

**IN UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE )  
ASSISTANCE PROJECT, *et al.*, )  
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 )  
Plaintiffs, )  
v. )  
 )  
DONALD J. TRUMP, *et al.*, )  
 )  
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Defendants. )  
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Civil Action No.: 8:17-CV-00361-TDC

**MEMORANDUM IN SUPPORT OF MOTION BY THE  
IMMIGRATION REFORM LAW INSTITUTE INC. FOR LEAVE TO FILE  
AS AMICUS CURIAE IN SUPPORT OF DEFENDANTS AND IN  
OPPOSITION TO PLAINTIFFS’ MOTION FOR A PRELIMINARY  
INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER**

*Amicus curiae* the Immigration Reform Law Institute (IRLI) is a non-profit 501(c) (3) public interest law firm dedicated to litigating immigration-related cases on behalf of, and in the interests of, United States citizens and legal permanent residents, and also to assisting courts in understanding and accurately applying federal immigration law. IRLI has litigated or filed *amicus curiae* briefs in a wide variety of cases, including *Wash. All. of Tech. Workers v. U.S. Dep’t of Homeland Sec.*, 74 F. Supp. 3d 247 (D.D.C. 2014); *Save Jobs USA v. U.S. Dep’t of Homeland Sec.*, No. 16-5287 (D.C. Cir. filed Sept. 28, 2016); *Keller v. City of Fremont*, 719

F.3d 931 (8th Cir. 2013); and *Texas v. United States*, 787 F.3d 733 (5th Cir. 2015).

IRLI is considered an expert in immigration law by the Board of Immigration Appeals, which has solicited *amicus* briefs drafted by IRLI staff for its parent organization, the Federation for American Immigration Reform (FAIR), for more than twenty years. *See, e.g.*, *Matter of Silva-Trevino*, 26 I. & N. Dec. 99 (B.I.A. 2016); *Matter of C-T-L-*, 25 I. & N. Dec. 341 (B.I.A. 2010); and *In re Q- T- -- M-T-*, 21 I. & N. Dec. 639 (B.I.A. 1996).

This Court has discretion over who may submit briefs in a matter before it. *See Bryant v. Better Bus. Bureau of Greater Md., Inc.*, 923 F. Supp. 720, 728 (D. Md. 1996). “The aid of *amici curiae* has been allowed at the trial level where they provide helpful analysis of the law . . . [or] have a special interest in the subject matter of the suit . . . .” *Id.* (internal citation omitted). “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.” *Community Ass’n for the Restoration of the Env’t v. DeRuyter Bros. Dairy*, 54 F. Supp. 2d 974, 975 (E.D. Wash. 1999).

IRLI proposes to submit its *Amicus Curiae* brief to assist this Court in understanding the comprehensive statutory scheme that undergirds the President’s instant exercise of authority. IRLI has often provided similar assistance in understanding this same statutory scheme to the Board of Immigration Appeals,

upon request by that body, because of IRLI's unusual expertise in immigration law. *See, e.g., Matter of Silva-Trevino*, 26 I. & N. Dec. 99 (B.I.A. 2016); *Matter of C-T-L-*, 25 I. & N. Dec. 341 (B.I.A. 2010); and *In re Q- T- -- M- T-*, 21 I. & N. Dec. 639 (B.I.A. 1996). Accordingly, IRLI is an appropriate *amicus curiae* in this matter.

IRLI respectfully requests that this Court grant its Motion and consider the brief attached as Exhibit 1.

DATED: March 14, 2017.

\s\ Michael M. Hethmon  
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