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ABA launches Legal Aid Defender campaign

President's budget blueprint seeks to zero out LSC, other independent agencies

A fiscal year 2018 budget blueprint released March 16 by President Trump would direct additional funds to the Defense Department, the Department of Homeland Security and Veterans Affairs while drastically cutting funding or eliminating numerous non-defense discretionary programs, including legal services.

The president's proposal, "America First, a Budget Blueprint to Make America Great Again," is an outline for a more detailed plan that will be released in May.

The [Legal Services Corporation](#) (LSC), which has been addressing the legal needs of the poor for more than 40 years, is one of 19 independent agencies cited for elimination in the president's budget proposal.

ABA President Linda A. Klein expressed the association's "outrage" over the plan to eliminate the LSC and urged every member of Congress to restore full funding. The program uses its current funding of \$385 million to support 133 legal aid programs that serve every county in the United States and its territories. More than 1.9 million people are helped annually by LSC-funded efforts.

"LSC provides civil legal aid to people who desperately need help to navigate the legal process," Klein said. "Without this assistance, courthouse doors will slam in the faces of millions of Americans, denying them equal access to justice." She explained that LSC services include securing housing for veterans, protecting seniors from scams, delivering legal services to rural areas, protecting victims of domestic abuse, and helping disaster survivors.

Those qualified for legal services under the program are at or below 125 percent of federal poverty levels, which are \$11,880 for an individual and \$24,300 for a family of four. The most recent Census Bureau data show that more than 95.2 million Americans (one in three) qualified for civil legal aid at some point in 2014. Studies show, however, that 50 percent to 80 percent of all eligible people seeking legal aid services are turned away due to lack of resources.

Klein pointed out that the LSC has had bipartisan support since it was established in 1974 because it embodies the principles of fairness and equal access to justice. She vowed that the ABA will be working to ensure that Congress provides adequate funding for the program. As part of that effort, the association has launched the [Legal Aid Defender](#) ([#LegalAidDefender](#)) campaign providing a way for supporters of legal services to tell members of Congress why they are standing up for the LSC through personal messages, and to donate to legal services programs. More information about the campaign can be found at [DefendLegalAid.org](#) and [HelpLegalAid.org](#).

see "Budget blueprint," page 4

LEGISLATIVE BOXSCORE

LEGISLATIVE ISSUE	HOUSE	SENATE	FINAL	ABA POSITION
<p>Criminal Justice. S. 328 and H.R. 968 would confer jurisdiction on the U.S. district courts to provide declaratory and injunctive relief against systemic violation of the right of counsel. S. 330 and H.R. 969 would establish a federal Defender Office for Supreme Court Advocacy to ensure right to counsel. S. 573 would establish a National Criminal Justice Commission.</p>	<p>H.R. 968 and H.R. 969 were referred to the House Judiciary Cmte. on 2/7/17.</p>	<p>S. 328 and S. 330 were referred to the Senate Judiciary Cmte. on 2/7/17. S. 573 was referred to the Senate Judiciary Cmte. on 3/8/17.</p>		<p>Supports federal sentencing reform to address explosive growth in prison population and costs. Supports JJDPa and Second Chance Act reauthorization. Supports funding for federal and state indigent defense programs. Supports certain civil asset forfeiture reforms. See page 7.</p>
<p>Federal Courts. P.L. 114-113 (H.R. 2029), included \$6.78 billion for the federal judiciary in FY 2016. P.L. 114-254 (H.R. 2028), extends current funding through 4/28/17. H.R. 720 and S. 237 would amend federal rules to require mandatory imposition of sanctions for lawyers who file non-meritorious lawsuits. H.R. 985 would amend federal rules regarding class actions. Numerous proposals would split the Ninth Circuit Court of Appeals.</p>	<p>House passed H.R. 985 on 3/9/17 and H.R. 720 on 3/10/17. Judiciary subc. held a hearing on splitting the Ninth Circuit on 3/16/17.</p>	<p>S. 237 was referred to the Senate Judiciary Cmte. on 1/30/17.</p>	<p>President signed P.L. 114-113 (H.R. 2029) on 12/18/15. President signed P.L. 114-254 (H.R. 2028) on 12/10/16.</p>	<p>Supports adequate judicial resources and opposes efforts to infringe on separation of powers or undermine the judiciary. See pages 3, 5 and 6.</p>
<p>Immigration. The president issued executive orders on 1/25/17, and 1/27/17 followed by a revised executive order 3/6/17 on border security, immigration enforcement, and visa and refugee programs. Federal judges temporarily blocked the orders nationwide that suspended entry from majority-Muslim countries.</p>				<p>Supports improvements in the immigration court and adjudication system. Opposes mandatory detention and supports alternatives to detention. Supports access to counsel and due process safeguards. See page 4.</p>
<p>Legal Services Corporation (LSC). P.L. 114-113 (H.R. 2029), included \$385 million for LSC in FY 2016. P.L. 114-254 (H.R. 2028) extends current LSC funding level through 4/28/17. President's FY 2018 budget blueprint issued on 3/16/17 includes no funding for LSC.</p>			<p>President signed P.L. 114-113 (H.R. 2029) on 12/18/15 and P.L. 114-254 (H.R. 2028) on 12/10/16.</p>	<p>Supports an independent, well-funded LSC. See front page.</p>

