

NINA MOINI: We're going to turn to immigration. In the last month, there's been a flurry of changes. On Friday, a federal judge ruled the Trump administration must resume processing asylum applications from 39 countries. The administration also sought to make major changes to green card application processes.

That's all happening with Operation Paris in the background, which is an effort to re-vet the applications of thousands of refugees in Minnesota for potential fraud or other crimes. That launched this past winter.

Now, my next two guests have been supporting people who've been navigating all these shifts. Corleen Smith is Immigration Services director at the International Institute of Minnesota. Thanks for being here, Corleen.

CORLEEN Thanks for having me.

SMITH:

NINA MOINI: We're also really glad to have Michelle Drake, a lawyer with Berger Montague. Thanks for being here, Michelle.

MICHELLE Hi.

DRAKE:

NINA MOINI: Michelle, I'd love to start with you. This was big news that came out on Friday. Can you help us understand this federal judge's ruling on the Trump administration's asylum policies?

MICHELLE Sure. So the judge, from a layperson's perspective, essentially held that it's unlawful for the Trump

DRAKE: administration to have put a blanket stoppage on the consideration of asylum applications. And so those applications need to resume being processed. And when they are being processed, the administration cannot count immediately as a negative factor that particular person's country of origin of the 40 countries that are on the travel ban list.

NINA MOINI: OK, thank you for that. And Corleen, I often wonder, when these types of cases are going through the courts or these types of challenges, what's actually happening with the people on the ground who need certain services or are in the middle of a process? What have you been seeing with the people that you interact with?

CORLEEN So with the people that we're working with at International Institute of Minnesota, we've currently got around 800
SMITH: folks that are refugees or asylees that have pending green card applications. And around 40% of our clients are from one of these 39 countries that had this pause. And even though the court throughout many of these policies-- it looks like that it's not going to change, essentially, what's happening to refugees right now. And so we anticipate that the refugee rescreening programs and the pause, at least for the refugee green card processes, are going to continue.

NINA MOINI: And so, Michelle, I understand the Trump administration had announced a policy change that forced green card applicants to leave the US while they applied, which is a major shift. What do people need to know about that decision?

MICHELLE Well, the implications of the decision remain fairly unclear. There are certain circumstances at the extreme

DRAKE: where it seems pretty likely that people are going to be forced to apply from their country of origin-- say, someone who came to the United States on a travel visa and overstayed. But the policy does have an exception for what it calls extraordinary circumstances. And so the real question is, who's going to fall into that exception?

The potentially devastating impact of that policy is really hard to overstate because in the normal course, there are lots and lots of people who enter the United States and then apply for a green card from within the United States, including people who are here working on H-1B work visas. Certainly, refugees who are vetted and invited into this country and told they-- explicitly that they can apply for a green card at the one-year anniversary mark of their remaining in the United States-- one would expect that they would be able to remain here.

And then also, lots of people from countries with whom the United States doesn't have established diplomatic relationships-- there is no US consulate in Afghanistan. So for people from Afghanistan, one can't really expect them to apply from a place that doesn't exist.

NINA MOINI: And Michelle, when we talk about court rulings and policy changes like we've been discussing, can you describe maybe what that reality looks like for some of these people? Is it immediate, or does it take some time?

**MICHELLE
DRAKE:** Well, at least with respect to the ruling that came down on Friday, the Trump administration has hardly been eager to comply with court orders with which it disagrees. And so my guess is that the administration will file both an immediate request for the order to be stayed, meaning that it is rendered ineffective, and an immediate appeal. So it could be some time before we really see the implications of that order on the ground.

NINA MOINI: OK, thanks for that perspective. So that is the green card policy shift. Let's talk now about Operation Paris, as it's called. Corleen, could you just remind our audience what the administration said that it was setting out to do with this operation? What was the point?

**CORLEEN
SMITH:** Yes. So with Operation Paris, essentially, the administration was wanting to re-vet the refugees that had already entered United States. Refugees are heavily screened. They have a variety of background checks that are completed prior to entry to the United States.

And what Operation Paris is, essentially, doing is reverifying and confirming that they do fit the definition of a refugee and that they qualify for refugee status. Even though they have, as I said, gone through an-- a wide variety of screening before they came to the US, they want to revisit them to confirm that they do fit the definition of a refugee.

At this point, what that is-- what we're seeing is a lot of desk reviews, essentially. So prior to these desk reviews, large amounts of refugees were being detained, and also going through extensive interviews regarding their refugee status. Potentially, refugees could have their status terminated and be removed from the United States if the administration feels that they no longer fit the definition of a refugee.

NINA MOINI: So in this instance, Corleen, can you describe what you would say to the clients and the people that you serve? What are their steps? Is it gather up all of the things you might need for the process to begin again-- or what are you advising?

**CORLEEN
SMITH:** So what we're advising our clients when it comes to re-vetting and re-interviewing for your refugee status is to, essentially, talk about and remember and gathering all the documents related to your initial refugee claim and your interview. So we're supporting the clients and representing them, preparing them for these interviews at the immigration office to, again, talk about their refugee claim and what their claim is to the refugee status before they came to the US.

So we're, essentially, reviewing what they might have talked about at their refugee interview many years ago, prior to coming to the United States-- so just re-evaluating and re-examining, talking with them, again, about what their claim is to their refugee status so that they're able to talk about it again here after many, many years of having the previous interview outside of the US.

NINA MOINI: OK. And Michelle, I understand you were part of a team that did file a class action lawsuit against DHS and ICE over this operation. But where do things stand?

**MICHELLE
DRAKE:** Sure. So one really important thing to understand about the beginning of Operation Paris and, actually, its continuation is that the Trump administration's position, which is contrary to over 40 years of history of refugee admissions into this country, was not only that they needed to re-vet and re-interview admissions that had happened years ago, but also that that process should take place while the refugees were detained, meaning shackles, handcuffs, being held in detention facilities either in Minnesota or in Texas or somewhere else around the country.

And our lawsuit in Minnesota challenged the detention policy. And the court here in Minnesota ruled that detaining refugees for any portion of that process was illegal. Subsequently, the administration issued a slightly revised written policy, which was then challenged in Massachusetts. And the Massachusetts judge issued a nationwide stoppage to detaining or-- and functionally incarcerating refugees during that process. And that stay on the administration's refugee detention policy is still in place.

So whatever's happening on the ground in terms of re-vetting or re-interviewing, it is not taking place in a carceral context, where people are being detained. And that's the result of litigation, both here in Minnesota, which is not ongoing, and litigation in Massachusetts, which is ongoing and which stopped that practice nationwide.

NINA MOINI: OK, thank you for that breakdown. Before we have to go, Corleen, the International Institute's holding an event Friday, I understand, to talk about some of these changes and perhaps provide some resources. Can you tell us a little bit more about what resources are available to people as some of these processes change?

**CORLEEN
SMITH:** Yes. So at International Institute of Minnesota, our organization is here to ensure that people don't have to navigate the process of applying for permanent residency or citizenship alone. We have legal services, citizenship classes. And we're supporting folks throughout these processes to make sure that they're represented and they don't go to immigration by themselves. We definitely want to make sure that people have representation at these interviews so that they've got all the support that they need. All

NINA MOINI: Right. Thank you both for your time-- really appreciate it.

CORLEEN Thank you.

SMITH:

MICHELLE Thank you.

DRAKE:

NINA MOINI: Corleen Smith is Immigration Services director with the International Institute of Minnesota. And Michelle Drake is an executive shareholder with Berger Montague. We reached out to USCIS for comment on Operation Paris. But we did not receive a statement in time for this broadcast.