted in the weeks following that declaration that Trump was pivoting away from the blanket ban he called for in December.

His spokeswoman Hope Hicks [first told CNN late last month](#) that Trump supported banning Muslims from terror states, not all Muslims, as he had said in December. Those comments came after Trump suggested he would allow a Scottish Muslim to enter the US under his latest proposal.

"It is about terrorism and not about religion. It is about Muslims from countries that support terrorism," Trump's finance chairman Steve Mnuchin told reporters the same day, during Trump's trip to Scotland.

Republican National Committee Chairman Reince Priebus insisted earlier this month that Trump "has pivoted" away from his blanket ban to a new policy of banning individuals from terror states.

"He has said he has changed, and he has put that position on the table and that is his position. It is not a religious test. It is a ban on immigration from countries that harbor or train terrorists," Priebus said on CNN earlier this month.

But Trump has not once publicly disavowed his original policy proposal to ban all foreign Muslims from the US.

Trump last week in a joint interview with his vice presidential nominee, Indiana Gov. Mike Pence, said in response to a question about barring Muslims that he would call his ban one on "territories and terror states and terror nations."

[Pence had rejected Trump's blanket ban on Muslims](#) in December as "offensive and unconstitutional." But after getting the vice presidential nod Pence said he was "very supportive" of Trump's calls to suspend immigration from terror states.

**RAOFIELD DECLARATION
EXHIBIT Y**

POLITICO



"This is going to be the great Trojan horse of all time," Trump said. | AP Photo

Trump defends proposal for Muslim ban as call for 'extreme vetting'

By **DANIEL STRAUSS** | 10/09/16 10:00 PM EDT

Donald Trump during Sunday's presidential debate defended his 2015 call to ban Muslim immigrants coming to the U.S. as a method of "extreme vetting."

"The Muslim ban is something that in some form has morphed into extreme vetting from certain areas of the world," Trump said.

Trump was asked by moderator Martha Raddatz if it was a mistake to advocate blocking Muslims from entering the country. Raddatz then pressed Trump, saying, "And why did it morph into that? No, answer the question."

"You you interrupt me all the time. Why don't you interrupt her?" Trump shot back.

"Will you please explain whether or not the Muslim ban still stands?" Raddatz said.

"It's called extreme vetting. We are going to areas like Syria where they're coming in by the tens of thousands because of Barack Obama and Hillary," Trump responded, before pivoting to saying that Clinton wants a 550 percent increase of Syrian refugees coming into the U.S.

"This is going to be the great Trojan horse of all time," Trump said. "We have enough problems in this country. I believe in building safe zones. I believe in having other people pay for them. As an example, the Gulf states who are not carrying their weight but they have nothing but money and take care of people.

"But I don't want to have — with all the problems this country has and all of the problems you see going on, hundreds of thousands of people coming in from Syria when we know nothing about them," Trump continued. "We know nothing about their values and nothing about their love for our country."

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EXHIBIT Z**



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STATE OF THE UNION

Interview With Speaker of the House Paul Ryan; Interview With Former New York Mayor Rudy Giuliani; Donald Trump Ignored Muslim Ban Question; Interview With Michael Moore. Aired 9-10a ET

Aired November 13, 2016 - 09:00 ET

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

[09:00:05]

(BEGIN VIDEOTAPE)

JAKE TAPPER, CNN ANCHOR (voice-over): President-elect Trump heads to the White House after an earthquake election few expected.

DONALD TRUMP (R), PRESIDENT-ELECT: Now it's time for America to bind the wounds of division.

TAPPER: Some say, not so fast, as protesters take to the streets in uproar.

UNIDENTIFIED PROTESTERS: Not my president!

TAPPER: What will Donald Trump's America and his White House look like? Top adviser and potential Cabinet pick Rudy Giuliani will be here.

Plus, Trump made big campaign promises, from Obamacare.

TRUMP: Repealing and replacing Obamacare.

This man didn't run for president because he wants to get rich. He's rich already.

TAPPER: All right.

GIULIANI: So, I don't think you're going to have that happen unless you try to make it happen.

TAPPER: All right.

Mr. Trump shook up the Republican primary back in December when he made this promise. Take a listen.

(BEGIN VIDEO CLIP)

TRUMP: Donald J. Trump is calling all and complete shutdown of Muslims entering the United States until our country's representatives can figure out what the hell is doing on.

(CHEERING AND APPLAUSE)

(END VIDEO CLIP)

TAPPER: So, just a simple question. Is that policy still operative?

GIULIANI: Well, you know, twice, you used things that he changed during the campaign. He did say that. That is correct.

Actually, within a day or two of his saying that, he called me and asked me to put a little group together that included Congressman McCaul, General Flynn -- I can't remember who else, a few other people. We wrote a paper for him. And he amended it to the ban would be restricted to particular countries, and it would not be a ban.

It would involve extreme vetting. The one -- the one place in which he would not let anyone in, unless it was an extraordinary circumstance, would be Syrian refugees. All the rest from countries that contain dangerous populations of radical Islamic extremists, he will subject them to extreme vetting, but not a ban. So, he said that about 100 times during the campaign from the time

that he made that -- from the time that he made that statement.

TAPPER: Yes, he said that was an expansion.

