



## **Supreme Court refugee ruling endangers thousands of lives, advocates say**

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The U.S. Supreme Court's decision Wednesday enabling the Trump administration to reinstate strict temporary limits on refugee entries will endanger the lives of thousands of desperate people fleeing war, hunger, poverty and persecution, advocates for refugees say.

"No part of this cruel and discriminatory ban is reasonable," said Naureen Shah, Amnesty International USA's senior director of campaigns. "Congress must intervene and end the ban once and for all."

Henrike Dessaules, communications manager for the New York-based International Refugee Assistance Project, underscored the urgency of the refugees' plight.

"Any day longer they have to wait could mean a death sentence for them," said Dessaules, whose organization prevailed in lower federal court rulings blocking the travel ban, prompting the Trump administration to seek Supreme Court review, which the court granted.

Like other refugee advocates, Dessaules noted more than 24,000 refugees had been vetted, and the U.S. government granted them admission to the U.S. These refugees had been working with resettlement agencies as they prepared to move here.

Many of them, including LGBT refugees facing persecution, "are in immediate danger in their current location," Dessaules said.

Refugee organizations had rejoiced last week when Judge Derrick K. Watson of the U.S. District Court in Honolulu issued an order stipulating that the government must admit refugees who had received government clearance and were working with resettlement agencies.

But on Wednesday, the Supreme Court granted the government's request to put on hold a part of Watson's order which had greatly expanded refugee admissions.

In an unsigned, one-paragraph order, the high court said the 9th U.S. Circuit Court of Appeals in San Francisco will decide on the refugees. (The government had bypassed the appeals court, taking its challenge to Watson's order directly to the Supreme Court.)

Trump has remained uncharacteristically silent on the Supreme Court's latest travel ban decision, and the White House did not respond to requests for comment.

### **More people uprooted by violence worldwide than anytime since WW II**

The 120-day refugee restrictions come at a time when more people are uprooted by violence than any time since World War II, and the number of displaced people worldwide has reached a record 60 million, according to the New York-based International Rescue Committee.

“We urge the administration to realize that a review of U.S. resettlement can and should be done without pausing this life-saving program for refugees – many of whom have spent years completing vetting,” Hans Van de Weerd, IRC's vice president of U.S. programs, said in an email.

The IRC said refugees are “already the most vetted group to enter the U.S. and the bans outlined in [Trump's March 6 executive order imposing the restrictions] will not improve national security.”

The IRC, founded at the request of Albert Einstein in October 1933 after he and thousands of other Jews fled persecution in Nazi Germany, provides legal assistance and a vast array of other support to refugees in more than 40 countries and 29 U.S. cities.

In Wednesday's decision, the Supreme Court left intact part of Watson's order stipulating that the government could not bar immigrants with close relatives here, such as grandchildren visiting grandparents living in the U.S.

But, without explanation, the court let the Trump administration reinstate the refugee restrictions immediately, pending review by the San Francisco-based 9th U.S. Circuit Court of Appeals. A three-judge panel of the 9th Circuit had ruled unanimously against Trump last month, saying he overstepped executive authority granted him by Congress in imposing the revised travel ban through a March 6 executive order.

The appeals court ruling retained the core provisions of a March decision by Watson in Hawaii's challenge to Trump's travel ban, blocking the restrictions hours before they were to take effect. But while Watson had cited “significant and un rebutted evidence of religious animus” in Trump's campaign statements, the appeals court focused solely on the statutory limitations of the president's authority on immigration matters.

“Immigration, even for the President, is not a one-person show.” the appeals court judges, all appointees of former President Bill Clinton, said in the decision.

Watson based last week's order on his interpretation of the Supreme Court's June 26 decision exempting those with “bona fide relationships” from the travel ban – the collective name for the 90-day ban on immigrants from six predominantly Muslim countries and a 120-day suspension of the refugee program.

Justices did not define “bona fide relationship,” but said examples would include having a “close” relative, a job offer or admission to a college or university in the U.S.

## **“Bona fide does not get any more bona fide than that”**

Watson, in his order, sided with attorneys representing Hawaii.