ABA rates Supreme Court nominee Gorsuch “Well Qualified”

The [ABA Standing Committee on the Federal Judiciary](#) submitted a [detailed written statement](#) for the record of Senate Judiciary Committee confirmation hearings for Supreme Court nominee Neil M. Gorsuch and testified before the Senate committee March 23 to explain the basis for awarding the nominee its highest rating of “Well Qualified.”

Gorsuch, who has been a judge on the U.S. Court of Appeals for the Tenth Circuit since 2006, was nominated Feb. 1 by President Trump to fill the vacancy left by the death of Justice Antonin Scalia.

The ABA committee has played a major role in evaluating the professional qualifications of Supreme Court nominees since the Eisenhower administration. Every member of the 15-member committee participates in the evaluations, which involve extensive peer reviews that focus solely on a nominee’s professional qualifications and do not take into consideration a nominee’s philosophy, political affiliation or ideology. In addition, teams of distinguished law professors and a team of leading practicing lawyers with Supreme Court experience examine the nominee’s legal writings for quality, clarity, knowledge of the law, and analytical ability.

The investigations of Supreme Court nominees are particularly rigorous because of the significance, range and complexity of issues the Supreme Court considers.

In a [statement](#) issued as the ABA panel began its evaluation of Gorsuch in February, ABA President Linda A. Klein emphasized that the panel’s role is insulated and separate from all other ABA activities. “The impartiality and independence of the committee and its procedures are essential to the effectiveness of its work,” she said.

The ABA testimony was presented to the Senate committee by ABA Standing Committee Chair Nancy Scott Degan and Shannon Edwards, the ABA committee’s Tenth Circuit representative and lead evaluator for the Gorsuch investigation.

Degan and Edwards testified that the ABA committee based its evaluation on the data received from its extensive outreach and interviews with more than 1,000 individuals, its own analyses of the nominee’s writings, reports from three Reading Groups, and a personal interview of the nominee conducted by Degan and Edwards. The Reading Groups reviewing the judge’s writings included a total of 26 professors from the University of Pennsylvania Law School and the Loyola College of Law in New Orleans, and a Practitioners’ Reading Group composed of 14 nationally recognized lawyers with significant trial and appellate experience.

The investigation found that Gorsuch enjoys an “exceptional reputation for integrity and is a person of



Photo: U.S. Senate

Nancy Scott Degan (left), chair of the ABA Standing Committee on the Federal Judiciary, and Shannon Edwards, the Tenth Circuit representative, presented the committee’s “Well Qualified” rating for Supreme Court nominee Neil M. Gorsuch during a March 23 Senate Judiciary Committee hearing.

outstanding character” and praised his judicial temperament. The Practitioners’ Reading Group observed that his opinions are “models of care, thoroughness and analytical rigor in resolving the issues before him.”

All members of the ABA standing committee studied the nearly 1,000 pages of information about Judge Gorsuch and individually evaluated the nominee. They voted unanimously that he is “Well Qualified” to be an associate justice of the U.S. Supreme Court.

“Based on the writings, interviews and analyses scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we predict that he will be a strong but respectful voice in protecting it.” Degan said.

In his opening [statement](#) on the first day of the hearings, Gorsuch emphasized that he has “tried to treat all who come to court fairly and with respect” and that his decisions “have never reflected a judgment about the people before me – only my best judgment about the law and facts at issue in each particular case.”

