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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ABDIQAFAR WAGAFE and MEHDI  
OSTADHASSAN on behalf of themselves and  
others similarly situated,

Plaintiffs,

v.

DONALD TRUMP, President of the United  
States; UNITED STATES CITIZENSHIP  
AND IMMIGRATION SERVICES; JOHN F.  
KELLY, in his official capacity as Secretary of  
the U.S. Department of Homeland Security;  
LORI SCIALABBA, in her official capacity as  
Acting Director of the U.S. Citizenship and  
Immigration Services; MATTHEW D.  
EMRICH, in his official capacity as Associate  
Director of the Fraud Detection and National  
Security Directorate of the U.S. Citizenship  
and Immigration Services; DANIEL  
RENAUD, in his official capacity as Associate  
Director of the Field Operations Directorate of  
the U.S. Citizenship and Immigration Services,

Defendants.

COMPLAINT-CLASS ACTION

Case No: 2:17-cv-00094-JCC

**AMENDED COMPLAINT FOR  
DECLARATORY AND INJUNCTIVE  
RELIEF**

**INTRODUCTION**

1  
2 1. This class action lawsuit seeks to stop the federal government from unconstitutionally preventing  
3 Plaintiffs, and others like them, from obtaining immigration benefits, including, but not limited to,  
4 asylum, naturalization, lawful permanent residence, and employment authorization.

5 2. On January 27, 2017, President Trump issued an Executive Order entitled “Protecting the Nation  
6 from Foreign Terrorist Entry into the United States.”

7 3. Section 3 of the Executive Order suspends entry into the United States of citizens or nationals of  
8 Syria, Iraq, Iran, Yemen, Somalia, Sudan, and Libya, all of which are predominantly Muslim countries,  
9 for 90 days or more. Although the Executive Order says nothing about suspending adjudications, U.S.  
10 Citizenship and Immigration Service (“USCIS”) has determined that the Executive Order requires it to  
11 suspend adjudication or final action on *all* pending petitions, applications, or requests involving citizens  
12 or nationals of those seven countries with the exception of naturalization applications.

13 4. Section 4 of the Executive Order further directs federal agencies to create and implement a  
14 policy of extreme vetting of all immigration benefits applications to identify individuals who are seeking  
15 to enter the country based on fraud and with the intent to cause harm or who are at risk of causing harm  
16 after admission. Any such “extreme vetting” policy will expand a current USCIS program called the  
17 Controlled Application Review and Resolution Program (“CARRP”). CARRP imposes extra-statutory  
18 rules and criteria to delay and deny immigration benefits to which applicants are entitled.

19 5. Plaintiff Abdiqafar Wagafe is a Somali national who has applied for and is eligible to naturalize  
20 as a United States citizen. He has been waiting three and a half years for a decision on his naturalization  
21 application.

22 6. Plaintiff Mehdi Ostadhassan is an Iranian national who has applied for and is eligible to adjust  
23 his status to that of a permanent resident. He has waited three years for a decision on his adjustment of  
24 status application.

25 7. Both Plaintiffs are practicing Muslims and long-term residents of the United States.  
26 Adjudication of Plaintiff Ostadhassan’s application is now suspended. This suspension, as well as the  
27 inordinate delays both he and Plaintiff Wagafe have faced, have held and will hold the lives of Plaintiffs,  
28 and others like them, in a state of limbo. They are prevented from having certainty about their future

1 residence in the United States, from being able to travel overseas, from petitioning for immigration  
2 benefits for family members, from obtaining jobs available only to U.S. citizens, and from voting in U.S.  
3 elections.

4 8. On behalf of themselves, and others similarly situated, Plaintiffs request that this Court order  
5 USCIS to resume adjudications of immigration benefits applications for citizens or nationals of Syria,  
6 Iraq, Iran, Yemen, Somalia, Sudan, and Libya. They also seek to enjoin the federal government from  
7 subjecting them and others like them—immigrants who are living in the United States and who are  
8 applying for naturalization or adjustment of status as permanent residents—to any “extreme vetting” and  
9 screening program that imposes unlawful criteria for adjudication and approval of their applications and  
10 that is ultra vires to the Constitution and immigration laws and is based on unconstitutional animus  
11 towards people of the Muslim faith or from Muslim-majority countries.

12 9. The Executive Order and application of CARRP<sup>1</sup> to pending immigration applications are  
13 unlawful and unconstitutional. The Executive Order reflects a preference for one religious faith over  
14 another in the adjudication of immigration applications, and, *inter alia*, discriminates against immigrants  
15 who are Muslim or from Muslim-majority countries on the basis of their religion and country of origin.  
16 CARRP and the “extreme vetting” program to be established under the Executive Order are similarly  
17 unlawful and ultra vires. The Constitution expressly assigns to Congress, not the executive branch, the  
18 authority to establish uniform rules of naturalization. The Immigration and Nationality Act (“INA”) sets  
19 forth those rules, along with the requirements for adjustment of status to lawful permanent residence,  
20 asylum, and all other immigration benefits. By creating additional, non-statutory, substantive criteria for  
21 adjudicating immigration applications, CARRP and any successor “extreme vetting” program violate the  
22 INA, Article I of the Constitution, and the Due Process Clause.

23 10. Without intervention by this Court, the applications of Plaintiff Ostadhassan and proposed class  
24 members will be unlawfully suspended due to the application of the Executive Order, and adjudications

25 \_\_\_\_\_  
26 <sup>1</sup> As set forth below in paragraph 70, USCIS did not make information about CARRP public, and the  
27 program only was discovered through fortuity during federal court litigation. To the extent the program  
28 has shifted in name, scope, or method, Plaintiffs may have no way to obtain that information. Thus,  
Plaintiffs’ reference to “CARRP” incorporates any similar non-statutory and sub-regulatory successor  
vetting policy.

1 of both Plaintiff's and proposed class members' applications will be unlawfully subject to, and  
2 adjudicated under, CARRP or a successor "extreme vetting" program.

3 11. Plaintiffs therefore request that the Court order USCIS to resume adjudications of immigration  
4 benefits applications for citizens and nationals of the seven countries identified in the Executive Order  
5 and enjoin USCIS from applying CARRP (or any similar ultra vires policy/successor "extreme vetting"  
6 program) to their immigration applications and the applications of similarly situated individuals.

7  
8 **JURISDICTION AND VENUE**

9 12. Plaintiffs allege violations of the INA, the Administrative Procedure Act ("APA"), and the U.S.  
10 Constitution. This Court has subject matter jurisdiction under 28 U.S.C. § 1331. This Court also has  
11 authority to grant declaratory relief under 28 U.S.C. §§ 2201 and 2202, and injunctive relief under 5  
12 U.S.C. § 702 and 28 U.S.C. § 1361.

13 13. Venue is proper in the Western District of Washington under 28 U.S.C. §§ 1391(b) and 1391(e)  
14 because (1) Plaintiff Abdiqafar Wagafe, a lawful permanent resident of the United States, resides in this  
15 district and no real property is involved in this action; (2) a substantial part of the events giving rise to  
16 the claims occurred in this district; and (3) Plaintiffs sue Defendants in their official capacity as officers  
17 of the United States.

18 **PARTIES**

19 14. Plaintiff Abdiqafar Wagafe is a thirty-two-year-old Somali national and a lawful permanent  
20 resident of the United States. He has lived in the United States since May 2007 and currently resides in  
21 SeaTac, Washington. He is Muslim. He applied for naturalization in November 2013. Even though he  
22 satisfies all statutory criteria for naturalization, USCIS has subjected his application to CARRP or its  
23 successor "extreme vetting" program, and as a result, a final decision has not been issued.

24 15. Plaintiff Mehdi Ostadhassan is a thirty-three-year-old national of Iran. He has lived in the  
25 United States since 2009 and resides in Grand Forks, North Dakota. He applied for adjustment to lawful  
26 permanent resident status in February 2014. He is Muslim. Even though he satisfies all statutory  
27 criteria for adjustment of status, USCIS has suspended adjudication of his application under the  
28 Executive Order and subjected his application to CARRP or its successor "extreme vetting" program,

1 and as a result, a final decision has not been issued.

2 16. Defendant Donald Trump is the President of the United States. Plaintiffs sue Defendant Trump  
3 in his official capacity.

4 17. Defendant USCIS is a component of the Department of Homeland Security (“DHS”), and is  
5 responsible for overseeing the adjudication of immigration benefits. USCIS implements federal law and  
6 policy with respect to immigration benefits applications.

7 18. Defendant John F. Kelly is the Secretary of DHS, the department under which USCIS and  
8 several other immigration agencies operate. Accordingly, Secretary Kelly has supervisory responsibility  
9 over USCIS. Plaintiffs sue Defendant Kelly in his official capacity.

10 19. Defendant Lori Scialabba is the Acting Director of USCIS. Acting Director Scialabba  
11 establishes and implements immigration benefits applications policy for USCIS and its subdivisions.  
12 Plaintiffs sue Defendant Scialabba in her official capacity.

13 20. Defendant Matthew D. Emrich is the Associate Director of the Fraud Detection and National  
14 Security Directorate of USCIS (“FDNS”), which is ultimately responsible for determining whether  
15 individuals filing applications for immigration benefits pose a threat to national security, public safety,  
16 or the integrity of the nation’s legal immigration system. Associate Director Emrich establishes and  
17 implements policy for FDNS. Plaintiffs sue Defendant Emrich in his official capacity.

18 21. Defendant Daniel Renaud is the Associate Director of the Field Operations Directorate of  
19 USCIS, which is responsible for and oversees the processing and adjudication of immigration benefits  
20 applications through the USCIS field offices and the National Benefits Center. Plaintiffs sue Defendant  
21 Renaud in his official capacity.

## 22 **LEGAL FRAMEWORK**

### 23 **A. Naturalization**

24 22. To naturalize as a U.S. citizen, an applicant must satisfy certain eligibility criteria under the INA  
25 and its implementing regulations. *See generally* 8 U.S.C. §§ 1421-1458; 8 C.F.R. §§ 316.1-316.14.

26 23. Applicants must prove that they are “at least 18 years of age,” 8 C.F.R. § 316.2(a)(1); have  
27 “resided continuously, after being lawfully admitted” in the United States, “for at least five years”; and  
28 have been “physically present” in the United States for “at least half of that time,” 8 U.S.C.

1 § 1427(a)(1).

2 24. Applicants must also demonstrate “good moral character” for the five years preceding the date of  
3 application, “attach[ment] to the principles of the Constitution of the United States, and favorabl[e]  
4 dispos[ition] toward the good order and happiness of the United States . . . .” 8 C.F.R. § 316.2(a)(7).

5 25. An applicant is presumed to possess the requisite “good moral character” for naturalization  
6 unless, during the five years preceding the date of the application, he or she is found (1) to be a habitual  
7 drunkard, (2) to have committed certain drug-related offenses, (3) to be a gambler whose income derives  
8 principally from gambling or has been convicted of two or more gambling offenses, (4) to have given  
9 false testimony for the purpose of obtaining immigration benefits; or if the applicant (5) has been  
10 convicted and confined to a penal institution for an aggregate period of 180 days or more, (6) has been  
11 convicted of an aggravated felony, or (7) has engaged in conduct such as aiding Nazi persecution or  
12 participating in genocide, torture, or extrajudicial killings. 8 U.S.C. § 1101(f)(6).

13 26. The statutory and regulatory requirements set forth in paragraphs 23-24 are less stringent for  
14 certain persons who married U.S. citizens and employees of certain nonprofit organizations, in that less  
15 than five years of residency and good moral character are required. *See generally* 8 U.S.C. § 1430; 8  
16 C.F.R. §§ 319.1 and 319.4.

17 27. An applicant is barred from naturalization for national security-related reasons in circumstances  
18 limited to those codified in 8 U.S.C. § 1424, including, *inter alia*, if the applicant has advocated, is  
19 affiliated with any organization that advocates, or writes or distributes information that advocates, “the  
20 overthrow by force or violence or other unconstitutional means of the Government of the United States,”  
21 the “duty, necessity, or propriety of the unlawful assaulting or killing of any officer . . . of the  
22 Government of the United States,” or “the unlawful damage, injury, or destruction of property.”

23 28. Once an individual submits an application, USCIS must conduct a background investigation, *see*  
24 8 U.S.C. § 1446(a); 8 C.F.R. § 335.1, which includes a full criminal background check by the Federal  
25 Bureau of Investigation (“FBI”), *see* 8 C.F.R. § 335.2.

26 29. After completing the background investigation, USCIS must schedule a naturalization  
27 examination at which the applicant meets with a USCIS examiner for an interview.

28 30. In order to avoid inordinate processing delays and backlogs, Congress has stated “that the

1 processing of an immigration benefit application,” which includes naturalization, “should be completed  
2 not later than 180 days after the initial filing of the application.” 8 U.S.C. § 1571(b). USCIS must  
3 either grant or deny a naturalization application within 120 days of the date of the examination. 8 C.F.R.  
4 § 335.3.

5 31. If the applicant has complied with all requirements for naturalization, federal regulations state  
6 that USCIS “*shall* grant the application.” 8 C.F.R. § 335.3(a) (emphasis added).

7 32. Courts have long recognized that “Congress is given power by the Constitution to establish a  
8 uniform Rule of Naturalization. . . . And when it establishes such uniform rule, those who come within  
9 its provisions are entitled to the benefit thereof as a matter of right. . . .” *Schwab v. Coleman*, 145 F.2d  
10 672, 676 (4th Cir. 1944) (emphasis added); *see also Marcantonio v. United States*, 185 F.2d 934, 937  
11 (4th Cir. 1950) (“The opportunity having been conferred by the Naturalization Act, there is a statutory  
12 right in the alien to submit his petition and evidence to a court, to have that tribunal pass upon them,  
13 and, if the requisite facts are established, to receive the certificate.” (quoting *Tutun v. United States*, 270  
14 U.S. 568, 578 (1926))).

15 33. Once an application is granted, the applicant is sworn in as a United States citizen.

16 **B. Adjustment of Status to Lawful Permanent Resident**

17 34. Federal law allows certain non-citizens to adjust their immigration status to that of a lawful  
18 permanent resident (“LPR”).

19 35. Several events may trigger eligibility to adjust to LPR status, including, but not limited to, an  
20 approved petition through a family member, such as a U.S. citizen spouse, or employer. *See, e.g.*, 8  
21 U.S.C. § 1255(a); 8 C.F.R. § 245.1.

22 36. In general, a noncitizen who is the beneficiary of an approved immigrant visa petition and who is  
23 physically present in the United States may adjust to LPR status if he or she “makes an application for  
24 such adjustment,” was “inspected and admitted or paroled” into the United States, is eligible for an  
25 immigrant visa and admissible to the United States, and the immigrant visa is immediately available to  
26 the applicant at the time the application is filed. 8 U.S.C. §§ 1255(a)(1)-(3); 8 C.F.R. § 245.1.

27 37. An adjustment applicant may be found inadmissible, and therefore ineligible to become an LPR,  
28 if certain security-related grounds apply, including, *inter alia*, the applicant has engaged in terrorist

1 activity, is a representative or member of a terrorist organization, endorses or espouses terrorist activity,  
2 or incites terrorist activity. *See* 8 U.S.C. § 1182(a)(3). USCIS’s definition of a national security concern  
3 in CARRP is significantly broader than these security-related grounds of inadmissibility set by  
4 Congress.

5 38. Congress has directed USCIS to process immigration benefit applications, including for  
6 adjustment of status, within 180 days. 8 U.S.C. § 1571(b).

### 7 **C. Other Immigration Benefits**

8 39. Federal laws provide noncitizens living within the United States the opportunity to apply for a  
9 myriad of other immigration benefits apart from either naturalization or adjustment of status.

10 40. For example, persons fleeing persecution or torture may apply for asylum under 8 U.S.C. § 1158,  
11 or withholding of removal, under 8 U.S.C. § 1231(b)(3). Victims of certain crimes and trafficking who  
12 have suffered serious harm and who have cooperated with law enforcement may apply for nonimmigrant  
13 visas under 8 U.S.C. §§ 1101(a)(15)(T), (U). Certain noncitizens from designated countries may apply  
14 for Temporary Protected Status (“TPS”) in the event of, *inter alia*, a natural disaster or political  
15 upheaval in their country of origin. 8 U.S.C. § 1254a. In addition, a significant number of noncitizens  
16 within the United States are eligible for employment authorization based on either their current  
17 immigration status, their employment status, or their temporary immigration status, including while  
18 other applications for immigration benefits are pending. *See generally* 8 C.F.R. § 274.12a(a)-(c).

19 41. Every immigration benefit has enumerated statutory and/or regulatory requirements that  
20 applicants must affirmatively establish to demonstrate eligibility. In addition, each applicant generally  
21 must show that they are admissible under 8 U.S.C. § 1182 and/or are that any past immigration violation  
22 or criminal conduct does not disqualify them for the benefit sought. *See, e.g.*, 8 U.S.C., §§ 1158(b)(2)  
23 (precluding asylum eligibility to individuals found to have persecuted others, to have been convicted of  
24 “a particularly serious crime,” or to present a danger to national security); 1231(b)(3)(B) (precluding  
25 applicants from receiving withholding of removal based on national security grounds); 1254a(c)(2)(B)(i)  
26 (precluding applicants from qualifying for TPS if they have been convicted of a felony or two or more  
27 misdemeanors).

### 28 **FACTUAL BACKGROUND**



1 49. In his first television appearance as President, he again referred to his plan for “extreme vetting.”  
2 The transcript of this interview is attached hereto as Exhibit E.

3 50. On January 27, 2017, one week after taking office, Defendant Trump signed an executive order  
4 entitled, “Protecting the Nation from Foreign Terrorist Entry into the United States.” The Executive  
5 Order is attached hereto as Exhibit F and is hereinafter referred to as the “EO.” On information and  
6 belief, and in light of the statements by Mr. Trump and his advisors set forth above, the EO was intended  
7 to target Muslims.

8 51. Citing the threat of terrorism committed by foreign nationals, the EO directs a variety of changes  
9 to the processing of certain immigration benefits. Most relevant to the instant action is Section 3 of the  
10 EO, which falls within a section entitled “Suspension of Issuance of Visas and Other Immigration  
11 Benefits,” in which President Trump orders, in Section 3(a), an immediate “review to determine the  
12 information needed from any country to adjudicate any visa, admission, or other benefit under the INA  
13 (adjudications) in order to determine that the individual seeking the benefit is who the individual claims  
14 to be and is not a security or public-safety threat.” In Section 3(c), the order then explains that to reduce  
15 the burden of the reviews described in Section 3(a), “immigrant and nonimmigrant entry into the United  
16 States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would  
17 be detrimental to the interests of the United States,” and that Defendant Trump is therefore  
18 “suspend[ing] entry into the United States, as immigrants and nonimmigrants, of such persons for 90  
19 days from the date of this order.”

20 52. There are seven countries that fit the criteria in 8 U.S.C. § 1187(a)(12): Iraq, Iran, Libya,  
21 Somalia, Sudan, Syria, and Yemen. The populations of those countries are overwhelmingly Muslim.

22 53. The EO purports to rely on 8 U.S.C. § 1182(f) for the authority to suspend entry into the United  
23 States.

24 54. On information and belief, USCIS relies on Section 3 of the EO to suspend processing immigrant  
25 visas and immigration benefits.

26 55. Section 4 of the EO orders the creation of a screening program for all immigration benefits  
27 applications, which will seek to identify individuals “who are seeking to enter the United States on a  
28 fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their

1 admission” and “a process to evaluate the applicant’s likelihood of becoming a positively contributing  
2 member of society and the applicant’s ability to make contributions to the national interest.”

3 56. Sections 5(a) and (b) of the EO suspends the U.S. Refugee Admissions Program in its entirety  
4 for 120 days and then, upon its resumption, directs the program to prioritize refugees who claim  
5 persecution on the basis of religious-based persecution, “provided that the religion of the individual is a  
6 minority religion in the individual’s country of nationality.” Section 5(e) states that notwithstanding the  
7 suspension of the Refugee Program, on a case-by-case basis, the United States may admit refugees “only  
8 so long as they determine that the admission of such individuals as refugees is in the national interest—  
9 including when the person is a religious minority in his country of nationality facing religious  
10 persecution.”

11 57. In a January 27, 2017, interview with the Christian Broadcasting Network, President Trump  
12 confirmed his intent to prioritize Christians in the Middle East for admission as refugees. A copy of the  
13 report of this interview is attached hereto as Exhibit G (David Brody: “As it relates to persecuted  
14 Christians, do you see them as kind of a priority here?” President Trump: “Yes.”).

15 **B. Ban on the Adjudication of Immigration Benefits Applications for Immigrants from**  
16 **the Seven Countries**

17 58. After the issuance of the EO, at least two department heads within USCIS sent internal  
18 communications barring any final action on any petition or benefits application involving citizens or  
19 nationals of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya.