GIULIANI: So, you can go back.

**RAOFIELD DECLARATION
EXHIBIT AA**

The New York Times | <https://nyti.ms/2kcXwk4>

POLITICS

Trump Bars Refugees and Citizens of 7 Muslim Countries

By MICHAEL D. SHEAR and HELENE COOPER JAN. 27, 2017

WASHINGTON — President Trump on Friday closed the nation's borders to refugees from around the world, ordering that families fleeing the slaughter in Syria be indefinitely blocked from entering the United States, and temporarily suspending immigration from several predominantly Muslim countries.

In an executive order that he said was part of an extreme vetting plan to keep out “radical Islamic terrorists,” Mr. Trump also established a religious test for refugees from Muslim nations: He ordered that Christians and others from minority religions be granted priority over Muslims.

“We don’t want them here,” Mr. Trump said of Islamist terrorists during a signing ceremony at the Pentagon. “We want to ensure that we are not admitting into our country the very threats our soldiers are fighting overseas. We only want to admit those into our country who will support our country, and love deeply our people.”

Earlier in the day, Mr. Trump explained to an interviewer for the Christian Broadcasting Network that Christians in Syria were “horribly treated” and alleged that under previous administrations, “if you were a Muslim you could come in, but if you were a Christian, it was almost impossible.”

“I thought it was very, very unfair. So we are going to help them,” the president said.

In fact, the United States accepts tens of thousands of Christian refugees. According to the Pew Research Center, almost as many Christian refugees (37,521) were admitted as Muslim refugees (38,901) in the 2016 fiscal year.

The executive order suspends the entry of refugees into the United States for 120 days and directs officials to determine additional screening “to ensure that those approved for refugee admission do not pose a threat to the security and welfare of the United States.”

The order also stops the admission of refugees from Syria indefinitely, and bars entry into the United States for 90 days from seven predominantly Muslim countries linked to concerns about terrorism. Those countries are Iraq, Syria, Iran, Sudan, Libya, Somalia and Yemen.

Additionally, Mr. Trump signed a memorandum on Friday directing what he called “a great rebuilding of the armed services,” saying it would call for budget negotiations to acquire new planes, new ships and new resources for the nation’s military.

“Our military strength will be questioned by no one, but neither will our dedication to peace,” Mr. Trump said.

Announcing his “extreme vetting” plan, the president invoked the specter of the Sept. 11, 2001, attacks. Most of the 19 hijackers on the planes that crashed into the World Trade Center, the Pentagon and a field in Shanksville, Pa., were from Saudi Arabia. The rest were from the United Arab Emirates, Egypt and Lebanon. None of those countries are on Mr. Trump’s visa ban list.

Human rights activists roundly condemned Mr. Trump’s actions, describing them as officially sanctioned religious persecution dressed up to look like an effort to make the United States safer.

The International Rescue Committee called it “harmful and hasty.” The American Civil Liberties Union described it as a “euphemism for discriminating against Muslims.” Raymond Offensheiser, the president of Oxfam America, said the

order would harm families around the world who are threatened by authoritarian governments.

“The refugees impacted by today’s decision are among the world’s most vulnerable people — women, children, and men — who are simply trying to find a safe place to live after fleeing unfathomable violence and loss,” Mr. Offensheiser said.

The president signed the executive order shortly after issuing a statement noting that Friday was International Holocaust Remembrance Day, an irony that many of his critics highlighted on Twitter. The statement did not mention Jews, although it cited the “depravity and horror inflicted on innocent people by Nazi terror.”

Mr. Trump’s actions came during a swearing-in ceremony for Secretary of Defense Jim Mattis, a former Marine general. Standing in the Hall of Heroes at the Pentagon, Mr. Trump hailed the members of America’s military as “the backbone of this country” and described Mr. Mattis as a “man of action.” The president mistakenly referred to Mr. Mattis as a “soldier,” a term abhorred by Marines.

Mr. Trump has been deferential to Mr. Mattis, who has quickly established himself as a top aide whose advice the president is willing to take. On Friday, Mr. Trump said he would let Mr. Mattis “override” him by banning torture during terror interrogations even though Mr. Trump believes the tactics do work in getting information from suspects.

In a remarkable show of deference to his own subordinate, Mr. Trump said during an earlier news conference Friday morning with Theresa May, the British prime minister, that he would let Mr. Mattis decide about whether to use torture in interrogations. Mr. Mattis has said he does not believe torture is effective.

“I don’t necessarily agree, but I will tell you that he will override because I’m giving him that power,” Mr. Trump said. “I’m going to rely on him. I happen to feel that it does work.”

Mr. Trump appeared to be struggling with the issue even as he spoke, returning several times to his own belief in the effectiveness of torture even as he stated that he would let Mr. Mattis decide.

“But I’m going with our leaders,” he said. “We are going to win, with or without.”

Then he added, “But I do disagree.”

Mr. Mattis spent his first week as defense secretary trying to reassure not only American allies, but also military rank and file, that the United States will not abandon a national security structure that has stood in place since the end of World War II. He has told officials in the Pentagon building that at an uncertain time, he intends, as defense secretary, to provide an even-keeled, measured approach to national security issues.

