

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

HIAS, INC., <i>et al.</i> ,)	
Plaintiffs,)	
)	
v.)	Civil Action No. 8:19-cv-3346-PJM
)	
DONALD TRUMP, in his official capacity as)	
President of the United States, <i>et al.</i> ,)	
)	
Defendants.)	

**MOTION OF AMICI JEWISH COUNCIL FOR PUBLIC AFFAIRS,
CATHOLIC CHARITIES USA, THE GREATER MILWAUKEE SYNOD
OF THE EVANGELICAL LUTHERAN CHURCH IN AMERICA,
THE ST. LOUIS JEWISH COMMUNITY RELATIONS COUNCIL, AND
OTHER FAITH-BASED ORGANIZATIONS FOR LEAVE TO FILE AMICUS
BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

This Motion is filed on behalf of the Jewish Council for Public Affairs, Catholic Charities USA, the Greater Milwaukee Synod of the Evangelical Lutheran Church in America, the St. Louis Jewish Communities Relations Council, and 25 other faith-based organizations, all of which are identified below in section 1 of this Motion, entitled "Interests of Amici" (all of Amici are not named here because of the large number of Amici). Amici represent a broad spectrum of different faiths.

1. Interests of Amici

Statement of Interest of the Jewish Council for Public Affairs

The Jewish Council for Public Affairs ("JCPA") is an umbrella organization whose members consist of 125 local community relations councils; and 17 national Jewish agencies, which include civil and human rights organizations and religious bodies representing the four major streams of Judaism in the United States (Orthodox, Conservative, Reform and Reconstructionist). JCPA builds consensus amongst its members in responding to current events

and adoption of public policy positions. JCPA has a long-standing policy, informed by sacred Jewish texts, in favor of providing refuge to those who suffer from persecution in their country of origin and has long advocated in Congress and the executive branch in favor of refugee resettlement in the United States. A number of the local community relations council members of JCPA are involved in refugee resettlement efforts (e.g., the camp for refugee children operated by the St. Louis Jewish Community Relations Council described *infra*).

Statement of Interest of Catholic Charities USA

Catholic Charities USA (CCUSA) is a national membership organization representing more than 167 diocesan Catholic Charities member agencies, which operate more than 2,600 service locations across the country. Their diverse array of social services reached more than 12.5 million individuals in need last year, and include immigration and refugee services. In 2018, 108 Catholic Charities agencies across the country helped welcome and integrate over 300,000 immigrants, refugees, and asylees.

Statement of Interest of the Greater Milwaukee Synod of the ELCA

The Greater Milwaukee Synod ("GMS") is one of 65 synods of the four million member Evangelical Lutheran Church in America. GMS is comprised of 121 congregations with 71,849 baptized members in southeastern Wisconsin. GMS is one of 6 synods in Wisconsin and the Upper Peninsula of Michigan which appoint board members of Lutheran Social Services ("LSS"), which is the Wisconsin affiliate of plaintiff Lutheran Immigration and Refugee Services ("LIRS"). LSS and GMS congregations have worked, and continue to work, closely to resettle refugees in Wisconsin.

Statement of Interest of the St. Louis Jewish Community Relations Council

The St. Louis Jewish Community Relations Council ("StL JCRC") is an umbrella organization whose 33 member organizations include local congregations from across the Jewish

religious spectrum, various local non-profit agencies, including the Jewish Federation of St. Louis, and the local affiliates of several national organizations, including the Anti-Defamation League, the American Jewish Committee, and the National Council of Jewish Women. JCRC has a long-standing history of supporting resettlement of refugees and, as discussed further below, has run a camp for children of refugees for the past 3 years.

Statement of Interest of The Evangelical Lutheran Church in America (ELCA)

ELCA is a 501(c)(3) organization which has nearly 10,000 congregations and approximately 4 million adherents in the United States. The overall mission of the ELCA relies on working for healing and justice in the world, upholding and protecting the dignity and human rights of all people, and challenging the dynamics of power and privilege that create barriers to participation and equity. We have a closed collaborative relationship with Plaintiff LIRS, in which we engage in advocacy efforts to support refugee resettlement here. Many of our synods and congregations engage directly in refugee resettlement efforts.

Statement of interest of the Union for Reform Judaism, the Central Conference of American Rabbis, Women of Reform Judaism, and Men of Reform Judaism

The Union for Reform Judaism, whose nearly 850 congregations across North America include 1.5 million Reform Jews; the Central Conference of American Rabbis, whose membership includes more than 2,000 Reform rabbis; Women of Reform Judaism, which represents more than 65,000 women in nearly 500 women's groups in North America and around the world; and Men of Reform Judaism have a longstanding and deep history supporting refugee resettlement. As Jews, we have known the experience of both fleeing persecution and being "strangers in strange lands," making us especially sensitive to the plight of those seeking refuge today. Our work today includes advocacy for robust refugee admissions, and many of our

congregations and communities provide direct training, resources, and support to refugees in their areas.