20 59. On January 28, 2017, Associate Director of Service Center Operations for USCIS, Donald  
21 Neufeld, issued instructions to Service Center directors and deputies in an email message directing the  
22 suspension of the “adjudication of all applications, petitions or requests involving citizens or nationals of  
23 the [seven] listed countries.” The email continues, “At this point there are no exceptions for any form  
24 types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this  
25 temporary hold pending further guidance.” Photographs of the internal email communication are  
26 attached hereto as Exhibit H.

27 60. In another email to staff from Daniel M. Renaud, Associate Director of Field Operations for  
28 USCIS, on January 28, 2017, Mr. Renaud stated, “Effectively [sic] immediately and until additional

1 guidance is received, you may not take final action on any petition or application where the applicant is  
2 a citizen or national of Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya.” Alice Speri and Ryan  
3 Devereaux, *Turmoil at DHS and State Department*, THE INTERCEPT, Jan. 30, 2017, available at  
4 [https://theintercept.com/2017/01/30/asylum-officials-and-state-department-in-turmoil-there-are-people-](https://theintercept.com/2017/01/30/asylum-officials-and-state-department-in-turmoil-there-are-people-literally-crying-in-the-office-here/)  
5 [literally-crying-in-the-office-here/](https://theintercept.com/2017/01/30/asylum-officials-and-state-department-in-turmoil-there-are-people-literally-crying-in-the-office-here/). The email continued, “Offices are not permitted [to] make any final  
6 decision on affected cases to include approval, denial, withdrawal, or revocation. Please look for  
7 additional guidance later this weekend on how to process naturalization applicants from one of the seven  
8 countries listed above who are currently scheduled for oath ceremony or whose N-400s have been  
9 approved and they are pending scheduling of oath ceremony.” *Id.*; see also Michael D. Shear and Ron  
10 Nixon, *How Trump’s Rush to Enact an Immigration Ban Unleashed Global Chaos*, NEW YORK TIMES  
11 (Jan. 29, 2017), available at [https://www.nytimes.com/2017/01/29/us/politics/donald-trump-rush-](https://www.nytimes.com/2017/01/29/us/politics/donald-trump-rush-immigration-order-chaos.html)  
12 [immigration-order-chaos.html](https://www.nytimes.com/2017/01/29/us/politics/donald-trump-rush-immigration-order-chaos.html).

13 61. On January 31, 2017, U.S. Customs and Border Protection, a subdivision of DHS, published a  
14 clarification on its website regarding whether the EO applies to people with pending naturalization  
15 applications. The site reported that the EO does not so apply and that “USCIS will continue to  
16 adjudicate N-400 applications for naturalization and administer the oath of citizenship consistent with  
17 prior practices.” *Protecting the Nation from Foreign Terrorist Entry into the United States*, CBP,  
18 <https://www.cbp.gov/border-security/protecting-nation-foreign-terrorist-entry-united-states>.

19 62. Referencing the hold on adjudications for people from the seven countries, a USCIS official told  
20 The Intercept, “We know what is coming. These cases will all be denied after significant waits.” Alice  
21 Speri and Ryan Devereaux, *Turmoil at DHS and State Department*, THE INTERCEPT, Jan. 30, 2017.

22 63. The application of the EO to immigration benefits applications for immigrants from the seven  
23 countries will effectuate the intent of the EO to target Muslims.

### 24 C. “Extreme Vetting” of Muslim Immigrants

25 64. As described above, Section 4 of the EO orders the Secretary of State, the Secretary of  
26 Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of  
27 Investigation to “implement a program, as part of the adjudication process for immigration benefits” to  
28 identify individuals “who are at risk of causing harm.” The EO calls for the implementation of a

1 “program [that] will include the development of a uniform screening standard and procedure,” including  
2 “a process to evaluate the applicant’s likelihood of becoming a positively contributing member of  
3 society and the applicant’s ability to make contributions to the national interest,” as well as “a  
4 mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after  
5 entering the United States.”

6 65. Upon information and belief, this “extreme vetting” program will dramatically expand CARRP,  
7 an existing program USCIS has implemented since April 2008.

8 66. CARRP is an agency-wide policy for identifying, processing, and adjudicating immigration  
9 applications that raise “national security concerns.” As described below, however, CARRP unlawfully  
10 imposes extra statutory rules and criteria to delay and deny applicants immigration benefits to which  
11 they are entitled.

12 67. Congress did not enact CARRP, and USCIS did not promulgate it as a proposed rule with the  
13 notice-and-comment procedures mandated by the APA. *See* 5 U.S.C. § 553(b)-(c).

14 68. Upon information and belief, prior to CARRP’s enactment, USCIS simply delayed the  
15 adjudication of many immigration applications that raised possible national security concerns, in part  
16 due to backlogs created by the FBI Name Check process (one of many security checks utilized by  
17 USCIS).

18 69. Indeed, the U.S. District Court for the Western District of Washington previously certified a  
19 district class of hundreds of naturalization applicants whose cases were delayed due to FBI Name  
20 Checks, *see Roshandel v. Chertoff*, 554 F. Supp. 2d 1194 (W.D. Wash. 2008), and denied the  
21 defendants’ motion to dismiss the suit, *see Roshandel*, 2008 WL 1969646 (W.D. Wash. May 5, 2008).  
22 The case resulted in a settlement in which the defendants agreed to adjudicate class member applications  
23 within a specified time period. *See Roshandel*, No. C07-1739MJP, Dkt. 81 (W.D. Wash. Aug. 25,  
24 2008).

25 70. Now, in lieu of delays based on the FBI Name Check process, USCIS delays applications by  
26 applying CARRP. Since CARRP’s inception, USCIS has not made information about CARRP available  
27 to the public, except in response to Freedom of Information Act (“FOIA”) requests and litigation to  
28 compel responses to those requests. *See ACLU of Southern California v. USCIS*, No. CV 13-861

1 (D.D.C. filed June 7, 2013). In fact, the program was unknown to the public, including applicants for  
2 immigration benefits, until it was discovered in litigation challenging an unlawful denial of  
3 naturalization in *Hamdi v. USCIS*, No. EDCV 10-894 VAP (DTBx), 2012 WL 632397 (C.D. Cal. Feb.  
4 25, 2012), and then revealed in greater detail through the government’s response to a FOIA request.

5 71. CARRP directs USCIS officers to screen citizenship and immigration benefits applications for  
6 national security concerns.

7 72. If a USCIS officer determines that an application presents a national security concern, he or she  
8 will take the application off a routine adjudication track and—without notifying the applicant—place it  
9 on a CARRP adjudication track where it is subject to distinct procedures, heightened scrutiny, and, most  
10 importantly, extra-statutory criteria that result in lengthy delays and prohibit approvals, except in limited  
11 circumstances, regardless of an applicant’s statutory eligibility.

#### 12 1. CARRP’s Definition of a National Security Concern

13 73. According to the CARRP definition, a national security concern arises when an individual or  
14 organization has been determined to have an articulable link—no matter how attenuated or  
15 unsubstantiated—to prior, current, or planned involvement in, or association with, an activity,  
16 individual, or organization described in sections 212(a)(3)(A), (B), or (F), or 237(a)(4)(A) or (B) of the  
17 Immigration and Nationality Act. Those sections of the INA make inadmissible or removable any  
18 individual who, *inter alia*, “has engaged in terrorist activity” or is a member of a “terrorist  
19 organization.” 8 U.S.C. §§ 1182(a)(3) and 1227(a)(4).

20 74. For the reasons described herein, an individual need not be actually suspected of engaging in any  
21 unlawful activity or joining any proscribed organization to be branded a national security concern under  
22 CARRP.

23 75. CARRP distinguishes between two types of national security concerns: those ostensibly  
24 involving “Known or Suspected Terrorists” (“KSTs”), and those ostensibly involving “non-Known or  
25 Suspected Terrorists” (“non-KSTs”).

26 76. USCIS automatically considers an applicant a KST, and thus a national security concern, if his or  
27 her name appears in the Terrorist Screening Database, also referred to as the Terrorist Watchlist  
28 (“TSDB” or “Watchlist”). USCIS, therefore, applies CARRP to any applicant whose name appears in

1 the TSDB.

2 77. Upon information and belief, the TSDB includes approximately one million names, many of  
3 whom present no threat to the United States.

4 78. The government's Watchlisting Guidance sets a very low "reasonable suspicion" standard for  
5 placement on the Watchlist. Under the Guidance, concrete facts are not necessary to satisfy the  
6 reasonable suspicion standard, and uncorroborated information of questionable or even doubtful  
7 reliability can serve as the basis for blacklisting an individual. The Guidance further reveals that the  
8 government blacklists non-U.S. citizens, including LPRs, even where it cannot meet the already low  
9 reasonable suspicion standard of purported involvement with terrorist activity. The Guidance permits  
10 the watchlisting of noncitizens simply for being associated with someone else who has been watchlisted,  
11 even if there is no known involvement with that person's purportedly suspicious activity. The Guidance  
12 also states explicitly that noncitizens may be watchlisted based on information that is very limited or of  
13 suspected reliability. These extremely loose standards significantly increase the likelihood that the  
14 TSDB contains information on individuals who are neither known nor appropriately suspected terrorists.

15 79. Furthermore, the Terrorist Screening Center ("TSC"), which maintains the TSDB, has failed to  
16 ensure that individuals who do not meet the Watchlist's criteria are promptly removed from the TSDB  
17 (or not blacklisted in the first place). In 2013 alone, the watchlisting community nominated 468,749  
18 individuals to the TSDB, and the TSC rejected only approximately one percent of those nominations.  
19 Public reports also confirm that the government has nominated or retained people on government  
20 watchlists as a result of human error.

21 80. The federal government's official policy is to refuse to confirm or deny any given individual's  
22 inclusion in the TSDB or provide a meaningful opportunity to challenge that inclusion. Nevertheless,  
23 individuals can become aware of their inclusion due to air travel experiences. In particular, individuals  
24 may learn that they are on the "Selectee List" or the "Expanded Selectee List," subsets of the TSDB, if  
25 their boarding passes routinely display the code "SSSS" or they are routinely directed for additional  
26 screening before boarding a flight over U.S. airspace. They may also learn of their inclusion in the  
27 TSDB if U.S. federal agents regularly subject them to secondary inspection when they enter the United  
28 States from abroad. Such individuals are also often unable to check-in for flights online or at airline

1 electronic kiosks at the airport.

2 81. Where the KST designation does not apply, CARRP instructs officers to look for indicators of a  
3 non-Known or Suspected Terrorist (“non-KST”) concern.

4 82. These indicators fall into three categories: (1) statutory indicators; (2) non-statutory indicators;  
5 and (3) indicators contained in security check results.

6 83. Statutory indicators of a national security concern arise when an individual generally meets the  
7 definitions described in Sections 212(a)(3)(A), (B), and (F), and 237(a)(4)(A) and (B) of the INA  
8 (codified at 8 U.S.C. § 1182(a)(3)(A), (B), and (F) and § 1227(a)(4)(A) and (B)), which list the security  
9 and terrorism grounds of inadmissibility and removability.<sup>2</sup> However, CARRP expressly defines  
10 statutory indicators of a national security concern more broadly than the statute, stating that the facts of  
11 the case do not need to satisfy the legal standard used in determining admissibility or removability under  
12 those provisions of the INA to give rise to a non-KST national security concern.

13 84. For example, CARRP policy specifically directs USCIS officers to scrutinize evidence of  
14 charitable donations to organizations later designated as financiers of terrorism by the U.S. Treasury  
15 Department and to construe such donations as evidence of a national security concern, even if an  
16 individual had made such donations without any knowledge that the organization was engaged in  
17 proscribed activity. Such conduct would not make an applicant inadmissible for a visa, asylum, or LPR  
18 status under the statute, *see* 8 U.S.C. § 1182(a)(3)(B), nor does it have any bearing on a naturalization  
19 application.

20 85. Under CARRP, non-statutory indicators of a national security concern include travel through or  
21 residence in areas of known terrorist activity; a large scale transfer or receipt of funds; a person’s  
22 employment, training, or government affiliations; the identities of a person’s family members or close  
23 associates, such as a roommate, co-worker, employee, owner, partner, affiliate, or friend; or simply other  
24

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25 <sup>2</sup> These security and terrorism grounds of inadmissibility, if applicable, may bar an applicant from  
26 obtaining lawful permanent resident status, asylum, or a visa. However, they do not bar an applicant  
27 who is already a lawful permanent resident from naturalization, which is governed by the statutory  
28 provisions specific to naturalization. *See* 8 U.S.C. §§ 1421-1458. The security and terrorism provisions  
may also render a non-citizen removable, *see* 8 U.S.C. § 1227(a)(4), but the government has not charged  
Plaintiffs with removability under these provisions.

1 suspicious activities.

2 86. Finally, security check results are considered indicators of a national security concern in  
3 instances where, for example, the FBI Name Check produces a positive hit on an applicant's name and  
4 the applicant's name is associated with a national security-related investigatory file. Upon information  
5 and belief, this indicator leads USCIS to label applicants national security concerns solely because their  
6 names appear in a law enforcement or intelligence file, even if they were never the subject of an  
7 investigation. For example, an applicant's name could appear in a law enforcement file in connection  
8 with a national security investigation because he or she once gave a voluntary interview to an FBI agent,  
9 he or she attended a mosque that was the subject of FBI surveillance, or he or she knew or was  
10 associated with someone under investigation.

11 87. Upon information and belief, CARRP labels applicants national security concerns based on  
12 vague and overbroad criteria that often turn on national origin or innocuous and lawful activities or  
13 associations. These criteria are untethered from the statutory criteria that determine whether a person is  
14 eligible for the immigration status or benefit they seek, and are so general that they necessarily ensnare  
15 individuals who pose no threat to the security of the United States.

## 16 2. Delay and Denial

17 88. Once a USCIS officer identifies a CARRP-defined national security concern, the application is  
18 subjected to CARRP's rules and procedures that guide officers to deny such applications or, if an officer  
19 cannot find a basis to deny the application, to delay adjudication as long as possible.

### 20 a) Deconfliction

21 89. One such procedure is called "deconfliction," which requires USCIS to coordinate with—and,  
22 upon information and belief, subordinate its authority to—the law enforcement agency, often the FBI,  
23 that possesses information giving rise to the supposed national security concern.

24 90. During deconfliction, the relevant law enforcement agency has authority: to instruct USCIS to  
25 ask certain questions in an interview or to issue a Request for Evidence ("RFE"); to comment on a  
26 proposed decision on the benefit; and to request that USCIS deny, grant, or hold the application in  
27 abeyance for an indefinite period of time.

28 91. Upon information and belief, deconfliction allows law enforcement or intelligence agencies such

1 as the FBI to directly affect the adjudication of a requested immigration benefit, and also results in the  
2 agencies conducting independent interrogations of the applicant—or the applicant’s friends and family.

3 92. Upon information and belief, USCIS often makes decisions to deny immigration benefit  
4 applications because the FBI requests or recommends the denial, not because the person is statutorily  
5 ineligible for the benefit.

6 93. The FBI often seeks to use the pending immigration application to coerce the applicant to act as  
7 an informant or otherwise provide information.

8 b) Eligibility Assessment

9 94. In addition to deconfliction, once officers identify an applicant as a national security concern,  
10 CARRP directs officers to perform an “eligibility assessment” to determine whether the applicant is  
11 eligible for the benefit sought.

12 95. Upon information and belief, at this stage, CARRP instructs officers to look for any reason to  
13 deny an application so that time and resources are not expended to investigate the possible national  
14 security concern. Where no legitimate reason supports denial of an application subjected to CARRP,  
15 USCIS officers often utilize spurious or pretextual reasons to deny the application.

16 c) Internal Vetting

17 96. Upon information and belief, if, after performing the eligibility assessment, an officer cannot  
18 find a reason to deny an application, CARRP instructs officers to first “internally vet” the national  
19 security concern using information available in DHS systems and databases, open source information,  
20 review of the applicant’s file, RFEs, and interviews or site visits.

21 97. After conducting the eligibility assessment and internal vetting, USCIS officers are instructed to  
22 again conduct deconfliction to determine the position of any interested law enforcement agency.

23 d) External Vetting

24 98. If the national security concern remains and the officer cannot find a basis to deny the benefit,  
25 the application then proceeds to “external vetting.”

26 99. During external vetting, USCIS instructs officers to confirm the existence of the national security  
27 concern with the law enforcement or intelligence agency that possesses the information that created the  
28 concern and obtain additional information from that agency about the concern and its relevance to the

1 individual.

2 100. CARRP policy instructs USCIS officers to hold applications in abeyance for periods of 180 days  
3 to enable law enforcement agents and USCIS officers to investigate the national security concern.

4 According to CARRP policy, the USCIS Field Office Director may extend the abeyance periods as long  
5 as the investigation remains open.

6 101. Upon information and belief, CARRP provides no outer limit on how long USCIS may hold a  
7 case in abeyance, even though the INA requires USCIS to adjudicate a naturalization application within  
8 120 days of examination, 8 C.F.R. § 335.3, and Congress has made clear its intent that USCIS  
9 adjudicate immigration applications, including visa petitions and accompanying applications for  
10 adjustment of status to lawful permanent residence, within 180 days of filing the application. 8 U.S.C. §  
11 1571(b).

12 e) Adjudication

13 102. When USCIS considers an applicant to be a KST national security concern, CARRP policy  
14 forbids USCIS adjudications officers from granting the requested benefit even if the applicant satisfies  
15 all statutory and regulatory criteria.

16 103. When USCIS considers an applicant to be a non-KST national security concern, CARRP policy  
17 forbids USCIS adjudications officers from granting the requested benefit in the absence of supervisory  
18 approval and concurrence from a senior level USCIS official.

19 104. In *Hamdi*, 2012 WL 632397, when asked whether USCIS's decision to brand naturalization  
20 applicant Tarek Hamdi as a national security concern affected whether he was eligible for naturalization,  
21 a USCIS officer testified that "it doesn't make him statutorily ineligible, but because he is a—he still has  
22 a national security concern, it affects whether or not we can approve him." The officer testified that,  
23 under CARRP, "until [the] national security concern [is] resolved, he won't get approved."

24 105. Upon information and belief, USCIS routinely delays adjudication of applications subject to  
25 CARRP when it cannot find a reason to deny the application. When an applicant files a mandamus  
26 action to compel USCIS to finally adjudicate his or her pending application, it often has the effect of  
27 forcing USCIS to deny a statutorily-eligible application on pretextual grounds because CARRP prevents  
28 agency field officers from granting an application involving a national security concern.

1 106. CARRP effectively creates two substantive regimes for immigration application processing and  
2 adjudication: one for those applications subject to heightened scrutiny and vetting under CARRP and  
3 one for all other applications. CARRP rules and procedures create substantive eligibility criteria that  
4 indefinitely delay adjudications and unlawfully deny immigration benefits to noncitizens who are  
5 statutorily eligible and entitled by law.

6 107. At no point during the CARRP process is the applicant made aware that he or she has been  
7 labeled a national security concern, nor is the applicant ever provided with an opportunity to respond to  
8 and contest the classification.

9 108. Upon information and belief, CARRP results in unauthorized adjudication delays, often lasting  
10 many years, and pre-textual denials of statutorily-eligible immigration applications.

11 **B. Facts Specific To Each Plaintiff**

12 **Abdiqafar Wagafe**

13 109. Plaintiff Abdiqafar Aden Wagafe is a thirty-two-year-old Somali national who currently resides  
14 in SeaTac, Washington.

15 110. Between 2001 and 2007, Mr. Wagafe lived in refugee camps and temporary refugee housing in  
16 Kenya and Ethiopia.

17 111. On May 24, 2007, he moved to the United States with nine family members and was admitted as  
18 a refugee. He has lived in the United States since then.

19 112. After arriving in the United States, Mr. Wagafe briefly stayed in Minneapolis, Minnesota with  
20 his brother. He then moved to Seattle, where his two sisters and another brother live.

21 113. All of the nine family members who moved to the United States with Mr. Wagafe have become  
22 U.S. citizens.

23 114. From July 2007 until February 2011, Mr. Wagafe worked for Delta Global Services until  
24 widespread layoffs left him without a job. Since February 2011, he has worked at a Somali restaurant,  
25 which he currently co-owns and manages.

26 115. On May 28, 2008, Mr. Wagafe filed an application for refugee adjustment of status to become an  
27 LPR.

28 116. USCIS granted his application on November 3, 2008, retroactively granting him LPR status as of

1 May 24, 2007, the date he was admitted to the U.S. as a refugee. *See* 8 C.F.R. § 209.1(e).

2 117. Mr. Wagafe filed his first application for naturalization on July 3, 2012. USCIS interviewed him  
3 on October 29, 2012, but he failed the English-language portion of the exam. USCIS interviewed Mr.  
4 Wagafe a second time on January 3, 2013, but he again failed the English writing portion of the exam.  
5 He also did not understand English sufficiently to comprehend the Oath of Allegiance. On these bases,  
6 USCIS denied his first application for naturalization on January 9, 2013.

7 118. Mr. Wagafe has since improved his English skills significantly.

8 119. Mr. Wagafe filed a second application for naturalization on November 8, 2013. USCIS  
9 scheduled his interview for February 25, 2014, but cancelled it on January 29, 2014 without explanation.