Before the signing ceremony, Mr. Trump met with Mr. Mattis and his military chiefs for about an hour. The meeting — which took place in a Pentagon secure room known as “the tank” — included introductions for Mr. Trump to his military chiefs of staff. The meeting was attended by Michael Flynn, the national security adviser; Gen. Joseph Dunford, chairman of the Joint Chiefs of Staff; and the chiefs of the four services and the National Guard.

The men discussed how to accelerate the fight against the Islamic State and North Korea and how to deal with a host of global challenges, said a defense official who was not authorized to talk publicly about the internal talks. The leaders also discussed how to improve military readiness.

The newly sworn-in secretary of defense also gave Mr. Trump a little of what the president has been asking — or tweeting — for. On Thursday, Mr. Mattis ordered a review of the controversial F-35 Joint Strike Fighter program, which has been criticized by Mr. Trump for its cost overruns.

Mr. Mattis also ordered that plans for a new Air Force One — another project that has come under fire from Mr. Trump — should be reviewed, “with the specific

objective of identifying means to substantially reduce the program's costs while delivering needed capabilities."

The F-35 review, Mr. Mattis said in a memo, will also look at how to reduce costs while still meeting requirements set out for the fighter jet program.

During his confirmation hearings this month, Mr. Mattis defended Twitter messages from Mr. Trump criticizing the F-35 program. Mr. Mattis said at the time that Mr. Trump had "in no way shown a lack of support for the program," adding, "He just wants more bang for the buck."

The cost of building the F-35 next-generation fighter jet has been an issue at the Pentagon for several years. At an estimated \$400 billion over 15 years for 2,443 planes, the fighter jet is the military's largest weapons project.

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A version of this article appears in print on January 28, 2017, on Page A1 of the New York edition with the headline: Trump Targets Muslim Areas in Refugee Ban.

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The Washington Post

The Fix

Trump asked for a 'Muslim ban,' Giuliani says — and ordered a commission to do it 'legally'

By Amy B Wang January 29

Former New York mayor Rudy W. Giuliani said President Trump wanted a “Muslim ban” and requested he assemble a commission to show him “the right way to do it legally.”

Giuliani, an early Trump supporter who once had been rumored for a Cabinet position in the new administration, appeared on Fox News late Saturday night to describe how Trump's executive order temporarily banning refugees came together.

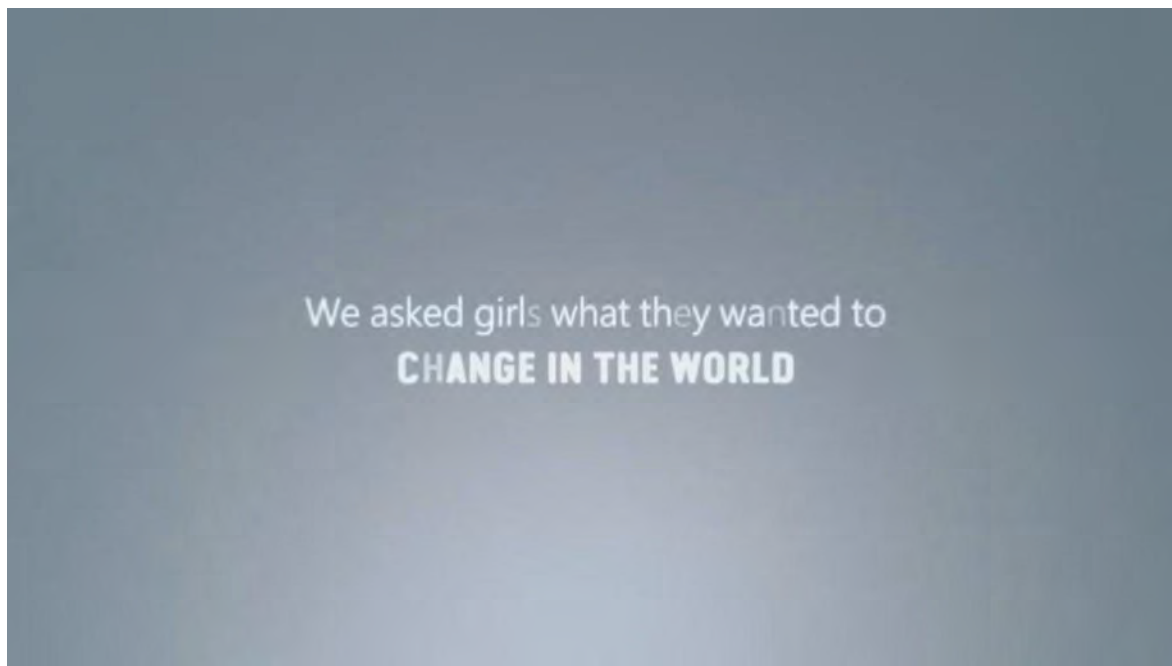
Trump signed orders on Friday not only to suspend admission of all refugees into the United States for 120 days but also to implement “new vetting measures” to screen out “radical Islamic terrorists.” Refugee entry from Syria, however, would be suspended indefinitely, and all travel from Syria and six other nations — Iran, Iraq, Libya, Somalia, Sudan and Yemen — is suspended for 90 days. Trump also said he would give priority to Christian refugees over those of other religions, according to the Christian Broadcasting Network.

