



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

Judge Finds Attorney General's Gutting of Asylum Protections Unlawful

AILA Doc. No. 18121940 | Dated December 20, 2018

CONTACTS:

George Tzamaras Belle Woods
202-507-7649 202-507-7675

gtzamaras@aila.org bwoods@aila.org

WASHINGTON, DC - Today, federal judge Emmet Sullivan struck down key portions of then-Attorney General Jeff Sessions decision in *Matter of A-B-*, which restricted the ability of survivors fleeing domestic and gang violence to access a fair day in immigration court. Judge Sullivan ruled that the decision violated both the Administrative Procedure Act and the Immigration and Nationality Act.

Anastasia Tonello, AILA President, praised the court's decision, saying, "Again, the independent federal courts serve as a bulwark against the Trump administration's unlawful restrictions on access to asylum and disregard for the rule of law. Judge Sullivan, appointed by President George H.W. Bush, hit the nail on the head when he ruled the policies unlawful, stating, '... it is the will of Congress—not the whims of the Executive—that determines the standard for expedited removal.' The Attorney General does not have the authority to rewrite asylum law for the administration. This decision further demonstrates why due process and justice demand a fully independent immigration court and immigration judges free from undue political influence of the executive branch."

AILA Executive Director Benjamin Johnson added, "While the federal government will surely appeal this ruling, we thank Judge Sullivan for recognizing the unlawfulness of the administration's effort to curtail access to asylum by some of the most vulnerable populations in the world. Since the issuance of *Matter of A-B-*, the government has wrongfully denied too many credible fear claims made by survivors of domestic abuse and other horrific persecution. Though substantial due process barriers persist for these survivors even after today's ruling, we take heart in knowing that in this case, the rule of law was restored."

Cite as AILA Doc. No. 18121940.

American Immigration Lawyers Association 1331 G Street NW, Suite 300 Washington, DC 20005

Copyright © 1993-2019 American Immigration Lawyers Association.