



The Honorable Rex Tillerson
Secretary of State
U.S. Department of State
2201 C St. NW
Washington, D.C. 20520

**Re: Implementation Memoranda for Second Executive Order Banning
Individuals from Six Muslim-Majority Countries and Mandatory Enhanced
Visa Screening**

March 23, 2017

I write to urge that you immediately disclose all memoranda and instructions related to implementation of Executive Order 13780, which bans many individuals from six Muslim-majority countries and temporarily suspends the Refugee Admissions Program.

On March 23, 2017, Reuters reported that over the last month, the State Department has issued multiple cables (or memos) directing U.S. diplomatic missions to identify “populations warranting increased scrutiny.”¹ Reuters described an order for a “mandatory social media check” on all individuals who have ever been present in the territory controlled by the Islamic State.

If true, these measures could provide license for discrimination based on national origin and religion. They could provide a pretext for barring individuals based on their nonviolent beliefs and expression. Social media checks, as well as demands for social media passwords at U.S. borders, have significant implications for privacy and freedom of expression. Our concerns are heightened by the virulently anti-Muslim prejudice exhibited by U.S. officials, including President Trump, and their expressions of hostility toward dissent.

¹ Reuters, “Exclusive: U.S. embassies ordered to identify population groups for tougher screening,” March 23, 2017, <http://www.reuters.com/article/us-usa-immigration-visas-exclusive-idUSKBN16U12X>.

Some of the memos, which reportedly instruct U.S. officials on implementation of the executive order, may have been rescinded in light of court decisions enjoining the order. However, Reuters notes that a “final cable” on March 17 leaves in place an instruction to “develop a list of criteria identifying sets of post applicant populations warranting increased scrutiny.”²

These implementation memos should be disclosed because they are a matter of public concern. Thousands of people apply for visas to travel to the United States—for urgently needed medical care, to escape persecution, to reunite with their families. And, more mundanely—with enormous ramifications for the U.S. economy—they seek visas so they can attend universities, conduct business and engage in tourism.

The courts, Congress and the public must be allowed to know the truth about planned implementation of this ban, and to fully assess the potential impacts, including for human rights. Indeed, withholding this information could stymie court scrutiny of the new order, and thwart congressional oversight.

The original executive order led to fierce public debate. Much of it centered on whether this ban will actually make the country any safer – or whether it simply panders to prejudice, fear and hate, with devastating consequences to the ordinary people caught in its traps. Our country cannot afford for these matters to be debated behind closed doors—without public knowledge or consent. We urge you to meet this public concern with candor and integrity.

Sincerely,



Naureen Shah
Senior Director of Campaigns

² *Id.*

Amnesty International USA

cc:

Senator Ron Johnson, Chairman, Senate Comm. on Homeland Security
Senator Claire McCaskill, Ranking Member, Senate Comm. on Homeland Security

Rep. Michael McCaul, Chairman, House Comm. on Homeland Security
Rep. Bennie Thompson, Ranking Member, House Comm. on Homeland Security

Senator Chuck Grassley, Chairman, Senate Comm. on the Judiciary
Senator Dianne Feinstein, Ranking Member, Senate Comm. on the Judiciary

Rep. Bob Goodlatte, Chairman, House Comm. on the Judiciary
Rep. John Conyers, Ranking Member, House Comm. on the Judiciary