Statement of Interest of the United Methodist Committee on Relief

The United Methodist Committee on Relief (“UMCOR”), a 501-C-3 and part of the General Board of Global Ministries, is the disaster response and development arm of the United Methodist Church. UMCOR has currently invested over \$4 million in open grants to organizations around the world working on migration issues. On behalf of Methodist people, UMCOR started its work of alleviating suffering without regard to race or creed back in 1940, largely motivated by the needs of displaced persons during World War II, assisting refugees and migrants of all types. Early on, and to this day, United Methodist congregations have been engaged in the ministry of refugee resettlement. In 1948 UMCOR first partnered with CWS to resettle refugees from war-torn Europe. Welcoming the stranger is a vital part of the Judeo-Christian tradition. Jesus was a refugee. Welcoming the stranger is also consistent with our Wesleyan understanding of grace – assisting those who seek refuge is an outward and tangible sign of God’s grace for all. It is a sacramental act. The challenged Executive Order will cut off opportunities for refugees to be resettled as well as opportunities for churches to serve.

Statement of Interest of the Leadership Conference of Women Religious

The Leadership Conference of Women Religious is an association of leaders of congregations of Catholic sisters in the United States. Founded in 1956, LCWR has nearly 1300 members, who represent approximately 38,000 women religious. Catholic sisters began coming to these shores almost 300 years ago as immigrants to serve immigrant populations and we continue to this day to minister to new immigrants and refugees in schools, hospitals, and social service agencies. Communities of women religious across the country are heeding the call of our

faith to open the doors of our homes and hearts to those most in need and we pledge will continue to welcome refugees.

Statement of Interest of Unitarian Universalist Service Committee

The Unitarian Universalist Service Committee (UUSC) is a national 501(c)(3) human rights organization, inspired by Unitarian Universalist values, with over 40,000 members and supporters across the country. Founded in 1939, UUSC was created to assist refugees escaping Nazi-occupied Europe. Since that time, solidarity with people displaced from their homes by persecution and injustice has been at the heart of UUSC's mission. Unitarian Universalist principles emphasize the inherent worth and dignity of all people, regardless of the place they call home. Maintaining a robust refugee resettlement program is an essential element of how we express these values in the world.

Statement of Interest of Alliance of Baptists

The Alliance of Baptists is a 501(c)(3) not for profit dedicated to pursuit of God's justice, partnership in mission. See allianceofbaptists.org/about. The Alliance is a nationwide organization of progressive Baptists, whose member congregations help with refugee resettlement in their locale. The Alliance supports those efforts with a yearly offering and join in advocacy efforts through Church World Services.

Statement of Interest of the Anti-Defamation League

Founded in 1913, ADL (the Anti-Defamation League) is a 501(c)(3) organization that seeks to stop the defamation of the Jewish people and fights to secure justice and fair treatment for all. Through its 25 regional offices throughout the United States, ADL provides materials, programs, and services to combat anti-Semitism and all forms of bigotry and has played an active role in responding to anti-immigrant fervor. Because of its history fighting discrimination, including prejudice toward immigrants and refugees, ADL joins this brief that provides the court

with an important religious perspective on how implementation of this Executive Order will cause irreparable harm.

Statement of Interest of The Division of Homeland Ministries, Inc.

The Division of Homeland Ministries, Inc., dba Disciples Home Missions (DHM), is a general ministry of the Christian Church (Disciples of Christ) in the United States and Canada, comprised of 400,000 members and 3,200 congregations. DHM hosts a collective of ministries which connect Disciples to love God and neighbor through the core areas of evangelism & congregational transformation, Christian education & faith formation, leadership development, justice advocacy, and missions networks. The Disciples Refugee & Immigration Ministries (RIM) of DHM has led congregations in resettling over 40,000 refugees throughout the U.S. and Canada since WWII, and provides resources for community engagement, advocacy, and accompaniment with immigrants and refugees. The Christian Church (Disciples of Christ) is a member organization of Church World Service, and its congregations resettle refugees through CWS, as well through other resettlement organizations when located nearby to their congregations.

Statement of Interest of The Sisters of Mercy of the Americas

The Sisters of Mercy of the Americas ("SOMA"), a Roman Catholic congregation of about 2,500 sisters and 3,200 associates and companions is committed to stand in solidarity with immigrants seeking fullness of life. SOMA's members engage in a wide variety of efforts which serve the migrant community including direct service in local communities and at the U.S./Mexico border, visitation at jails, prisons and migrant detention centers, public witness and legislative advocacy. Our faith calls us to welcome the stranger. The challenged Executive Order runs counter to that scriptural mandate and endangers some of the most vulnerable women, men and children among us.

