



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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Delores Rubin
Chair

Jesse Bodine
District Manager

February 7, 2017

Senator Kirsten Gillibrand
478 Russell Senate Office Building
Washington, DC 20510

Senator Chuck Schumer
322 Hart Senate Office Building
Washington, D.C. 20510

Re Executive Order: Protecting the Nation From Foreign Terrorist Entry Into The United States (aka, “Muslim Ban”)

Dear Senator Gillibrand and Senator Schumer:

Manhattan Community Board 4 (MCB4) is deeply concerned about the President’s January 27th executive order temporarily prohibiting from entering the United States virtually all people traveling on passports from seven predominantly Muslim countries — the so-called “Muslim Ban.”

While there seems to be some confusion about the legality of the “ban,” and who is affected, there can be no doubt that the order is profoundly troubling, and frightening, to many people and their families from the seven nations singled out in the executive order who live and work in Manhattan Community District 4 (MCD4) including especially, bodega owners, workers, and their families from Yemen.

As New York City’s local representative body of Manhattan District 4, which comprises the historic immigrant neighborhoods of Chelsea, Hell’s Kitchen and Clinton, MCB4 is charged with addressing community concerns. And United States government actions which appear to target residents of our district according to their ethnicity or religion is a concern of utmost import to this Board.

Intended or not, the executive order is perceived by some as xenophobic and an attempt to ban people based on their religion. In fact, former acting U.S. Attorney General Sally Yates instructed the Justice Department not to enforce the order since it did not “take account of statements made by an administration or its surrogates close in time to the issuance of an Executive Order that may bear on the order’s purpose.” According to the New York Times,

Attorney General Yates rejected the order based on “repeated comments from Mr. Trump and his advisers about barring Muslims from entering the United States.”

And New York Attorney General Eric Schniederman filed a motion in U.S. District Court in the Eastern District of New York to join a federal lawsuit against the executive order, stating that the President’s “intent to discriminate against Muslims is clear.”

It cannot be surprising, therefore, that ordinary citizens may conclude that the order is intended to exclude people because of their ethnic heritage or religion. And all citizens may be alarmed about any restriction on the First Amendment guarantee of religious freedom.

The perception of religious or ethnic targeting by the state is particularly troubling to this district, the home for over 150 years of immigrants of different ethnicities and religions — of Irish, German, Greek, Spanish, and Italian heritage; of Lutheran, Catholic, Greek Orthodox, Muslim, and Jewish belief.

At the February 1, 2017, Manhattan Community Board 4 discussion of the executive order’s impact on MCD4, one Board member recalled the suspicion his Italian immigrant grandfather suffered in the 1940s because of his heritage. Another Board member pointed out that, in 1942, approximately 695,000 Italian citizens residing in the United States were designated as “enemy aliens” issued “identity cards,” and restricted from areas of the country.

A former Board member who grew up in the Bronx before the war subsequently related to a Board member her vivid memory of the fear she suffered as a child that her Jewish immigrant mother, who had not secured her American citizenship, would be sent back to Poland and certain death. (The mother got her citizenship. The child became a school teacher at James Madison High School in Brooklyn. Among her former students was a future senator: Chuck Schumer.)

The Board notes that some Yemenis are third-generation Americans and no one in the United States has been killed in a terrorist attack by someone from Yemen. And although nearly three million refugees have been settled in the US since 1980, there has not been a single murder or terrorist attack tied to a refugee who was resettled here since that time.

We also note that the executive order was issued on Holocaust Remembrance Day, a day that may have escaped the memory of those who have forgotten history.

This Board has not forgotten. We represent a community of memory. We remember the words on display at the Holocaust Museum in Washington, D.C. They were written by a German pastor during WWII.

First they came for the socialists, and I did not speak out — because I was not a socialist. Then they came for the trade unionists, and I did not speak out — because I was not a trade unionist. Then they came for the Jews, and I did not speak out because I was not a Jew. Then they came for me — and there was no one left to speak for me.

We ask you to reach out to your colleagues across the aisle and urge them to speak. To speak for the hard-working, law-abiding immigrants of our community and of many communities across the country. And to speak for their right — and ours — to religious freedom.

The First Amendment demands no less.

Sincerely,

A handwritten signature in cursive script, appearing to read "Delores Rubin", enclosed in a thin black rectangular border.

Delores Rubin
Chair

Cc: Hon. Jerrold Nadler, Congressman
New York Attorney General Eric Schniederman
Hon. Gale Brewer, Manhattan Borough President
Hon. Brad Holyman, State Senator
Hon. Richard Gottfried, State Assemblymember
Hon. Linda Rosenthal, State Assemblymember
Hon. Corey Johnson, Councilmember
Hon. Helen Rosenthal, Councilmember