Gorsuch holds a law degree from Harvard Law School and a Doctor of Philosophy in Law from University College in Oxford. After clerking for DC Circuit Appeals Court Judge David Sentelle and Supreme Court Justices Byron White and Anthony Kennedy, he joined the law firm of Kellogg, Huber, Hansen, Todd, Evans & Figel. Following 10 years of private practice from 1995 to 2005, he served as a principal deputy to the associate attorney general in the Department of Justice until his judicial appointment by President George W. Bush.

The Senate committee, originally set to consider the nomination on March 27, delayed the vote for a week at the request of the committee’s minority members. ■

Budget blueprint calls for drastic cuts in discretionary programs

continued from front page

LSC President James Sandman called the LSC the “backbone of the legal aid system in the United States” and noted its particular importance in serving rural areas. In each of the last fiscal years, strong bipartisan majorities in Congress have increased LSC funding by \$10 million per year, he said.

Others are also weighing in with their support. More than 150 law firm leaders sent a March 10 letter to the Office of Management and Budget requesting that the president support full funding for the LSC. They emphasized that law firms’ ability to provide pro bono representation is dependent on partnerships with legal aid organizations that are funded by the LSC. “The pro bono activity facilitated by LSC funding is exactly the kind of public-private partnership that government should encourage, not eliminate,” the letter stated.

In addition to providing funds for building up the military, the budget focuses on putting more money into immigration enforcement, including funding to begin building a wall on the southern U.S. border with Mexico and additional resources for U.S. Immigration and Customs Enforcement, Border Patrol, and the immigration courts. Also included would be funding for expanded detention capacity for immigrants awaiting immigration hearings.

A six percent increase in funding to \$78.9 billion for the VA would be directed toward improving access to medical care services for veterans and continued support for services to homeless veterans.

Other proposals included in the blueprint include a 28 percent reduction for the State Department that calls for drastic cuts in funding to the U.S. Agency for International Development, the United Nations (UN) and affiliated agencies that include UN peacekeeping organizations, and a reduction in the U.S. contribution to the UN budget.

ABA concerned about revised immigration order

ABA President Linda A. Klein [expressed](#) the ABA’s concerns this month about a revised Trump administration executive order seeking to suspend immigration from six Muslim-majority countries, maintaining that the new order issued March 6 would continue to try to exclude immigrants and visitors from six countries based solely on their nationality without regard to whether they actually present a national security risk.

Enforcement of the revised order was blocked nationwide by U.S. District Judge Derrick K. Watson in Hawaii on March 15 just hours before it was scheduled to take effect that night at midnight. The order in Hawaii was followed the next morning by a temporary injunction issued by U.S. District Judge Theodore D. Chuang in Maryland. Both judges ruled that the executive order was intended to discriminate against Muslims by targeting immigrants from Iran, Sudan, Libya, Yemen, Syria and Somalia.

The judges’ rulings echoed the same concerns expressed in February by U.S. District Court Judge James Robart, who issued a nationwide temporary restraining order against the president’s first executive order nationwide. The original executive order, which had been issued by the president Jan. 27, also included Iraq on the list of Muslim-majority countries from which immigrants and visitors would be barred, indefinitely barred Syrian refugees from entering the United States, suspended the U.S. Refugee Admissions Program for 120 days, and reduced the number of refugees allowed into the United States this year from 110,000 to 50,000. That order, which went into effect immediately without notice or clear guidance, created confusion at airports around the country and internationally and prompted numerous lawsuits.

See “Travel ban,” page 8



Another agency facing harsh reductions is the Environmental Protection Agency, which would see a 31 percent reduction and the elimination of more than 50 programs.

Other programs facing elimination include across the government include:

- United States Interagency Council on Homelessness;
- Community Development Block Grant program, HOME Investment Partnerships Program, Choice Neighborhoods, Self-Help Homeowner Opportunity Program, and Section 4 Capacity Building for Community Development and Affordable Housing;
- U.S. Institute of Peace;
- African Development Foundation;
- Corporation for Public Broadcasting;
- discretionary programs within the Office of Community Services in the Department of Health and Human Services that include the Community Services Block Grant supporting a wide range of assistance to low-income individuals; and
- \$250 million in targeted grants and programs under the National Oceanic and Atmospheric Administration that support coastal and marine management, research and education. ■

House passes class action legislation despite opposition

The House passed a bill March 9 that would circumvent the traditional judicial rulemaking process and amend the Federal Rules of Civil Procedure to severely limit the ability of victims who have suffered a legitimate harm to seek justice collectively in a class action lawsuit.