Statement of Interest of the Friends Committee on National Legislation Education Fund

The Friends Committee on National Legislation Education Fund (FCNLEF) was founded by the Religious Society of Friends (Quakers) to support research, analysis, and education toward advancing peaceful, ethical, and just federal policies. For decades, FCNLEF has urged the protection and resettlement of refugees, in compliance with U.S. obligations under international law and consistent with historical practice, alongside policies that reduce war, poverty, environmental degradation, and other driving forces of large-scale migration. FCNLEF works to bring together many faiths in a united voice in support of refugee resettlement and protection, and to educate policy makers and people around the country of the critical role U.S. leadership plays in advancing global stability and humanitarian goals. As the world faces the largest forced displacement crisis in history, the biblical teaching to love thy neighbor is not simply an ideal. It is a reality we are called to practice every day.

Statement of Interest of Lutheran Social Services of the Southwest

Lutheran Social Services of the Southwest is a 501(c)(3) nonprofit organization. Its mission is to show kindness, do justice and serve those in need, with the aim to create a just world where all people can fulfill their basic needs. This mission has led us to resettle thousands of refugees since 1975 throughout Arizona and in partnership with many faith communities. We provide comprehensive resettlement services, such as housing, case management, employment, K-12 refugee education services, women's empowerment, immigration services and advocacy efforts.

Statement of Interest of the Reconstructionist Rabbinical Association

The Reconstructionist Rabbinical Association is an association of Reconstructionist rabbis serving Jewish communities across North America. As children of immigrants, as a people whose most sacred texts command us to welcome the stranger and provide shelter for the

homeless, we are committed to refugee and migrant justice as a foundation principle of the United States. We believe that to shut our doors to immigrants, refugees and asylum seekers is to turn our back on our fellow human beings and deny our own history.

Statement of Interest of Texas Impact and the Texas Interfaith Center for Public Policy

Texas Impact and the Texas Interfaith Center for Public Policy function as a state council of Christian, Jewish, and Muslim religious organizations that promote public policy consistent with the national positions of our member denominations. Texas Impact is a 501(c)(4) Texas nonprofit corporation, and the Texas Interfaith Center for Public Policy is a 501(c)(3) Texas nonprofit corporation. At the state level, Refugee Services of Texas is a member of Texas Impact. At the national level, our member denominations share affiliations with Lutheran Immigration and Refugee Service, Church World Service, and other resettlement agencies affected by the challenged Executive Order. Additionally, our member denominations, congregations, and individuals contribute tithes, volunteers, and name affiliation with local, state, national and international resettlement agencies and other nonprofits providing services to refugees.

Statement of Interest of National Justice for Our Neighbors

National Justice for Our Neighbors is a 501(c)(3) nonprofit associated with the Methodist Church. We are a hospitality ministry that welcomes immigrants by providing affordable, high-quality immigration legal services to low-income immigrants, engaging in advocacy for immigrant rights, and offering education to communities of faith and to the public. Our 18 sites across the country represent refugees seeking green cards and engage in advocacy for refugees.

Statement of Interest of Franciscan Action Network

Franciscan Action Network (FAN) is a national non-profit faith-based organization with 53 institutional members and approximately 10,000 individuals located in all 50 states. Based on the teachings of Jesus, Franciscan values, and Catholic Social Teaching, FAN works in partnership with other faith organizations to educate and advocate on behalf of Creation, Human Rights, Immigrants/Refugees and Peace. Our members are committed to welcome immigrants and refugees and to advocate on their behalf.

Statement of Interest of the Jewish Community Relations Council of Greater Washington

The Jewish Community Relations Council of Greater Washington ("JCRC") represents over 100 constituent Jewish agencies, organizations and synagogues in the District of Columbia, Northern Virginia and suburban Maryland. JCRC serves as the chief advocate for the DC area Jewish community to elected officials, government agencies, other faith and ethnic communities, and the media. JCRC has a long history of advocacy and community engagement on public policy issues directly impacting local refugee and immigrant populations. Over the last several years JCRC has partnered with organizations including Plaintiff HIAS, to: (1) support legislation that protects immigrant and refugee populations and the agencies that serve them; and (2) sponsor programming highlighting our community's moral commitment to the core American value of being a welcoming society for all.

Many of JCRC's member congregations are directly involved in refugee resettlement efforts, working closely with Lutheran Social Services ("LSS"). For example, the Refugee Response Team of Adas Israel Congregation, works with local and national organizations to help refugee families in the Washington DC metropolitan area. Adas volunteers have co-sponsored a Syrian refugee family, furnished apartments for three refugee families, and mentored recently-arrived immigrant families. Another example is Washington Hebrew Congregation (WHC),

partnering with LSS's Refugee Good Neighbors Program helped a newly arrived refugee family rebuild their lives in the United States, offering a comprehensive range of services and financial support to the family, including helping to procure housing and furnish the apartment, stock the kitchen and fill the closets. Many other congregational members of JCRC are also involved in assisting with refugee resettlement within the greater Washington, D.C. metropolitan area.