10 120. Mr. Wagafe has made various inquiries concerning his case to USCIS, but he has not received an  
11 explanation for the delay. USCIS last responded to his queries in July 2015, instructing his attorney to  
12 have patience and that the agency would let him know when the agency was ready to interview him. His  
13 subsequent inquiries have gone unanswered.

14 121. Mr. Wagafe has resided continuously in the United States for at least five years preceding the  
15 date of filing his application for naturalization, and has resided continuously within the United States  
16 from the date of filing his application until the present.

17 122. Mr. Wagafe has never been convicted of a crime.

18 123. There is no statutory basis for denying his naturalization application.

19 124. Mr. Wagafe is Muslim and regularly attends Mosque. He also frequently sends small amounts of  
20 money to his relatives in Somalia, Kenya, and Uganda. He has been married to a woman in Uganda  
21 since December 2015 and makes visits to see her. He has been unable to bring her to the United States  
22 because of the delays in his case.

23 125. Mr. Wagafe's immigration Alien file ("A-file") makes clear that USCIS subjected his pending  
24 application to CARRP. The A-file states that a CARRP officer handled his case. In addition, a  
25 document in the A-File shows that on December 8, 2013, there was a hit on Mr. Wagafe's name in the  
26 FBI Name Check and that the Name Check result contained "derogatory information." The document  
27 also states that Mr. Wagafe appears eligible for naturalization absent confirmation of national security  
28 issues. The document then states that the case is being forwarded for external vetting.

1 126. Upon information and belief, Mr. Wagafe's naturalization application is subject to CARRP or its  
2 successor "extreme vetting" program, which is causing the delay in adjudication of his naturalization  
3 application, despite the fact that he is statutorily entitled to naturalize.

4 127. Mr. Wagafe has suffered significant harm due to the delay in adjudication of his naturalization  
5 application. Although he is married to a Ugandan woman, he has been unable to bring her to live with  
6 him in the United States, because he must become a United States citizen in order for her to qualify as  
7 an immediate relative, *see generally* 8 U.S.C. § 1151, and thus avoid the waiting list for petitions filed  
8 by lawful permanent residents on behalf of their spouses. CARRP has also harmed his professional  
9 options and prevented him from voting in local and national elections.

### 10 **Mehdi Ostadhassan**

11 128. Plaintiff Mehdi Ostadhassan is a thirty-three-year-old national of Iran. He resides in Grand  
12 Forks, North Dakota.

13 129. Mr. Ostadhassan moved to the United States in 2009 on a student visa and studied at the  
14 University of North Dakota. He earned his Ph.D. in Petroleum Engineering, and, after graduation, was  
15 immediately hired by the University of North Dakota as an Assistant Professor of Petroleum  
16 Engineering.

17 130. At the University of North Dakota, Mr. Ostadhassan met Bailey Bubach, a United States citizen.  
18 In January 2014, they were married in a small religious ceremony in California, and then obtained their  
19 marriage license in Grand Forks, North Dakota. Their first child was born in July 2016.

20 131. In February 2014, Ms. Bubach filed an immigrant visa petition (USCIS Form I-130) for Mr.  
21 Ostadhassan and he concurrently filed an application to adjust status (USCIS Form I-485) based upon  
22 his marriage.

23 132. Mr. Ostadhassan has never been convicted of a crime.

24 133. USCIS scheduled Mr. Ostadhassan for an interview on May 19, 2014, but when he appeared for  
25 the interview, USCIS informed him that it was cancelled.

26 134. USCIS rescheduled and conducted an interview almost a year and a half later, on September 24,  
27 2015. At that interview, a USCIS officer told Mr. Ostadhassan that the agency still could not make a  
28 decision and that it needed to complete further background and security checks. To date, Mr.

1 Ostadhassan is still waiting for a decision from USCIS.

2 135. Mr. Ostadhassan and Ms. Bubach are Muslim and active participants in their religious  
3 community. Each year they donate to Muslim charities in accordance with the teachings of Islam. They  
4 are both involved in the Muslim Student Association at the University of North Dakota. In addition,  
5 they run a Muslim Sunday School. Mr. Ostadhassan also coordinates the Muslim Congress's Koran  
6 competition every year.

7 136. Upon information and belief, USCIS considers Mr. Ostadhassan a non-KST national security  
8 concern and is subjecting him to CARRP. USCIS may have subjected Mr. Ostadhassan's adjustment  
9 application to CARRP because he has resided in and traveled through what the government considers  
10 areas of known terrorist activity—namely, Iran—and because of his donations to Islamic charities and  
11 involvement in the Muslim community.

12 137. In October 2014, an FBI agent contacted Mr. Ostadhassan and asked to meet to discuss his recent  
13 trip to Iran to visit family. Mr. Ostadhassan declined to meet with the FBI, and his lawyer informed the  
14 agent that any further communications should go through the attorney. The FBI has not contacted Mr.  
15 Ostadhassan since.

16 138. Upon information and belief, the request for a visit by the FBI was a product of CARRP's  
17 deconfliction process. As Mr. Ostadhassan is a citizen of Iran, one of the seven countries listed in the  
18 EO, his application for adjustment of status is subject to the EO. Upon information and belief,  
19 adjudication of his application therefore has been suspended indefinitely.

20 139. Upon information and belief, Mr. Ostadhassan's application for adjustment of status is also  
21 subject to CARRP or its successor "extreme vetting" program, which is has delayed the adjudication of  
22 his application, despite the fact that he is statutorily eligible for adjustment of status.

23 140. Mr. Ostadhassan has been significantly harmed by the delay in adjudication of his adjustment of  
24 status application. Because of his temporary nonimmigrant status, and without an approved adjustment  
25 application, he cannot travel outside the United States. He recently was unable to travel to Iran to  
26 introduce his American wife and infant to his Iranian family; his wife and child traveled to Iran without  
27 him. He has also lost out on significant professional opportunities. He is a college professor, and his  
28 unapproved adjustment application has prevented him from attending conferences overseas. Due to the

1 delay, he and his wife feel that their lives and future in the United States are suspended in limbo, not  
2 knowing whether they have a future in the United States.

3 **CLASS ACTION ALLEGATIONS**

4 141. Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(2), Plaintiffs bring this action on  
5 behalf of themselves and all other similarly-situated individuals. Plaintiffs do not bring claims for  
6 compensatory relief. Instead, Plaintiffs seek injunctive relief broadly applicable to members of the  
7 Plaintiff Classes, as defined below. The requirements for Rule 23 are met with respect to the classes  
8 defined below.

9 142. Plaintiffs seek to represent the following nationwide classes:

10 A **Muslim Ban Class** defined as:

11 A national class of all persons currently and in the future (1) who are in the United States,  
12 (2) have or will have an application for an immigration benefit pending before USCIS  
13 that is not a naturalization application, and (3) are a citizen or national of Syria, Iraq, Iran,  
14 Yemen, Somalia, Sudan, or Libya.

15 An **Extreme Vetting Naturalization Class** defined as:

16 A national class of all persons currently and in the future (1) who have or will have an  
17 application for naturalization pending before USCIS, (2) that is subject to CARRP or its  
18 successor “extreme vetting” program, and (3) that has not been or will not be adjudicated  
19 by USCIS within six months of having been filed.

20 An **Extreme Vetting Adjustment of Status Class** defined as:

21 A national class of all persons currently and in the future (1) who have or will have an  
22 application for adjustment of status pending before USCIS, (2) that is subject to CARRP  
23 or its successor “extreme vetting” program, and (3) that has not been or will not be  
24 adjudicated by USCIS within six months of having been filed.

25 143. Plaintiff Ostadhassan is an adequate class representative of the Muslim Ban class. Plaintiff  
26 Wagafe is an adequate representative of the Extreme Vetting Naturalization Class. Plaintiff Ostadhassan  
27 is also an adequate representation of the Extreme Vetting Adjustment of Status Class.

28 144. The Proposed Classes are each so numerous that joinder of all members is impracticable.

145. Although Plaintiffs do not know the total number of people from the seven countries targeted in  
the EO who have *pending* immigration benefits applications (excluding naturalization applications) at  
any given time, publicly available USCIS data reveals that in 2015, there were 83,109 people from those  
seven countries who were *granted* applications for lawful permanent residence, asylum, and refugee  
admission.

1 146. Similarly, although Plaintiffs do not know the total number of people subject to CARRP or any  
2 successor “extreme vetting” program at any given time, USCIS data reveals that between Fiscal Year  
3 2008 and Fiscal Year 2012, more than 19,000 people from twenty-one Muslim-majority countries or  
4 regions were subjected to CARRP. Upon information and belief, between 2008 and 2016, USCIS  
5 opened 41,805 CARRP cases.

6 147. This data includes individuals with pending naturalization and adjustment of status applications.  
7 For example, in March 2009, there were 1,437 adjustment of status (I-485) applications subject to  
8 CARRP that had been pending for at least six months and 1,065 naturalization (N-400) applications  
9 subject to CARRP that had been pending for at least six months.

10 148. The exact number of individuals subject to the EO, CARRP or any successor “extreme vetting”  
11 program at any given time fluctuates as applications are filed and USCIS applies these policies and  
12 practices to the applications. Moreover, members of the class reside in various locations across the  
13 country. For these and other reasons, joinder of the members of the Classes would create substantial  
14 challenges to the efficient administration of justice. Joinder is thus impracticable here.

15 149. In addition, there are questions of law and fact common to the members of the Classes. The  
16 Muslim Ban and Extreme Vetting Adjustment of Status Class are subject to Defendants’ unauthorized  
17 suspension of immigration benefits adjudications. All classes are subject to CARRP (or a successor  
18 “extreme vetting” program). Accordingly, common questions of law and fact include, but are not  
19 limited to, the following:

- 20 • Whether Defendants’ unauthorized suspension of immigration benefits adjudications under the  
21 EO violates Defendants’ duty to timely adjudicate immigration benefit applications authorized  
22 by the Immigration and Nationality Act;
- 23 • Whether Defendants’ unauthorized suspension of immigration benefits adjudications under the  
24 EO to Plaintiff Ostadhassan’s application violates the Establishment Clause of the First  
25 Amendment to the United States Constitution by not pursuing a course of neutrality with regard  
26 to different religious faiths;
- 27 • Whether Defendants’ unauthorized suspension of immigration benefits adjudications under the  
28 EO and application of CARRP (or a successor “extreme vetting” program) to Plaintiffs’  
applications discriminates against Plaintiffs on the basis of their country of origin, and without  
sufficient justification, and therefore violates the equal protection component of the Due Process  
Clause of the Fifth Amendment to the United States Constitution.

- 1 • Whether Defendants' unauthorized suspension of immigration benefits adjudications under the  
2 EO and application of CARRP (or a successor "extreme vetting" program) to Plaintiffs'  
3 applications is substantially motivated by animus toward—and has a disparate effect on—  
4 Muslims in violation of the equal protection component of the Due Process Clause of the Fifth  
5 Amendment to the United States Constitution;
- 6 • Whether Defendants' unauthorized suspension of immigration benefits adjudications under the  
7 EO and application of CARRP or a successor "extreme vetting" program to Plaintiffs'  
8 applications for immigration benefits, for which they are statutorily eligible and to which they  
9 are legally entitled, constitutes an arbitrary denial in violation of Plaintiffs' right to substantive  
10 due process under the Fifth Amendment to the United States Constitution;
- 11 • Whether Defendants' unauthorized suspension of immigration benefits adjudications under the  
12 EO and application of CARRP (or a successor "extreme vetting" program) to Plaintiffs'  
13 applications violates the INA by creating additional, non-statutory, substantive criteria that must  
14 be met prior to a grant of a naturalization or adjustment of status application;
- 15 • Whether Defendants' unauthorized suspension of immigration benefits adjudications under the  
16 EO and application of CARRP (or a successor "extreme vetting" program) to Plaintiffs'  
17 applications violates the APA, 5 U.S.C. § 706, as final agency action that is arbitrary and  
18 capricious, contrary to constitutional law, and in excess of statutory authority;
- 19 • Whether Defendants' the application of CARRP (or a successor "extreme vetting" program) to  
20 Plaintiffs' applications constitutes a substantive rule and, as a result, Defendants violated the  
21 APA, 5 U.S.C. § 553, when they promulgated CARRP without providing a notice-and-comment  
22 period prior to implementing it;
- 23 • Whether Defendants' failure to give Plaintiffs notice of their classification under CARRP (or a  
24 successor "extreme vetting" program), a meaningful explanation of the reason for such  
25 classification, and a process by which Plaintiffs can challenge their classification violates the  
26 Due Process Clause of the Fifth Amendment to the United States Constitution; and
- 27 • Whether Defendants' application of CARRP (or a successor "extreme vetting" program) to  
28 Plaintiff Wagafe's application violates the Uniform Rule of Naturalization, Article I, Section 8,  
Clause 4 of the United States Constitution by establishing criteria for naturalization not  
authorized by Congress.

150. The claims of the named Plaintiffs are typical of their respective Plaintiff Classes. Plaintiffs know of no conflict between their interests and those of the Plaintiff Classes they seek to represent. In defending their own rights, the named Plaintiffs will defend the rights of all proposed Plaintiff Class members fairly and adequately. The members of the Classes are readily ascertainable through notice and discovery.

151. Plaintiffs are represented by counsel with particular expertise in immigration and constitutional

1 law, and extensive experience in class action and other complex litigation.

2 152. Defendants have acted or refused to act on grounds generally applicable to each member of the  
3 Plaintiff Classes by unlawfully applying the EO and/or CARRP (or its successor “extreme vetting”  
4 program) to their immigration applications—thus applying additional non-statutory, substantive  
5 requirements for naturalization and adjustment of status, and causing them to have suffered and continue  
6 to suffer injury in the form of unreasonable delays and denials of their applications.

7 153. A class action is superior to other methods available for the fair and efficient adjudication of this  
8 controversy because joinder of all members of the Classes is impracticable. Absent the relief they seek  
9 here, there would be no other way for the Plaintiff Class members to individually redress the wrongs  
10 they have suffered and will continue to suffer.

11 **CAUSES OF ACTION**

12 **FIRST CLAIM FOR RELIEF**

13 **Immigration and Nationality Act and the Administrative Procedure Act**  
14 **(Plaintiff Ostadhassan on behalf of himself and the Muslim Ban Class)**

15 154. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

16 155. Section 212(f) of the Immigration and Nationality, 8 U.S.C. § 1182(f), is entitled “Suspension of  
17 Entry or Imposition of Restrictions by President.” That provision authorizes the President to suspend  
18 entries or impose restrictions on entries. That provision does not authorize the President to suspend  
19 adjudication of immigration petitions, applications, or requests of any class of persons.

20 156. Defendants have interpreted the EO to authorize the suspension of immigration petitions,  
21 applications, or requests involving Plaintiff Ostadhassan and members of the Muslim Ban Class.

22 157. Accordingly, Defendants have suspended adjudication of such immigration benefits petitions,  
23 applications, or requests.

24 158. Defendants’ actions in suspending adjudications violates 8 U.S.C. § 1182(f) and is arbitrary,  
25 capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional  
26 right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations, or short  
27 of statutory right; and without observance of procedure required by law, in violation of the  
28 Administrative Procedure Act, 5 U.S.C. §§ 706(2)(A)-(D).

**SECOND CLAIM FOR RELIEF**

**Mandamus (28 U.S.C. § 1361)**

**(Plaintiff Ostadhassan on behalf of himself and the Muslim Ban Class)**

159. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

160. Defendants have a duty to adjudicate all immigrant benefits petitions, applications or requests authorized by the Immigration and Nationality Act, implementing regulations, or other law.

161. The EO does not authorize the suspension of adjudication of immigration benefits petitions, applications, or requests.

162. Defendants have interpreted the EO to authorize the suspension of immigration benefit applications for petitions, applications, or requests involving Plaintiff Ostadhassan and members of the Muslim Ban Class.

163. Accordingly, Defendants have suspended adjudication of immigration benefits petitions, applications, or requests.

164. Defendants' refusal to adjudicate immigration benefits petitions, applications, or requests violates Defendants' statutory and constitutional duty to adjudicate these matters, and to do so in a nondiscriminatory manner.

**THIRD CLAIM FOR RELIEF**

**First Amendment (Establishment Clause)**

**(Plaintiff Ostadhassan on behalf of himself and the Muslim Ban Class)**

165. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

166. The EO was intended to target a specific religious faith, Islam, and gives preference to other religious faiths, principally Christianity, and it has that intended effect when applied to Plaintiffs and members of the Muslim Ban Class. Defendants' application of the EO to Plaintiffs and members of the Plaintiff Classes violates the Establishment Clause of the First Amendment to the United States Constitution by not pursuing a course of neutrality with regard to different religious faiths.

**FOURTH CLAIM FOR RELIEF**

**Fifth Amendment (Procedural Due Process)**

**(All Plaintiffs on behalf of themselves and the Plaintiff Classes)**

1 167. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

2 168. Defendants' failure to give Plaintiffs and members of the Extreme Vetting Naturalization and  
3 Extreme Vetting Adjustment of Status Classes notice of their classification under CARRP (or successor  
4 "extreme vetting" program), a meaningful explanation of the reason for such classification, and any  
5 process by which Plaintiffs can challenge their classification, violates the Due Process Clause of the  
6 Fifth Amendment to the United States Constitution.

7 169. The EO's directive to screen applicants for immigration benefits based on "the applicant's  
8 likelihood of becoming a positively contributing member of society and the applicant's ability to make  
9 contributions to the national interest" also is void because it is unconstitutionally vague under the Due  
10 Process Clause of the Fifth Amendment to the United States Constitution.

11 170. Because of these violations of their constitutional rights, Plaintiffs and members of the Plaintiff  
12 Classes have suffered and continue to suffer injury in the form of unreasonable delays and unwarranted  
13 denials of their immigration applications.

14 **FIFTH CLAIM FOR RELIEF**

15 **Fifth Amendment (Substantive Due Process)**

16 **(All Plaintiffs on behalf of themselves and the Plaintiff Classes)**

17 171. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

18 172. Defendants' unauthorized and indefinite suspension of the adjudication of Plaintiffs' and the  
19 Proposed Classes' applications for immigration benefits violates their right to substantive due process  
20 under the Fifth Amendment to the United States Constitution, because Plaintiffs cannot be denied  
21 immigration benefits for which they are statutorily eligible, and to which they are entitled by law, in an  
22 arbitrary manner.

23 **SIXTH CLAIM FOR RELIEF**

24 **Fifth Amendment (Equal Protection)**

25 **(All Plaintiffs on behalf of themselves and the Plaintiff Classes)**

26 173. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

27 174. Defendants' indefinite suspension of the adjudication of Plaintiffs' applications for immigration  
28 benefits on the basis of their country of origin, and without sufficient justification, violates the equal

1 protection component of the Due Process Clause of the Fifth Amendment.

2 175. Additionally, Defendants' indefinite suspension of the adjudication of Plaintiff Ostadhassan and  
3 the Muslim Ban Class applications for immigration benefits under the EO was substantially motivated  
4 by animus toward—and has a disparate effect on—Muslims, which also violates the equal protection  
5 component of the Due Process Clause of the Fifth Amendment.

6 176. Applying a general law in a fashion that discriminates on the basis of religion violates Plaintiffs'  
7 and the Plaintiff Classes' rights to equal protection under the Fifth Amendment Due Process Clause.

8 177. The EO is intended and will be applied primarily to exclude individuals on the basis of their  
9 national origin and religion. Further, the President has promised that preferential treatment will be given  
10 to Christians, unequivocally demonstrating the special preferences and discriminatory impact that the  
11 EO has upon Plaintiffs and the Proposed Classes.

12 178. Defendants have applied the EO with discriminatory animus and discriminatory intent in  
13 violation of the equal protection component of the Fifth Amendment.

14 **SEVENTH CLAIM FOR RELIEF**

15 **Immigration and Nationality Act and Implementing Regulations**

16 **(Plaintiffs on behalf of themselves and the Extreme Vetting Naturalization and**

17 **Extreme Vetting Adjustment of Status Classes)**

18 179. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

19 180. To secure naturalization and adjustment of status, an applicant must satisfy certain statutorily-  
20 enumerated criteria.

21 181. By its terms, CARRP creates additional, non-statutory, substantive adjudicatory criteria.

22 182. Accordingly, CARRP violates 8 U.S.C. § 1427, 8 C.F.R. § 316.2, and 8 C.F.R. § 335.3, as those  
23 provisions set forth the exclusive applicable statutory and regulatory criteria for a grant of naturalization.

24 183. CARRP also violates 8 U.S.C. § 1255, 8 U.S.C. § 1159, 8 C.F.R. § 245.1, and 8 C.F.R. § 209.1,  
25 as those provisions set forth the applicable statutory and regulatory criteria for individuals present in the  
26 United States to adjust their status.

27 184. Because of these violations and/or because CARRP's additional, non-statutory, substantive  
28 criteria have been applied to their applications, Plaintiffs and Plaintiff Class members have suffered and

1 will continue to suffer injury in the form of unreasonable delays and unwarranted denials of their  
2 applications for naturalization and adjustment of status.