Fox News host Jeanine Pirro asked Giuliani whether the ban had anything to do with religion.

“How did the president decide the seven countries?” she asked. “Okay, talk to me.”

"I'll tell you the whole history of it," Giuliani responded eagerly. "So when [Trump] first announced it, he said, 'Muslim ban.' He called me up. He said, 'Put a commission together. Show me the right way to do it legally.' "

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Giuliani said he assembled a "whole group of other very expert lawyers on this," including former U.S. attorney general Michael Mukasey, Rep. Mike McCaul (R-Tex.) and Rep. Peter T. King (R-N.Y.).

"And what we did was, we focused on, instead of religion, *danger* — the areas of the world that create danger for us," Giuliani told Pirro. "Which is a *factual* basis, not a religious basis. Perfectly legal, perfectly sensible. And that's what the ban is based on. It's not based on religion. It's based on places where there are substantial evidence that people are sending terrorists into our country."

It was unclear when the phone call Giuliani took place and when the commission began working. An email to the White House press office was not immediately returned Sunday.

Clips of the exchange between Giuliani and Pirro quickly went viral Saturday night, with some claiming that Giuliani's statement amounted to admitting Trump's intent had been to institute a ban based on religion.

Others, including Trump senior adviser Kellyanne Conway and White House Chief of Staff Reince Priebus, have insisted it is not a ban on Muslims, but rather one based on countries from which travel was already restricted under Barack Obama's administration.

Priebus appeared on CBS's "Face the Nation" Sunday morning to say it was possible Trump would expand the list of countries included in the travel ban.

"You can point to other countries that have similar problems, like Pakistan and others," Priebus told host John Dickerson. "Perhaps we need to take it further."

Priebus also said there had been weeks of work and "plenty of communication" between the White House, the State Department and the Department of Homeland Security regarding the ban.

"We didn't just type this thing up in an office and sign up," he told Dickerson.

Later on the same program, Rep. Keith Ellison (D-Minn.) called out Giuliani's interview with Pirro from the night before.

"They can't deny that this is a Muslim ban," Ellison told Dickerson. "On the campaign trail, [Trump] said he wanted a Muslim ban. ... Rudolph W. Giuliani who helped him write it said that they started out with the intention of a Muslim ban and then they sort of 'language'd' it up so to try to avoid that label, but it is a religiously based ban."

Senate Democrats vowed to draft legislation to block the travel ban.

"We're demanding the president reverse these executive orders that go against what we are, everything we have always stood for," Senate Minority Leader Charles E. Schumer (D-N.Y.) said in a news conference Sunday morning, noting later that his middle name, Ellis, was originally inspired by Ellis Island.

"It was implemented in a way that created chaos and confusion across the country, and it will only serve to embolden and inspire those around the globe those that will do us harm," Schumer added of the ban. "It must be reversed immediately."

Trump's executive order sparked massive protests at airports around the country Friday and Saturday, as reports surfaced that dozens of travelers from the affected countries, including green-card holders, were being detained.

The American Civil Liberties Union filed a lawsuit Saturday morning challenging Trump's order after two Iraqi men with immigrant visas were barred from entering the United States at New York's John F. Kennedy International Airport.

As Giuliani was speaking, Fox News simultaneously aired an alert that noted federal judge Ann M. Donnelly had issued a stay to stop the deportations nationwide.

Donnelly wrote that there was a strong likelihood the order had violated the petitioners' rights to due process and equal protection by the Constitution.

“There is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to refugees, visa-holders, and other individuals from nations subject to the January 27, 2017 Executive Order,” Donnelly wrote.

The ACLU hailed the victory.

“Clearly the judge understood the possibility for irreparable harm to hundreds of immigrants and lawful visitors to this country,” ACLU executive director Anthony D. Romero said in a statement. “Our courts today worked as they should as bulwarks against government abuse or unconstitutional policies and orders. On week one, Donald Trump suffered his first loss in court.”

On Sunday, the Department of Homeland Security issued a statement saying it did not plan to back off enforcing Trump's orders.

“President Trump’s Executive Orders remain in place — prohibited travel will remain prohibited, and the U.S. government retains its right to revoke visas at any time if required for national security or public safety,” the statement read. “President Trump’s Executive Order affects a minor portion of international travelers, and is a first step towards reestablishing control over America's borders and national security.”

The department said that less than 1 percent of daily international air travelers to the United States had been “inconvenienced” on Saturday.

Matthew Kolken, an immigration attorney based in Buffalo said there has been “a systemic bias against individuals from Muslim countries in the U.S. immigration departments” for years, including under the Obama administration.

“This isn't unprecedented,” Kolken told The Washington Post by phone Sunday. “The unfortunate reality is the executive branch does have vast discretionary authority to determine who they are going to [allow in or not].”

Still, Kolken said, he believes “Trump has gone a step further without a doubt” in including even people who are lawful permanent residents and suspending all immigration applications from people from the seven countries on the banned list.

If there was evidence of disparate treatment of individuals from the same country — if there were anecdotal evidence of, for example, a Syrian family of one religious background allowed to enter over that of another religious background — then that is where lawsuits could come into play, he said.