Statement of Interest of American Jewish World Service

American Jewish World Service (AJWS) is gravely concerned about maintaining the US refugee program which serves as a haven for vulnerable people around the world. As a leading global organization supporting vulnerable and marginalized people, AJWS works with communities fighting to access their human rights in 19 countries in the developing world as they combat the danger, corruption, impunity, and anti-democratic measures that may endanger their lives. AJWS advocates for the United States to maintain a refugee program with compassion that reflects our country's values for people forced to flee their homes.

Statement of Interest of the Milwaukee Jewish Community Relations Council

Representing the consensus of the Milwaukee Jewish community, the Jewish Community Relations Council (JCRC) of the Milwaukee Jewish Federation speaks on issues of public affairs and public policy. It reflects and builds consensus among its representative council body. Throughout the JCRC's 80-year history, it has repeatedly spoken out in favor of compassionate policies regarding immigrants and refugees. The JCRC believes that now, when there are more refugees in the world than at any other time in recorded history, enforcement of the challenged Executive Order would betray some of our country's most basic values.

Statement of Interest of the Jewish Labor Committee

The Jewish Labor Committee ("JLC") is a national organization linking the organized Jewish community and the organized labor union movement. JLC supports the interests and

entitlements of legal refugees including their right to settle while their claims are adjudicated and their right to work while the legal process is ongoing. The Executive Order under challenge constrains all those rights and entitlements.

Statement of Interest in T'ruah

T'ruah: The Rabbinic Call for Human Rights is a 501(c)(3) organization. T'ruah mobilizes a network of more than 2,000 rabbis and cantors from all streams of Judaism that, together with the Jewish community, act on the Jewish imperative to respect and advance the human rights of all people. As part of its immigration campaign, T'ruah supports Jewish clergy nationwide in taking action in their communities in support of refugees.

Statement of Interest of the National Council of Jewish Women

The National Council of Jewish Women (NCJW) is a grassroots organization of 90,000 volunteers and advocates who turn progressive ideals into action. Inspired by Jewish values, NCJW strives for social justice by improving the quality of life for women, children, and families and by safeguarding individual rights and freedoms. NCJW's Resolutions state that NCJW resolves to work for "Comprehensive, humane, and equitable immigration, refugee, asylum, and naturalization laws, policies, and practices that facilitate and expedite legal status and a path to citizenship for more individuals." Consistent with our Principles and Resolutions, NCJW seeks leave to file the attached Amicus brief.

Statement of Interest of Ameinu

Ameinu is a 501(c)(3) not-for-profit corporation. Ameinu is a national, multi-generational community of progressive Jews in North America that mobilizes those Jews who seek opportunities to foster social and economic justice both in Israel and in North America. Ameinu advocates for the rights of refugees and asylum seekers both in the US and Israel, most often through participation in larger coalitions.

Statement of Interest of the Rabbinical Assembly

The Rabbinical Assembly (“RA”) is a membership organization whose members are Conservative/Masorti Jewish Rabbis. The mandate of the RA is to kindle the passion of the Jewish People in the service of God, Torah and Klal Yisrael, to strengthen the Conservative/Masorti movement, and to support the Conservative/Masorti rabbi.

The RA advocates for refugees and their resettlement, working closely with Plaintiff HIAS and other resettlement organizations. The RA encourages individual rabbis and groups of rabbis to similarly support refugees and resettlement programs.

Statement of interest of Jeshiva Alliance for Law and Social Action

The Jewish Alliance for Law and Social Action (JALSA), is a Massachusetts membership-based non-profit organization, working for social and economic justice, civil rights, and civil liberties for all people, as grounded in Jewish teachings and values. One of JALSA’s guiding values is that of Welcoming the Stranger, cited in 36 separate instances in the Torah. JALSA has long worked on behalf of immigrants, refugees, and asylum seekers. It is in the interest of JALSA to be able to welcome these extremely vulnerable individuals into our communities without imposition of unwarranted roadblocks.

Ecumenical Catholic Communion

The Ecumenical Catholic Communion is a federation of faith communities across the US and Poland that join together to live out the Christian Gospel in modern terms. Our mission is to offer an open and affirming faith community and spiritual home to all people. We have faith communities in Arizona and California which are engaged with immigration and serving the needs of migrants and people seeking asylum.

