

Federal judge sides with faith-based group on refugees

by [Emily McFarlan Miller](#) in the [February 12, 2020](#) issue



(Unsplash/Nitish Meena)

A federal judge in Maryland has blocked President Donald Trump's recent executive order allowing state and local officials to refuse refugee resettlement.

The preliminary injunction is part of *HIAS v. Trump*, a lawsuit by three faith-based organizations over the order.

"Today the sun is shining on refugee families and the communities who for decades have devoted their time and resources to welcome them," John L. McCullough, president and CEO of Church World Service, said in a written statement.

“This ruling means that newly arriving refugees won’t have to choose between being together and accessing critical services as they rebuild their lives. It means that people of faith can continue to live out their calling to welcome the stranger. It means we can continue to ensure that all refugees get a bright start in the United States, regardless of who is in office in the states and cities where they live.”

In their complaint filed in November, CWS, HIAS (founded as the Hebrew Immigrant Aid Society), and Lutheran Immigration and Refugee Service argue that President Trump’s executive order inhibits their ability to practice their faith by resettling refugees.

It also likely violates federal law, according to the ruling by Judge Peter J. Messitte, who wrote that giving states and localities veto power “flies in the face of clear congressional intent, as expressed in the legislative history of the statute.”

The executive order required state and local officials to give written consent in advance for refugees to be resettled in their jurisdictions, even as most states—42, by LIRS’s count—already have agreed to admit refugees.

“To those few who have not, we say not only is it unkind and un-American to ban refugees from your states and towns, but it is unlawful,” said Mark J. Hetfield, president and CEO of HIAS.

Hetfield said in a written statement that the judge’s ruling “shows the country how this administration was wrong to attempt a state-by-state refugee ban.”

On January 10, Texas governor Greg Abbott became the first governor to deny resettlement in his state, a move that prompted criticism from every one of Texas’s 16 Catholic bishops. Along with HIAS, CWS, and LIRS, the US Conference of Catholic Bishops is one of several faith-based agencies authorized by the government to resettle refugees.

LIRS president Krish O’Mara Vignarajah said in a written statement that the “fight is far from over.”

“We do not expect the Administration to back down from using these vulnerable people as political pawns. But we will continue to stand for welcome and trust and pray that the law will still protect the most vulnerable who are fleeing war, violence, and persecution,” she said.

Faith-based organizations have characterized Trump's executive order as "yet another refugee ban" and an attempt to dismantle the country's decades-old refugee resettlement infrastructure.

That infrastructure relies heavily on religious groups: six of the nine organizations that partner with the federal government to help resettle refugees are faith-based.

Those groups have been forced to lay off staff and close offices as the Trump administration has drastically cut the number of refugees allowed into the country each year. This year, the president set that limit at just 18,000 refugees—a historic low—compared with 110,000 during Barack Obama's last year in office. —Religion News Service