H.R. 985, which passed 220-201 with one voting present, is opposed by the ABA, the Judicial Conference of the United States, numerous legal and consumer organizations, and groups representing veterans and servicemembers. Proponents maintain, however, that something must be done to eliminate abuses of the system and curtail frivolous class action lawsuits.

The bill would amend Rule 23, which was adopted in 1966 to govern class certifications and has been amended several times using the Rules Enabling Act, the time-proven process established by Congress for amending the federal rules. As part of the Rules Enabling process, the Judicial Conference, the policymaking body for the courts, is currently considering changes to the class action rule, and the ABA is urging Congress to wait and see the results of that process.

During House debate on the legislation, Rep. Jamie Raskin (D-Md.) highlighted the ABA and Judicial Conference opposition to H.R. 985. He called attention to the association's specific concerns about advancing comprehensive class action reform without a hearing to examine all of the complicated issues involved.

Those concerns and other problems with the bill were expressed in a [March 8 letter](#) sent to all members of the House by ABA Governmental Affairs Director Thomas M. Susman, who emphasized that the current screening process, under which plaintiffs must meet rigorous threshold standards to proceed with a class action case, is working. He explained that a recent study by the

Federal Judicial Center found that only 25 percent of diversity actions filed as class actions resulted in class certification motions, nine percent settled, and none went to trial.

"If proponents of this legislation are concerned about frivolous class action cases, and believe that screening can be even more effective through rule changes, those changes should be proposed and considered utilizing the Rules Enabling process," he said.

The ABA opposes provisions in H.R. 985 that would mandate that no federal court shall "certify any proposed class seeking monetary relief for personal injury or eco-

nomical loss unless the party seeking to maintain such a class action affirmatively demonstrates that each proposed class member suffered the same type and scope of injury" as the named class representative(s).

"This requirement places a nearly insurmountable burden for people who have suffered personal injury or economic loss at the hands of large institutions with vast resources, effectively barring them from bringing class actions," Susman wrote. He added that "making it harder for victims to utilize class actions could add to the burdens of our court system by forcing aggrieved parties to file suit in smaller groups, or individually." ■

House passes Rule 11 legislation to require sanctions against lawyers filing frivolous cases

The House passed legislation by a 230-188 vote March 10 to require mandatory monetary sanctions against lawyers who file non-meritorious lawsuits.

The ABA-opposed bill, H.R. 720, would amend Rule 11 of the Federal Rules of Civil Procedure by rolling back critical improvements made to the rule in 1993 and reinstating a mandatory sanction provision that was adopted in 1983 but eliminated 10 years later after experience revealed its unintended, adverse consequences. The legislation also would eliminate the "safe harbor" provision added in 1993 that allows parties and their attorney to avoid Rule 11 sanctions by withdrawing frivolous claims within 21 days after a motion for sanctions is served.

During debate on the bill, proponents maintained that the current lack of mandatory sanctions leads to the regular filing of baseless lawsuits. The House rejected several proposed amendments, including one that would have restored the safe harbor provision.

In a [March 7 letter](#) to the House, ABA Governmental Affairs Director Thomas M. Susman emphasized that there is neither evidence that the proposed changes to Rule 11 are needed nor that they would deter the filing of non-meritorious lawsuits.

"Even though this legislation may seem straightforward and appealing on initial review, a thorough examination of the concerns the bill is designed to address provides compelling evidence that, rather than reducing frivolous lawsuits, H.R. 720 will encourage civil litigation abuse and increase court costs and delays," he wrote.

Susman stressed that the ABA also opposes the legislation because it would bypass the Rule Enabling Act process established by Congress to assure that amendment of the federal rules occurs only after a comprehensive and balanced review of the problem and proposed solution is

see "Rule 11," page 8

House Judiciary panel revisits possibility of splitting the Ninth Circuit

ABA sees no compelling evidence to support restructuring

The ABA [reiterated](#) its opposition this month to proposals to split the Ninth Circuit Court of Appeals when the House Judiciary Subcommittee on Courts, Intellectual Property and the Internet revived the issue by holding a March 16 hearing.

The Ninth Circuit is the largest of the 12 regional courts of appeals, with 29 judges covering nine states and two territories. The states and territories in the circuit are California, Oregon, Washington, Montana, Idaho, Nevada, Arizona, Alaska, Hawaii, Guam and the Northern Mariana Islands.