3 **EIGHTH CLAIM FOR RELIEF**

4 **Administrative Procedure Act (5 U.S.C. § 706)**

5 **(Plaintiffs on behalf of themselves and the Extreme Vetting Naturalization and**  
6 **Extreme Vetting Adjustment of Status Classes)**

7 185. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

8 186. CARRP constitutes final agency action that is arbitrary and capricious because it “neither  
9 focuses on nor relates to a [noncitizen’s] fitness to” obtain the immigration benefits subject to its terms.  
10 *Judulang v. Holder*, 132 S. Ct. 476, 485 (2011).

11 187. CARRP is also not in accordance with law, is contrary to constitutional rights, and is in excess of  
12 statutory authority because it violates the INA and exceeds USCIS’s statutory authority to implement  
13 (not create) the immigration laws, as alleged herein.

14 188. As a result of these violations, Plaintiffs and members of the Proposed Extreme Vetting  
15 Naturalization and Extreme Vetting Adjustment of Status Classes have suffered and continue to suffer  
16 injury in the form of unreasonable delays and unwarranted denials of their immigration applications.

17 **NINTH CLAIM FOR RELIEF**

18 **Administrative Procedure Act (Notice and Comment)**

19 **(Plaintiffs on behalf of themselves and the Extreme Vetting Naturalization and**  
20 **Extreme Vetting Adjustment of Status Classes)**

21 189. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

22 190. The APA, 5 U.S.C. § 553, requires administrative agencies to provide a notice-and-comment  
23 period prior to implementing a substantive rule.

24 191. CARRP constitutes a substantive agency rule within the meaning of 5 U.S.C. § 551(4).

25 192. Defendants failed to provide a notice-and-comment period prior to the adoption of CARRP.

26 193. Because CARRP is a substantive rule promulgated without the notice-and-comment period, it  
27 violates 5 U.S.C. § 553 and is therefore invalid.

28 194. As a result of these violations, Plaintiffs and members of the Plaintiff Classes have suffered and

1 continue to suffer injury in the form of unreasonable delays and unwarranted denials of their  
2 immigration applications.

3 **TENTH CLAIM FOR RELIEF**

4 **“Uniform Rule of Naturalization”**

5 **(Plaintiff Abdiqafar Wagafe on behalf of himself and the Naturalization Class)**

6 195. Plaintiffs incorporate the allegations of the preceding paragraphs as if fully set forth herein.

7 196. Congress has the sole power to establish criteria for naturalization, and any additional  
8 requirements not enacted by Congress are ultra vires.

9 197. By its terms, CARRP creates additional, non-statutory, substantive criteria that must be met prior  
10 to a grant of a naturalization application.

11 198. Accordingly, CARRP violates Article I, Section 8, Clause 4 of the United States Constitution.

12 199. Because of this violation and because CARRP’s additional, non-statutory, substantive criteria  
13 have been applied to their applications, Plaintiff Wagafe and Naturalization Plaintiff Class members  
14 have suffered and will continue to suffer injury in the form of unreasonable delays and unwarranted  
15 denials of their naturalization applications.

16 200.

17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiffs respectfully request that the Court grant the following relief:

- 19 1. Certify the case as a class action as proposed herein;
- 20 2. Appoint Plaintiff Ostadhassan a representative of the Muslim Ban Class;
- 21 3. Appoint Plaintiff Wagafe as representative of the Extreme Vetting Naturalization Class, and  
22 Plaintiff Ostadhassan as representative of the Extreme Vetting Adjustment of Status Class;
- 23 4. Order Defendants to adjudicate the petitions, applications or requests of Plaintiffs and members  
24 of the proposed classes;
- 25 5. Order Defendants to adjudicate Plaintiffs’ and proposed class members’ petitions, applications,  
26 or requests based solely on the statutory criteria;
- 27 6. Declare that Sections 3(c) and 4 of the Executive Order contrary to the Constitution and the INA;
- 28 7. Issue an order enjoining Defendants from applying Section 3(c) and 4 to Plaintiffs and members

1 of the proposed classes;

2 8. Declare that CARRP or any successor “extreme vetting” program violates the Constitution, the  
3 INA and the APA;

4 9. Enjoin Defendants, their subordinates, agents, employees, and all others acting in concert with  
5 them from applying CARRP or any successor “extreme vetting” program to the processing and  
6 adjudication of the immigration benefit petitions, applications, or requests of Plaintiffs and  
7 members of the proposed classes;

8 10. Order Defendants to rescind CARRP because they failed to follow the process for notice and  
9 comment by the public;

10 11. Alternatively, order Defendants to provide Plaintiffs and members of the proposed classes with  
11 notice that they have been subjected to CARRP or any successor “extreme vetting” program, the  
12 reasons for subjecting them to CARRP or any successor “extreme vetting” program, and a  
13 reasonable opportunity to respond to those allegations before a neutral decisionmaker;

14 12. Award Plaintiffs and other members of the proposed class reasonable attorneys’ fees and costs;  
15 and

16 13. Grant any other relief that this Court may deem fit and proper.

17  
18 Respectfully submitted this 1st day of February, 2017.

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# Exhibit A



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- 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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# Exhibit B



**MITSUBISHI HEAVY INDUSTRIES**

| Read Donald Trump's Speech on the Orlando Shooting



**DONALD TRUMP**

## Read Donald Trump's Speech on the Orlando Shooting

**Ryan Teague Beckwith**

Updated: Jun 13, 2016 8:36 PM Pacific



Donald Trump addressed the shooting at a gay club in Orlando in a prepared speech Monday, calling for suspending immigration from countries with a history of terrorism.

Here is a full transcript of his remarks, as given.

TRUMP: (OFF-MIKE) This was going to be a speech on Hillary Clinton and all of the bad things and we all know what's going on, and especially how poor she'd do as president in these very, very troubled times of radical Islamic terrorism.

TRUMP: Even her former Secret Service agent, who's seen her under pressure and in times of

stress, has stated that she lacks the temperament and integrity to be our president. There will be plenty of opportunity to discuss these important issues at a later time, and I will deliver that speech very, very soon.

But today, there's 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 terror strike on our soil since September 11th, and the worst mass shooting in our country's history.

So many people -- it's just hard to believe, but just 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, and they will be forever. 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 this attack.

Thank you. Our nation stands together in solidarity with the members of Orlando's LGBT community. They have been through something that nobody could ever experience. 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's a strike at the heart and soul of who we are as a nation. It's an assault on the ability of free people to live their lives, love who they want, and express their identity. It's an attack on the right of every single American to live in peace and safety in their own country.

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 to think and act clearly. We're not acting clearly, we're not talking clearly, we've got problems.

If we don't get tough, and if we don't get smart, and fast, we're not going to have our country anymore. There will be nothing, absolutely nothing, left. The killer, whose name I will not use, or ever say, was born in Afghan, of 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, and they murdered plenty. The father even said he was running for president of Afghanistan. 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 properly. We have an incompetent administration.

And if I'm elected president, that will not change, I will tell you, that will not change over the next four years. We have an administration that will not change. But if I get in there, it's going to change, and it's going to change quickly. We're going from totally incompetent to just the opposite, believe me.

(APPLAUSE)

TRUMP: Thank you.

With 50 people dead and perhaps more ultimately and dozens more wounded, we cannot afford to talk around issues anymore. We have to address these issues head-on. I called for a ban after San Bernardino and was met with great scorn and anger but now many years and I have to say many years but many are saying that I was right to do so. And although the pause is temporary we must find out what is going on. We have to do it.

It will be lifted -- this ban -- when and as a nation we're in a position to properly and perfectly screen these people coming into our country. They're pouring in and we don't know what we're doing. The immigration laws of the United States give the president powers to suspend entry into the country of any class of persons. Now, any class -- it really is determined and to be determined by the president for the interests of the United States. And it's as he or she deems appropriate. Hopefully it's he in this case.

(APPLAUSE)

Thank you. I will use this power to protect the American people. When I'm elected I will suspend immigration from areas of the world where there's a proven history of terrorism against the United States, Europe or our allies until we fully understand how to end these threats. After a full ...

(APPLAUSE)

Thank you.

And by the way we have no choice. After a full and partial and long -- really long overdue security assessment we will develop a responsible immigration policy that serves the interests and values of America.

(APPLAUSE)

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.

(APPLAUSE) Remember this, radical Islam is anti-woman, anti-gay and anti- American.

(APPLAUSE)

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

(APPLAUSE)

This is not just a national security issue. It's 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 and we need to do it now.

(APPLAUSE)

We need to tell the truth also about how radical Islam is coming to our shores. And it's coming ...

(APPLAUSE)

With these people, folks, it's coming. We're 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 people we're letting into America. All of the September 11th hijackists 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 will not 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.

(APPLAUSE)

TRUMP: Immigration from Afghanistan into the United States has increased nearly five fold -- five fold in just one year. According to Pew Research, 99 percent of the people in Afghanistan support oppressive sharia law. We admit many more, and that's just the way it is. We admit many more from other countries in the region.

And I'll tell you what: They share these oppressive views and values. We want to remain a free and open society. Then, and if we do, then we have to control our borders. We have to control, and we have to control them now, not later. Right now.

(APPLAUSE)

Thank you.

Yet Hillary Clinton, for months, and despite so many attacks, repeatedly refused to even say the words radical Islam until I challenged her yesterday. And, guess what, she will probably say them. She sort of has said them, but let's see what happens. She really has no choice, but she doesn't want to.

However, she's really been forced, and she has been forced to say these words. She supports, and the reason is, she supports so much of what is wrong, and what is wrong with this country, and what's going wrong with our country and our borders. She has no clue, in my opinion, what radical Islam is and she won't speak honestly about it if she does, in fact, know. She's in total denial, and her continuing reluctance to ever name the enemy broadcasts weakness across the entire world -- true weakness.

I don't know if you know this, but just a few weeks before San Bernardino, the slaughter, that's all it was was a slaughter, Hillary Clinton explained her refusal to say the words "radical Islam." Here is what she said, exact quote, "Muslims are peaceful and tolerant people, and have nothing whatsoever to do with terrorism." That is Hillary Clinton.

So, she says the solution is to ban guns. They tried that in France which has among the toughest gun laws anywhere in the world, and 130 people were brutally murdered by Islamic terrorists in cold blood. Her plan is to disarm law abiding Americans, abolishing the Second Amendment, and leaving only the bad guys and terrorists with guns. No good. Not going to happen, folks. Not going to happen. Not going to happen. (APPLAUSE)

Thank you.

She wants to take away American's guns and then admit the very people who want to slaughter us. Let them come into the country, we don't have guns. Let them come in, let them have all the fun they want.

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. I will be always defending the Second Amendment.

(APPLAUSE)

Thank you. Thank you.

The bottom line is that Hillary supports policies that bring the threat of radical Islam into American and allow it to grow overseas, and it is growing. In fact, Hillary Clinton's catastrophic immigration plan will bring vastly more radical Islamic immigration into this country, threatening not only our society but our entire way of life. When it comes to radical Islamic terrorism, ignorance is not bliss. It's deadly -- totally deadly.

The Obama administration, with the support of Hillary Clinton and others, has also damaged our security by restraining our intelligence gathering and we have, just, no intelligence gathering information. We need this information so badly, and he stopped it. We don't have the support. We don't have the support of the law enforcement system because Obama is not letting them do their job. They are not being allowed to do their job. And, they can do it well -- better than anybody. We need a new leader. We need a new leader fast.

(APPLAUSE)

TRUMP: Thank you.

They have put political correctness above common sense, above your safety, and above all else. I refuse to be politically correct.

(APPLAUSE)

I want to do the right thing. I want to straighten things out and I want to make America great again.

(APPLAUSE)

The days of deadly ignorance will end, and they will end soon if I'm elected. As president I will give our intelligence community, law enforcement and military the tools they need to prevent terrorist attacks. They don't have those tools now.

(APPLAUSE)

We need an intelligence gathering system second to none. Second to none. That includes better cooperation between state, local and federal officials, and with our allies, very importantly. I will have an Attorney General, a Director of National Intelligence and a Secretary of Defense who'll know how to fight a war on radical Islamic terrorism.

(APPLAUSE)

And they will have the support that they need to get the job done right, not like it is right now. It's not right.

(APPLAUSE)

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 Department of Justice, State and Homeland Security to provide the immigration history of all terrorists inside the United States. These Departments refused to comply. Nobody even knows why. They refused to comply. President Obama must release the full and complete immigration histories of all individuals

implicated in terrorist activities of any kind since September 11th. So important. The public has a right to know how these people got here, how they came on to this great land, why are they here?  
(APPLAUSE)

We have to screen applicants to know whether they are affiliated with or supporting radical groups and beliefs, very simple. We have to control the amount of future immigration into this country and we have to prevent large pockets of radicalization from forming inside America. Not complicated.

(APPLAUSE)

Every - and just think of this. Take a look. Every single event, even a single individual can be devastating, and all you have to do is take a look at what happened in Orlando and what happened in other cases. Just a single event. And just one person. Can you imagine what they'll do in large groups, which we're allowing now to come here.

Truly our President doesn't know what he's doing. He's failed us and he's failed us badly. Under his leadership this situation will not get any better, it will only get worse. And I've been saying that for a long time. Each year the United States permanently admits 100,000 immigrants from the Middle East and many more from Muslim countries outside of the Middle East. Our government has been admitting ever-growing numbers, year after year, without any effective plan for our own security.

In fact, Clinton's State Department was in charge of admissions and 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 percent increase in Syrian refugees coming into our country. Tell me, tell me - how stupid is that?

This could be a better, bigger, more horrible version than the legendary Trojan Horse ever was. 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 the children and their children. Not only their children, by the way, they're trying to take over our children and convince them how wonderful ISIS is and how wonderful Islam is and we don't know what's happening.

TRUMP: 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 really to screen. We're not screening people.

So why don't we have an effective screening system? We don't. We're being laughed at all over the world. 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 on Hillary Clinton to tell us how she will pay for it, her plan will cost hundreds of billions of dollars long term.

Wouldn't this be money better spent rebuilding America for our current population including the many poor people already living here. We have cities, we have inner cities...

(APPLAUSE)

We have poverty all over and this is how we're spending billions of dollars. 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 and we won't unless we have proper supervisor and proper leadership in which case they're out of here. What I want...

(APPLAUSE)

What I want is common sense. I want a mainstream immigration policy that promotes American values. That's a 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. That's all it is. We've got to get smart and tough and vigilant and we've got to do it now because later is too late -- going to be too late for our country.

The media talks about home grown terrorism but Islamic radicalism and that's a very, very important term -- a term that the president refuses to use and the networks that nurture it are imports from overseas whether you like it or whether you don't like it. Yes, there are many radicalized people already inside our country as a result of poor policies of the past.

But the whole point is that we will be much, much and it will be easier to deal with our current problem if we don't keep on bringing people who add to the problem. And that's what they're doing. We're letting all of these people -- hundreds of thousands of people come in and all they're doing is adding to this incredible problem we have.

For instance, the controversial mosque attended by the Boston bombers had at its founder and as its founder an immigrant from overseas charged in an assassination plot. This shooter and amazingly 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 and who suppress women, gays and anyone who doesn't share their views or values.

(APPLAUSE)

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 these same communities. How does this kind of immigration make our lives better? How does this kind of immigration make our country better? Why does Hillary Clinton want to bring people in in vast numbers who reject our values? Why? Explain.

Ask yourself who is really the friend of women and the LGBT community, Donald Trump with actions or Hillary Clinton with her words?

TRUMP: I will tell you who the better friend is and some day I believe that will be proven out bigly (ph).

(APPLAUSE)

And by the way the LGBT community is just -- what's happened to them is just so sad and to be thinking about where their policies are currently with this administration is a disgrace to that community, I will tell you right now.

Clinton wants to allow radical Islamic terrorists to pour into our country. They enslave women, and they murder gays. I don't want them in our country.

(APPLAUSE)

Immigration is a privilege, and we should not let anyone into this country who doesn't support our communities. All of our communities, every single one of them. Americans already admitted four times more immigrants than any country on Earth, anybody in the world. Four times more. At least, because we don't even know who's coming in. And we continue to admit millions more with no real checks or scrutiny.

Not surprisingly, wages for our workers haven't budged. In almost 20 years. You wonder why we get the crowds, you wonder why we get this tremendous support, you wonder why I've gotten more votes than any Republican in any primary in the history of the Republican Party? Take a look at that. Take a look at your security, take a look at the wages. For 18 years they've been stagnant, they've even gone down.

So whether it's a matter of national security, or financial security, we can't afford to keep on going like this. Cannot afford it. We owe \$19 trillion in debt. And no longer have any options. Our communities from all backgrounds are ready for some relief. This is not an act of offense against anyone. It's really an act of defense. I want us all, all of us, to work together. We have to form a partnership, with our Muslim communities. We have Muslim communities in this country that are great, and we have to form that partnership.

Now, the Muslim community, so important. They have to work with us. They have to cooperate with law enforcement and turn in the people who they know are bad. They know it. And they have to do it, and they have to do it forthwith. I want to fix our schools. I want to fix our bridges. And our jobs market, we're going to have it rocket again, we're going to make great trade deals. But I want every American to succeed including Muslims.

But the Muslims have to work with us. They have to work with us. They know what's going on. They know that he was bad. They knew the people in San Bernardino were bad. But you know what? They didn't turn them in. And you know what? We had death, and destruction.

Hillary Clinton wants to empty out the Treasury to bring people into the country that include individuals who preach hate against our citizens. I want to protect our citizens, all of our citizens. The terrorist attack on Pulse nightclub demands a full and complete investigation into every single aspect of the assault. In San Bernardino, as an example, people who knew what was going on, they knew exactly, but they used the excuse of racial profiling for not reporting it. They said oh, "We thought so but we didn't want to use racial profiling." Which was probably an excuse given to them by their lawyer, so they don't get in trouble.

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 have to know, and we have to know fast. We need to know if he traveled anywhere and who he traveled with. We need to know, and 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, so when people know what's going on and they don't tell us, and we have an attack, and people die, these people have to have consequences. Big consequences.

(APPLAUSE)

America must do more -- much more -- to protect its citizens, especially people who are potential

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victims of crimes based on their backgrounds or sexual orientation, as you just saw in Orlando.

TRUMP: 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 like nobody has ever seen before.

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. No more nation building. It's never going to work. And by the way we've spent almost \$5 trillion over the years on trying to nation build in the Middle East and it has been complete and total disaster. We're further away now than we were 15 years ago. For instance, the last major NATO mission was Hillary Clinton's war in Libya. That mission helped to unleash ISIS on a new continent.

I've said NATO need to change its focus and stop terrorism. We have to focus on terrorism and we have to stop terrorism. Since I've raised that criticism and it's OK. I've gotten no credit for it but these are minor details -- NATO has since announced a new initiative -- front page of the Wall Street Journal four days ago focused on just that. America must unite the whole civilized world in the fight against Islamic terrorism.

(APPLAUSE)

Pretty much like we did with communism during the Cold War. We tried it President Obama's way, doesn't work. He gave the world his apology tour. We got ISIS and many other problems in return. That's what we got. Remember the famous apology tour. We're sorry for everything. I'd like to conclude my remarks today by again expressing our solidarity with the people of Orlando who have come under this horrific attack. When I'm president I pledge to protect and defend all Americans who live inside our borders. Wherever they come from, wherever they were born, I don't care. All Americans living here and following our laws not other laws will be protected.

(APPLAUSE)

Thank you. Thank you. We're going to be tough and we're going to be smart and we're going to do it right. 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 have no choice. 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 America great again. Thank you. Thank you very much. Thank you very much.

(APPLAUSE)

Thank you. Thank you very much, everybody. Appreciate it. Thank you.