“The question becomes whether they're trying to do an end-around by couching the ban as a country-specific ban based on a security-related issues when in reality it's a religious ban,” Kolken said.


Read more:

[Fact Checker: What you need to know about terror threat from foreigners and Trump's executive order](#)

[‘I am heartbroken’: Malala criticizes Trump for ‘closing the door on children’ fleeing violence](#)

[A ship full of refugees fleeing the Nazis once begged the U.S. for entry. They were turned back.](#)

[Trump's travel ban could make Rex Tillerson's potential job harder, a former defense secretary says](#)

Amy B Wang is a general assignment reporter for The Washington Post.  Follow @amybwang

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At homeland security hearing, McCaul calls Trump's travel ban rollout "problematic"

U.S. Rep. Michael McCaul, the top House Republican on homeland security issues, strongly criticized the Trump administration Monday for the chaotic rollout last month of a travel ban of mostly Muslim countries. [f](#) [t](#)

BY **ABBY LIVINGSTON** FEB. 7, 2017 11:55 AM



U.S. Rep. Michael McCaul at TTEvents discusses presidential candidate Donald Trump on Oct. 25, 2016. [📷](#) Bob Daemmrch

WASHINGTON — U.S. Rep. [Michael McCaul](#), the top House Republican on homeland security issues, strongly criticized President Donald Trump's administration Monday for the chaotic rollout last month of his travel ban of mostly Muslim countries.



"The rollout of his executive order has been problematic," said McCaul. "It caused confusion here in Congress, across the country and around the world, and it caused real problems for people with lawful green cards or visas, who in some cases were already in the air when the order was signed."

A federal judge in Seattle suspended the order last Friday, a move that Trump strongly condemned. Critics of the ban have called it discriminatory against Muslims and clumsily enacted.

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McCaul praised Trump "for trying to get things done quickly" and "fulfilling campaign promises," but raised questions about "a lack of coordination within the executive branch and with Congressional leaders like myself."

McCaul praised Kelly's course correction on the ban, which was mostly handled within the confines of the West Wing and not at the Cabinet level, according to media reports.

"I applaud you for quickly correcting what consider to be errors ... which went a long way to remedy this executive order," McCaul said.

McCaul repeatedly stressed that he had no part in drafting the order, a point of confusion in the first days of the rollout when former New York Mayor Rudy Giuliani pointed to McCaul's advice as a genesis of the ban.

"We drafted a memo back last May or June to advocate to candidate Trump why a Muslim ban was unconstitutional and to look at vetting in high threat areas," McCaul said. "I had no participation in this executive order."

McCaul characterized the memo as "advocating a shift from a Muslim ban, which [Trump] was campaigning on, which we thought was unconstitutional, rather to an enhanced vetting process of immigrants and refugees based on risk – not religion – from high-threat areas."

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Other Texans participated in the hearing, including U.S. Rep. [Filemon Vela](#), a Brownsville Democrat, and [Will Hurd](#), a Helotes Republican, who focused their questioning on the proposed border wall. Hurd, a prominent GOP critic of a full border wall, advocated using resources on boosting manpower at the border rather than on constructing a wall across rivers and lakes.

U.S. Rep. [Sheila Jackson Lee](#), a Houston Democrat, also weighed in, with visceral criticism of the Trump administration's first weeks: "Fiery rhetoric of a campaign should not be the governing standard for this nation, and I believe this administration is off its wheels and needs to get back on its wheels."

U.S. Rep. [John Ratcliffe](#), R-Heath, used his questioning time to draw attention to [a family in his district that was killed in a car wreck](#) caused by a previously deported, undocumented driver.

He then referenced the "fake tears of one of our Democratic colleagues last week in calling for compassion for folks trying to come to this country from terror hotspots," an [allusion to Senate Minority Leader Charles Schumer](#).

"I think we need to finally start showing compassion for people who are already here, with real border security," Ratcliffe added.

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JANUARY 30, 2017 7:33 PM

GOP lawmaker says he warned Trump against 'Muslim ban'



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Rep. Michael McCaul, R-Texas, talked with reporters after a meeting with Donald Trump at Trump Tower in New York in late November. A 'white paper' he wrote with former New York mayor Rudolph Giuliani is thought to have been the starting document for creation of the president's controversial immigration ban issued last week. **Evan Vucci** - AP

Anita Kumar and Alex Daugherty
McClatchy Washington Bureau



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WASHINGTON —

The lawmaker who spurred Donald Trump’s sweeping temporary halt on immigrants from seven Muslim-majority countries says he told the soon-to-be president last year that a so-called Muslim ban would be “borderline unconstitutional.”

Rep. [Mike McCaul](#), the Texas Republican who heads the [House Committee on Homeland Security](#) and a member of Trump’s national security advisory team during the campaign, spoke to Trump several times about vetting proposals but was surprised when the final version differed from the draft he submitted, according to committee spokeswoman Susan Phalen.

Phalen said the order was based in part on a memo McCaul and former New York mayor [Rudolph Giuliani](#) submitted to the Trump campaign last fall in which they discussed possible ways terrorists could enter the United States and how each path could be better secured.

“The white paper did talk about the idea of a Muslim ban, but in the context of what a bad idea that was,” Phalen said. “More than half of the memo was about how borderline unconstitutional a Muslim ban would be.”

