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VIA ECF

Hon. Carol Bagley Amon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Darweesh v. Trump*, Case No. 1:17-cv-00480-CBA

Dear Judge Amon:

Following yesterday's submission of a letter motion, filed as Document 91 in Case No. 1:17-cv-00480-CBA, undersigned counsel resubmits this letter motion with the proposed brief enclosed. There is an additional amicus, Muslim Bar Association of New York, joining this motion and brief.

Undersigned counsel writes to seek the Court's permission to file a brief of amici curiae on behalf of the Arab American Association of New York, Brooklyn Defender Services, Immigrant Rights Clinic of Washington Square Legal Services, Inc., Legal Services NYC, National Organization for Women - New York State, the New York Immigration Coalition, Muslim Bar Association of New York, and Tamizdat, community organizations that represent and/or advise people with visas from the seven designated countries at issue in this case, in support of the petitioners and the intervenor-plaintiff in the above-referenced case. In the alternative, we respectfully request a pre-motion conference to authorize leave to file such a brief, as provided by Rule 3(A) of this Court's Individual Rules.

As explained below, the proposed *amici* therefore have an interest in the outcome of the above-referenced case. The purpose of the proposed *amici*'s brief in support of the petitioners and intervenor-plaintiff will be to demonstrate that the government's method of carrying out the Executive Order by implementing a classwide visa revocation is unlawful. Such a classwide visa revocation is not authorized by the Executive Order or by the governing statutes or regulations, and is impermissibly retroactive.

"District courts have broad discretion to permit or deny the appearance of amici curiae in a given case." *United States v. Ahmed*, 788 F. Supp. 196, 198 n.1 (S.D.N.Y. 1992), *aff'd* 980 F.2d 161 (2d Cir. 1992). "An amicus brief should normally be allowed when ... the amicus has

unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.” *Andersen v. Leavitt*, No. 03-cv-6115, 2007 U.S. Dist. LEXIS 59108, *6 (E.D.N.Y. Aug. 13, 2007) (internal quotations omitted). Leave to file an amicus brief is particularly appropriate “in cases involving matters of public interest.” *Id.*

The interests of the proposed *amici* are as follows:

The **Arab American Association of New York** (“AAANY”) is a social service and advocacy agency based in Bay Ridge, Brooklyn, the largest Arab community in New York City. Our mission is to support and empower the Arab American and Arab immigrant community, providing the tools needed to achieve independence, productivity, and stability. Following the Executive Order, AAANY has provided legal counsel, Know Your Rights trainings, and direct support to hundreds of individuals and families directly impacted by the travel and immigration restrictions imposed by the order.

Brooklyn Defender Services (“BDS”) is a public defender organization that represents more than 45,000 people each year who cannot afford an attorney in criminal, family, and immigration proceedings. BDS has a robust Immigration Practice and has provided immigration legal services and removal defense to Brooklyn residents for many years. BDS attorneys have represented and advised individuals affected by the Executive Order, and were present at John F. Kennedy Airport to assist individuals who were detained.

Immigrant Rights Clinic of Washington Square Legal Services, Inc. (“IRC”) is a law clinic at New York University (“NYU”) School of Law that represents and works with immigrants and immigrant rights organizations. IRC operates the NYU Immigrant Defense Initiative, a project aimed at providing legal advocacy to NYU students and staff at risk of deportation. Through this initiative, IRC has worked closely with visa holders affected by the Executive Order targeting individuals from Libya, Iran, Iraq, Somalia, Sudan, Syria, and Yemen. IRC has represented individuals who were detained under the Executive Order, including at John F. Kennedy Airport. IRC also advises individuals with visas from the seven targeted countries. IRC has a stake in the proper application of the law.

Legal Services NYC (“LSNYC”) is a Legal Services Corporation funded legal aid agency that fights poverty and seeks justice for low-income New Yorkers. For more than 40 years, LSNYC has helped clients meet basic needs for housing, access to high-quality education, health care, family stability, and income and economic security. The communities LSNYC serves include many immigrant and mixed-immigration status families and LSNYC assists many asylum seekers, refugees, and survivors of crime and violence attain lawful immigration status. LSNYC is the largest civil legal services provider in the country, with deep roots in all of the communities they serve. LSNYC’s neighborhood-based offices and outreach sites across all five boroughs help more than 80,000 New Yorkers annually. LSNYC’s advocates were directly involved in supporting families whose relatives were affected by the Executive Order.

The **National Organization for Women - New York State** is a chapter within the National Organization for Women (NOW), the largest organization of intersectional feminist grassroots activists in the United States. NOW’s New York State chapter plays a critical role in

holding government accountable to the women of New York. The Executive Order perpetuates the inherently discriminatory immigration system. Deportation repeats a cycle of violence—forcing families back into the dangerous and life-threatening circumstances that first led them to seek refuge. NOW stands in solidarity with their Muslim and immigrant sisters and brothers in opposition to the Administration’s abuse of executive authority.

The **New York Immigration Coalition** (“NYIC”) is an advocacy and policy umbrella organization for more than 175 multi-ethnic, multi-racial, and multi-sector groups across the state. Through its members and its own advocacy, the NYIC has long worked against unjust immigration policies. Many NYIC member organizations work directly with immigrants affected by the Executive Order. The NYIC and its members played a coordinating role to support individuals and families directly impacted by this order at John F. Kennedy Airport.

Muslim Bar Association of New York (“MuBANY”) is one of the nation’s largest and most active professional associations for Muslim lawyers. MuBANY provides a range of services for the legal community and for the larger Muslim community. One of MuBANY’s missions is to improve the position of the Muslim community at large by addressing issues affecting the local and national Muslim population, through community education, advancing and protecting the rights of Muslims in America, and creating an environment that helps guarantee the full, fair and equal representation of Muslims in American society. MuBANY works actively to combat anti-Muslim and anti-Islamic stereotypes in the media, courts, law enforcement and the greater community. Many MuBANY members work directly with immigrants affected by the recent Executive Order barring entry to visa holders from seven Muslim-majority countries. MuBANY members volunteered their time to support individuals and families directly impacted by this order at John F. Kennedy Airport. They have also worked with local bar associations and community groups to conduct Know Your Rights workshops across New York.

Tamizdat is a nonprofit organization that facilitates international cultural exchange. Tamizdat’s mission is motivated by the conviction that the international exchange and mobility of culture is fundamental to the growth of global civil society. Since 2000, Tamizdat has worked to safeguard cultural diversity in the United States by helping the international performing arts community address problems presented by U.S. immigration policy and procedure. Tamizdat has been integral in arranging visas for more than 20,000 performing artists from all over the world. Many of Tamizdat’s clients have been directly impacted by the Executive Order and its chilling effect on cultural programming in the U.S. will reverberate for months, if not years.

For the foregoing reasons, we respectfully request the Court’s permission to file a brief of amici curiae on or before a date set by the Court or the date on which the plaintiffs’ briefs are due. In the alternative, we request a pre-motion conference with the Court for leave to file such a brief.

Respectfully submitted,

/s/Alina Das _____
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cc: All counsel of record (via ECF).