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# Exhibit C

## Understanding The Threat: Radical Islam And The Age Of Terror

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 20<sup>th</sup> 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.<sup>1 2</sup>

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

13 were murdered, and 38 wounded, in the assault on Ft. Hood.<sup>3 4</sup>

The Boston Marathon Bombing wounded and maimed 264 people,<sup>5</sup> and ultimately left five dead – including 2 police officers.<sup>6</sup>

In Chattanooga, Tennessee, five unarmed marines were shot and killed at a military recruiting center.<sup>7</sup>

Last December, 14 innocent Americans were gunned down at an office party in San Bernardino, another 22 were injured.<sup>8</sup>

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<sup>1</sup> (Tim Lister, "One ISIS Attack Every 84 Hours' Spurs Dread And Anger In Europe," [CNN](#), 7/31/16)

<sup>2</sup> (Tim Lister, Ray Sanchez, Mark Bixler, Sean O'Key, Michael Hogenmiller and Mohammed Tawfeeq, "ISIS Goes Global: 143 Attacks In 29 Countries Have Killed 2,043," [CNN](#), 12/17/15)

<sup>3</sup> (Jim Garamone, "President, Top Leaders to Attend Fort Hood Service," [United States Department of Defense](#), 11/9/09)

<sup>4</sup> (Ted Rowlands and Michael Cary, "Army Honors Dead, Searches For Motive In Fort Hood Shootings," [CNN](#), 11/7/09)

<sup>5</sup> (Scott Malone, "Boston Officials Say 264 Injured In Marathon Bombing," [Reuters](#), 4/23/13)

<sup>6</sup> (Bob Salsberg, "Officer Who Died Year After Boston Marathon Shootout Honored," [Associated Press](#), 10/18/15)

<sup>7</sup> (Lindsay Ellis, Devlin Barrett And Arian Campo-Flores, "Navy Sailor Shot in Chattanooga Attack Dies, Bringing Death Toll to Five," [The Wall Street Journal](#), 7/22/15)

<sup>8</sup> ("San Bernardino Shooting: 22nd Injured Victim Steps Forward, FBI Says," [The Press Enterprise](#), 12/9/15)

In June, 49 Americans were executed at the Pulse Nightclub in Orlando, and another 53 were injured.<sup>9</sup> 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.<sup>10</sup> Two days later, four were murdered in a Jewish Deli.<sup>11</sup>

In November of 2015, terrorists went on a shooting rampage in Paris that slaughtered 130 people, and wounded another 368.<sup>12</sup> France is suffering gravely, and the tourism industry is being massively affected in a most negative way.<sup>13</sup>

In March of this year, terrorists detonated a bomb in the Brussels airport, killing 32 and injuring 340.<sup>14</sup>

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<sup>15</sup> – and wounding another 308.<sup>16</sup> Among the dead were 2 Americans – a Texas father, and his 11-year-old son.<sup>17</sup>

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<sup>9</sup> (Lizette Alvarez, Richard Perez-Pena and Christine Hauser, "Orlando Gunman Was 'Cool and Calm' After Massacre, Police Say," [The New York Times](#), 6/13/16)

<sup>10</sup> (Cassandra Vinograd, Alastair Jamieson, Florence Viala And Alexander Smith, "Charlie Hebdo Shooting: 12 Killed at Muhammad Cartoons Magazine in Paris," [NBC News](#), 1/7/15)

<sup>11</sup> (Yamiche Alcindor and Elena Berton, "Four Killed At Paris Grocery Store Were All Jewish," [USA Today](#), 1/11/15)

<sup>12</sup> ("France Attacks," [Associated Press](#), Accessed 8/13/16)

<sup>13</sup> (Tara Patel, "French Tourism Slumps as Terror Attacks Spook Foreign Travelers," [Bloomberg](#), 8/7/16)

<sup>14</sup> (Aurelien Breeden, "More Suspects in Brussels Attacks Arrested in Belgium," [The New York Times](#), 4/8/16)

<sup>15</sup> (Steve Visser, "Death Toll Rises to 85 in Bastille Day Attack in Nice," [CNN](#), 8/5/16)

<sup>16</sup> (Alissa J. Rubin and Lilia Blaise, "A Third of Nice Truck Attack's Dead Were Muslim, Group Says," [The New York Times](#), 7/19/16)

<sup>17</sup> (Mary Hui, Lindsey Bever and Cleve R. Wootson Jr, "Texas Father And His 11-Year-Old Son Among The Dead In Nice Attack; California Student Missing," [The Washington Post](#), 7/15/16)

A few weeks ago, in Germany, a refugee armed with an axe wounded five people in a gruesome train attack.<sup>18</sup>

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.<sup>19</sup>

Overseas, ISIS has carried out one unthinkable atrocity after another.

Children slaughtered,<sup>20</sup> girls sold into slavery,<sup>21 22</sup> men and women burned alive.<sup>23</sup> Crucifixions,<sup>24</sup> beheadings<sup>25</sup> and drownings.<sup>26</sup> 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.<sup>27 28</sup>

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.

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<sup>18</sup> (Melissa Eddy, “Afghan Teenager Spoke of Friend’s Death Before Ax Attack in Germany,” [The New York Times](#), 7/19/16)

<sup>19</sup> (Noemie Olive, “Islamists Attack French Church, Slit Priest’s Throat,” [Reuters](#), 7/27/16)

<sup>20</sup> (Malia Zimmerman, “74 Children Executed By ISIS For ‘Crimes’ That Include Refusal To Fast, Report Says,” [FOX News](#), 7/2/15)

<sup>21</sup> (Arwa Damon, Hamdi Alkhshali, and Bryony Jones, “Meet The Man Saving Yazidi Slaves From ISIS,” [CNN](#), 6/2/16)

<sup>22</sup> (Rukmini Callimachi, “To Maintain Supply of Sex Slaves, ISIS Pushes Birth Control,” [The New York Times](#), 3/12/16)

<sup>23</sup> (“19 Yazidi Girls Burned Alive For Refusing To Have Sex With Their ISIS Captors,” [FOX News](#), 6/6/16)

<sup>24</sup> (Steve Almasy, “Group: ISIS ‘Crucifies’ Men In Public In Syrian Towns,” [CNN](#), 6/30/14)

<sup>25</sup> (Rukmini Callimachi, “The Horror Before the Beheadings,” [The New York Times](#), 10/25/14)

<sup>26</sup> (Joe Tacopino, “ISIS Slowly Drowns Prisoners In A Cage,” [New York Post](#), 6/24/15)

<sup>27</sup> (Jamie Dean, “The ISIS War Against ‘The People Of The Cross’,” [WNG](#), 2/17/15)

<sup>28</sup> (Michael Lipka, “Muslims and Islam: Key Findings In The U.S. And Around the World,” [PewResearchCenter](#), 7/22/16)

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.<sup>29 30</sup>

Syria was under control.<sup>31 32</sup>

Egypt was ruled by a secular President and an ally of the United States.  
<sup>33 34 35</sup>

Iraq was experiencing a reduction in violence.<sup>36</sup> The group that would  
become what we now call ISIS was close to being extinguished.<sup>37 38 39</sup>

Iran was being choked off by economic sanctions.<sup>40 41</sup>

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<sup>29</sup> (Jeff Bachman, "Revisiting the "Humanitarian" Intervention in Libya," [The Huffington Post](#), 3/14/16)

<sup>30</sup> (Priyanka Boghani, "Regrets Of A Revolution? Libya After Qaddafi," [PBS](#), 11/29/15)

<sup>31</sup> (William R. Polk, "Understanding Syria: From Pre-Civil War To Post-Assad," [The Atlantic](#), 12/10/13)

<sup>32</sup> (Hassan M. Fattah And Graham Bowley, "Pelosi Meets With Syrian Leader," [The New York Times](#), 4/4/07)

<sup>33</sup> (Brad Plumer, "The U.S. Gives Egypt \$1.5 Billion A Year In Aid. Here's What It Does," [The Washington Post](#), 7/9/13)

<sup>34</sup> (Ashraf Khalil, "Mubarak Meets Obama To Patch Up US-Egypt Relationship," [The Christian Science Monitor](#), 8/18/09)

<sup>35</sup> (President George W. Bush, "Joint Press Conference At The President's Ranch In Texas," [White House](#), 4/12/04)

<sup>36</sup> (David Petraeus, "How We Won In Iraq," [Foreign Policy](#), 10/29/13)

<sup>37</sup> (Cameron Glenn, "Timeline: Rise and Spread of the Islamic State," [Wilson Center](#), 7/5/16)

<sup>38</sup> (Jennifer Griffin and Lucas Tomlinson, "Army Chief Odierno, In Exit Interview, Says US Could Have 'Prevented' ISIS Rise," [FOX News](#), 7/22/15)

<sup>39</sup> (David Ignatius, "How ISIS Spread in the Middle East," [The Atlantic](#), 10/29/15)

<sup>40</sup> (Uri Berliner, "Crippled By Sanctions, Iran's Economy Key In Nuclear Deal," [NPR](#), 11/25/13)

<sup>41</sup> (Michael Abramowitz and Robin Wright, "Iran Sanctions Are Meant to Prevent War, Bush Aides Say," [The Washington Post](#), 10/26/07)

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

Libya is in ruins,<sup>42</sup> our ambassador and three other brave Americans are dead,<sup>43</sup> and ISIS has gained a new base of operations.<sup>44 45</sup>

Syria is in the midst of a disastrous civil war.<sup>46</sup> ISIS controls large portions of territory.<sup>47</sup> A refugee crisis now threatens Europe and the United States.<sup>48</sup>

In Egypt, terrorists have gained a foothold in the Sinai desert, near the Suez Canal, one of the most essential waterways in the world.<sup>49</sup>

Iraq is in chaos, and ISIS is on the loose.<sup>50</sup>

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<sup>51</sup> – 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 surveyed analysts saying they had experienced efforts to manipulate their findings.<sup>52 53</sup>

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<sup>42</sup> (Roula Khalaf, "Misplaced Nostalgia For Libya's Colonel Gaddafi," [Financial Times](#), 4/29/15)

<sup>43</sup> (David D. Kirkpatrick and Steven Lee Myers, "Libya Attack Brings Challenges For U.S.," [The New York Times](#), 9/12/12)

<sup>44</sup> (Ahmed Elumani And Aidan Lewis, "U.S. Air Raid Hits Islamic State In Libya, 43 Dead," [Reuters](#), 2/19/16)

<sup>45</sup> (Paul Cruickshank, Nic Robertson, Tim Lister and Jomana Karadsheh, "ISIS Comes To Libya," [CNN](#), 11/18/14)

<sup>46</sup> (Hugh Naylor, "Death By Siege In Syria's Civil War: Hundreds Of Thousands At Risk," [The Washington Post](#), 1/23/16)

<sup>47</sup> (Liam Stack, "How ISIS Expanded Its Threat," [The New York Times](#), 11/14/15)

<sup>48</sup> (AFP, "Kerry: Refugee Crisis 'A Near Existential' Threat To Europe," [The Times of Israel](#), 2/13/16)

<sup>49</sup> (Andrew Roth, "Russia Confirms Sinai Plane Crash Was The Work Of Terrorists," [The Washington Post](#), 11/17/15)

<sup>50</sup> (Tim Arango, "Days of Chaos in Baghdad: Protest or Meltdown?," [The New York Times](#), 5/2/16)

<sup>51</sup> (William Arkin, Robert Windrem, and Cynthia McFadden, "New Counterterrorism 'Heat Map' Shows ISIS Branches Spreading Worldwide," [NBC News](#), 8/3/16)

<sup>52</sup> (Barbara Starr, "House Intel Committee Blasts Pentagon Over ISIS Files," [CNN](#), 2/25/16)

<sup>53</sup> (Nacy A. Youssef, "House Probe: CENTCOM's ISIS Intel Cooked," [The Daily Beast](#), 8/11/16)

At the same time, ISIS is trying to infiltrate refugee flows into Europe and the United States.<sup>54</sup>

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.<sup>55</sup> Worst of all, the Nuclear deal puts Iran, the number one state sponsor of Radical Islamic Terrorism, on a path to nuclear weapons.<sup>56 57</sup>

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'<sup>58</sup> – in a dominant position of regional power and, in fact, aspiring to be a dominant world power.<sup>59</sup>

It all began in 2009 with what has become known as President Obama's global 'Apology Tour.'<sup>60</sup>

In a series of speeches, President Obama described America as "arrogant," "dismissive" "derisive"<sup>61</sup> and a "colonial power."<sup>62</sup> He informed other countries that he would be speaking up about America's "past errors."<sup>63</sup> He pledged that we would no longer be a "senior partner," that "sought to dictate our terms." He lectured CIA

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<sup>54</sup> (CIA Director Brennan, "Statement by Director Brennan as Prepared for Delivery Before the Senate Select Committee on Intelligence," [Central Intelligence Agency](#), 6/16/16)

<sup>55</sup> (Jay Solomon and Carol E. Lee, "U.S. Sent Cash to Iran as Americans Were Freed," [The Wall Street Journal](#), 8/3/16)

<sup>56</sup> (George Jahn, "AP Exclusive: Document Shows Less Limits On Iran Nuke Work," [Associated Press](#), 7/18/16)

<sup>57</sup> (Nasser Karimi, "Iran's FM Extolls Country's Ability To Restore Nuke Program," [Associated Press](#), 7/19/16)

<sup>58</sup> (Ali Arouzi, "Iran Marks Revolution With 'Death to America' Chants," [NBC News](#), 2/11/16)

<sup>59</sup> (Jay Solonon and Laura Meckler, "Hillary Clinton Opened Door to Key U.S. Shift Toward Iran Nuclear Deal," [The Wall Street Journal](#), 9/8/15)

<sup>60</sup> (Karl Rove, "The President's Apology Tour," [The Wall Street Journal](#), 4/23/09)

<sup>61</sup> (President Obama, "Remarks by President Obama at Strasbourg Town Hall," Strasbourg, France, [The White House](#), 4/3/09)

<sup>62</sup> (President Obama, "Obama's Interview With Al Arabiya," [Al Arabiya News](#), 1/27/09)

<sup>63</sup> (President Obama, "Remarks By The President At The Summit Of The Americas Opening Ceremony," Port of Spain, Trinidad and Tobago, [The White House](#), 4/17/09)

officers of the need to acknowledge their mistakes,<sup>64</sup> and described Guantanamo Bay as a “rallying cry for our enemies.”<sup>65</sup>

Perhaps no speech was more misguided than President Obama’s speech to the Muslim World delivered in Cairo, Egypt, in 2009.<sup>66</sup>

In winning the Cold War, President Ronald Reagan repeatedly touted the superiority of freedom over communism, and called the USSR the Evil Empire.<sup>67</sup>

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,<sup>68</sup> surrendered our gains in that country and led directly to the rise of ISIS.<sup>69</sup>

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.<sup>70</sup> According to then-Secretary of Defense Robert Gates, the

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<sup>64</sup> (President Obama, “Remarks By The President To CIA Employees At CIA Headquarters,” Langley, Virginia, [The White House](#), 4/20/09)

<sup>65</sup> (President Obama, “Remarks By The President On National Security,” Washington, D.C., [The White House](#), 5/21/09)

<sup>66</sup> (President Obama, “Remarks by the President at Cairo University,” Cairo, Egypt, [The White House](#), 6/4/09)

<sup>67</sup> (President Reagan, “Remarks at the Annual Convention of the National Association of Evangelicals,” [Orlando, Florida](#), 3/8/83)

<sup>68</sup> (Scott Wilson, “President Obama Took Credit In 2012 For Withdrawing All Troops From Iraq. Today He Said Something Different,” [The Washington Post](#), 6/19/14)

<sup>69</sup> (Mark Moyer, “Where We Went Wrong, From Afghanistan To ISIS,” [Newsweek](#), 2/21/16)

<sup>70</sup> (Alexander Mallin, “What Obama Says Is His ‘Worst Mistake’ as President,” [ABC News](#), 4/10/16)

invasion of Libya was nearly a split decision, but Hillary Clinton's forceful advocacy for the intervention was the deciding factor.<sup>71</sup>

With one episode of bad judgment after another, Hillary Clinton's policies launched ISIS onto the world.<sup>72</sup>

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.<sup>73 74 75 76</sup>

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.<sup>77</sup>

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

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<sup>71</sup> (Jo Becker and Scott Shane, "Hillary Clinton, 'Smart Power' and a Dictator's Fall," [The New York Times](#), 2/27/16)

<sup>72</sup> (A Conversation With Hillary Rodham Clinton, "Hillary Rodham Clinton on Strategic Interests, Values, and Hard Choices," [Council on Foreign Relations](#), 6/12/14)

<sup>73</sup> (William J. Clinton & Hillary Rodham Clinton, [1040 U.S. Individual Income Tax Return, 2012](#))

<sup>74</sup> (William J. Clinton & Hillary Rodham Clinton, [1040 U.S. Individual Income Tax Return, 2011](#))

<sup>75</sup> (William J. Clinton & Hillary Rodham Clinton, [1040 U.S. Individual Income Tax Return, 2010](#))

<sup>76</sup> (William J. Clinton & Hillary Rodham Clinton, [1040 U.S. Individual Income Tax Return, 2009](#))

<sup>77</sup> (Nada Bakos, "Terrorist Group Fills Power Vacuum Among Syria Rebels," [CNN](#), 1/9/13)

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.”<sup>78</sup>

In August of 2004, very early in the conflict, I made a detailed statement to Esquire magazine.<sup>79</sup> 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.

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<sup>78</sup> (Donald J. Trump, “Interview on Your World with Neil Cavuto,” [FOX News](#), 1/28/03)

<sup>79</sup> (Donald J. Trump, “Donald Trump: How I'd Run the Country (Better),” [Esquire Magazine](#), 8/04)

After we had made those hard-fought sacrifices and gains,<sup>80 81 82</sup> we should never have made such a sudden withdrawal – on a timetable advertised to our enemies.<sup>83</sup> 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,<sup>84</sup> to push for immediate regime change in Syria,<sup>85 86</sup> or to support the overthrow of Mubarak in Egypt.<sup>87</sup>

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.<sup>88</sup> 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,<sup>89</sup> and through the presence of U.S. forces necessary to safeguard the oil and other vital infrastructure.<sup>90 91</sup> 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.

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<sup>80</sup> (Tom Bowman, "After 15 Years, The State Of The War In Afghanistan," [NPR](#), 7/5/16)

<sup>81</sup> (Daniel Trotta, "Iraq War Costs U.S. More Than \$2 Trillion: Study," [Reuters](#), 3/14/13)

<sup>82</sup> ("Conflict Casualties," [Defense Manpower Data Center](#), Accessed 7/20/16)

<sup>83</sup> (Mark Landler, "U.S. Troops to Leave Iraq by Year's End, Obama Says," [The New York Times](#), 10/21/11)

<sup>84</sup> (Corbett Daly, "Clinton on Qaddafi: 'We Came, We Saw, He Died,'" [CBS News](#), 10/20/11)

<sup>85</sup> (Rebecca Kaplan, "Hillary Clinton Still Wouldn't Give Up On Training Syrian Rebels," [CBS News](#), 9/22/15)

<sup>86</sup> (Michael D. Shear, Helene Cooper and Eric Schmitt, "Obama Administration Ends Effort to Train Syrians to Combat ISIS," [The New York Times](#), 10/9/15)

<sup>87</sup> (Tom Curry, "Clinton Urges 'Transition To A Democratic Regime' in Egypt," [NBC News](#), 1/30/11)

<sup>88</sup> (Jose Pagliery, "Inside The \$2 Billion ISIS War Machine," [CNN Money](#), 12/11/15)

<sup>89</sup> (Kellan Howell, "Islamic State Earns \$50 Million Per Month On Oil Sales," [The Washington Times](#), 10/24/15)

<sup>90</sup> (Erika Solomon, Robin Kwong and Steven Bernard, "Inside Isis Inc: The Journey Of A Barrel Of Oil," [Financial Times](#), Accessed 8/13/16)

<sup>91</sup> (Matthew Philips, "Islamic State Loses Its Oil Business," [Bloomberg](#), 10/14/14)

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 cut-off 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,<sup>92 93</sup> my Administration will speak out against the oppression of women, gays and people of different faith.<sup>94 95</sup>

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.<sup>96 97</sup>

Over 1,000 Pakistani girls are estimated to be the victims of honor killings by their relatives each year.<sup>98</sup> Recently, a prominent Pakistani social media star was strangled to death by her brother on the charge of dishonoring the family.<sup>99</sup> 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.”<sup>100</sup>

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.

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<sup>92</sup> ([Clinton Foundation](#), Accessed 8/13/16)

<sup>93</sup> (“Stars Step Up Protest Against Anti-Gay Owner Of Beverly Hills Hotel,” [CBS News](#), 2/6/15)

<sup>94</sup> (“Country Reports On Human Rights Practices For 2012: Saudi Arabia,” [United States State Department](#), 4/19/13)

<sup>95</sup> (William La Jeunesse, “Rights Groups Silent As Clinton Foundation Takes Millions From Countries That Imprison Gays,” [FOX News](#), 6/17/16)

<sup>96</sup> (“Pregnant Pakistani Woman Stoned To Death By Family,” [Associated Press in Lahore](#), 5/28/14)

<sup>97</sup> (Perry Chiaramonte, “Texas 'Honor Killing' Suspect Yaser Said Could Be Hiding In Plain Sight As NYC Cabbie, Private Investigator Says,” [FOX News](#), 5/29/12)

<sup>98</sup> (“Pakistan Honour Killings On The Rise, Report Reveals,” [BBC](#), 4/1/16)

<sup>99</sup> (Juliet Perry and Sophia Saifi, “Brother Of Pakistan's Qandeel Baloch Charged With Crime Against State,” [CNN](#), 7/19/16)

<sup>100</sup> (“Iraqi Immigrant Gets 34 Years For Killing 'Too Westernized' Daughter,” [CNN](#), 4/16/11)

## **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,<sup>101</sup> the Boston Bombing,<sup>102</sup> the San Bernardino attack,<sup>103</sup> the Orlando attack<sup>104</sup> – 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.