McCaul declined to make a copy of the memo available to McClatchy.



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Protests across the U.S. oppose Trump's travel ban

Protests against Trump's refugee ban popped up across the country on Saturday and Sunday.

Alexa Ard / McClatchy

How the contentious [executive order](#) Trump signed Friday remains a key question as immigration lawyers and advocacy groups challenge its legality. Late Monday, acting U.S. attorney general Sally Yates, a holdover from the Obama administration, ordered Justice Department lawyers not to defend the order, which has been challenged in as many as 30 court cases around the country.

Yates said she had no confidence that the order was legal, though her decision is likely a temporary one until Trump's attorney general pick, Sen. Jeff Sessions, R-Alabama, is confirmed by the Senate.

Officials tracing the creation of the order for McClatchy noted that the order is similar to a bill McCaul introduced in 2015 that called for Syrian and Iraqi refugees to go through additional vetting before being allowed into the country.

The [American Security Against Foreign Enemies Act of 2015](#), or the American SAFE Act of 2015, called for the FBI to certify to the Department of Homeland Security and the director of national intelligence that a would-be immigrant was not a U.S. security threat. Forty-six Democrats supported the bill in the House, but it died in the Senate.

Trump's order, which critics call a Muslim ban, froze refugee admissions and temporarily blocked people from seven nations – Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen – from entering the United States, even with valid visas.

[Democrats](#) and [even some Republicans](#) continued to criticize the order Monday while more than 30 lawsuits were filed on behalf of immigrants detained or barred from entering the United States. [Trump defended his actions](#), though administration officials on Sunday backtracked on one aspect of the order and said they would allow [legal permanent residents](#) into the country.

One of the issues surrounding Trump's order is whether it was properly vetted before Trump signed it at the Pentagon on Friday. The White House has said it was shared with everyone who needed to see it. But precisely who drafted the order, who reviewed it and what objections they raised to it are questions

still to be answered.

A senior administration official with knowledge of the situation but not authorized to speak publicly said the drafting of the order began not in the White House, but on Capitol Hill, where congressional staffers with immigration portfolios wrote the initial draft during Trump's tumultuous presidential campaign.

They then refined their proposals throughout the transition and into the start of the administration a week before Trump signed the order.

"Republicans on Capitol Hill wrote it," the official said. "The top drafters of this were the top immigration experts on Capitol Hill."

“

THE PRESIDENT'S GONNA BE VERY PROACTIVE WITH PROTECTING THIS COUNTRY. WE'RE NOT GONNA WAIT UNTIL WE GET ATTACKED AND FIGURE OUT HOW WE CAN MAKE SURE IT DOESN'T HAPPEN AGAIN.

White House Press Secretary Sean Spicer

Trump's teams of temporary political appointees that were deployed to the Department of Homeland Security also took part in the writing of the executive order, the official said. The so-called beachhead teams also played a role in determining how the order should be implemented.

The drafters apparently used the McCaul-Giuliani memo as a starting point.

Giuliani did not respond to a request for comment. But [he told FOX News](#) over the weekend that Trump asked him to convene a group that could design a "Muslim ban" and show him "the right way to do it legally." The group included McCaul, former U.S. Attorney General Michael Mukasey and Rep. Peter T. King, R-N.Y.

"We focused on, instead of religion, danger – the areas of the world that create danger for us," Giuliani said. "Which is a factual basis, not a religious basis. Perfectly legal, perfectly sensible. And that's what the ban is based on. It's not based on religion. It's based on places where there are substantial evidence that people are sending terrorists into our country."

“

IT GOES WITHOUT SAYING THAT WE SYMPATHIZE WITH THE CAUSE OF RELIGIOUS MINORITIES, AND PERSONS FLEEING VIOLENCE AND PERSECUTION. PREVENTING MUSLIMS AND SYRIAN REFUGEES FROM MIGRATING TO THE UNITED STATES IS ABHORRENT.

the Rev. Michael-Ray Mathews, director of clergy organizing for PICO National Network, the largest network of congregations and faith-based groups in the country

Kris Kobach, Kansas secretary of state and architect of one of the nation's toughest immigration laws, who also advised Trump during the transition, said in an interview Monday that he, too, was “**one of many people involved**” in crafting the executive order.

Kobach said federal law gives the president broad authority to the restrict entry of immigrants he deems “will be detrimental to the interests of the United States.”

“It’s broad authority,” he said. “There was a similar law in place going all the way back to 1789. George Washington had the Alien Act of 1789, which also gave him the authority to exclude people that posed a risk to the United States.”

“The president is on a rock-solid legal footing,” Kobach said Monday.

The White House said the order was reviewed and vetted by the National Security Council and Homeland Security Council. Senior members of the Department of Homeland Security were also consulted. The Justice Department’s Office of Legal Council also signed off on the executive order, the senior administration official said.

“That is part of the normal transition process,” the senior administration official said.

But other reports on the order’s genesis have said it was shared with Department of Homeland Security officials only after it was signed.

FRANCO ORDOÑEZ IN WASHINGTON AND BRYAN LOWRY OF THE WICHITA EAGLE CONTRIBUTED TO THIS ARTICLE.

