



International Refugee
Assistance Project

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APPEALS COURT AFFIRMS RULING BLOCKING PRESIDENT TRUMP FROM GIVING STATES AND LOCALITIES ABILITY TO STOP REFUGEE RESETTLEMENT

Three faith-based resettlement agencies brought the challenge against the unprecedented order

(Greenbelt, MD) – Today, a U.S. court of appeals affirmed a preliminary injunction in the lawsuit *HIAS v. Trump*, which blocked an executive order that—for the first time in the history of the U.S. refugee resettlement program—would have allowed state and local officials to prevent refugees from being resettled in their jurisdictions. The three-judge panel of the Fourth Circuit Court of Appeals ruled unanimously in favor of the plaintiffs, three faith-based resettlement agencies, [HIAS](#), [Church World Service](#) (CWS), and [Lutheran Immigration and Refugee Service](#) (LIRS), whose work and mission were severely disrupted by the challenged executive order.

In their decision, the three-judge panel held that President Trump’s executive order conflicts with the Refugee Act in various ways and “plainly is at odds with the [Refugee] Act’s goal of establishing a cooperative and collaborative relationship among states, localities, the federal government, and resettlement agencies.”

In a hearing one year ago, the plaintiffs’ attorneys at the [International Refugee Assistance Project \(IRAP\)](#) argued that the order violated federal law and would cause irreparable harm to the resettlement agencies and the refugees they assist here in the United States. Following the hearing, Judge Messitte of the U.S. District Court for the District of Maryland ruled in the plaintiffs’ favor, halting the continued implementation of the order and allowing resettlement agencies to continue their vital work with newly resettled refugees, even in an environment



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that was already challenging due to the many other restrictions imposed by the Administration. The government appealed the decision, leading to today's ruling.

Just last summer, hundreds of state and local elected officials from all 50 states had expressed their continuing commitment to [welcoming refugees](#). Today's court order ensures that they will be able to continue to do so.

View the Fourth Circuit's opinion [here](#).

In response to the ruling, attorneys and plaintiffs commented on the decision.

Justin Cox, Senior Supervising Attorney at IRAP, said: "States and localities are valuable partners in the refugee resettlement process, but as today's opinion underscores, the Refugee Act is clear that states and localities do not get to decide whether or where refugees are resettled. President Trump cannot change that reality with the stroke of a pen."

"Today the United States Court of Appeals for the Fourth Circuit affirmed what we already knew: that President Trump's Executive Order was frivolous and derogatory. This ruling is a rebuke to those who would hold xenophobia as the core tenet of U.S. policy on resettlement, but it also lets the world's most vulnerable know that our country remains a place of welcome. For refugees, it will no longer be a choice between joining their loved ones and accessing critical services as they build lives of purpose in America. For communities of faith, it means that we will not be hobbled in living out our duty to embrace those in need," said **Rev. John L. McCullough, President and CEO of Church World Service**. "At the time the president signed this order, officials across the nation, both Democrat and Republican, proved that it was unnecessary, joining in a chorus to welcome refugees into their states and cities. America is a nation of immigrants, and thanks to this ruling, it will continue to be so."

"The Trump administration's Executive Order requiring consent from every jurisdiction in the country — which number in the thousands — was a blatant attempt to block refugee resettlement. There was no legitimate reason to do this other than to make life harder for refugees, who have already suffered enough and simply want to start their new lives in peace," said **Mark Hetfield, President and CEO of HIAS**, the international Jewish humanitarian organization that provides vital services to refugees and asylum seekers. "Today the court recognized and validated the U.S. refugee resettlement program, which has been working well for more than 40 years with the full support of administrations of both parties, and has helped millions of persecuted people find a home in our country."

"The Trump administration made it possible for states and localities to use refugees as political pawns, but it ended up having the opposite effect. We saw [a tremendous outpouring of community support](#) for refugee resettlement, from sea to shining sea. These communities



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represent the full diversity of America — from urban to rural, conservative to progressive. Neighbors came together to sift fact from fiction, and decided overwhelmingly to welcome refugees. ” said **Krish O’Mara Vignarajah, President and CEO of Lutheran Immigration and Refugee Service**, noting the 42 governors who explicitly consented to continued refugee resettlement while the executive order was still in effect. “It was already going to be a challenge to meet President-elect Biden’s commitment to welcome 125,000 refugees this year, but this victory will make ramping things back up significantly easier.”

To view the press release, click [here](#).

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