<sup>105</sup>

We also know that ISIS recruits refugees after their entrance into the country – as we have seen with the Somali refugee population in Minnesota.<sup>106</sup>

Beyond terrorism, as we have seen in France, foreign populations have brought their anti-Semitic attitudes with them.<sup>107</sup>

In Cologne, Germany, on New Year's Eve, we have seen the reports of sexual violence and assault.<sup>108</sup>

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<sup>101</sup> ("Army Major Kills 13 People In Fort Hood Shooting Spree," [History](#), Accessed 8/13/16)

<sup>102</sup> (Peter Finn, Carol D. Leonnig and Will Englund, "Tsarnaev Brothers' Homeland Was War-Torn Chechnya," [The Washington Post](#), 4/19/13)

<sup>103</sup> (Salman Masood and Declan Walsh, "Tashfeen Malik, San Bernardino Suspect, Attended Conservative Religious School in Pakistan," [The New York Times](#), 12/7/15)

<sup>104</sup> (Jonathan Landay and Yeganeh Torbati, "Father Of Orlando Shooter Hosted Political Show On Afghan-Pakistan Issues," [Reuters](#), 6/13/16)

<sup>105</sup> (Subcommittee On Immigration And The National Interest, "At Least 580 Individuals Convicted In Terror Cases Since 9/11, At Least 380 Are Foreign-Born," [U.S. Senate Immigration Subcommittee](#), 6/22/16)

<sup>106</sup> (Jamie Yuccas, "Minneapolis Community Struggles With ISIS Recruiting Tactics," [CBS News](#), 9/19/15)

<sup>107</sup> (Matt Hadro, "Anti-Semitism Threatens France's Jewish Communities," [The Washington Times](#), 1/18/16)

<sup>108</sup> (Jessica Durando, "Report: 1,200 Women Assaulted On New Year's Eve In German Cities," [USA Today](#), 7/11/16)

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.<sup>109</sup>

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.<sup>110</sup> 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 immigration 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.

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<sup>109</sup> (“The World’s Muslims: Religion, Politics and Society,” [PewResearchCenter](#), 4/30/13)

<sup>110</sup> (James R. Edwards Jr., “Keeping Extremists Out: The History of Ideological Exclusion and the Need for Its Revival,” [Center for Immigration Studies](#), 9/05)

The size of current immigration flows are simply too large to perform adequate screening.<sup>111</sup>

We admit about 100,000 permanent immigrants from the Middle East every year.<sup>112</sup> Beyond that, we admit hundreds of thousands of temporary workers and visitors from the same regions.<sup>113</sup> 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.<sup>114</sup>

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 non-refugee immigration.<sup>115</sup>

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

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<sup>111</sup> ("Nation's Top Security Officials' Concerns On Refugee Vetting," [Homeland Security Committee](#), 11/19/15)

<sup>112</sup> (Caroline May, "Since 9/11 U.S. Has Accepted Over 2 Million Migrants from Majority Muslim Nations," [Breitbart](#), 11/16/15)

<sup>113</sup> (Julia Hahn, "Congress Votes To Fund Nearly 300,000 Visas For Muslim Migrants In One Year," [Breitbart](#), 12/18/15)

<sup>114</sup> (C. Eugene Emery Jr. "Donald Trump Says Hillary Clinton Wants To Let 500 Percent More Syrians Into The U.S.," [Politifact](#), 6/13/16)

<sup>115</sup> (Subcommittee On Immigration And The National Interest, "Clinton Refugee Plan Could Bring In 620,000 Refugees In First Term At Lifetime Cost Of Over \$400 Billion," [U.S. Senate Immigration Subcommittee](#), 6/27/16)

thought would they would ever see.<sup>116</sup> 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.<sup>117</sup>

The Russians warned us about the Boston Bombers,<sup>118</sup> here on political asylum,<sup>119</sup> and the attackers were even twice interviewed by the FBI.

120 121

The female San Bernardino shooter, here on a fiancé visa from Saudi Arabia,<sup>122</sup> wrote of her support for Jihad online.<sup>123 124</sup> A neighbor saw suspicious behavior but didn't warn authorities, because said they didn't want to be accused of racially profiling<sup>125</sup> – now many are dead and gravely wounded.

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<sup>116</sup> (Michelle Martin, "Migrants Linked To 69,000 Would-Be Or Actual Crimes In Germany In First Three Months Of 2016: Police," [Reuters](#), 6/8/16)

<sup>117</sup> (Martha Raddatz, "State Dept. Lapses Aided 9/11 Hijackers," [ABC News](#), 10/23/02)

<sup>118</sup> (Josh Gerstein, "FBI Knew Earlier Of Boston Bombing Suspect," [Politico](#), 6/15/13)

<sup>119</sup> (Phil Marringly, Mike Dorning, and Julie Bykowica, "Boston Bombing Suspect Apprehended at Watertown Home," [Bloomberg](#), 4/20/13)

<sup>120</sup> "In January 2011, two counterterrorism agents from the bureau's Boston field office interviewed Tamerlan and family members.." (Eric Schmitt, Michael S. Schmidt and Ellen Barry, "Bombing Inquiry Turns to Motive and Russian Trip," [The New York Times](#), 4/20/13)

<sup>121</sup> "In response to this [March] 2011 request, the FBI checked U.S. government databases and other information to look for such things as derogatory telephone communications, possible use of online sites associated with the promotion of radical activity, associations with other persons of interest, travel history and plans, and education history. The FBI also interviewed Tamerlan Tsarnaev and family member." (FBI National Press Office, "2011 Request for Information on Tamerlan Tsarnaev from Foreign Government," [FBI](#), 4/19/13)

<sup>122</sup> (Brian Bennett and Richard A. Serrano, "Scrutiny Of Tashfeen Malik's Fiancee Visa Fell Short, Congressional Investigators Say," [The Los Angeles Times](#), 12/18/15)

<sup>123</sup> (Evan Perez and Dana Ford, "San Bernardino Shooter's Social Media Posts on Jihad Were Obscured," [CNN](#), 12/14/15)

<sup>124</sup> (Richard A. Serrano, "Tashfeen Malik Messaged Facebook Friends About Her Support For Jihad," [Los Angeles Times](#), 12/14/15)

<sup>125</sup> (Christian Datoc, "Shooter's Neighbor Didn't Report 'Suspicious Activity' For Fear of Being Labeled Racist," [The Daily Caller](#), 12/3/15)

The shooter in Orlando reportedly celebrated in his classroom after 9/11.<sup>126</sup> He too was interviewed by the FBI.<sup>127</sup> His father, a native of Afghanistan,<sup>128</sup> supported the oppressive Taliban regime,<sup>129</sup> and expressed anti-American views<sup>130</sup> – 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.<sup>131</sup> 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.

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<sup>126</sup> (Hunter Walker and Jason Sickles, “Orlando Shooter Omar Mateen Was Suspended For Cheering 9/11 And Beating Another Student In High School,” [Yahoo](#), 6/16/16)

<sup>127</sup> (Mark Mazzetti, Eric Lichtblau and Alan Blinder, “Omar Mateen, Twice Scrutinized by F.B.I., Shows Threat of Lone Terrorists,” [The New York Times](#), 6/13/16)

<sup>128</sup> (Jonathan Landay and Yeganeh Torbati, “Father of Orlando Shooter Hosted Political Show on Afghan-Pakistan Issues,” [Reuters](#), 6/13/16)

<sup>129</sup> (Tim Craig, Max Bearak and Lee Powell, “Shooter Omar Mateen’s Father Says He’s Saddened By Massacre, Calls Gunman ‘A Good Son’,” [The Washington Post](#), 6/13/16)

<sup>130</sup> (Tucker Reals, “What Has the Orlando Gunman’s Father Said?,” [CBS News](#), 6/13/16)

<sup>131</sup> (Dana Priest, “Fort Hood Suspect Warned Of Threats Within The Ranks,” [The Washington Post](#), 11/10/09)

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.

# Exhibit D



# 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

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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."

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

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."

**(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

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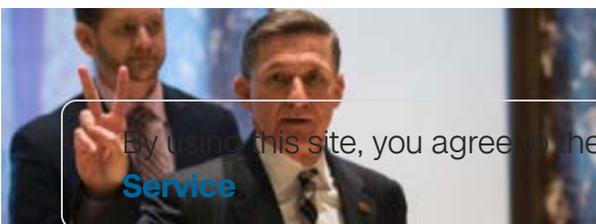
### Flynn's views a departure from US policy 02:44

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 a Muslim? Or is he incompetent and is he a Muslim? This is where I say we're to blame. We. We. You, me, are to

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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."

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

"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

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



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LeBron James calls out NBA analyst



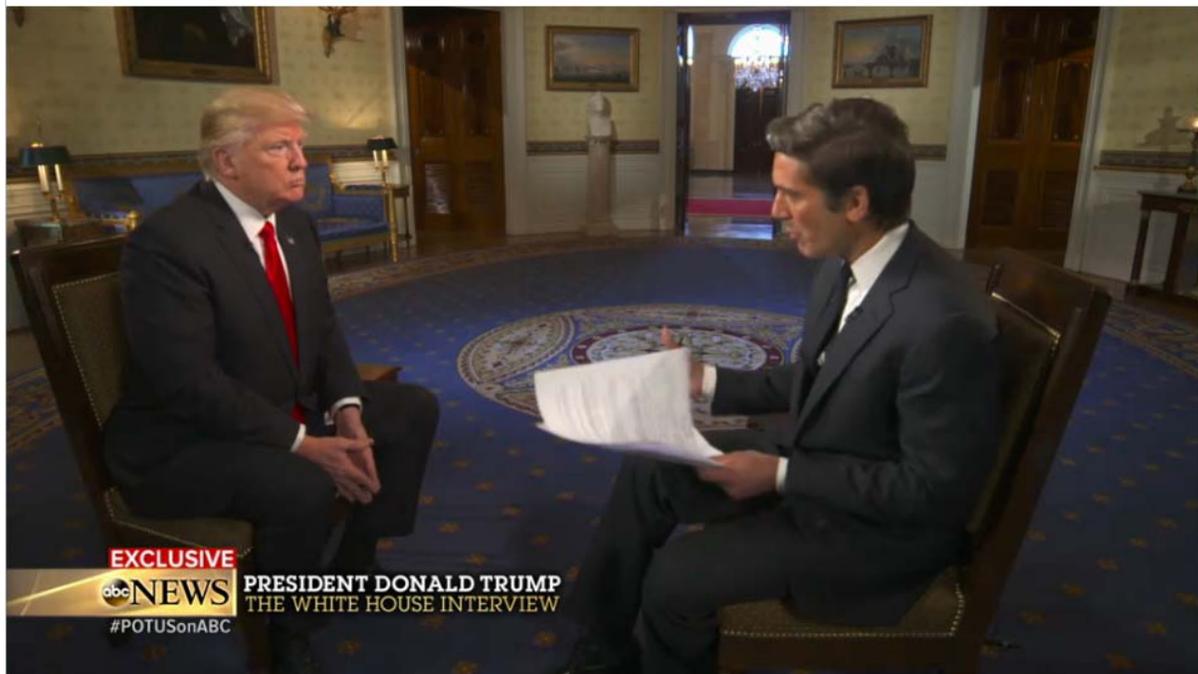
Christie says Trump travel ban is 'terrible' executive power: Gorsuch's key rulings Earth Day picked as date for science march on Washington

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# Exhibit E

## TRANSCRIPT: ABC News Anchor David Muir Interviews President Trump

By ABC NEWS · Jan 25, 2017, 10:25 PM ET



On Wednesday, Jan. 25, 2017, ABC News "World News Tonight" anchor David Muir interviewed President [Donald Trump](#) in the White House. The following is a transcript of the interview:

**DAVID MUIR:** Mr. President, it's an honor to be here at the White House.

**PRESIDENT TRUMP:** Thank you very much, David.

**DAVID MUIR:** Let me ask you, has the magnitude of this job hit you yet?

**PRESIDENT TRUMP:** It has periodically hit me. And it is a tremendous magnitude. And where you really see it is when you're talking to the generals about problems in the world. And we do have problems in the world. Big problems. The business also hits because the -- the size of it. The size.

I was with the Ford yesterday. And with [General Motors](#) yesterday. The top representatives, great people. And they're gonna do some tremendous work in the United States. They're gonna build plants back in the United States. But when you see the size, even as a businessman, the size of the investment that these big companies are gonna make, it hits you even in that regard. But we're gonna bring jobs back to America, like I promised on the campaign trail.

**DAVID MUIR:** And we're gonna get to it all right here.

**PRESIDENT TRUMP:** Good.

**DAVID MUIR:** Mr. President, I want to start -- we're five days in. And your campaign promises. I know today you plan on signing the order to build the wall.

**PRESIDENT TRUMP:** Correct.

**DAVID MUIR:** Are you going to direct U.S. funds to pay for this wall? Will American taxpayers pay for the wall?

**PRESIDENT TRUMP:** Ultimately it'll come out of what's happening with Mexico. We're gonna be starting those negotiations relatively soon. And we will be in a form reimbursed by Mexico which I will say ...

**DAVID MUIR:** So, they'll pay us back?

PRESIDENT TRUMP: Yeah, absolutely, 100 percent.

DAVID MUIR: So, the American taxpayer will pay for the wall at first?

PRESIDENT TRUMP: All it is, is we'll be reimbursed at a later date from whatever transaction we make from Mexico. Now, I could wait a year and I could hold off the wall. But I wanna build the wall. We have to build the wall. We have to stop drugs from pouring in. We have to stop people from just pouring into our country. We have no idea where they're from. And I campaigned on the wall. And it's very important. But that wall will cost us nothing.

DAVID MUIR: But you talked -- often about Mexico paying for the wall. And you, again, say they'll pay us back. Mexico's president said in recent days that Mexico absolutely will not pay, adding that, "It goes against our dignity as a country and our dignity as Mexicans." He says ...

(OVERTALK)

PRESIDENT TRUMP: David, he has to say that. He has to say that. But I'm just telling you there will be a payment. It will be in a form, perhaps a complicated form. And you have to understand what I'm doing is good for the United States. It's also going to be good for Mexico.

We wanna have a very stable, very solid Mexico. Even more solid than it is right now. And they need it also. Lots of things are coming across Mexico that they don't want. I think it's going to be a good thing for both countries. And I think the relationship will be better than ever before.

You know, when we had a prisoner in Mexico, as you know, two years ago, that we were trying to get out. And Mexico was not helping us, I will tell you, those days are over. I think we're gonna end up with a much better relationship with Mexico. We will have the wall and in a very serious form Mexico will pay for the wall.

DAVID MUIR: What are you gonna say to some of your supporters who might say, "Wait a minute, I thought Mexico was going to pay for this right at the start."

PRESIDENT TRUMP: Well, I'd say very simply that they are going to pay for it. I never said they're gonna pay from the start. I said Mexico will pay for the wall. But what I will tell my supporters is, "Would you like me to wait two years or three years before I make this deal?" Because we have to make a deal on NAFTA. We have to make a new trade deal with Mexico because we're getting clobbered.

We have a \$60-billion [trade deficit](#). So, if you want, I can wait two years and then we can do it nice and easily. I wanna start the wall immediately. Every supporter I have -- I have had so many people calling and tweeting and -- and writing letters saying they're so happy about it. I wanna start the wall. We will be reimbursed for the wall.

DAVID MUIR: When does construction begin?

PRESIDENT TRUMP: As soon as we can. As soon as we can physically do it. We're ...

DAVID MUIR: Within months?

PRESIDENT TRUMP: I would say in months. Yeah, I would say in months. Certainly planning is starting immediately.

DAVID MUIR: People feel ...

(OVERTALK)

PRESIDENT TRUMP: We'll be having some really good, really solid plans within a short period of time.

DAVID MUIR: When people learn of the news of this wall today there are gonna be a lot of people listening to this. And I wanna ask about undocumented immigrants who are here -- in this country. Right now they're protected as so-called dreamers -- the children who were brought here, as you know, by their parents. Should they be worried -- that they could be deported? And is there anything you can say to assure them right now that they'll be allowed to stay?

PRESIDENT TRUMP: They shouldn't be very worried. They are here illegally. They shouldn't be very worried. I do have a big heart. We're going to take care of everybody. We're going to have a very strong border. We're gonna have a very solid border. Where you have great people that are here that have done a good job, they should be far less worried. We'll be coming out with policy on that over the next period of four weeks.

DAVID MUIR: But Mr. President, will they be allowed to stay?

PRESIDENT TRUMP: I'm gonna tell you over the next four weeks. But I will tell you, we're looking at this, the whole immigration situation, we're looking at it with great heart. Now we have criminals that are here. We have really bad people that are here. Those people have to be

worried 'cause they're getting out. We're gonna get them out. We're gonna get 'em out fast. General Kelly is -- I've given that as his number one priority.

DAVID MUIR: Senator Jeff Sessions, your pick for attorney general, as you know during his confirmation hearing said that ending DACA, this is President Obama's policy protecting the dreamers -- that, "Ending it certainly would be constitutional." That you could end the protection of these dreamers. Is that a possibility?

PRESIDENT TRUMP: We're gonna be talking with -- attorney general. He will soon be the attorney general. He's done fantastically well. We're all very proud of him. I thought he was treated very, very unfairly. He's a brilliant man and he's a very good man. He'll do a fantastic job. I'll be speaking to him as soon as he's affirmed.

DAVID MUIR: So, it's a possibility.

PRESIDENT TRUMP: We will be talking to the attorney general.

DAVID MUIR: I wanna ask you about something you said this week right here at the White House. You brought in congressional leaders to the White House. You spoke at length about the presidential election with them -- telling them that you lost the popular vote because of millions of illegal votes, 3 to 5 million illegal votes. That would be the biggest electoral fraud in American history. Where is the evidence of that?

PRESIDENT TRUMP: So, let me tell you first of all, it was so misrepresented. That was supposed to be a confidential meeting. And you weren't supposed to go out and talk to the press as soon as you -- but the Democrats viewed it not as a confidential meeting.

DAVID MUIR: But you have tweeted ...

(OVERTALK)

DAVID MUIR: ... about the millions of illegals ...

PRESIDENT TRUMP: Sure. And I do -- and I'm very ...

(OVERTALK)

PRESIDENT TRUMP: ... and I mean it. But just so you -- it was supposed to be a confidential meeting. They turned it into not a con... Number two, the conversation lasted for about a minute. They made it -- somebody said it was, like, 25 percent of the ... It wasn't. It was hardly even discussed.

I said it. And I said it strongly because what's going on with voter fraud is horrible. That's number one. Number two, I would've won the popular vote if I was campaigning for the popular vote. I would've gone to California where I didn't go at all. I would've gone to New York where I didn't campaign at all.

I would've gone to a couple of places that I didn't go to. And I would've won that much easier than winning the electoral college. But as you know, the electoral college is all that matters. It doesn't make any difference. So, I would've won very, very easily. But it's a different form of winning. You would campaign much differently. You would have a totally different campaign. So, but ...

(OVERTALK)

PRESIDENT TRUMP: ... you're just asking a question. I would've easily won the popular vote, much easier, in my opinion, than winning the electoral college. I ended up going to 19 different states. I went to the state of Maine four times for one. I needed one.

I went to M-- I got it, by the way. But it turned out I didn't need it because we ended up winning by a massive amount, 306. I needed 270. We got 306. You and everybody said, "There's no way you get to 270." I mean, your network said and almost everybody said, "There's no way you can get to ..." So, I went to Maine four times. I went to various places. And that's the beauty of the electoral college. With that being said, if you look at voter registration, you look at the dead people that are registered to vote who vote, you look at people that are registered in two states, you look at all of these different things that are happening with registration. You take a look at those registration for -- you're gonna s-- find -- and we're gonna do an investigation on it.

DAVID MUIR: But 3 to 5 million illegal votes?

PRESIDENT TRUMP: Well, we're gonna find out. But it could very well be that much. Absolutely.

DAVID MUIR: But ...

PRESIDENT TRUMP: But we're gonna find out.

(OVERTALK)

PRESIDENT TRUMP: In fact, I heard one of the other side, they were saying it's not 3 to 5. It's not 3 to 5. I said, "Well, Mr. Trump is talking about registration, tell--" He said, "You know we don't wanna talk about registration." They don't wanna talk about registration.

You have people that are registered who are dead, who are illegals, who are in two states. You have people registered in two states. They're registered in a New York and a New Jersey. They vote twice. There are millions of votes, in my opinion. Now ...

DAVID MUIR: But again ...

PRESIDENT TRUMP: I'm doing an ...

(OVERTALK)

PRESIDENT TRUMP: ... investigation. David, David, David ...

DAVID MUIR: You're now, you're now president of the United States when you say ...

(OVERTALK)

PRESIDENT TRUMP: Of course, and I want the voting process to be legitimate.

DAVID MUIR: But what I'm asking ...

PRESIDENT TRUMP: The people that ...

DAVID MUIR: ... what I'm asking that -- when you say in your opinion millions of illegal votes, that is something that is extremely fundamental to our functioning democracy, a fair and free election.

PRESIDENT TRUMP: Sure. Sure. Sure.

DAVID MUIR: You say you're gonna launch an investigation.

PRESIDENT TRUMP: Sure, done.

DAVID MUIR: What you have presented so far has been debunked. It's been called ...

(OVERTALK)

DAVID MUIR: ... false.

PRESIDENT TRUMP: No, it hasn't. Take a look at the Pew reports.

DAVID MUIR: I called the author of the Pew report last night. And he told me that they found no evidence of voter ...