2. Reason Why Amicus Brief is Desirable

Many faith groups, including some amici, contract directly with the national Resettlement Agencies (including Plaintiffs in this case) to provide resettlement services including housing, food, clothing, English lessons, school enrollment for children and help finding employment. Other of amici provide other services to refugees in their local communities. Still other of amici advocate at the national, state and local level in favor of allowing for generous levels of refugee resettlement and provision of necessary services to assist in resettlement. These actions are taken as part of the faith mission of amici. Amici's perspective is important to inform the Court of the type of irreparable harm that amici will suffer if the challenged Executive Order and implementing regulations are not preliminarily enjoined.

3. This Brief is Filed in Support of Plaintiffs' Motion for Preliminary Injunction.
4. Counsel for neither party participated, in whole or in part, in the drafting of this brief.
5. No party, or its counsel, contributed money to fund the preparation or submission of this brief.

WHEREFORE, Amici identified above respectfully request that they be permitted to file the attached Amicus Brief.

Respectively submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 13th day of December, 2019, that a true copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system to all counsel of record.

/s/ Michael E. Tucci

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**BRIEF OF AMICI JEWISH COUNCIL FOR PUBLIC AFFAIRS, CATHOLIC
CHARITIES USA, THE GREATER MILWAUKEE SYNOD OF THE EVANGELICAL
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RELATIONS COUNCIL, AND OTHER FAITH-BASED ORGANIZATIONS IN
SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

This Amicus brief is being submitted in support of Plaintiff's Motion for Summary Judgment by an interfaith coalition of organizations. Specifically, this brief is filed by the following entities as lead Amici: the Jewish Council for Public Affairs, Catholic Charities USA, the Greater Milwaukee Synod of the Evangelical Lutheran Church in America, and the St. Louis Jewish Community Relations Council. The brief is joined by 25 additional Amici identified in the Motion for Leave to File Amicus Brief. The interests of all Amici have been set forth in the Motion for Leave to File Amicus Brief filed even-date herewith.

I. Our Faiths Command Us to Welcome Refugees

Aiding refugees is a basic tenet of many religious traditions, including the various traditions to which Amici adhere, and a core mission for many religious organizations.

Judaism

Within Jewish law, few tenets are repeated as much as the commandment; "When a stranger resides with you in your land, you shall not wrong him. The stranger who resides with

you shall be to you as one of your citizens; you shall love him as yourself, for you were strangers in the Land of Egypt. I am the Lord your God.” (Leviticus 19:33-34). This tenet is repeated no less than 36 times in the Torah (the first five books of the Bible), the holiest of Jewish texts.

It is said that Abraham kept the flaps of his tent open so that he might be able to see people coming from far distances and be prepared to welcome travelers. “Abraham sat in the tent door And Abraham lift up his eyes, and looked, and, lo, three men stood before him, and when he saw them, he ran to meet them from the tent door, and bowed himself toward the ground. And he fetched butter and milk and meat, and stood by them while they ate. And he called out to Sarah to hustle up and make some bread for the strangers.” *Genesis Ch. 18*. The rabbis of *Pirke Avot* (1:5) teach, “Let your house be open wide, always treating the poor as members of your own family. Rabbi Huna had the custom of opening the door of his house when he was about to start his meal, and saying: “Anyone who is hungry may come in and eat.” (*Taanit* 20b).

According to Rabbi Eliezer in the Talmud (Baba Metsia 59b) the Torah “warns against the wronging of a *ger* (a stranger).” Rabbi Lord Jonathan Sacks, former Chief Rabbi of Britain, has stated: “Why should you not hate the stranger? – asks the Torah. Because you once stood where he stands now. You know the heart of the stranger because you were once a stranger in the land of Egypt. If you are human, so is he. If he is less than human, so are you. You must fight the hatred in your heart as I once fought the greatest ruler and the strongest empire in the ancient world on your behalf. I made you into the world’s archetypal strangers so that you would fight for the rights of strangers”

“(Jews) today define *ger*, the stranger, as those whose liberties and lives are threatened simply because of the color of their skin, their gender identity, their country of origin, or their

religious beliefs.” *StL JCRC Statement on Racial Equality*, <https://jrcrstl.org/what-we-do/official-positions.html/title/november-2018-racial-equity>.

Christianity:

The New Testament begins with Matthew's story of Joseph and Mary's escape to Egypt with their newborn son, Jesus, because the paranoid and jealous King Herod wanted to kill the infant. (Mt 2:13-15). Indeed, in the original Greek, the Angel of the Lord instructs Joseph to “flee” into Egypt using the (transliterated) word “pheuge,” from which the word “refugee” derives. Jesus Himself lived as a refugee because His own land was not safe.

The Bible also describes how the early Church's message spread in part as a result of persecution, which caused early members of the Church to flee as refugees. (Acts 8:1-4 (“On that day a great persecution broke out against the church in Jerusalem, and all except the apostles were scattered throughout Judea and Samaria. . . . Those who had been scattered preached the word wherever they went.”)).

