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Refugees can still resettle in Texas, for now, as judge halts Trump's executive order

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AUSTIN

A federal judge temporarily halted the Trump administration's policy Wednesday that allowed Gov. Greg Abbott to bar Texas' participation in the federal refugee resettlement program, meaning that refugees can continue to resettle in Texas for now.

U.S. District Judge Peter J. Messitte, of Maryland, [temporarily halted the Trump administration's Sept. 26 executive order](#) that allowed states and local officials to block the resettlement of refugees in their areas starting in June. In his opinion, Messitte [wrote that by giving local governments](#) "veto power," the order is likely "unlawful."

In an email Wednesday, a U.S. State Department spokesperson said the agency is currently reviewing the decision and has no further comment.

The lawsuit was brought against the Trump administration in November by refugee resettlement agencies Lutheran Immigration and Refugee Service, Church World Service and the Hebrew Immigrant Aid Society. The groups celebrated the ruling Wednesday as a win for refugees nationwide — and in Texas.

"We strongly believe that one single letter from the governor cannot override a decades-long legacy of welcome and compassion for the most vulnerable," Krish O'Mara Vignarajah, Lutheran Immigration and Refugee Service's president and CEO, said in a statement. "We are grateful that the judge's ruling invalidates the executive order as it applies to Texas — the

nationwide leader in helping individuals and families rebuild their lives here in America.”

Messitte’s ruling comes ahead of the Jan. 21 deadline for officials to submit their consent and just days after Abbott [sent a letter Friday to U.S. Secretary of State Michael Pompeo](#), detailing his decision to not permit refugee resettlement in Texas for the fiscal year. Texas has long led the nation as one of the states that resettles the largest number of refugees, and Abbott’s decision made Texas the first known state to bar their resettlement under the executive order. Forty-two governors [had already submitted their consent](#).

In the letter, Abbott said Texas “has carried more than its share” and cited figures related to apprehensions of migrants at the Texas-Mexico border as examples of the state having “to deal with disproportionate migration issues,” and justification for declining to participate in the federal resettlement program.

“It makes that decision moot,” said Jen Smyers, Church World Services’ director of policy and advocacy.

The governor is currently abroad on an economic development trip to Israel and Switzerland, and a spokesman for Abbott’s office did not immediately respond to a request for comment Wednesday. Attorney General Ken Paxton’s office declined to comment.

Local groups applauded Wednesday’s ruling, calling it “a very positive step in the right direction.”

“This is a rallying message for us,” said Troy Greisen, the director of World Relief Fort Worth, a refugee resettlement agency which has worked since 1980 to help support refugees locally. “The key opportunity for us is to use this to better educate the public, Texans as a whole.”

TARRANT OFFICIALS SUPPORT RESETTLEMENT

In Tarrant County, local officials had affirmed their consent to continue to welcome refugees, [with Fort Worth Mayor Betsy Price submitting a letter to the U.S. State Department](#) in December and Tarrant County commissioners [voting to allow for the initial resettlement of refugees at the county level](#) Tuesday.

“These are the folks who have come here legally, that come here the right way. And that’s what I’ve supported all along,” Tarrant County Judge Glen Whitley said following the judge’s ruling. “I feel good that we went ahead and did that and that we did that unanimously.”

Katie Sherrod, a spokeswoman for the Episcopal Diocese of Fort Worth, whose volunteers work to support refugees locally, said she hopes to see the executive order remain blocked.

“I think a lot of people feel let down by our governor and disappointed, because Texans have stepped up. They’re working with these people, they’re being helpful and they have relationships with them — friendships,” Sherrod said. “I think if it’s damaged anyone, it’s damaged Governor Abbott.”

Smyers said local officials’ decision to continue to welcome refugees in Fort Worth is a “powerful signal,” but that Abbott’s decision was not morally or legally right and “a punch in the gut” for refugees who call Texas home.

“They have finally found a place where they’re not persecuted for their religious beliefs or their political opinion, and they’re rebuilding their lives in Texas. And so to be told from your governor that you’re not welcome here, has got to be a sinking feeling,” Smyers said.

LEADING THE NATION

In fiscal year 2019, Texas led the nation in resettling 2,458 refugees, or 8.19% of all refugees resettled in the U.S. during that time, [according to federal figures](#). However, it’s a sharp decline from just a few years ago.

The Trump administration's September order came amid President Donald Trump's announcement that [18,000 refugees would be admitted](#) to the U.S. for fiscal year 2020 — a low since the program began in 1980 and a reduction of 40% from the previous year's cap of 30,000.

“The Trump administration has made so many drastic changes to the refugee program,” Smyers said. “I think this shows that they've gone too far, and that they can't change every part of the law just by executive (order).”

Becky Storey, Refugee Services of Texas' senior regional director, said in a statement Wednesday that the organization is hopeful Abbott “will do the right thing” and reverse his decision during the appeal process that is likely to follow.

“While the decision could be appealed, any future litigation, timing, and final outcome are unknown,” Melanie Nezer, HIAS senior vice president of public affairs, said in a statement. “For now though, refugee resettlement will continue as before, including in Texas and the small number of states and counties that have not provided consent.”

It was something Greisen said he witnessed firsthand when he welcomed two refugee families from Afghanistan at the DFW International Airport on Tuesday night and helped them settle into their new apartment.

“Seeing that face to face in that moment there at the airport was such a powerful reminder of what we can do and being able to receive the stranger,” Greisen said.