(OVERTALK)

DAVID MUIR: ... fraud.

PRESIDENT TRUMP: Really? Then why did he write the report?

DAVID MUIR: He said no evidence of voter fraud.

PRESIDENT TRUMP: Excuse me, then why did he write the report?

(OVERTALK)

PRESIDENT TRUMP: According to Pew report, then he's -- then he's groveling again. You know, I always talk about the reporters that grovel when they wanna write something that you wanna hear but not necessarily millions of people wanna hear or have to hear.

DAVID MUIR: So, you've launched an investigation?

PRESIDENT TRUMP: We're gonna launch an investigation to find out. And then the next time -- and I will say this, of those votes cast, none of 'em come to me. None of 'em come to me. They would all be for the other side. None of 'em come to me. But when you look at the people that are registered: dead, illegal and two states and some cases maybe three states -- we have a lot to look into.

DAVID MUIR: House Speaker Paul Ryan has said, "I have seen no evidence. I have made this very, very clear." Senator Lindsey Graham saying, "It's the most inappropriate thing for a president to say without proof. He seems obsessed with the idea that he could not have possibly lost the popular vote without cheating and fraud." I wanna ask you about something

bigger here. Does it matter more now ...

PRESIDENT TRUMP: There's nothing bigger. There's nothing bigger.

DAVID MUIR: But it is important because ...

PRESIDENT TRUMP: Let me just tell you, you know what's important, millions of people agree with me when I say that if you would've looked on one of the other networks and all of the people that were calling in they're saying, "We agree with Mr. Trump. We agree." They're very smart people.

The people that voted for me -- lots of people are saying they saw things happen. I heard stories also. But you're not talking about millions. But it's a small little segment. I will tell you, it's a good thing that we're doing because at the end we're gonna have an idea as to what's going on. Now, you're telling me Pew report has all of a sudden changed. But you have other reports and you have other statements. You take a look at the registrations, how many dead people are there? Take a look at the registrations as to the other things that I already presented.

DAVID MUIR: And you're saying ...

(OVERTALK)

PRESIDENT TRUMP: And you're gonna find ...

DAVID MUIR: ... those people who are on the rolls voted, that there are millions of illegal votes?

PRESIDENT TRUMP: I didn't say there are millions. But I think there could very well be millions of people. That's right.

DAVID MUIR: You tweeted though ...

PRESIDENT TRUMP: And I also say this ...

DAVID MUIR: ... you tweeted, "If you deduct the millions of people who voted illegally, I won the popular vote."

PRESIDENT TRUMP: David, and I also say this, if I was going for the popular vote I would've won easily. But I would've been in California and New York. I wouldn't have been in Maine. I wouldn't have been in Iowa. I wouldn't have been in Nebraska and all of those states that I had to win in order to win this. I would've been in New York, I would've been in California. I never even went there.

DAVID MUIR: Let me just ask you, you did win. You're the president. You're sitting ...

PRESIDENT TRUMP: That's true.

DAVID MUIR: ... across from me right now.

PRESIDENT TRUMP: That's true.

DAVID MUIR: Do you think that your words matter more now?

PRESIDENT TRUMP: Yes, very much.

DAVID MUIR: Do you think that that talking about millions of illegal votes is dangerous to this country without presenting the evidence?

PRESIDENT TRUMP: No, not at all.

(OVERTALK)

PRESIDENT TRUMP: Not at all because many people feel the same way that I do. And ...

DAVID MUIR: You don't think it undermines your credibility if there's no evidence?

(OVERTALK)

PRESIDENT TRUMP: No, not at all because they didn't come to me. Believe me. Those were Hillary votes. And if you look at it they all voted for Hillary. They all voted for Hillary. They didn't vote for me. I don't believe I got one. Okay, these are people that voted for Hillary Clinton. And if they didn't vote, it would've been different in the popular.

Now, you have to understand I -- I focused on those four or five states that I had to win. Maybe she didn't. She should've gone to Michigan. She thought she had it in the bag. She should've gone to Wisconsin, she thought she had it because you're talking about 38 years of, you know, Democrat wins. But they didn't. I went to Michigan, I went to Wisconsin. I went to Pennsylvania

all the time. I went to all of the states that are -- Florida and North Carolina. That's all I focused on.

DAVID MUIR: Mr. President, it does strike me though that we're relitigating the presidential campaign, the election ...

(OVERTALK)

PRESIDENT TRUMP: No, no. We're looking at it for the next time. No, no, you have to understand, I had a tremendous victory, one of the great victories ever. In terms of counties I think the most ever or just about the most ever. When you look at a map it's all red. Red meaning us, Republicans.

One of the greatest victories ever. But, again, I ran for the electoral college. I didn't run for the popular vote. What I'm saying is if there are these problems that many people agree with me that there might be. Look, Barack Obama -- if you look back -- eight years ago when he first ran -- he was running for office in Chicago for we needed Chicago vote.

And he was laughing at the system because he knew all of those votes were going to him. You look at Philadelphia, you look at what's going on in Philadelphia. But take a look at the tape of Barack Obama who wrote me, by the way, a very beautiful letter in the drawer of the desk. Very beautiful. And I appreciate it. But look at what he said, it's on tape. Look at what he said about voting in Chicago eight years ago. It's not changed. It hasn't changed, believe me. Chicago, look what's going on in Chicago. It's only gotten worse.

But he was smiling and laughing about the vote in Chicago. Now, once he became president he didn't do that. All of a sudden it became this is the foundation of our country. So, here's the point, you have a lot of stuff going on possibly. I say probably. But possibly. We're gonna get to the bottom of it.

And then we're gonna make sure it doesn't happen again. If people are registered wrongly, if illegals are registered to vote, which they are, if dead people are registered to vote and voting, which they do. There are some. I don't know how many. We're gonna try finding that out and the other categories that we talk about, double states where they're -- registered in two states, we're gonna get to the bottom of it because we have to stop it. Because I agree, so important. But the other side is trying to downplay this. Now, I'll say this -- I think that if that didn't happen, first of all, would -- would be a great thing if it didn't happen. But I believe it did happen. And I believe a part of the vote would've been much different.

DAVID MUIR: And you believe millions of illegal votes ...

PRESIDENT TRUMP: Well, we're gonna find out.

DAVID MUIR: Let me ask you this ...

PRESIDENT TRUMP: We're gonna find out. And -- and, by the way, when I say you're gonna find out. You can never really find, you know, there are gonna be -- no matter what numbers we come up with there are gonna be lots of people that did things that we're not going to find out about. But we will find out because we need a better system where that can't happen.

DAVID MUIR: Mr. President, I just have one more question on this. And it's -- it's bigger picture. You took some heat after your visit to the CIA in front of that hallowed wall, 117 stars -- of those lost at the CIA. You talked about other things. But you also talked about crowd size at the inauguration, about the size of your rallies, about covers on Time magazine. And I just wanna ask you when does all of that matter just a little less? When do you let it roll off your back now that you're the president?

(OVERTALK)

PRESIDENT TRUMP: OK, so I'm glad you asked. So, I went to the CIA, my first step. I have great respect for the people in intelligence and CIA. I'm -- I don't have a lot of respect for, in particular one of the leaders. But that's okay. But I have a lot of respect for the people in the CIA.

That speech was a home run. That speech, if you look at Fox, OK, I'll mention you -- we see what Fox said. They said it was one of the great speeches. They showed the people applauding and screaming and -- and they were all CIA. There was -- somebody was asking Sean -- "Well, were they Trump people that were put--" we don't have Trump people. They were CIA people.

That location was given to me. Mike Pence went up before me, paid great homage to the wall. I then went up, paid great homage to the wall. I then spoke to the crowd. I got a standing ovation. In fact, they said it was the biggest standing ovation since Peyton Manning had won the Super Bowl and they said it was equal. I got a standing ovation. It lasted for a long period of time. What you do is take -- take out your tape -- you probably ran it live. I know when I do good speeches. I know when I do bad speeches. That speech was a total home run. They loved it. I could've ...

(OVERTALK)

PRESIDENT TRUMP: ... gotten ...

DAVID MUIR: You would give the same speech if you went back ...

PRESIDENT TRUMP: Absolutely.

DAVID MUIR: ... in front of that wall?

PRESIDENT TRUMP: People loved it. They loved it. They gave me a standing ovation for a long period of time. They never even sat down, most of them, during the speech. There was love in the room. You and other networks covered it very inaccurately. I hate to say this to you and you probably won't put it on but turn on Fox and see how it was covered. And see how people respond to that speech.

That speech was a good speech. And you and a couple of other networks tried to downplay that speech. And it was very, very unfortunate that you did. The people of the CIA loved the speech. If I was going to take a vote in that room, there were, like, 300, 350 people, over 1,000 wanted to be there but they couldn't. They were all CIA people. I would say I would've gotten 350 to nothing in that room. That's what the vote would've been. That speech was a big hit, a big success -- success. And then I came back and I watched you on television and a couple of others.

DAVID MUIR: Not me personally.

(OVERTALK)

PRESIDENT TRUMP: And they tried to demean. Excuse me?

DAVID MUIR: Not me personally.

PRESIDENT TRUMP: Not you personally but your network -- and they tried to demean the speech. And I know when things are good or bad. A poll just came out on my inauguration speech which was extraordinary that people loved it. Loved and liked. And it was an extraordinary poll.

DAVID MUIR: I guess that's what I'm getting at. You talked about the poll, the people loving your inaugural speech and the size of your ...

PRESIDENT TRUMP: No, because you bring it up.

DAVID MUIR: I'm asking, well, on day one you ...

PRESIDENT TRUMP: Well, you just brought it up. I didn't bring it up. I didn't wanna -- talk about the inauguration speech. But I think I did a very good job and people really liked it. You saw the poll. Just came out this morning. You bring it up. I didn't bring it up.

DAVID MUIR: So, polls and crowd size and covers on Time, those still matter now that you're here as president.

PRESIDENT TRUMP: Well, you keep bringing it up. I had a massive amount of people here. They were showing pictures that were very unflattering, as unflattering -- from certain angles -- that were taken early and lots of other things. I'll show you a picture later if you'd like of a massive crowd.

In terms of a total audience including television and everything else that you have we had supposedly the biggest crowd in history. The audience watching the show. And I think you would even agree to that. They say I had the biggest crowd in the history of inaugural speeches. I'm honored by that. But I didn't bring it up. You just brought it up.

DAVID MUIR: See, I -- I'm not interested in the inaugural crowd size. I think the American people can look at images side by side and decide for themselves. I am curious about the first full day here at the White House, choosing to send the press secretary out into the briefing room, summoning reporters to talk about the inaugural crowd size. Does that send a message to the American people that that's -- that's more important than some of the very pressing issues?

PRESIDENT TRUMP: Part of my whole victory was that the men and women of this country who have been forgotten will never be forgotten again. Part of that is when they try and demean me unfairly 'cause we had a massive crowd of people. We had a crowd -- I looked over that sea of people and I said to myself, "Wow."

And I've seen crowds before. Big, big crowds. That was some crowd. When I looked at the numbers that happened to come in from all of the various sources, we had the biggest audience in the history of inaugural speeches. I said the men and women that I was talking to who came out and voted will never be forgotten again. Therefore I won't allow you or other people like you to demean that crowd and to demean the people that came to Washington, D.C., from faraway places because they like me. But more importantly they like what I'm saying.

DAVID MUIR: I just wanna say I didn't demean anyone who was in that crowd. We did coverage for hours ...

(OVERTALK)

PRESIDENT TRUMP: No, I think you're demeaning by talking the way you're talking. I think you're demeaning. And that's why I think a lot of people turned on you and turned on a lot of other people. And that's why you have a 17 percent approval rating, which is pretty bad.

DAVID MUIR: Mr. Trump, let's talk about many of the things that have happened this week. Chicago. Last night you tweeted about the murder rate in Chicago saying, "If Chicago doesn't fix the horrible carnage going on I will send in the feds."

PRESIDENT TRUMP: Right.

DAVID MUIR: You will send in the feds? What do you mean by that?

PRESIDENT TRUMP: It's carnage. You know, in my speech I got tremendous -- from certain people the word carnage. It is carnage. It's horrible carnage. This is Afghanistan -- is not like what's happening in Chicago. People are being shot left and right. Thousands of people over a period -- over a short period of time.

This year, which has just started, is worse than last year, which was a catastrophe. They're not doing the job. Now if they want help, I would love to help them. I will send in what we have to send in. Maybe they're not gonna have to be so politically correct. Maybe they're being overly political correct. Maybe there's something going on. But you can't have those killings going on in Chicago. Chicago is like a war zone. Chicago is worse than some of the people that you report in some of the places that you report about every night ...

DAVID MUIR: So, I will send ...

PRESIDENT TRUMP: ... in the Middle East.

DAVID MUIR: ... you mentioned federal assistance. There's federal assistance and then there's sending in the feds. I'm just curious would you take action on your own?

PRESIDENT TRUMP: I want them to fix the problem. You can't have thousands of people being shot in a city, in a country that I happen to be president of. Maybe it's okay if somebody else is president. I want them to fix the problem. They have a problem that's very easily fixable.

They're gonna have to get tougher and stronger and smarter. But they gotta fix the problem. I don't want to have thousands of people shot in a city where essentially I'm the president. I love Chicago. I know Chicago. And Chicago is a great city, can be a great city.

DAVID MUIR: And if they're unable to fix it?

(OVERTALK)

PRESIDENT TRUMP: It can't be a great city. Excuse me. It can't be a great city if people are shot walking down the street for a loaf of bread. Can't be a great city.

DAVID MUIR: And if they are unable to fix it, that's when you would send in the feds?

(OVERTALK)

PRESIDENT TRUMP: Well, so far they have been unable. It's been going on for years. And I wasn't president. So, look, when President Obama was there two weeks ago making a speech, very nice speech. Two people were shot and killed during his speech. You can't have that.

DAVID MUIR: Let me ask ...

PRESIDENT TRUMP: They weren't shot at the speech. But they were shot in the city of Chicago during his speech. What -- what's going on? So, all I'm saying is to the mayor who came up to my office recently -- I say, "You have to smarten up and you have to toughen up because you can't let that happen. That's a war zone."

DAVID MUIR: So, this is an "or else." This is a warning?

PRESIDENT TRUMP: I want them to straighten out the problem. It's a big problem.

DAVID MUIR: Let me ask you about a new report that you were poised to lift a ban on so-called CIA black sites of prisons around the world that have been used in the past. Is that true?

PRESIDENT TRUMP: Well, I'll be talking about that in about two hours. So, you'll be there and you'll be able to see it for yourself.

DAVID MUIR: Are you gonna lift the ban?

PRESIDENT TRUMP: You're gonna see in about two hours.

DAVID MUIR: The last president, President Obama, said the U.S. does not torture. Will you say that?

PRESIDENT TRUMP: Well, I have a general who I have great respect for, General Mattis, who said -- I was a little surprised -- who said he's not a believer in torture. As you know, Mr. Pompeo was just approved, affirmed by the Senate. He's a fantastic guy, he's gonna be the head of the CIA.

And you have somebody fabulous as opposed to the character that just got out who didn't -- was not fabulous at all. And he will I think do a great job. And he is -- you know, I haven't gone into great detail. But I will tell you I have spoken to others in intelligence. And they are big believers in, as an example, waterboarding.

DAVID MUIR: You did tell me ...

(OVERTALK)

PRESIDENT TRUMP: Because they say it does work. It does work.

DAVID MUIR: Mr. President, you ...

(OVERTALK)

DAVID MUIR: Mr. President, you told me during one of the debates that you would bring back waterboarding and a hell of a lot worse.

PRESIDENT TRUMP: I would do ...

(OVERTALK)

PRESIDENT TRUMP: I would do -- I wanna keep our country safe. I wanna keep our country safe.

DAVID MUIR: What does that mean?

PRESIDENT TRUMP: When they're shooting -- when they're chopping off the heads of our people and other people, when they're chopping off the heads of people because they happen to be a Christian in the Middle East, when ISIS is doing things that nobody has ever heard of since Medieval times, would I feel strongly about waterboarding?

As far as I'm concerned we have to fight fire with fire. Now, with that being said I'm going with General Mattis. I'm going with my secretary because I think Pompeo's gonna be phenomenal. I'm gonna go with what they say. But I have spoken as recently as 24 hours ago with people at the highest level of intelligence. And I asked them the question, "Does it work? Does torture work?" And the answer was, "Yes, absolutely."

DAVID MUIR: You're now the president. Do you want waterboarding?

PRESIDENT TRUMP: I don't want people to chop off the citizens or anybody's heads in the Middle East. Okay? Because they're Christian or Muslim or anything else. I don't want -- look, you are old enough to have seen a time that was much different. You never saw heads chopped off until a few years ago.

Now they chop 'em off and they put 'em on camera and they send 'em all over the world. So we have that and we're not allowed to do anything. We're not playing on an even field. I will say this, I will rely on Pompeo and Mattis and my group. And if they don't wanna do, that's fine. If they do wanna do, then I will work for that end.

I wanna do everything within the bounds of what you're allowed to do legally. But do I feel it works? Absolutely I feel it works. Have I spoken to people at the top levels and people that have seen it work? I haven't seen it work. But I think it works. Have I spoken to people that feel strongly about it? Absolutely.

DAVID MUIR: So, you'd be okay with it as ...

PRESIDENT TRUMP: I wanna keep ...

DAVID MUIR: ... president?

PRESIDENT TRUMP: ... no, I wanna -- I will rely on General Mattis. And I'm gonna rely on those two people and others. And if they don't wanna do it, it's 100 percent okay with me. Do I think it works? Absolutely.

DAVID MUIR: Mr. President, I wanna ask you about refugees. You're about to sign a sweeping executive action to suspend immigration to this country.

PRESIDENT TRUMP: Right.

DAVID MUIR: Who are we talking about? Is this the Muslim ban?

PRESIDENT TRUMP: We're talking about -- no it's not the Muslim ban. But it's countries that have tremendous terror. It's countries that we're going to be spelling out in a little while in the same speech. And it's countries that people are going to come in and cause us tremendous problems. Our country has enough problems without allowing people to come in who, in many cases or in some cases, are looking to do tremendous destruction.

(OVERTALK)

PRESIDENT TRUMP: You look at what's happening ...

DAVID MUIR: Which countries are we talking about?

PRESIDENT TRUMP: ... you'll be hearing about it in two hours because I have a whole list. You'll be very thrilled. You're looking at people that come in, in many cases, in some cases with evil intentions. I don't want that. They're ISIS. They're coming under false pretense. I don't want that.

I'm gonna be the president of a safe country. We have enough problems. Now I'll absolutely do safe zones in Syria for the people. I think that Europe has made a tremendous mistake by allowing these millions of people to go into Germany and various other countries. And all you have to do is take a look. It's -- it's a disaster what's happening over there.

I don't want that to happen here. Now with that being said, President Obama and Hillary Clinton have, and Kerry have allowed tens of thousands of people into our country. The FBI is now investigating more people than ever before having to do with terror. They -- and it's from the group of people that came in. So look, look, our country has a lot of problems. Believe me. I know what the problems are even better than you do. They're deep problems, they're serious problems. We don't need more.

DAVID MUIR: Let me ask you about some of the countries that won't be on the list, Afghanistan, Pakistan, Saudi Arabia. Why are we going to allow people to come into this country ...

PRESIDENT TRUMP: You're going to see -- you're going to see. We're going to have extreme vetting in all cases. And I mean extreme. And we're not letting people in if we think there's even a little chance of some problem.

DAVID MUIR: Are you at all ...

(OVERTALK)

PRESIDENT TRUMP: We are excluding certain countries. But for other countries we're gonna have extreme vetting. It's going to be very hard to come in. Right now it's very easy to come in. It's gonna be very, very hard. I don't want terror in this country. You look at what happened in San Bernardino. You look at what happened all over. You look at what happened in the World Trade Center. Okay, I mean, take that as an example.

DAVID MUIR: Are you at all ...

(OVERTALK)

DAVID MUIR: ... concerned -- are you at all concerned it's going to cause more anger among Muslims ...

PRESIDENT TRUMP: Anger?

DAVID MUIR: ... the world?

PRESIDENT TRUMP: There's plenty of anger right now. How can you have more?

DAVID MUIR: You don't think it'll ...

PRESIDENT TRUMP: Look, David ...

DAVID MUIR: ... exacerbate the problem?

PRESIDENT TRUMP: ... David, I mean, I know you're a sophisticated guy. The world is a mess. The world is as angry as it gets. What? You think this is gonna cause a little more anger? The world is an angry place. All of this has happened. We went into Iraq. We shouldn't have gone into Iraq. We shouldn't have gotten out the way we got out.

The world is a total mess. Take a look at what's happening with Aleppo. Take a look what's happening in Mosul. Take a look what's going on in the Middle East. And people are fleeing and they're going into Europe and all over the place. The world is a mess, David.

DAVID MUIR: You brought up Iraq and something you said that could affect American troops in recent days. You said, "We should've kept the oil but okay maybe we'll have another chance." What did you mean by that?