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CONGRESS

Hill staffers secretly worked on Trump's immigration order

Several House Judiciary Committee aides helped craft the controversial directive without telling Republican leaders.

By **RACHAEL BADE**, **JAKE SHERMAN** and **JOSH DAWSEY** | 01/30/17 08:26 PM EST | Updated 01/30/17 11:11 PM EST



Since the staffers did not inform Republican leaders about their work, Hill leaders and the House Homeland Security panels were never given the chance to vet the executive order for potential problems. | John Shinkle/POLITICO

Senior staffers on the House Judiciary Committee helped Donald Trump's top aides draft the executive order curbing immigration from seven Muslim-majority nations, but the Republican committee chairman and party leadership were not informed, according to multiple sources involved in the process.

The news of their involvement helps unlock the mystery of whether the White House consulted Capitol Hill about the executive order, one of many questions raised in the days

after it was unveiled on Friday. It confirms that the small group of staffers were among the only people on Capitol Hill who knew of the looming controversial policy.

Kathryn Rexrode, the House Judiciary Committee's communications director, declined to comment about the aides' work. A Judiciary Committee aide said Judiciary Committee Chairman Bob Goodlatte (R-Va.) was not "consulted by the administration on the executive order."

"Like other congressional committees, some staff of the House Judiciary Committee were permitted to offer their policy expertise to the Trump transition team about immigration law," a House Judiciary Committee aide said in a statement. "However, the Trump Administration is responsible for the final policy decisions contained in the executive order and its subsequent roll-out and implementation."

The work of the committee aides began during the transition period after the election and before Donald Trump was sworn in. The staffers signed nondisclosure agreements, according to two sources familiar with the matter. Trump's transition operation forced its staff to sign these agreements, but it would be unusual to extend that requirement to congressional employees. Rexrode declined to comment on the nondisclosure pacts.

It's extremely rare for administration officials to circumvent Republican leadership and work directly with congressional committee aides. But the House Judiciary Committee has some of the most experienced staffers when it comes to immigration policy.

Democrats rally against Trump's immigration order

By HEATHER CAYGLE and ELANA SCHOR

GOP leaders received no advance warning or briefings from the White House or Judiciary staff on what the executive order would do or how it would be implemented — briefings they still had not received as of Sunday night. Leaders including Speaker Paul Ryan (R-Wis.) and Majority Leader Mitch McConnell (R-Ky.) only saw the final language when reporters received it Friday night, according to multiple Hill sources.

Rather, Republicans on the Hill spent the entire weekend scrambling to find out what was going on, who was involved and how it was that they were caught so flat-footed.

"Their coordination with the Hill was terrible," said one senior GOP source on the Hill, who seemed flabbergasted that congressional Republicans didn't receive talking points from the White House on the executive order until late Saturday night, about 24 hours after President Donald Trump signed it. "We didn't see the final language until it was actually out."

The fumbled roll-out serves as a cautionary tale to Trump officials who decide to go it alone in enacting controversial policies without help from Congress. Indeed, the lack of consultation has set off a wave of resentment on Capitol Hill. GOP insiders believe that the White House and Goodlatte staffers could have avoided the drama that unfolded over the weekend had they looped in relevant lawmakers on the front end.

The episode also has instilled a wariness among GOP aides about the White House.

"These executive orders were very rushed and drafted by a very tight-knit group of individuals who did not run it by the people who have to execute the policy. And because that's the case, they probably didn't think of or care about how this would be executed in the real world," said another congressional source familiar with the situation. "No one was given a heads-up and no one had a chance to weigh in on it."

Insiders told POLITICO that the botched roll-out of the immigration executive order was coordinated for the most part by White House policy director Stephen Miller, a former Sessions staffer, and Trump senior strategist Stephen Bannon.

It was intentionally kept quiet. Even key administration officials had not seen it until "just before it was going out," according to one White House source.

Since the staffers did not inform Republican leaders about their work, Hill leaders and the House Homeland Security panels were never given the chance to vet the order for potential problems — such as the issue with green card holders that caused authorized U.S. immigrants to be threatened with deportation at airports.

Even supporters of the administration believe the administration erred in its lack of communication. Former Republican House Speaker Newt Gingrich, a Trump ally, speculated that the administration could have given "people a heads up a week or so out and get them on the same page." But he cautioned that the administration is "understaffed and Trump is impatient," and the White House has a natural learning curve.

"They could have waited a couple days, and they would have done better," Gingrich said. "I think some of this stuff is they're learning how to roller skate. They can't understand in

advance, they have to do it for the first time.”

When the order first came down Friday, and reports of problems started to surface, lawmakers frantically called leadership offices and committees staff to ask how to respond. That’s when GOP leadership staffers moved to do damage control — even as the administration ignored their requests for briefings and more information. Frustrated by the administration’s lack of communication to reporters on what the executive order did and didn’t do, they tried to pick up the slack by emphasizing that the ban was not a prohibition on Muslims.

GOP panel chairman defends his staff working on Trump immigration order

By **RACHAEL BADE**

“We were trying to clean up their damage,” a senior Republican source said. “The thing was getting totally mischaracterized. The way it was implemented was screwing over a lot of people.”

