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Immigrant Families, Workers, Legal Assistance Groups Challenge Trump Admin's 75-Country Visa Ban in Federal Court

NEW YORK — A group of United States citizens petitioning on behalf of their immigrant family members, together with working people facing exclusion from the U.S. and nonprofit organizations today filed a lawsuit challenging the Trump administration's sweeping suspension of immigrant visa processing for people from 75 countries.

The complaint, filed in U.S. District Court for the Southern District of New York by the National Immigration Law Center, Democracy Forward, The Legal Aid Society, the Western Center on Law & Poverty, the Center for Constitutional Rights, and Colombo & Hurd, argues that the U.S. Department of State has imposed an illicit, nationality-based ban on legal immigration that strips families and working people of the process guaranteed by law. The Trump administration baselessly cited "public charge" risk as its stated justification for the ban, after relentlessly and cruelly smearing immigrant communities, particularly communities of color.

The plaintiffs include Catholic Legal Immigration Network, Inc. (CLINIC); African Communities Together; and individuals suing to stop the ban. Examples of individual plaintiffs include a U.S. citizen mother and grandmother who lives in New York and is petitioning on behalf of her four adult children and three grandchildren, who are from Ghana. Though her petitions for her family members were approved and paid for, they were told when they appeared for their consular interviews in January that they cannot receive their visas due to the ban. Another plaintiff is a U.S. citizen father of two from Long Island petitioning on behalf of his wife from Guatemala. His wife and youngest child, who is still nursing, traveled together to Guatemala to appear for a scheduled consular interview. They are now stuck in Guatemala and indefinitely separated from him due to the ban.

Another individual plaintiff is a physician and endocrinologist from Colombia who applied and was approved for an employment-based first preference immigration visa (EB-1A). However, he too cannot receive his visa, because Colombia is one of the countries subject to the ban. The other individual plaintiffs' immigrant visa petitions were in the process of approval, and many face continued family separation as a result of the ban.

“This administration is trying to shut down lawful immigration from nearly half the countries in the world without legal authority or justification,” said **Anna Gallagher, executive director of CLINIC**. “We denounce this continued effort to scapegoat immigrants and disregard both the will of Congress and the inherent human dignity of those seeking safety, family unity, and opportunity.”

“The 75-country visa ban is yet another unlawful and racist policy from the Trump administration that disproportionately harms Africans seeking to immigrate to the United States,” said **Diana Konaté, deputy executive director of policy and advocacy at African Communities Together**. “Our immigration system already contains deeply embedded discrimination that makes obtaining a visa extraordinarily difficult for people across the African continent. This ban makes an already broken system even more harmful by cruelly denying families the chance to reunite. ACT and its members will continue to fight these policies.”

“The Trump administration’s unlawful visa ban separates families, undermines U.S. employers, and destabilizes communities,” said **Joanna Cuevas Ingram, senior staff attorney at the National Immigration Law Center**.

“The ban upends the lives of people who have overcome every barrier this country has put in front of them to work or reunite with their families. These policies exceed the government’s authority, violate the Constitution, and strip families and working people of rights that the law squarely protects. We know immigrants strengthen our communities, and we will fight this discriminatory ban with everything we have.”

“This visa ban weaponizes public benefits law to carry out a discriminatory immigration agenda,” said **Cori Racela, executive director at the Western Center on Law & Poverty**. “The Trump administration is deliberately distorting the ‘public charge’ statute to justify a sweeping, nationality-based ban that Congress expressly rejected. Public charge is an individualized assessment—not a racist tool for blocking/excluding entire countries or punishing families. Congress has made clear that accessing authorized public programs cannot be used to deny lawful immigration. By turning public benefits into a scare tactic and a gatekeeping weapon, the State Department is exceeding its authority and inflicting real harm on families and workers who follow the law. This ban is illegal, and we will fight it.”

“Once again, the Trump-Vance administration is engaging in a sweeping, discriminatory policy, covered up as a bureaucratic process,” said **Skye Perryman, president and CEO of Democracy Forward**. “By freezing immigrant visas for people from 75 countries, this administration is tearing families apart, shutting out workers our economy depends on, and reviving a discredited ‘public charge’ lie to justify collective punishment based on nationality and race. The law does not allow the government to blacklist entire nations or weaponize immigration policy to advance racial discrimination. We are in court because no administration has the power to rewrite the Constitution or immigration law at will, and we will use every legal tool available to stop this abuse of power.”

“The State Department cannot rewrite immigration law to advance a discriminatory agenda,” said **Hasan Shafiqullah, supervising attorney in the Civil Law Reform Unit at The Legal Aid Society**. “By imposing a sweeping, nationality-based visa ban under the pretext of ‘public charge,’ the government is flouting Congressional will, ignoring long-standing legal standards, and targeting communities of color. This policy is arbitrary, unlawful, and deeply harmful to families who have followed the rules and are simply seeking to

reunite with their loved ones. We are going to court to stop this executive overreach and ensure the administration follows the law.”

“For employment-based immigrants, timing matters,” said **Sarah Wilson, partner and federal litigation practice leader at Colombo & Hurd**. “This ban freezes lawful immigration pathways midstream, disrupting careers, separating professionals from jobs they have already secured, and leaving people in an indefinite limbo despite full compliance with U.S. immigration law. The ban will do long-term harm to employment-based immigrants, their employers, and the American public.”

“The Trump administration is again nakedly revealing the base racism behind its immigration policy, clothed this time in obviously pretextual tropes about nonwhite families undeservedly taking benefits,” said **Baher Azmy, legal director of the Center for Constitutional Rights**. “Congress and the Constitution prohibit white supremacy as grounds for immigration policy.”

The lawsuit argues that the Department of State’s asserted basis for its blanket visa ban and related “public charge” cables is premised on a false narrative. The overwhelming majority of applicants for immigrant visas are not eligible for most government assistance programs and remain ineligible for years. For the emergency services and public programs they may ultimately be eligible for, Congress has decided to make these benefits available and specified that receiving them does not determine whether someone is likely to become a public charge. Immigrants pay state, local, and federal taxes that help fund the services used by all U.S. residents and contribute to overall U.S. economic growth.

The complaint also asserts that the arbitrary and disparaging statements Trump administration officials have made about immigrants, together with the Department of State’s own public justification for the ban, confirm that the ban and related “public charge” cables are driven not by legitimate regulatory concerns, but by stereotypes and hostility toward immigrants of color.

This position is underscored by the disparate impact on non-white immigrants, including immigrant workers and their families in the United States.

Adopted without notice-and-comment rulemaking, the ban violates the Administrative Procedure Act and specific provisions of the Immigration and Nationality Act, is arbitrary and capricious, contrary to law, goes beyond the defendants’ legal authority, violates the constitutional separation of powers, and is tainted by discriminatory intent in violation of the constitutional guarantee of equal protection.

The defendants in the lawsuit are U.S. Department of State Secretary Marco Rubio and the U.S. Department of State.

Read today’s filing [here](#).

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