“The ABA applauds the Ninth Circuit’s initiative, willingness to innovate, and determination to reduce its case backlog,” the ABA stated, adding that the circuit “continues to cope admirably with its rising caseload without jeopardizing the quality or consistency of justice rendered.”

The association, which has examined the issue of restructuring the Ninth Circuit on multiple occasions over the past 50 years, adopted policy in 1990 opposing division of the circuit after earlier supporting splits of both the Fifth and Ninth Circuits. The ABA concluded that procedural changes implemented during the preceding decade, in conjunction with other court management innovations, give the Ninth Circuit the tools it needs to handle its increasing caseload.

The statement, submitted for the hearing record, explained the ABA standard for assessing the need for

circuit restructuring: “Circuit restructuring should occur only if compelling empirical evidence demonstrates adjudicative or administrative dysfunction in a court so that it cannot continue to deliver quality justice and coherent, consistent circuit law in the face of increasing workload.”

The ABA emphasized that no compelling evidence exists to support claims that the Ninth Circuit is failing to deliver quality justice. Congress can bring justice closer to the people served by the Ninth Circuit, however, by “promptly filling existing vacancies, authorizing new and temporary judgeships as needed, and providing concomitant resources when federal jurisdiction is expanded or national policies are implemented that result in significant increases in the work of the federal courts,” the statement said.

During the hearing, three Ninth Circuit judges testified in favor of keeping the circuit as it is.

“Not only is there a lack of compelling empirical evidence demonstrating the need to undertake the drastic solution of a circuit split, there is compelling evidence that the best means of administering justice in the western United States is to leave the Ninth Circuit intact,” Ninth Circuit Chief Judge Sidney R. Thomas testified. “A circuit split would increase delay, reduce access to justice, and waste taxpayer dollars. Critical

see “Ninth Circuit,” page 8

Judicial Vacancies/Confirmations—115th Congress* (as of 3/27/17)

<u>Court</u>	<u>Vacancies</u>	<u>Pending Nominations</u>	<u>Confirmations</u>
US Supreme Court (9 judgeships)	1	1	0
US Courts of Appeals (179 judgeships)	19	1	0
US District Courts (678 judgeships)	96	0	0
Court of International Trade (9 judgeships)	2	0	0
Totals	118	2	0

*Includes territorial judgeships

WASHINGTON NEWS BRIEFS

PARENTS WITH DISABILITIES: The ABA expressed support this month for H. 3538, a bill pending in the South Carolina House of Representatives that would safeguard the right of people with disabilities to parent and have custody of, or visitation with, a child by prohibiting discrimination based solely on disability. “Twenty-six years after the enactment of the American with Disabilities Act, it is time to ensure that individuals with disabilities and their children have a right to live free from discriminatory state actions that can result in traumatic separations of parents and their children,” John D. Elliott, the South Carolina Bar delegate to the ABA House of Delegates, said in [testimony](#) March 2 before the South Carolina House Judiciary Subcommittee on General Laws. Elliot described policy adopted by the ABA at the February 2017 Midyear Meeting urging state governments to “enact legislation and implement public policy providing that custody, visitation, and access shall not be denied or restricted, nor shall a child be removed or parental rights be terminated, based on a parent’s disability, absent a showing - supported by clear and convicting evidence - that the disability is causally related to a harm or an imminent risk of harm to the child that cannot be alleviated with appropriate services, supports, and other reasonable modifications.” The policy also urges that a prospective parent’s disability not be a bar to adoption or foster care when the placement is determined to be in the best interests of the child. Elliott explained that even though the U.S. Supreme Court has long recognized that the fundamental right of parents to make decisions concerning the care, custody and control of their children is protected under the Due Process Clause of the Fourteenth Amendment, many parents with disabilities are denied access to appropriate family-based services, support and other reasonable modifications that would provide them with a full and equal opportunity to keep or reunite with their child. He noted that there has been a rising number of disability discrimination complaints from parents with disabilities, and the Department of Health and Human Services and the Justice Department issued joint technical assistance in August 2015 to state and local child welfare agencies and courts. He emphasized that the legislation would provide people with disabilities the right to supportive services to help them compensate for the aspects of their disabilities that affect their ability to care for a child and at the same time would not limit the state’s right to protect the child’s health and safety.