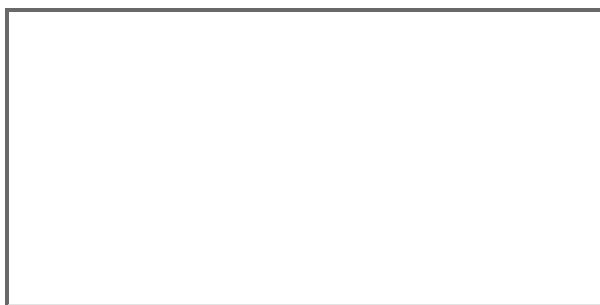
The White House has now dispatched aides to speak with Capitol Hill staffers before they make policy moves, a person familiar with the matter said. Boris Epshteyn, a senior aide, attended such a meeting Monday.

Homeland Security Director John Kelly is expected to visit Capitol Hill on Tuesday and has told others he was “kept totally out of the loop,” one person familiar with his comments said.

Hill Republicans on Monday were privately simmering that administration officials didn’t seek out their expertise. Most Trump officials lack policy chops and Washington know-how, they argued, and Republicans said they could have been helpful.

One senior GOP aide said that they generally understood Trump’s goals to limit immigration, “but we’re getting tired of all the chaos.”

**RAOFIELD DECLARATION
EXHIBIT FF**



House Republican defends staffers working on executive order

By **Tal Kopan**, **Phil Mattingly** and **Deirdre Walsh**, CNN

🕒 Updated 1:44 PM ET, Tue January 31, 2017



Story highlights

The order immediately caused confusion and protests at airports

The issue came in a closed-door House Republican meeting Tuesday

meeting.

Washington (CNN) — The chairman of the House Judiciary Committee is defending his staffers who worked with President Donald Trump's transition team on the controversial travel ban executive order.

Virginia Rep. Bob Goodlatte said his staffers were discussing immigration policies with Trump officials during the transition period. In a closed-door meeting of House Republicans, he said that their involvement ended January 20 and was on volunteer basis, according to a source in the

Goodlatte later released a statement Tuesday saying that while he supported the order and his staff working with the transition, they were not decision-makers on its contents.

"My staff on the House Judiciary Committee are some of the best on Capitol Hill. They are experts in their respective fields and I proudly allowed them to provide their expertise to the Trump transition team on immigration law," Goodlatte said. "To be clear, while they gave advice to the new administration, they did not have decision making authority on the policy. The final decision was made at the highest levels of the Trump Administration, and I support the President's executive order. My staff had no control of the language contained in the President's executive order, the timing of the announcement, the rollout and subsequent implementation, and the coordination with Congress."

Multiple sources confirmed to CNN before Goodlatte's statement that Judiciary staffers had aided the transition and worked on the order, but that the chairman was not aware of the content of their work with the administration.

The executive order signed by Trump on Friday that barred entry to the US to individuals originating from seven countries of concern for terrorism.

The order immediately caused confusion and protests at airports as even legal permanent residents of the US, who held green cards, were detained and denied entry at ports of entry. The result sparked public outcry and global protests before the administration made clear it would not enforce the order against green card holders, after initially saying it would, and there would be other case-by-case exceptions.

[Politico](#) was first to report that staffers worked on the order without their boss knowing, adding that sources said the staffers had to sign non-disclosure agreements to work with the transition.

The issue of non disclosure agreements did not come up in the discussion Tuesday, according to the source.

House Speaker Paul Ryan brushed off the report in a Tuesday news conference.

"Congressional staffers help the administration all the time," he said, before directing further questions to Goodlatte.

The White House did not respond to request for a comment on whether the staffers' work on the transition was what it was referring to when it said it had been working with the Hill in advance on the order.

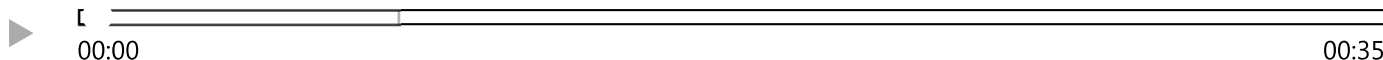
According to a source in the room, at Tuesday morning's closed-door House GOP conference meeting, Texas Rep. Bill Flores asked how staff members of the House Judiciary committee worked on the travel ban executive order without looping in leadership.

Republicans on the Hill have largely been critical of the executive order, supporting the idea but saying the execution was a failing of the administration.

It is not uncommon for party staff to volunteer for the transition, and many do similar leaves to work on events like the Republican National Convention.

During the transition, multiple sources told CNN the transition was furious with leaks, and clamped down on staff to ensure information about what was being worked on would not get out.

**RAOFIELD DECLARATION
EXHIBIT GG**



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Capitol Hill Staff Secretly Wrote Trump's Travel Ban Order

UK's Withdrawal From The EU...



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Senior staffers on the House Judiciary Committee teamed up with Donald Trump's top aides to draft the executive order that banned immigration from seven Muslim-majority countries. According to multiple involved sources, the chairman of the Republican committee and party leadership were not informed of its creation. This information confirms that the small group of staffers were likely the only people on Capitol Hill who knew of the forthcoming policy. The work of the team began after the election and ended before Donald Trump was sworn in as president.

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PLAYLIST



Capitol Hill Staff Secretly Wrote Trump's Travel Ban Order



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