CONFERENCE OF ASIAN PACIFIC AMERICAN LAW FACULTY
AGAINST IMMIGRATION EXECUTIVE ORDER

We, members of the Conference of Asian Pacific American Law Faculty, condemn President Trump's executive order, issued on January 27, 2017, which suspends U.S. refugee admission for "nationals of countries of particular concern," and applies to citizens of seven Muslim-majority countries, including persons already legally authorized to enter the United States and, at least initially, lawful permanent residents.

The United States has made the grave mistake of discriminatory exclusion before. The Chinese Exclusion Act of 1882 was the first federal law to enact a wholesale ban on immigration on the basis of race, ethnicity, or nationality. It remained in effect until 1943, and was not fully dismantled until 1965. Congress banned other immigration from Asia from 1917 to 1952.

Asian American history teaches us that wholesale exclusions and bans of an entire people on the basis of race, ethnicity, or national origin are not only morally and constitutionally problematic, but also counterproductive to actual national security objectives. During World War II, after the bombing of Pearl Harbor by the Japanese Empire, perceived threats to national security led President Franklin Roosevelt to sign an executive order that authorized the mass incarceration of Japanese Americans, over two-thirds of whom were U.S.-born citizens. A Congressional commission later called the incarceration a "grave injustice," motivated by "racial prejudice, war hysteria, and the failure of political leadership."

Our country should not repeat such extreme actions. Congress apologized for Chinese Exclusion in 2011 and 2012. In 1988, President Reagan signed the Civil Liberties Act, issuing a formal apology and monetary reparations to surviving Japanese Americans incarcerated during World War II. Today, President Trump’s executive order is not only discriminatory. It also harms our national interests by creating the impression that the U.S. is at war with the Muslim world, a false notion that terrorist groups like ISIS would like to foster.

We urge the President to rescind this Executive Order immediately. Should the Order stand, we urge Congress to use its authority over immigration law to repeal the ban and the courts to protect the rights of individuals singled out unjustly and unproductively for their religion or national origin.

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Conference of Asian Pacific American Law Faculty

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