Caring for the needy and persecuted is considered one of the central missions of the Christian faith. This mission is highlighted in the Gospel of Matthew, when Jesus says that He will reward those who cared for the needy, “For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in” (Mt 25:35). And when those who cared for the needy ask when they did those things for Jesus, He says, “Truly I tell you, whatever you did for the least of these brothers of Mine, you did for Me.” (Mt 25:40). Jesus thus instructs His followers not only to provide service to the needy and downtrodden, He also suggests that the needy and downtrodden should be treated as Christ Himself.

Similarly, in the Book of Luke, Jesus affirms that in order to receive the reward of eternal life, His followers should love God and also “love your neighbor as yourself.” When a lawyer asks which neighbor he must love to inherit eternal life, Jesus responds by telling the parable of the good Samaritan. (Luke 10:25-37). In that parable, a traveler is attacked, robbed, stripped of his clothes, and left half dead. Two men pass by without helping him. But a Samaritan – a group that had a history of recent conflict with the Jews – provided aid. The Samaritan bandaged him, took him to an inn, gave the innkeeper extra money, and offered to pay his expenses if the man was looked after. Jesus then affirmed that the good Samaritan – the man who helped the traveler in need – was the traveler’s neighbor, and therefore had acted in accordance with God’s law. Jesus instructed His followers to “Go and do likewise.” Thus, Christians are instructed to aid those in need, including travelers in need.

And the Book of James talks about the importance of acts, as opposed to simply providing sympathy. “What good is it, my brothers and sisters, if someone claims to have faith but has no deeds? Can such faith save them?” (James 2:14). James talks about the emptiness of merely providing good wishes to those in need of clothing or food. “If one of you says to them, ‘Go in peace; keep warm and well fed,’ but does nothing about their physical needs, what good is it? In the same way, faith by itself, if it is not accompanied by action, is dead.” (James 2:16-17). Accordingly, the Bible instructs its followers to actually provide care for the needy.

The Apostle Paul asserts the absolute equality of all people before God: “There is neither Jew nor Greek . . . for you are all one in Christ Jesus” (Gal 3:28). The New Testament teaches that in Christ, the human race is one before God, equal in dignity and rights.

-- Catholicism

Saint Pope John Paul II stated in his 1990 Lenten Message: "Concern for refugees must lead us to reaffirm and highlight universally recognized human rights, and to ask that the effective recognition of these rights be guaranteed to refugees. Thus it is a matter of guaranteeing to refugees the right to establish a family or to be reunited with their families; to have a stable, dignified occupation and a just wage; to live in dwellings fit for human beings; to receive adequate health care. . . ." More recently, Pope Francis has repeatedly stated that the Catholic Church's response to migrants and refugees "may be articulated by four verbs: to welcome, to protect, to promote and to integrate."

On the website of the United States Conference of Catholic Bishops is a wide variety of resources regarding the teachings of the Catholic Church regarding Immigration and Refugees. Included is a statement of the "Three Basic Principles of Catholic Social Teaching on Immigration." The first principle is: "People have the right to migrate to sustain their lives and the lives of their families." While the second principle recognizes that a country has the right to control migration, the Third Principle requires that it do so "with justice and mercy." Pope Francis also recognized September 29, 2019's World Day of Migrants and Refugees and explained, "It is not just about migrants...it is not only about foreigners...it is about all those in existential peripheries who, together with migrants and refugees, are victims of the throwaway culture. The Lord calls us to practice charity towards them. He calls us to restore their humanity, as well as our own, and to leave no one behind."

-- Lutheranism

The Evangelical Lutheran Church in America, of which GMS is a part, is consistent with the Catholic Church in its approach to providing service for refugees. In its statement of core

values, the Lutheran Immigration and Refugee Service refers back to Matthew 25: “‘When I was a stranger, you welcomed me.’ Rooted in faith, LIRS believes that we are called to welcome those fleeing persecution and seeking refuge in the United States.”GMS Bishop Paul D. Erickson has stated: “Lutherans in Wisconsin and many other people of faith and good will have a strong commitment to aiding in the resettlement of refugees in Wisconsin. People in our congregations are experienced at gathering resources and providing the support to help refugees become integrated into the life and freedom of this country. As people of deep faith, we believe we are called to stand with the sojourner, welcome the stranger, and love our neighbors – whether they be next door or halfway across the globe...”

II. Faith Traditions’ Experience with Migration and Refugees in the United States

Judaism -- The St. Louis

The Jewish concern regarding denial of refugee resettlement is largely informed by the Jewish experience of having been expelled from cities and countries throughout Europe, often after Jews had lived there for centuries, and being denied entry by other European cities and countries. Ultimately, many Jews found refuge in this country.

