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February 15, 2017

VIA ECF

Hon. Carol Bagley Amon
Senior Judge
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:

Undersigned counsel write 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, Legal Services NYC, the National Organization of Women - New York State, the New York Immigration Coalition, Tamizdat, and other community organizations that have represented, advised, and/or supported 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 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.

"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* including the following:

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 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 every 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 targeting immigrants from seven Muslim-majority countries, and were present at John F. Kennedy Airport to assist individuals who were detained.

Immigrant Rights Clinic of Washington Square Legal Services (“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 we serve include many immigrant and mixed-immigration status families and we assist 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 we serve. Our neighborhood-based offices and outreach sites across all five boroughs help more than 80,000 New Yorkers annually. Our advocates were directly involved in supporting families whose relatives were affected by the travel ban enforced by the federal government against nationals from Libya, Iran Iraq, Somalia, Sudan, Syria and Yemen.

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 recent “travel bans” in the U.S. perpetuate 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. We stand in solidarity with our Muslim and immigrant sisters and brothers in opposition to the Administration’s outrageous 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 recent Executive Order barring entry to visa holders from seven Muslim-majority countries. The NYIC and its members played a coordinating role to support individuals and families directly impacted by this order at John F. Kennedy Airport.

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 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 our clients are directly impacted by January 27 Executive Order, and its chilling effect on cultural programming in the U.S. will reverberate for months, if not years.

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.

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)