

The Honorable John F. Kelly
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January 30, 2017

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The Honorable Thomas A. Shannon
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Secretary Kelly, Acting Attorney General Yates, Acting Secretary Shannon:

As former cabinet Secretaries, senior government officials, diplomats, military service members and intelligence community professionals who have served in the Bush and Obama administrations, we, the undersigned, have worked for many years to make America strong and our homeland secure. Therefore, we are writing to you to express our deep concern with President Trump's recent Executive Order directed at the immigration system, refugees and visitors to this country. This Order not only jeopardizes tens of thousands of lives, it has caused a crisis right here in America and will do long-term damage to our national security.

In the middle of the night, just as we were beginning our nation's commemoration of the Holocaust, dozens of refugees onboard flights to the United States and thousands of visitors were swept up in an Order of unprecedented scope, apparently with little to no oversight or input from national security professionals.

Individuals, who have passed through multiple rounds of robust security vetting, including just before their departure, were detained, some reportedly without access to lawyers, right here in U.S. airports. They include not only women and children whose lives have been upended by actual radical terrorists, but brave individuals who put their own lives on the line and worked side-by-side with our men and women in uniform in Iraq now fighting against ISIL. Now, because of actions taken by this White House, their lives have been disrupted and they may even be in greater danger if they are sent home. Many more thousands going through the process will now be left behind. More broadly, tens of thousands of other travelers, including dual citizens and, at one point, legal U.S. residents face deep uncertainty about whether they may even travel to the United States or risk leaving and being barred reentry.

Many of us have worked for years to keep America safe from terrorists. Many of us were on the job working for our country on 9/11 and need no reminder just how vital it is to destroy terrorist networks and bring partners to our side in that global effort. Simply put, this Order will harm our national security. Partner countries in Europe and the Middle East, on whom we rely for vital counterterrorism cooperation, are already objecting to this action and distancing themselves from the United States, shredding years of

effort to bring them closer to us. Moreover, because the Order discriminates against Muslim travelers and immigrants, it has already sent exactly the wrong message to the Muslim community here at home and all over the world: that the U.S. government is at war with them based on their religion. We may even endanger Christian communities, by handing ISIL a recruiting tool and propaganda victory that spreads their horrific message that the United States is engaged in a religious war. We need to take every step we can to counter violent extremism, not to feed into it by fueling ISIL propaganda.

Perhaps the most tragic irony of this episode is that it is unnecessary. We do not need to turn America into a fortress to keep it secure. Since the 9/11 attacks, the United States has developed a rigorous system of security vetting, leveraging the full capabilities of the law enforcement and intelligence communities. This vetting is applied to travelers not once, but multiple times. Refugees receive even further scrutiny. In fact, successive administrations have worked to improve this vetting on a near continuous basis, through robust information sharing and data integration to identify potential terrorists. Since 9/11 not a single major terrorist attack has been perpetrated by travelers from the countries named in the Order.

The suddenness of this Order is also troubling. The fact that individuals cleared for admission were literally in the air as the Order went into effect speaks to the haste with which it was developed and implemented. We are concerned that this Order received little, if any scrutiny by the Departments of State, Justice, and Homeland Security or the Intelligence Community. Now that some of these individuals are here in the United States, and thousands of others are stranded, our government's response has appeared disorganized and chaotic. As lawyers take steps to protect their clients who have been detained here or stranded at many other airports, the U.S. government will continue to face a flurry of legal challenges, which could have been avoided. Additionally, by banning travel by individuals cooperating against ISIL, we risk placing our military and diplomatic efforts at risk by sending a clear message to those citizens and all Muslims that the United States does not have their backs. Already, the international push-back has been immense, and threatens to jeopardize critical counterterrorism cooperation.

Fortunately, there is a way out of this self-made crisis. We know that your agencies did not create this situation and we particularly respect that many of you are working to mitigate its damage. Effective immediately, you can apply the discretion given to you under the President's Order to admit into the country the men, women and children who are currently still stranded in airports. The process for doing this is well known to the security professionals within your departments. We urge you to execute it. While it is good to see the withdrawal of the application of the Order to legal permanent residents of the United States, your Departments can immediately work to allow other classes of people into the country, and remove the discriminatory prioritization implicit within the Order. Most critically, we urge you to draw on the insight of the professionals in your departments to recommend that the President revisit and rescind this Order. Blanket bans of certain countries or classes of people is inhumane, unnecessary and counterproductive from a security standpoint, and beneath the dignity of our great nation.

Dr. Madeleine K. Albright
Former Secretary of State

Janet Napolitano
Former Secretary of the Department of Homeland Security

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Dennis Blair
Former Director of National Intelligence
Admiral, USN, Retired

Michael Hayden
Former Director, Central Intelligence Agency

Samantha Power
Former United States Ambassador to the United Nations

Bill Richardson
Former Governor of New Mexico and United States Ambassador to the United Nations

Tony Blinken
Former Deputy Secretary of State

William Burns
Former Deputy Secretary of State

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Former National Coordinator for Security,
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Former Deputy Secretary of Defense

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CC: Secretary James Mattis, Department of Defense; General Joseph Dunford, Chairman, Joint Chiefs of Staff