“An assurance from a United States refugee resettlement agency, in fact, meets each of the Supreme Court’s touchstones: It is formal, it is a documented contract, it is binding, it triggers responsibilities and obligations, it is issued specific to an individual refugee only when that refugee has been approved for entry by the Department of Homeland Security,” Watson wrote. “Bona fide does not get any more bona fide than that.”

Spencer Amdur, a staff attorney with the American Civil Liberties Union’s Immigrants’ Rights Project, said he’s hopeful the 9th Circuit will uphold the refugee portion of Watson’s order within weeks.

“We hope that the government is forced to recognize that these are people who have bona fide relationships in the U.S. and have been thoroughly vetted and received commitments to help settle in America from churches, synagogues and other nonprofits,” Amdur told TMN. “Otherwise, these people are going to be left in a very dangerous situation.”

He said refugees had good reason to feel misled by the U.S. government.

“The U.S. government made a promise to them that they could come here,” Amdur said. “These desperate people are first told they can come here, and then the promise is taken back.”

Admur said the refugees expecting to resettle in this country for good – thousands of them living in refugee camps – had begun wrapping up their lives in their homelands, quitting their jobs, selling their possessions, confident much better days lay ahead. But their hopes turned to heartbreak and anxiety with Wednesday’s Supreme Court decision, Admur said.

Refugees seeking to relocate to the U.S. undergo intensive screening by the FBI, the Defense Department, the Department of Homeland Security and multiple other security agencies, and the process typically takes 18 to 24 months, the IRC said.

Trump has repeatedly asserted that the refugee restrictions, along with a 90-day ban on entries from six predominantly Muslim countries, are necessary to prevent terrorism in the U.S. as the administration devises “extreme vetting” procedures.

But the Cato Institute, the Washington-based libertarian think tank, reports the odds of a U.S. citizen being killed by a refugee in a terrorist attack are 1 in 3.6 billion. That makes Americans much more likely to be killed by lightning than by a refugee in a terrorist attack.

Kay Bellor, vice president for programs at the Baltimore-based Lutheran Immigration and Refugee Service, the second-largest refugee resettlement agency in the U.S., said the Supreme Court’s decision on refugees “will mean that the vulnerable refugee families and children that LIRS, and the communities we work with, had already begun preparing to welcome will be needlessly denied access to protection, throwing their future safety into limbo.”

“The life-saving U.S. refugee program shouldn’t be something tied up in the courts,” Bellor said. “Our nation has long been the world leader in protecting those fleeing violence, persecution, and

war – no matter their country of origin, family connection in the U.S., or religion. That should continue, and we call on the administration and the U.S. Government to stand with us in this work and end this misguided executive order.”

Two federal courts have ruled against Trump on the travel ban, which calls for barring people from Iran, Libya, Somalia, Sudan, Syria and Yemen for 90 days, and suspending all refugee entries for 120 days.

Last month, a three-judge panel of the 9th U.S. Circuit Court of Appeals in San Francisco — upholding the core of a March decision by Watson in Hawaii’s challenge — ruled that Trump had overstepped the executive authority granted him by Congress in imposing the travel ban through an executive order.

The appeals court judges, all appointees of former President Bill Clinton, said in the decision, “Immigration, even for the President, is not a one-person show.”

And in late May, the 13-judge 4th U.S. Circuit Court of Appeals in Richmond upheld a Maryland federal district court’s decision putting the travel ban on hold. The appeals court said the ban “drips with religious intolerance, animus, and discrimination.”

Trump had issued his initial travel ban executive order a week into his presidency, unleashing chaos at airports, mass protests in the U.S. and worldwide, condemnation from a broad spectrum of international leaders — and unprecedented attacks on the federal judiciary after judges blocked his travel ban.

The revised travel ban, the White House has said, took into account judges’ cited reasons for putting the original ban on hold, and predicted it would pass constitutional muster.

The Supreme Court’s decision on interpretation of its June 26 ruling will likely be its last word on Trump’s travel ban until Oct. 10, when the justices begin reviewing the merits of Trump’s challenge to lower-court rulings blocking the ban.