

Faith-based groups challenge Trump orders in two court cases

by [Jack Jenkins](#)

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Residents in support of continued refugee resettlement hold signs at a meeting in Bismarck, North Dakota, on December 9, 2019. (AP Photo/James MacPherson)

More than two dozen religious groups pushed back on President Donald Trump's actions and executive orders, filing two lawsuits a day apart challenging the president's attempt to effectively freeze the federal refugee resettlement program and defending a rule that prevents immigration law enforcement agencies from raiding houses of worship and other sensitive locations.

On Tuesday, 27 religious groups filed a [lawsuit](#) in US District Court in Washington arguing that Trump's decision to rescind a 2011 government rule banning immigration raids in houses of worship, hospitals, and schools, violates the groups' constitutional rights.

The plaintiffs include the Episcopal Church, Presbyterian Church (U.S.A.), the African Methodist Episcopal Zion Church, the Union for Reform Judaism, Christian Church (Disciples of Christ), the Unitarian Universalist Association, the Latino Christian National Network, and Mennonite Church USA.

"Unannounced raids into our sanctuaries and other church spaces presents very real danger to both our members and our communities, most of whom are black and brown people," said Bishop W. Darin Moore of the African Methodist Episcopal Zion Church in a statement about the suit.

Sean Rowe, presiding bishop of the Episcopal Church, said, "By joining this lawsuit, we are seeking the ability to gather to fully practice our faith and follow Jesus' command to love our neighbors as ourselves."

In a separate statement, an Episcopal Church spokesperson said, "We joined the suit because Episcopal congregations across the United States have already seen decreased attendance at worship services and social service ministries due to fears of ICE actions. In some places, even congregants with documented legal status are choosing to stay home for fear they may be mistakenly arrested based on their appearance."

The faith groups, led by Georgetown University's Institute for Constitutional Advocacy and Protection, argue the change, which has already resulted in [at least one immigration arrest](#) outside a church in Atlanta, Georgia, has also harmed religious programs, infringing on their First Amendment right to freely assemble.

The complaint, [first reported by the Associated Press](#), is the third lawsuit filed by religious groups against the three-week-old Trump administration. The first came within a week of Trump's inauguration, [filed by a group of Quakers](#) represented by lawyers from Democracy Forward, one of the main legal groups working on challenges to the Trump administration. The Cooperative Baptist Fellowship, a Baptist network of churches that includes the late President Jimmy Carter's congregation, have since [signed on to that lawsuit](#), as has a [Sikh temple in Sacramento, California](#).

“The recent revocation of the sensitive location status is already harming the ministries of many of our congregations, the work of our field personnel and the life of our Fellowship,” Paul Baxley, the executive coordinator of the CBF, said in a statement.

Like the other suit, the Quaker-led filing argues the Trump administration has violated the group’s freedom of assembly, as well as the Religious Freedom Restoration Act.

On Friday, the Department of Justice filed a memorandum in response, arguing the Quaker-led lawsuit speculates about future harm, and thus does not have grounds to issue an injunction.

Although not part of the suit, other Quaker organizations, including the Friends Committee on National Legislation, were quick to voice their support. “I could not be prouder to stand in solidarity with these Quaker meetings as they continue our long-standing witness for religious freedom, human dignity, and the protection of the most vulnerable,” Bridget Moix, general secretary of FCNL, said in a statement.

Other faith groups, including the US Catholic bishops and the National Latino Evangelical Coalition, have condemned the sensitive locations decision, though they have not taken legal action.

The new lawsuit comes less than 24 hours after a trio of religious groups that work with the federal government to resettle refugees in the US—Church World Service, HIAS, and Lutheran Community Services Northwest—joined individual plaintiffs in suing the administration over Trump’s executive order that all but halted the US Refugee Admission Program, known as USRAP.

“Our local faith community partners and volunteers are now unable to do the work they have done faithfully for decades,” Rick Santos, president and CEO of CWS, said in a call with reporters on Monday. “Many have already worked to prepare homes for families that now may never arrive.”

He was echoed by Mark Hetfield, head of HIAS, a Jewish-led organization, who said that while people who work with HIAS “welcome refugees because of the values of our faith,” they also do it because “refugees are a blessing to our country.”

Linda Evarts, a lead attorney with the International Refugee Assistance Project, a legal group spearheading the lawsuit, argued the order was unlawful because it infringed on aspects of the Refugee Act and was thus “outside the President’s authority.”

According to the [complaint](#), funds under the Refugee Act must be spent in the way budgeted by Congress, and not at the discretion of the White House.

“This is a program that was created by Congress and the president cannot just override it with a stroke of a pen,” said Evarts, who argued the order also violated the Administrative Procedure Act, the Constitution’s due process clause and should have provided the public notice and an opportunity to comment.

Evarts said that in “unlawfully withholding the critical funding” refugee resettlement organizations need for their work, the administration has created mass layoffs and furloughs among the federal contractors who work with refugees. Last week, a representative for [Church World Service said](#) that the administration has not reimbursed their group for work done before Trump assumed office.

The lawsuits come amid rising tensions between members of the Trump administration and various faith groups.

[Vice President JD Vance questioned the motives of Catholic bishops](#) who argue in support of caring for immigrants, suggesting they are more concerned about their “bottom line” than humanitarian work. Elon Musk, head of the Department of Government Efficiency, suggested without evidence that funding for Lutheran groups was “illegal,” prompting a [response from the head of the Evangelical Lutheran Church in America](#) debunking his claims.

David Duea, head of Lutheran Community Services Northwest, said the criticism has not discouraged Lutherans’ support for aiding refugees and immigrants.

“We were a bit shocked, and we didn’t feel it was satire when the Lutherans were attacked,” Duea said, referring to Musk’s remarks. “I can tell you, it has galvanized the Lutheran churches and communities. We are receiving calls and support like we’ve never seen.” —Religion News Service