PRESIDENT TRUMP: Well, we should've kept the oil when we got out. And, you know, it's very interesting, had we taken the oil, you wouldn't have ISIS because they fuel themselves with the oil. That's where they got the money. They got the money from leaving -- when we left, we left Iraq, which wasn't a government. It's not a government now.

And by the way, and I said something else, if we go in and do this. You have two nations, Iraq and Iran. And they were essentially the same military strength. And they'd fight for decades and decades. They'd fight forever. And they'd keep fighting and it would go -- it was just a way of life. We got in, we decapitated one of those nations, Iraq. I said, "Iran is taking over Iraq." That's essentially what happened.

DAVID MUIR: So, you believe we can go in and take the oil.

PRESIDENT TRUMP: We should have taken the oil. You wouldn't have ISIS if we took the oil. Now I wasn't talking about it from the standpoint of ISIS because the way we got out was horrible. We created a vacuum and ISIS formed. But had we taken the oil something else would've very good happened. They would not have been able to fuel their rather unbelievable drive to destroy large portions of the world.

DAVID MUIR: You've heard the critics who say that would break all international law, taking the oil. But I wanna get to the words ...

(OVERTALK)

DAVID MUIR: ... that you ...

PRESIDENT TRUMP: Wait, wait, can you believe that? Who are the critics who say that? Fools.

DAVID MUIR: Let, let me ...

PRESIDENT TRUMP: I don't call them critics. I call them fools.

DAVID MUIR: ... let me talk about your words ...

PRESIDENT TRUMP: We should've kept -- excuse me. We should've taken the oil. And if we took the oil you wouldn't have ISIS. And we would have had wealth. We have spent right now \$6 trillion in the Middle East. And our country is falling apart.

(OVERTALK)

PRESIDENT TRUMP: Our roads -- excuse me. Our roads, our bridges, our schools, it's falling apart. We have spent as of one month ago \$6 trillion in the Middle East. And in our country we can't afford to build a school in Brooklyn or we can't afford to build a school in Los Angeles. And we can't afford to fix up our inner cities. We can't afford to do anything. Look, it's time. It's been our longest war. We've been in there for 15, 16 years. Nobody even knows what the date is because they don't really know when did we start. But it's time. It's time.

DAVID MUIR: What got my attention, Mr. President, was when you said, "Maybe we'll have another chance."

PRESIDENT TRUMP: Well, don't let it get your attention too much because we'll see what happens. I mean, we're gonna see what happens. You know, I told you and I told everybody else that wants to talk when it comes to the military I don't wanna discuss things.

I wanna let -- I wanna let the action take place before the talk takes place. I watched in Mosul when a number of months ago generals and politicians would get up and say, "We're going into Mosul in four months." Then they'd say, "We're going in in three months, two months, one month. We're going in next week."

Okay, and I kept saying to myself, "Gee, why do they have to keep talking about going in?" All right, so now they go in and it is tough because they're giving the enemy all this time to prepare. I don't wanna do a lot of talking on the military. I wanna talk after it's finished, not before it starts.

DAVID MUIR: Let me ask you, Mr. President, about another promise involving Obamacare to repeal it. And you told The Washington Post that your plan to replace Obamacare will include insurance for everybody. That sounds an awful lot like universal coverage.

PRESIDENT TRUMP: It's going to be -- what my plan is is that I wanna take care of everybody. I'm not gonna leave the lower 20 percent that can't afford insurance. Just so you understand people talk about Obamacare. And I told the Republicans this, the best thing we could do is nothing for two years, let it explode. And then we'll go in and we'll do a new plan and -- and the Democrats will vote for it. Believe me.

Because this year you'll have 150 percent increases. Last year in Arizona 116 percent increase, Minnesota 60 some-odd percent increase. And I told them, except for one problem, I wanna get it fixed. The best thing I could do as the leader of this country-- but as wanting to get something approved with support of the Democrats, if I didn't do anything for two years they'd be begging me to do something. But I don't wanna do that. So just so you unders-- Obamacare is a disaster.

It's too expensive. It's horrible health care. It doesn't cover what you have to cover. It's a disaster. You know it and I know it. And I said to the Republican folks-- and they're terrific folks, Mitch and Paul Ryan, I said, "Look, if you go fast -- and I'm okay in doing it because it's the right thing to do. We wanna get good coverage at much less cost." I said, "If you go fast we then own Obamacare. They're gonna put it on us. And Obamacare is a disaster waiting to explode. If you sit back and let it explode it's gonna be much easier." That's the thing to do. But the right thing to do is to get something done now.

DAVID MUIR: But you ...

PRESIDENT TRUMP: So I wanna make sure that nobody's dying on the streets when I'm president. Nobody's gonna be dying on the streets. We will unleash something that's gonna be terrific. And remember this, before Obamacare you had a lot of people that were very, very happy with their health care.

And now those people in many cases don't even have health care. They don't even have anything that's acceptable to them. Remember this, keep your doctor, keep your plan, 100 percent. Remember the \$5 billion website? Remember the website fiasco. I mean, you do admit that I think, right? The website fiasco.

Obamacare is a disaster. We are going to come up with a new plan ideally not an amended plan because right now if you look at the pages they're this high. We're gonna come up with a new plan that's going to be better health care for more people at a lesser cost.

DAVID MUIR: Last question because I know you're gonna show me around the White House. Last question on this. You've seen the estimate that 18 million Americans could lose their health insurance if Obamacare is repealed and there is no replacement. Can you assure those Americans watching this right now that they will not lose their health insurance or end up with anything less?

PRESIDENT TRUMP: So nobody ever deducts all the people that have already lost their health insurance that liked it. You had millions of people that liked their health insurance and their health care and their doctor and where they went. You had millions of people that now aren't insured anymore.

DAVID MUIR: I'm just asking about the people ...

PRESIDENT TRUMP: No, no.

DAVID MUIR: ... who are nervous and watching ...

PRESIDENT TRUMP: We ...

DAVID MUIR: ... you for reassurance.

PRESIDENT TRUMP: ... here's what I can assure you, we are going to have a better plan, much better health care, much better service treatment, a plan where you can have access to the doctor that you want and the plan that you want. We're gonna have a much better health care plan at much less money.

And remember Obamacare is ready to explode. And you interviewed me a couple of years ago. I said '17 -- right now, this year, "'17 is going to be a disaster." I'm very good at this stuff. "'17 is going to be a disaster cost-wise for Obamacare. It's going to explode in '17."

And why not? Obama's a smart guy. So let it all come do because that's what's happening. It's all coming do in '17. We're gonna have an explosion. And to do it right, sit back, let it explode and let the Democrats come begging us to help them because it's on them. But I don't wanna do that. I wanna give great health care at a much lower cost.

DAVID MUIR: So, no one who has this health insurance through Obamacare will lose it or end up ...

PRESIDENT TRUMP: You know, when you ...

DAVID MUIR: ... with anything less?

(OVERTALK)

PRESIDENT TRUMP: ... say no one I think no one. Ideally, in the real world, you're talking about millions of people. Will no one. And then, you know, knowing ABC, you'll have this one person on television saying how they were hurt. Okay. We want no one. We want the answer to be no

one.

But I will say millions of people will be happy. Right now you have millions and millions and millions of people that are unhappy. It's too expensive and it's no good. And the governor of Minnesota who unfortunately had a very, very sad incident yesterday 'cause he's a very nice guy but -- a couple of months ago he said that the Affordable Care Act is no longer affordable.

He's a staunch Democrat. Very strong Democrat. He said it's no longer affordable. He made that statement. And Bill Clinton on the campaign trail -- and he probably had a bad night that night when he went home -- but he said, "Obamacare is crazy. It's crazy." And you know what, they were both right.

DAVID MUIR: Mr. President, thank you.

(OVERTALK)

PRESIDENT TRUMP: Thank you very much. Appreciate it.

\* \* \*END OF TRANSCRIPT\* \* \*

Pasted from <<http://abcnews.go.com/Politics/transcript-abc-news-anchor-david-muir-interviews-president/story?id=45047602>>

# Exhibit F

THE WHITE HOUSE  
Office of the Press Secretary

For Immediate Release  
January 27, 2017

EXECUTIVE ORDER

- - - - -

PROTECTING THE NATION FROM FOREIGN TERRORIST  
ENTRY INTO THE UNITED STATES

By the authority vested in me as President by the Constitution and laws of the United States of America, including the Immigration and Nationality Act (INA), 8 U.S.C. 1101 *et seq.*, and section 301 of title 3, United States Code, and to protect the American people from terrorist attacks by foreign nationals admitted to the United States, it is hereby ordered as follows:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-

issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

Sec. 2. Policy. It is the policy of the United States to protect its citizens from foreign nationals who intend to commit terrorist attacks in the United States; and to prevent the admission of foreign nationals who intend to exploit United States immigration laws for malevolent purposes.

Sec. 3. Suspension of Issuance of Visas and Other Immigration Benefits to Nationals of Countries of Particular Concern. (a) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall immediately conduct a review to determine the information needed from any country to adjudicate any visa, admission, or other benefit under the INA (adjudications) in order to determine that the individual seeking the benefit is who the individual claims to be and is not a security or public-safety threat.

(b) The Secretary of Homeland Security, in consultation with the Secretary of State and the Director of National Intelligence, shall submit to the President a report on the results of the review described in subsection (a) of this section, including the Secretary of Homeland Security's determination of the information needed for adjudications and a list of countries that do not provide adequate information, within 30 days of the date of this order. The Secretary of Homeland Security shall provide a copy of the report to the Secretary of State and the Director of National Intelligence.

(c) To temporarily reduce investigative burdens on relevant agencies during the review period described in subsection (a) of this section, to ensure the proper review and

maximum utilization of available resources for the screening of foreign nationals, and to ensure that adequate standards are established to prevent infiltration by foreign terrorists or criminals, pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States, and I hereby suspend entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas).

(d) Immediately upon receipt of the report described in subsection (b) of this section regarding the information needed for adjudications, the Secretary of State shall request all foreign governments that do not supply such information to start providing such information regarding their nationals within 60 days of notification.

(e) After the 60-day period described in subsection (d) of this section expires, the Secretary of Homeland Security, in consultation with the Secretary of State, shall submit to the President a list of countries recommended for inclusion on a Presidential proclamation that would prohibit the entry of foreign nationals (excluding those foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3, and G-4 visas) from countries that do not provide the information requested pursuant to subsection (d) of this section until compliance occurs.

(f) At any point after submitting the list described in subsection (e) of this section, the Secretary of State or the Secretary of Homeland Security may submit to the President the names of any additional countries recommended for similar treatment.

(g) Notwithstanding a suspension pursuant to subsection (c) of this section or pursuant to a Presidential proclamation described in subsection (e) of this section, the Secretaries of State and Homeland Security may, on a case-by-case basis, and when in the national interest, issue visas or other immigration benefits to nationals of countries for which visas and benefits are otherwise blocked.

(h) The Secretaries of State and Homeland Security shall submit to the President a joint report on the progress in implementing this order within 30 days of the date of this order, a second report within 60 days of the date of this order, a third report within 90 days of the date of this order, and a fourth report within 120 days of the date of this order.

Sec. 4. Implementing Uniform Screening Standards for All Immigration Programs. (a) The Secretary of State, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation shall implement a program, as part of the adjudication process for immigration benefits, to identify individuals seeking to enter the United States on a fraudulent basis with the intent to cause harm, or who are at risk of causing harm subsequent to their admission. This program will include the development of a uniform screening standard and procedure, such as in-person interviews; a database of identity documents proffered by applicants to ensure that duplicate documents are not used by multiple applicants; amended application forms that include questions aimed at identifying fraudulent answers and malicious intent; a mechanism to ensure that the applicant is who the applicant claims to be; a process to evaluate the applicant's likelihood of becoming a positively contributing member of society and the applicant's ability to make contributions to the national interest; and a mechanism to assess whether or not the applicant has the intent to commit criminal or terrorist acts after entering the United States.

(b) The Secretary of Homeland Security, in conjunction with the Secretary of State, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall submit to the President an initial report on the progress of this directive within 60 days of the date of this order, a second report within 100 days of the date of this order, and a third report within 200 days of the date of this order.

Sec. 5. Realignment of the U.S. Refugee Admissions Program for Fiscal Year 2017. (a) The Secretary of State shall suspend the U.S. Refugee Admissions Program (USRAP) for 120 days. During the 120-day period, the Secretary of State, in conjunction with the Secretary of Homeland Security and in consultation with the Director of National Intelligence, shall review the USRAP application and adjudication process to determine what additional procedures should be taken to ensure that those approved for refugee admission do not pose a threat

to the security and welfare of the United States, and shall implement such additional procedures. Refugee applicants who are already in the USRAP process may be admitted upon the initiation and completion of these revised procedures. Upon the date that is 120 days after the date of this order, the Secretary of State shall resume USRAP admissions only for nationals of countries for which the Secretary of State, the Secretary of Homeland Security, and the Director of National Intelligence have jointly determined that such additional procedures are adequate to ensure the security and welfare of the United States.

(b) Upon the resumption of USRAP admissions, the Secretary of State, in consultation with the Secretary of Homeland Security, is further directed to make changes, to the extent permitted by law, to prioritize refugee claims made by individuals on the basis of religious-based persecution, provided that the religion of the individual is a minority religion in the individual's country of nationality. Where necessary and appropriate, the Secretaries of State and Homeland Security shall recommend legislation to the President that would assist with such prioritization.

(c) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of nationals of Syria as refugees is detrimental to the interests of the United States and thus suspend any such entry until such time as I have determined that sufficient changes have been made to the USRAP to ensure that admission of Syrian refugees is consistent with the national interest.

(d) Pursuant to section 212(f) of the INA, 8 U.S.C. 1182(f), I hereby proclaim that the entry of more than 50,000 refugees in fiscal year 2017 would be detrimental to the interests of the United States, and thus suspend any such entry until such time as I determine that additional admissions would be in the national interest.

(e) Notwithstanding the temporary suspension imposed pursuant to subsection (a) of this section, the Secretaries of State and Homeland Security may jointly determine to admit individuals to the United States as refugees on a case-by-case basis, in their discretion, but only so long as they determine that the admission of such individuals as refugees is in the national interest -- including when the person is a religious minority in his country of nationality facing religious persecution, when admitting the person would enable the United

States to conform its conduct to a preexisting international agreement, or when the person is already in transit and denying admission would cause undue hardship -- and it would not pose a risk to the security or welfare of the United States.

(f) The Secretary of State shall submit to the President an initial report on the progress of the directive in subsection (b) of this section regarding prioritization of claims made by individuals on the basis of religious-based persecution within 100 days of the date of this order and shall submit a second report within 200 days of the date of this order.

(g) It is the policy of the executive branch that, to the extent permitted by law and as practicable, State and local jurisdictions be granted a role in the process of determining the placement or settlement in their jurisdictions of aliens eligible to be admitted to the United States as refugees. To that end, the Secretary of Homeland Security shall examine existing law to determine the extent to which, consistent with applicable law, State and local jurisdictions may have greater involvement in the process of determining the placement or resettlement of refugees in their jurisdictions, and shall devise a proposal to lawfully promote such involvement.

Sec. 6. Rescission of Exercise of Authority Relating to the Terrorism Grounds of Inadmissibility. The Secretaries of State and Homeland Security shall, in consultation with the Attorney General, consider rescinding the exercises of authority in section 212 of the INA, 8 U.S.C. 1182, relating to the terrorism grounds of inadmissibility, as well as any related implementing memoranda.

Sec. 7. Expedited Completion of the Biometric Entry-Exit Tracking System. (a) The Secretary of Homeland Security shall expedite the completion and implementation of a biometric entry-exit tracking system for all travelers to the United States, as recommended by the National Commission on Terrorist Attacks Upon the United States.

(b) The Secretary of Homeland Security shall submit to the President periodic reports on the progress of the directive contained in subsection (a) of this section. The initial report shall be submitted within 100 days of the date of this order, a second report shall be submitted within 200 days of the date of this order, and a third report shall be submitted within 365 days of the date of this order. Further, the Secretary shall submit a report every 180 days thereafter until the system is fully deployed and operational.

Sec. 8. Visa Interview Security. (a) The Secretary of State shall immediately suspend the Visa Interview Waiver Program and ensure compliance with section 222 of the INA, 8 U.S.C. 1222, which requires that all individuals seeking a nonimmigrant visa undergo an in-person interview, subject to specific statutory exceptions.

(b) To the extent permitted by law and subject to the availability of appropriations, the Secretary of State shall immediately expand the Consular Fellows Program, including by substantially increasing the number of Fellows, lengthening or making permanent the period of service, and making language training at the Foreign Service Institute available to Fellows for assignment to posts outside of their area of core linguistic ability, to ensure that non-immigrant visa-interview wait times are not unduly affected.

Sec. 9. Visa Validity Reciprocity. The Secretary of State shall review all nonimmigrant visa reciprocity agreements to ensure that they are, with respect to each visa classification, truly reciprocal insofar as practicable with respect to validity period and fees, as required by sections 221(c) and 281 of the INA, 8 U.S.C. 1201(c) and 1351, and other treatment. If a country does not treat United States nationals seeking nonimmigrant visas in a reciprocal manner, the Secretary of State shall adjust the visa validity period, fee schedule, or other treatment to match the treatment of United States nationals by the foreign country, to the extent practicable.

Sec. 10. Transparency and Data Collection. (a) To be more transparent with the American people, and to more effectively implement policies and practices that serve the national interest, the Secretary of Homeland Security, in consultation with the Attorney General, shall, consistent with applicable law and national security, collect and make publicly available within 180 days, and every 180 days thereafter:

(i) information regarding the number of foreign nationals in the United States who have been charged with terrorism-related offenses while in the United States; convicted of terrorism-related offenses while in the United States; or removed from the United States based on terrorism-related activity, affiliation, or material support to a terrorism-related organization, or any other national security

reasons since the date of this order or the last reporting period, whichever is later;

(ii) information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States and engaged in terrorism-related acts, or who have provided material support to terrorism-related organizations in countries that pose a threat to the United States, since the date of this order or the last reporting period, whichever is later; and

(iii) information regarding the number and types of acts of gender-based violence against women, including honor killings, in the United States by foreign nationals, since the date of this order or the last reporting period, whichever is later; and

(iv) any other information relevant to public safety and security as determined by the Secretary of Homeland Security and the Attorney General, including information on the immigration status of foreign nationals charged with major offenses.

(b) The Secretary of State shall, within one year of the date of this order, provide a report on the estimated long-term costs of the USRAP at the Federal, State, and local levels.

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,  
January 27, 2017.

# # #

# Exhibit G



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

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

01-27-2017

[David Brody](#)

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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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Thanks for being a part of the dynamic future of CBN News, as well as helping The Christian Broadcasting Network share the love of Jesus with hurting people everywhere.

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# Exhibit H

## Center Directors and Deputies,

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry immigrants and nonimmigrants who are from Syria, Iraq, Iran, Somalia, Yemen, Sudan, and Libya for 90 days from the date of the Executive Order.

While we await further guidance, we must temporarily suspend adjudication of all applications, petitions or requests involving citizens or nationals of the listed countries. At this point there are no exceptions for any form types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

**From:** Neufeld, Donald W

**Sent:** Saturday, January 28, 2017 11:35 AM

**To:** Baran, Kathy A; Campagnolo, Donna P; Crandall, Kristine R; Hazuda, Mark J; McCament, James W; Nolan, Connie L; Richardson, Gregory A; Selby, Cara M (Carrie); Thompson, Kirt; Velarde, Barbara Q; Zuchowski, Laura B; Tamanaha, Emisa T

**Cc:** Arroyo, Susan K; Bacote, Robert R (Bob); Byrne, Marie L (Louise); Cox, Sophia; Dougherty, Linda M; Douglas, Richard C; Doumani, Stephanie M; Fortes, Michael J; Hartmann, Rosemary M; Hope, Leslie K; Hutchings, Pamela G; Kane, Daniel J; King, Alexander R; La Bella, Magteld H; McCament, James W; McConnell, James E; Moran, Karla; Neufeld, Donald W; Padilla, April Y; Peck, Denis R; Sabga, George M; Thomas, Ronnie D; Watson, Dorcas B (Benita)

**Subject:** Executive Order: PROTECTING THE NATION FROM FOREIGN TERRORIST ENTRY INTO THE UNITED STATES - Service Center Instructions

Center Directors and Deputies,

On January 27, 2017, the President signed an Executive Order that, in part, relates to the suspension of processing of certain immigration benefits. Section 3(c) of the Executive Order invokes sections 212(f) and 217(a)(12) of the INA to temporarily suspend the entry of

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While we await further guidance, we must temporarily suspend adjudication of all applications, petitions or requests involving citizens or nationals of the listed countries. At this point there are no exceptions for any form types, to include I-90s or I-765s. Please physically segregate any files that are impacted by this temporary hold pending further guidance. As you would expect, we will be developing a weekly report format for you to identify the number and types of cases on hold.

We expect to issue more detailed guidance and procedures in the coming days.

Please ensure this guidance is conveyed as soon as possible to all appropriate employees and get back to us with any questions. Also, please reply to let me know each center has received this message.

Thanks,

Don