However, American Jews can point to a much more recent example of the harm which occurs when refugees are denied resettlement within the United States, the plight of the *St. Louis*. In May 1939, the German ship *St. Louis* sailed for Cuba with 937 passengers, almost all of whom were German Jews fleeing from the Third Reich. Most of these passengers had applied for US visas, and were planning to stay in Cuba only until those visas could be processed and granted. But the political climate in Cuba had changed by the time the *St. Louis* arrived in Cuba, and all but a few passengers (those who already had valid US visas, several Spanish citizens and a

couple of Cuban nationals) were denied entry to Cuba, even though all of the Jewish passengers had been issued Cuban transit visas before leaving Germany.

The *St. Louis* was ordered out of Cuban waters on June 2, 1939, and sailed toward Miami. Some of the passengers cabled President Franklin D. Roosevelt asking for refuge. He never responded to their cables, although a State Department official cabled the *St. Louis* stating: passengers must “await their turns on the waiting list and qualify for and obtain immigration visas before they may be admissible into the United States.” US officials refused to permit entry to any of the refugees aboard the *St. Louis*. Running out of food and water, the *St. Louis* left for Europe on June 6, 1939. While Great Britain, the Netherlands, Belgium and France agreed to take the passengers in, all but Great Britain were occupied by the Nazis during World War II. 254 of the passengers on the *St. Louis* perished in the Holocaust. As is stated on the web-site of the U.S. Holocaust Museum, “(T)he voyage of the *St. Louis* illustrates what can happen when individuals, institutions or government leaders do not take meaningful action to aid or rescue refugees fleeing persecution and violence.”

The United States government apologized for its failure to admit the refugees aboard the *St. Louis* in 2012, but it was far too late to benefit the refugees aboard the *St. Louis*.

The Catholic Church

The United States Conference of Catholic Bishops' Migration and Refugee Services division (USCCB/MRS) continues to uphold its mission statement for refugees: “Grounded by our belief in Jesus Christ and Catholic teaching, Migration and Refugee Services (MRS) fulfills the commitment of the U.S. Catholic bishops to protect the life and dignity of the human person. We serve and advocate for refugees, asylees, migrants, unaccompanied children, and victims of human trafficking.” According to a Center for Migration Studies 2018 report, since 1980,

USCCB/MRS has settled nearly one-third of all refugees in the United States — more than any nation other than the United States (Kerwin 2014, 128) —through the national network of Catholic Charities agencies (members of Amici Catholic Charities USA).

USCCB/MRS's Parishes Organized to Welcome Immigrants and Refugees (POWIR) program recruits volunteers to mentor, train, and assist refugees. The program provided modest grants to 52 Catholic Charities agencies and recruited more than 14,500 volunteers, to establish over 450 parish and community partnerships, generating \$8.1 million in cash and in-kind donations and services on behalf of 31,000 refugees from over 50 countries.

GMS

LSS has welcomed and resettled more than 10,000 refugees to Wisconsin since 1974. GMS congregations and congregants have worked closely with LSS to assist with resettlement. LSS provides comprehensive resettlement services to refugees fleeing from war and persecution around the globe, providing high-quality services, including initial housing, food, clothing, school enrollment for children, English lessons, and assistance with job placement.

III. Amici's Current Refugee Resettlement Work and Likely Harm to that Work if the Executive Order is Implemented

Amici (and in the case of JCPA and Catholic Charities USA, their member agencies or affiliates) either directly provide local refugee resettlement services under contract with Resettlement Agencies, provide other services in support of refugee resettlement, and/or advocate for resettlement of refugees in the United States and within various localities. In developing and staffing their programs, as discussed below, Amici have substantially relied upon existing resettlement statutes and regulations. As argued in Plaintiffs' Memorandum in Support of their Motion for Preliminary Injunction (pp. 27-28), these reliance interests were not

adequately considered by Defendants prior to issuance of the challenged Executive Order and implementing regulations.

As a result of the Order and regulations, Amici's refugee resettlement programs will likely be substantially curtailed or even eliminated, frustrating Amici's missions and causing irrevocable harm to Amici and similarly situated faith-based organizations. "(O)bstacles [that] unquestionably make it more difficult for [an organization] to accomplish [its] primary mission" constitute irreparable harm.

Catholic Charities Resettlement Work

The number of Catholic Charities agencies providing services to refugees has fluctuated due to the current Administration's drastic immigration policies. In 2016, 71 agencies provided refugee resettlement services to 23,411 refugees. In 2017, 73 agencies provided services to 16,476 refugees. In 2018, 69 agencies provided services to 6,349 refugees. In 2019, 55 agencies provided services to 6,621 refugees. Finally, to date in the current fiscal year, only 50 agencies have provided services to 1,082 refugees in the entire United States. The efforts of Catholic Charities and other local resettlement agencies has a proven track record of success in integrating refugees. "In FY 2015, 67 percent of the 29,765 refugee participants in the US Department of Health and Human Services, Office of Refugee Resettlement (HHS/ORR) Matching Grant public-private partnership program achieved economic self-sufficiency [meaning they were able to provide for their families without federal or state cash assistance] within 120 days and 82 percent within 180 days (HHS/ORR 2017, 20)."

