



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

For Immediate Release
August 15, 2019

News Release 2019-46

Hawaii Attorney General Joins Multistate Coalition Opposing Trump Administration Rule Restricting Asylum Access

HONOLULU – Attorney General Clare E. Connors today joined a multistate coalition, led by California and Massachusetts, in filing a comment letter opposing the Trump Administration’s attempt to illegally limit access to the asylum process. Under the rule, individuals entering the United States at the southern border, except in limited circumstances, are no longer able to seek asylum unless they applied for and were denied protection in at least one country they transited through prior to their arrival. In a comment letter, the coalition urges the U.S. Departments of Justice and Homeland Security to rescind the policy.

“We stand with our fellow states in opposing yet another unlawful rule,” said Attorney General Connors. “This rule was issued without following proper procedures. It also discriminates and harms vulnerable individuals.”

In the comment letter, the coalition maintains that, among other things, the rule violates both the Immigration and Nationality Act (INA) and the Administrative Procedure Act. Under INA, any foreign national may apply for asylum upon their presence or arrival to the United States. These asylum protections were built on the principles of the 1951 Refugee Convention, which sought to mitigate some of the horrors visited upon refugees during and after World War II. INA sets forth very specific circumstances under which an individual can be barred from asylum and provides protections for particularly vulnerable groups. In promulgating the rule, the Trump Administration failed to provide adequate notice or articulate a reasoned explanation for the rule, in violation of the Administrative Procedure Act. In addition, the rule will have a particularly negative effect on unaccompanied children, LGBTQ applicants, and women asylum-seekers, for whom applying for asylum in a third country is extremely dangerous. In fact, recognizing the rule is likely contrary to law, a federal court has already halted its initial implementation.

In submitting the comment letter, Attorney General Connors joins the Attorneys General of California, Massachusetts, Connecticut, Delaware, Illinois, Iowa, Maine, Maryland, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

A copy of the letter is available [here](#).

#

For more information, contact:

Krishna F. Jayaram
Special Assistant to the Attorney General
(808) 586-1284
Email: atg.pio@hawaii.gov
Web: <http://ag.hawaii.gov>
Twitter: @ATGHlgov