



For Immediate Release

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Civil Rights Coalition Successfully Blocks Trump Administration’s Latest Attempt to Implement Health Care Ban

Friday, Dec. 20, 2019 – Today, litigators from the Justice Action Center (JAC), the American Immigration Lawyers Association (AILA), and Innovation Law Lab, with pro bono counsel Sidley Austin LLP and Latino Network as the organizational plaintiff, welcomed the Ninth Circuit 2-1 decision to refuse the federal government an administrative stay pending appeal of the preliminary nationwide injunction in *Doe v. Trump*. The administration had sought an emergency stay of the injunction granted on November 26, 2019, by the U.S. District Court in Portland, OR. The stay would have immediately implemented President Trump’s October 4 proclamation requiring legal immigrants to prove they hold an “approved” health insurance plan, or can pay for health care out of pocket, in order to be allowed entry to the U.S. This unconstitutional health care ban would affect approximately 375,000 people each year, immediately separate families from loved ones, harm businesses seeking to employ international talent, and undermine our nation’s commitment to equal rights. The Ninth Circuit agreed with the U.S. District Court in Portland, OR, and the proclamation remains enjoined.

A temporary restraining order (TRO) issued by the U.S. District Court in Portland, OR, on November 2, 2019, had stopped the federal government from implementing the policy. During that month, approximately 25,000 visas were granted that would otherwise have been denied. The preliminary injunction issued November 26, 2019, solidified that win. The rejection of the stay now means that the district court’s order will remain in effect for now, unless the federal government seeks and obtains a stay from the U.S. Supreme Court.

The government also filed a non-emergency request for a stay which will be heard on January 9, 2020 in San Francisco. Meanwhile the underlying lawsuit will move forward in District Court.

Background

On October 4, 2019, President Trump signed a proclamation barring qualified immigrants from receiving visas unless they could prove they would be covered by “approved” health insurance within 30 days of arriving in the U.S., or are healthy and wealthy enough to pay for “reasonably foreseeable medical costs” upon arrival. The proclamation, labeled a ban because of its tremendous reach and impact, limited “approved” health insurance to plans that many



immigrants do not qualify for; are unavailable in large states like New York and California; or would be impossible to obtain within 30 days of arrival. The proclamation was to go into effect on November 3, 2019.

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