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## Bay Area refugees seek answers after ruling on Trump's travel ban

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Amir woke up at his San Francisco home Monday to a message on his phone: A friend in Turkey, a fellow gay Iranian refugee, had received word that the U.S. Supreme Court allowed part of President Trump's travel ban to go into effect.

The two men were part of a community of gay men who fled Iran together and then waited in Turkey for a new home. Mohamed, who wants to join Amir in America, was panicking.

"What do I do? I don't know how long I can stay here," his phone message said.

Amir, 32, made it to the U.S. a day before the inauguration and well before Trump signed his original and revised travel bans. All he could think about Monday was how fortunate he had been.

But his friend and many other refugees were trying to figure out how they will be affected by the Supreme Court's decision to allow the administration to enforce its four-month suspension of the refugee program for those who did not have "bona fide" ties in the country. The court will take up the constitutionality of the ban in its next term, which begins in October.

"Can I put you as my sponsor?" asked Mohamed, who like Amir did not want his last name published for fear of repercussions.

The court order was only the latest jolt in a tumultuous year for refugee advocates who have grappled with the uncertainty of multiple executive orders and legal decisions. On Monday, they were once again attempting to understand where the program stood — and what exactly defines a "bona fide" relationship to a person or institution in the U.S.

"This whole year has been about: what's next," said Karen Ferguson, head of the International Rescue Committee's Northern California chapter, which had already seen a slowdown in admitted refugees to the region since the beginning of the year. "This year has taught us to be very prepared for whatever will be next, and our job is going to be to reach out to vulnerable people fleeing."

The question of determining who has a bona fide connection to an entity in the U.S. is a complicated one, said Brian Soucek, a professor and immigration expert at UC Davis School of Law.

Resettlement in the U.S. involves a partnership between the government and private agencies on the ground, like the International Rescue Committee, so every refugee who goes through the process will at some point develop “a connection.”

“Once that happens, the travel ban cannot apply to them,” he said.

Advocates such as Justin B. Cox, an attorney with the National Immigration Law Center, said that those who have relationships with resettlement organizations in the country should meet the court’s standard.

“We think it means that there are enough people in the resettlement pipeline that have U.S. ties that this should have very little practical impact,” he said. “We think the order is clear on its face. I can’t imagine the DOJ wants more litigation on this, but if they try to take a contrary position we will be back in court.”

But other advocates interpreted the ruling as a big defeat, such as Hardy Vieux, legal director of the nonprofit group Human Rights First.

“The Court’s ruling will leave refugees stranded in difficult and dangerous situations abroad, including those who have already waited a long time for U.S. resettlement,” he said. “Many of these individuals may not have ‘bona fide relationships,’ but have strong reasons to look to the United States for protection.”

Some former government officials said that the order may lead to a de facto travel ban as the State Department develops guidance on what constitutes a bona fide relationship.

“The order will put an enormous burden on the State Department and produce lengthy delays for potential refugees,” said John B. Bellinger III, a former legal adviser to the State Department from 2005 to 2009 under then-Secretary of State Condoleezza Rice.

A statement released by the State Department said it would follow a memo released by Trump earlier in the month, beginning implementation of the ban 72 hours after the court’s ruling, while providing additional details on exactly how it would do so after consulting with other agencies.

The State Department said it was “in contact” with partners in the refugee program and would keep them apprised of changes.

The Department of Homeland Security, meanwhile, said Monday’s order “restores to the Executive Branch crucial and long-held constitutional authority to defend our national borders.” The Trump administration has said that the freeze is necessary to boost efforts to identify would-be terrorists from entering the country.

But Anne Richard, former assistant secretary of state for refugees from 2012 to 2017, said refugees are already put through a careful and extensive screening that lasts 18 to 24 months on average, with multiple security checks and interviews.

Between 1980 and 2015, no U.S. resident who had come as a refugee was involved in a fatal terrorist attack, according to the Cato Institute, a libertarian organization. A man who had come

to the country as a refugee, and who authorities believe may have been inspired by the Islamic State, injured nearly a dozen people by running them over at Ohio State University in 2016.

“Pausing it is not necessary and unfortunately plays into the Trump political campaign accusations that Muslims and refugees are somehow dangerous people — neither of which is true,” Richard said.

From October through December of last year, under the Obama administration, 25,668 refugees were admitted to the country — nearly double the 13,411 refugees who were admitted from January through March of 2017, primarily under the Trump administration. That number reflects a 12 percent drop from the same period in 2016.

On Monday, Amir said he stayed home from his six-day-a-week retail job because he was distressed about what might happen to Mohamed and other friends.

“I’m thinking about all my friends in Turkey,” he said. “We don’t have anyone but each other.”