

Press Release: Groups File Class Action Challenge to Trump Administration's Latest Refugee Ban

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GROUPS FILE CLASS ACTION CHALLENGE TO TRUMP ADMINISTRATION'S LATEST REFUGEE BAN

(Los Gatos, CA) – Refugee-serving agencies and individuals challenged President Trump's most recent executive order banning refugees in federal district court in Seattle today. The executive order blocks for at least 90 days refugee resettlement from 11 countries and indefinitely pauses the follow-to-join program, which reunites spouses and children with refugees already in the United States.

A nationwide preliminary injunction motion on both restrictions will be filed in the coming days. The lawsuit charges that the order is yet another attempt by the Trump administration to suspend refugee admissions without authority and to ban refugees from entering the United States. The new restrictions would block a significant number of refugees seeking resettlement to the United States through the United States Refugee Admissions Program (USRAP). The order also directly targets Muslims, as approximately 80% of all Muslim refugees who resettled in the United States in the past two fiscal years have been from nine of the 11 blocked countries.

According to the filed complaint, this latest attempt by the Trump administration to suspend refugee admissions is no different from its prior attempts -- the administration continues to lack authority to suspend refugee admissions in this way. Moreover, this is yet another attempt to target Muslims in violation of the Constitution.

The plaintiffs in the case are Jewish Family Services of Silicon Valley and Jewish Family Service of Seattle -- both local partners of national refugee resettlement agency HIAS, the global Jewish nonprofit that protects refugees -- along with individuals, including U.S. citizens and those with family members who are impacted by the new refugee restrictions. These include refugees in the final stages of their resettlement process who are now trapped in limbo, parents who are desperately trying to reunite with their displaced children, and a military supervisor hoping to save his Iraqi interpreter's life.

The latter, plaintiff Allen R. Vaught, is a veteran of the Iraq war, who hired plaintiff John Doe 1 as a translator in 2003 and formed a close bond with him during his deployment. When Mr. Vaught was injured by an IED in an ambush, John Doe 1 traveled almost 60 miles to check on him. Mr. Vaught has tried to help his translator get resettled to the United States since 2014, as he still lives in dangerous conditions and away from his family. However, the recent refugee ban executive order could mean that John Doe's travel to the United States could be delayed indefinitely.

Another plaintiff and client of Community Refugee & Immigration Services (CRIS) in Columbus, Ohio, Mr. Afkab Mohamed Hussein, is a Somali refugee residing in the United States and has an approved follow-to-join petition for his wife and son, the latter of whom he was never able to meet prior to being resettled. The new refugee restrictions would prevent him from being reunited with his family.

The plaintiffs are being represented by the International Refugee Assistance Project (IRAP) at the Urban Justice Center; the National Immigration Law Center (NILC); Lauren Aguiar, Mollie M. Kornreich and Abigail Sheehan Davis; Perkins Coie; and HIAS.

The complaint was filed in U.S. District Court in Washington state.

The following are quotes from:

Mindy Berkowitz, Executive Director of Jewish Family Services of Silicon Valley: "With family members stuck in limbo and awaiting the chance at safety in the United States, our clients here are begging us, 'Please save my sister and her little boy. Please save my cousin.' These refugees cannot go back to their home countries for fear of further persecution, and now America is turning its back on them in their time of urgent need. We can and must fulfill our responsibility as a country to provide protection to refugees."

Allen R. Vaught, Plaintiff: "As a soldier who served in Iraq, I believe the latest refugee executive order is a solution in search of a problem, made only to stoke irrational fear. That executive order has de-railed efforts to get my last surviving Iraqi translator, who served bravely alongside U.S. military forces for many years, to the United States despite his extremely thorough vetting. That executive order is inconsistent with the American values I fought for as an officer in the United States Army."

Becca Heller, Director of IRAP: "The President has continuously and openly stated that he will ban Muslims from our country ever since his first days on the campaign trail. This new executive order will do just that--as applied, it would have kept out 80% of the Muslim refugees to the U.S. in recent years. The refugees from these countries are fleeing the very terror that the U.S. is trying to fight: the Islamic State and other militants in the Middle East and North Africa. Rather than make America safer, the order abdicates America's status as a global humanitarian leader and damages our credibility with our allies in the region."

Rabbi Will Berkovitz, CEO of Jewish Family Service of Seattle: "Last week was the 79th anniversary of Kristallnacht. The Jewish people know all too well that if the United States shuts its doors to those who are persecuted, lives will be in jeopardy. Remembering our past, we know this is the time we must unequivocally stand with vulnerable refugees, reunite families, and act in accordance with commandments requiring us to welcome the stranger and save one life as if it is the entire world."

Lauren Aguiar, law firm partner: "As lawyers, we are privileged to play a critical role in ensuring that the rule of law is upheld through strong and independent judicial decisions that preserve the freedoms and protections our Constitution grants to even the most vulnerable individuals in our communities. The refugees impacted by this ban risk losing the ability for themselves and their families to resettle and pursue their lives in safety; those who need our advocacy the most often cannot afford representation, which is why it is so important for lawyers in the private bar to take on *pro bono* work of this nature."

Melissa Keaney, staff attorney, National Immigration Law Center: "Xenophobic policies that threaten to slam our nation's doors in the face of those seeking refuge threaten the most cherished aspects of our national identity. We are filing this lawsuit today to make sure that our country does not turn its back on those who have already given so much to come here."

Mark Hetfield, President and CEO of HIAS: "The global refugee crisis has reached record high proportions, yet the Trump administration has set a record low ceiling for refugees that may be resettled to the United States. In addition, the administration has once again attempted a ban by indefinitely closing the door on refugees of 11 nationalities, nine of which come from predominantly Muslim majority countries, and has even thrown obstacles in the way to prevent refugee spouses from reuniting with one another, and with their young children. We've seen this before, and we won't stand for it. This is why HIAS has joined the legal team representing Jewish community partners in our ongoing struggle to welcome refugees and show America's strength as a country."

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