If the Executive Order is implemented, then Catholic Charities agencies will effectively be prevented from fulfilling the mission of the Church "to welcome, to protect, to promote and to

integrate” refugees in the United States by policies that run counter to Catholic social teaching.

GMS Resettlement Efforts

LSS continues to provide comprehensive resettlement services to refugees fleeing from war and persecution around the globe, as described in section III of this brief. It partners in these efforts with GMS congregations and congregants. LSS staff devoted to refugee resettlement has been reduced in the last several years from 14 to 11 due to restrictions on the number of refugees accepted into the United States imposed by the current administration, and has stopped placing refugees in Madison, Wisconsin as a result. GMS is joining this brief because of the harm to its refugee ministries that will likely result if the challenged Executive Order is implemented.

Should the Executive Order result, as is likely, in reducing the number of refugees resettled in Wisconsin, this will result in even more reductions in LSS staff, and will deny opportunities for Synod congregants to engage in refugee ministries. Bishop Erickson has recently stated: “Resettling refugees is a central component of how we as Lutheran Christians live out our calling to love our neighbors. To place additional restrictions on this work, in addition to the many layers of vetting and oversight that already exist, would restrict our ability to live out our faith in word and deed.”

JCPA Advocacy

JCPA continues to advocate at a national level for uniform, compassionate and humane protocols and criteria to process refugee and asylum claims to ensure that the United States is accessible and welcoming to those fleeing persecution in their country of origin. It also advises its local Jewish Community Relations Council members on programs and advocacy opportunities to support refugee resettlement. Local JCRCs which are members of JCPA run

programs to assist with resettlement of refugees (e.g., the efforts of the StL JCRC described below).

Reform Judaism's Activities Relating to Refugees

A number of Amici are a part of the Reform Jewish Movement, including the Union of Reform Judaism, the Central Conference of American Rabbis, the Women of Reform Judaism, and the Men of Reform Judaism. The Reform Jewish Movement, through the work of the Religious Action Center of Reform Judaism (RAC), advocates for just and compassionate policies to welcome refugees and asylum seekers and supports robust refugee admissions to the U.S. annually. The RAC mobilizes Reform Jewish congregations and communities across the U.S. to speak out in support of refugee resettlement and raise awareness in their communities. In addition to advocacy, Reform congregations across the United States provide direct support to refugees by sponsoring families and providing training and other resources to refugees in their communities. Should the proposed executive order go into effect, the efforts of the RAC and Reform congregations to provide support and education in their communities would be greatly inhibited.

StL JCRC Camp

The Jewish Coalition for New Americans (JCNA), a committee of StL JCRC has held a day camp at the International Institute (IISTL), a local St. Louis resettlement agency, for the past three years and has already begun planning to hold the camp again in the summer of 2020. StL JCRC believes strongly in welcoming new Americans to St. Louis and supporting them by removing roadblocks to their settlement and success in this country, which is why it created this camp in response to a need at the International Institute. The JCNA Day Camp is a four-week, half day camp held between the spring and fall school semesters, enabling New American

parents to continue English classes and gain job training unencumbered by worries of child care. The camp provides an opportunity for the children to gain English skills, learn more about American culture, and develop a supportive peer community.

Should the proposed Executive Order and implementing regulations go into effect, there is a strong likelihood that the number of new Americans resettled in the St. Louis area will be greatly diminished, given the large number of local jurisdictions in the St. Louis region. The St. Louis Metropolitan Statistical Area includes 6 counties and the independent City of St. Louis in Missouri, and 8 counties in Illinois. There are 89 separate municipalities within St. Louis County, alone, as well as large swaths of unincorporated areas. It is unknown whether the state of Missouri would consent to resettlement of refugees in the state, much less the various local jurisdictions. Reduction, or even elimination, of refugee resettlement within the St. Louis area would frustrate the purpose of StL JCRC's camp.

IV. Conclusion

Based upon strong convictions of faith, Amici support the provision of refuge within the United States for those who suffer from persecution in their country of origin. Many of Amici (or their members or affiliates) are directly involved in providing local resettlement services to refugees under contract with national Resettlement Agencies or providing other services to refugees to assist in their resettlement in the United States, while others have engaged in focused advocacy in support of refugee resettlement. Amici engage in these efforts as part of their faith mission. As demonstrated above, Amici will be irreparably harmed if the Preliminary Injunction requested by Plaintiffs is not granted.

Respectively submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that on this 13th day of December, 2019, that a true copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system to all counsel of record.

/s/ Michael E. Tucci

