



PRESS RELEASE

Coalition of 16 Attorneys General File Amicus Brief Supporting Washington State Lawsuit Against President Trump's Executive Order

*Brief Outlines Order's Impact on Residents, Economies and Institutions;
Amicus Brief Follows Legal Actions by State Attorneys General, Including
Maryland's Request for Info to DHS Last Week*

BALTIMORE, MD (February 6, 2017) — Today, Maryland Attorney General Brian E. Frosh joined 15 Attorneys General in announcing the filing of an amicus brief in support of Washington and Minnesota in the federal lawsuit against the Trump Administration's executive order on immigration.

In a 23-page amici curiae brief filed with the U.S. 9th Circuit Court of Appeals, the Attorneys General signatories declared: *"Although the amici States' residents, institutions, industries, and economies differ in various ways, we now all stand together in facing concrete, immediate and irreparable harms from the Executive Order."*

"The Executive Order has already generated confusion, disappointment, and fear," said Attorney General Frosh. "It is not only a policy that is unwise and dangerous, but it is a policy that is inhumane, inappropriate and un-American. As Attorneys General, we have the responsibility to fight this unconstitutional order and uphold the law."

In addition to Maryland, the amicus brief is signed by Attorneys General from California, Connecticut, Delaware, the District of Columbia, Illinois, Iowa, Maine, Massachusetts, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont and Virginia, and follows other legal action by state Attorneys General to oppose President Trump's order, including Maryland's [request](#) to the Department of Homeland Security for detailed information on the federal government's implementation of the immigration executive order.

The amicus brief is available [here](#).

The amicus brief makes clear that the states have standing to challenge the immigration executive order because of the harm the order inflicts on the states themselves, including:

- **State Educational Institutions.** The brief details the disruption of faculty staffing, student attendance, and on-going administration at state colleges and universities, as well as additional

costs many of these resource-constrained public institutions cannot afford, caused by the immigration order. In particular, it notes the thousands of faculty and students from the seven affected countries who current work or study at Pennsylvania, New York, Massachusetts, California, and Virginia state universities.

- **State Medical Institutions.** The brief makes clear the similar injuries President Trump’s order causes to state medical institutions and the provision of care, disrupting the matching process at medical schools and impacting medical residents and other physicians, faculty, and researchers who have already been serving. These institutions serve some of the neediest populations, and are now at risk of decreased staffing as a result of the order.
- **Diminished Tax Revenues from Students, Tourists, and Business Visitors.** The executive order abruptly halted the entry of students, tourists, and other visitors from the affected seven countries – and at the same time stopped the millions of dollars they contribute to the states’ economies. The brief also makes clear that there are longer-term harms to the states’ regional economies as a result of the order, as it hampers the movement of people and ideas into the states.
- **Irreparable Harm due to Establishment Clause Violations.** As the states have made clear in other filings, the executive order represents an egregious violation of the Establishment Clause of the First Amendment – and this “erosion of religious liberties cannot be deterred by awarding damages to the victims of such erosion.”
- **Harm to States’ Sovereign and Quasi-Sovereign Interests in Enforcing Their Own Statutes.** The executive order also undermines the states’ abilities to enforce their own antidiscrimination laws, ensure the benefits of existing federal laws and regulations – such as the Immigration and National Act – are not denied to individuals arriving in these states, and protect residents, businesses, and communities.

The amicus brief calls for a denial of the federal government’s emergency motion for stay, as it would return the country to the confusion and chaos created by the executive order in its implementation last weekend.

California - “The Administrations reckless dismissal of the Constitution threatens to rip apart California families, risks their economic well-being and defies centuries of our American tradition” said California Attorney General Xavier Becerra. “Immigrants are the life-blood of our nation who work hard to build our country, especially in California. Our universities, medical institutions, businesses, and our tax base are all harmed by President Donald Trump’s unconstitutional and un-American order.”

Delaware – “I am grateful to the State of Washington for taking this leadership role in ensuring that the President complies with the Constitution and laws of our country. I hope that this litigation will help repair the harm caused by the reckless drafting and implementation of this Order, and ultimately result in a federal immigration policy that protects Americans’ safety and also comports with the law.” Matthew Denn, Delaware Attorney General

The District of Columbia – “We believe this executive order is unconstitutional and unlawful, which is why we are joining in opposing its implementation,” District of Columbia Attorney General Karl A. Racine said. “If implemented, this executive order would cause real and

immediate harm to our residents and our city. As state attorneys general charged with promoting the public interest, we will continue to take any appropriate action to stand in the gap to defend our Constitution and its timeless principles of religious freedom, equal protection of law, and due process.”

Illinois - “Our country was built by immigrants and refugees who came here in search of a better life,” said Illinois Attorney General Lisa Madigan. “Illinois is home to nearly 2 million immigrants who contribute to our state in invaluable ways. I will fight to ensure Illinois remains a safe and welcome home for immigrants and refugees.”

Massachusetts – “No president or administration is more powerful than our laws and our Constitution,” said Massachusetts Attorney General Maura Healey. “As state AGs, it is our job to hold this administration accountable and stand for the interests of our states and our residents. We are united in this effort.”

New Mexico – “New Mexico has welcomed hundreds of students, scholars, doctors, and other lawful visa-holders from countries affected by this unlawful order,” said New Mexico Attorney General Hector Balderas. “It is unfair, unconstitutional, and un-American that these community members and their families are being penalized based solely on their religion and national origin.”

New York – “State Attorneys General are on the front lines of protecting our people from dangerous and hastily-implemented federal policy. I’ve been clear: President Trump’s executive order is unconstitutional, unlawful, and fundamentally un-American – and we won’t stand by while it undermines our states’ families, economies, and institutions,” said New York Attorney General Eric Schneiderman. “From filing our own federal lawsuit last week, to partnering with fellow Attorneys General on this amicus brief today, we will use every tool at our disposal to fight President Trump’s discriminatory order and help ensure the rule of law prevails.”

Oregon - “Here in Oregon, we welcome and honor our immigrants, who add so much to the quality of our lives. We want to be ready to help in any way we can to establish the permanent illegality of the Executive Order,” said Oregon Attorney General Ellen Rosenblum.

Pennsylvania – “This filing is about keeping our communities safe, protecting our economy, and upholding the rule of law” said Pennsylvania Attorney General Josh Shapiro. “Pennsylvania was founded on the promise of liberty and we’re proud to help lead this effort in support of Washington State’s lawsuit.”

Rhode Island - “As a colony, Rhode Island was founded on religious tolerance. We were formed by the visionaries and dissidents who were escaping religious persecution. In our earliest years, we became a haven for people of all faiths and beliefs,” said Rhode Island Attorney General Kilmartin. “President Trump’s Executive Order is in direct conflict with the principles upon which our great state and this great nation was built upon. We cannot allow, our Constitution and our constitutional rights to be trampled on, people to be discarded, or our freedoms to be restricted.”

Virginia - “Even as we pursue our own challenge here in the Commonwealth, we stand with those opposing President Trump’s unconstitutional, unlawful, and un-American immigration ban, whether in courtrooms, at our airports, or at peaceful demonstrations in communities all around the country,” said Virginia Attorney General Mark Herring. “The immigration ban has

already hurt Virginia families, businesses, colleges and universities in ways that will take years to undo, but the first step is getting it struck down in court and that is exactly what we plan to do.”