CRIMINAL JUSTICE COMMISSION: A group of senators reintroduced legislation March 8 to estab-

lish a National Criminal Justice Commission to conduct an 18-month comprehensive review of the nation’s criminal justice system and make recommendations for improvement in the system. S. 573 - sponsored by Sens. Gary Peters (D-Mich.), Lindsey Graham (R-S.C.) and John Cornyn (R-Texas) - is similar to legislation the senators introduced in 2015. The 14-member bipartisan commission created by the legislation would be made up of presidential and congressional appointees, including experts on law enforcement, criminal justice, victims’ rights, civil liberties and social services. The group’s recommendations would seek changes in oversight, policies, practices and laws to reduce crime, increase public safety and promote confidence in the criminal justice system. “Our criminal justice system is built on the pillars of fairness and equality, but too many Americans see growing challenges in our justice system ranging from overburdened courts and unsustainable incarceration costs to strained relationships between law enforcement and the communities they serve,” Peters said. “Creating the National Criminal Justice Commission is a critical step to help reduce crime, improve public safety and promote more equitable criminal justice practices.” The last comprehensive review of the criminal justice system was conducted in 1965 when President Johnson created the Commission on Law Enforcement and Administration of Justice. The 1965 commission’s report offered over 200 recommendations, including the creation of the 911 system, establishment of research organizations like the Bureau of Justice Statistics, and improved training for law enforcement. The ABA has supported the creation of a National Criminal Justice Commission since adopting policy in 2009 and has urged enactment of legislation since bills were first introduced during the 111th Congress. In correspondence to the [House](#) and [Senate](#) in 2010, the ABA stated that the need for comprehensive review is clear, and discussion must include all those who have a tremendous stake in the justice system. The letters called the commission, which continues to have the support of a broad coalition of criminal justice organizations, an important step in “developing evidence-based and cost-effective solutions to improve our criminal justice system and increase public safety.”



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Ninth Circuit restructuring opposed by ABA as unnecessary

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programs and innovations would be lost, replaced by unnecessary bureaucratic duplication of administration," he said.

He was joined in his opposition by Ninth Circuit Judges Carlos Bea and Alex Kozinski.

Kozinski emphasized that the geographic size of the circuit has resulted in the deploying of innovative techniques and, as a result, the circuit has developed expertise in audiovisual issues, software development, educational programs, and materials that can be

shared with the district court, other circuits and the public.

Bea cited the great advantage to business and professional communities in having a uniform body of law that covers the nine western states and Pacific islands.

The subcommittee is weighing different proposals to restructure the circuit. H.R. 196 and S. 295 would retain California, Guam, Hawaii and the Northern Mariana Islands in the Ninth Circuit and assign the rest of the states to a new Twelfth Circuit; H.R. 250 would include Oregon and Wash-

ington with California, Guam, Hawaii and the Northern Mariana Islands in the restructured Ninth Circuit; and S. 276 would assign Washington to the Twelfth rather than the Ninth Circuit.

The ABA statement points out that even the most ardent proponents of Ninth Circuit restructuring do not concur over how to split the circuit.

Those testifying in support of splitting of the Ninth Circuit included law professors John Eastman of the Dale E. Fowler School of Law at Chapman University and Brian Fitzpatrick of Vanderbilt University Law School, who maintained that large circuits are inefficient and that splitting the circuit would decrease caseloads and promote collegiality. ■

Immigration executive orders

continued from page 4

"The ABA opposes the use of nationality or religion to bar an otherwise eligible individual from entering the United States," Klein said in her statement. She explained that the revised executive order, in addition to banning individuals from certain countries, also would continue the four-month suspension for refugee admissions and reduce the cap on the Refugee Admission Program for this year.

"While the order does not affect refugees whose travel to the United States had previously been scheduled by the State Department, it still would strand thousands of others who have already completed much of the refugee admission application process, which in many circumstances can take up to two years of careful vetting. The practical effect of these changes would be to drastically reduce the U.S. commitment to providing legal protection for refugees at a time of global crisis," she said.

She also urged the administration, should the order move forward, to ensure that waivers and humanitarian protection procedures are robustly and consistently applied throughout the State Department, the Department of Homeland Security and the Department of Justice.

President Trump has vowed to fight the rulings against his executive order, maintaining that his actions are necessary to keep foreign terrorists out of the country. ■

Rule 11

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undertaken by the Judicial Conference of the United States.

Rep. Sheila Jackson Lee (D-Texas), who expressed her opposition to the bill on the House floor, highlighted the ABA's letter, which was [reprinted](#) in the *Congressional Record* along with a letter from more than 40 other organizations focusing on the adverse impact the bill would have on civil rights, employment, environmental and consumer cases. ■

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