

## Trump Establishes Immigrant, Visitor Vetting Center

By **Nicole Narea**

*Law360 (February 6, 2018, 9:40 PM EST)* -- President Donald Trump signed a memorandum Tuesday establishing a National Vetting Center to enhance screening of anyone trying to enter the U.S. and to improve information-sharing among government agencies.

White House press secretary Sarah Huckabee Sanders said in a statement Tuesday night that the center would aim to centralize vetting efforts that are currently administered on an ad hoc basis, facilitating the sharing of information among law enforcement agencies, and weeding out potential threats to national security, border security, homeland security, or public safety. The memo requires that the secretary of homeland security, the secretary of state, the attorney general and the director of national intelligence jointly present a plan to establish the scope of the center and its relationships with other agencies within 180 days.

The memo represents a ramping up of Trump's existing policy of "extreme vetting," which was largely directed at refugee populations.

"The NVC's operations will adhere to America's strong protections for individuals' privacy, civil rights, and civil liberties," Sanders said. "The administration's top priority is the safety and security of the public, and the NVC will empower our frontline defenders to better fulfil [sic] that obligation."

To support its immigration enforcement and border security operations, the center will have access to biographic, biometric and other information about those who seek any kind of immigration benefit such as a visa, who visit the U.S. or who face deportation proceedings, according to the memo.

A six-person board representing each of the agencies involved in the center's administration will offer guidance and act as an interagency forum. The center will be staffed and funded by the agencies, requiring no additional appropriations, according to the memo.

The memo notes that the center will take into consideration laws and policies that govern how to appropriately handle sensitive information, as well as privacy, civil rights and civil liberties.

Secretary of Homeland Security Kirstjen M. Nielsen said in a statement that the memo demonstrated the administration's "unprecedented" efforts to implement "tougher vetting and tighter screening" for anyone seeking entry to the U.S.

“This is yet another step towards knowing who is coming to the United States — that they are who they say they are and that they do not pose a threat to our nation,” she said. “Our frontline defenders need real-time information to protect our country, and the center will ensure they are able to fuse intelligence and law enforcement data from across the government in one place to detect threats early.”

Some lawmakers, however, characterized the center as an anti-immigrant symbol. Rep. Ruben Gallego, D-Ariz., tweeted Tuesday that the White House’s memo ignores the fact that U.S. immigrants are already subject to comprehensive vetting.

“With no funding and no new authorities, [Trump’s] new ‘vetting center’ is nothing but a dog whistle to his most racist supporters,” he said.

Meanwhile, attorneys who guide their clients through cumbersome immigration processes daily had mixed reactions to the memo. Hector A. Chichoni, chair of Duane Morris LLP’s Florida immigration practice, told Law360 that the center may as well be called a “National Rejection Center,” meant to dissuade immigrants from seeking entry to the U.S. or at least delay them.

Elizabeth Espín Stern, who leads Mayer Brown LLP’s global mobility and migration practice, was more optimistic that the center would serve to streamline processing.

“Central oversight with a goal of information being collected, evaluated, and acted upon more effectively and, potentially, more promptly, is a plus, and may help avoid undue travel bottlenecks for legitimate travelers who are currently getting lost in the inter-agency system,” she told Law360.

--Editing by Adam LoBelia.