On 3/13/17, nearly 300 law professors sent a letter to President Trump demanding that he rescind section 9(a) of Executive Order 13768, Enhancing Public Safety in the Interior of the United States, due to its likely violations of the spending clause and Tenth Amendment of the U.S. Constitution.
March 13, 2017

The Honorable Donald J. Trump
The White House
1600 Pennsylvania Ave., NW,
Washington, D.C. 20502

RE: PROPOSED TERMINATION OF FUNDING TO “SANCTUARY” JURISDICTIONS UNDER EO 13768 IS UNCONSTITUTIONAL

Dear Mr. President:

The undersigned 292 constitutional, immigration, administrative law, and international law professors and scholars write to share our legal conclusion that section 9(a) of Executive Order 13768 (“EO 13768”), which directs the federal government to withhold federal funding from states, counties, and cities with “sanctuary” policies, is unconstitutional. Consequently, we strongly urge your Administration to rescind section 9(a) of EO 13768.

There is no single legal definition of “sanctuary cities” or “sanctuary” jurisdictions. The term has been used to tarnish or celebrate (depending on the speaker) laws, ordinances, or policies that states, cities, and counties have opted to disentangle them from federal immigration enforcement. On January 25, 2017, you signed EO 13768, which directs the Attorney General and Secretary of the U.S. Department of Homeland Security (DHS) to designate jurisdictions who willfully do not comply with 8 U.S.C. § 1373 as “sanctuary jurisdictions,” identify the federal grants administered to those jurisdictions, and withhold funds to punish jurisdictions that do not rescind their policies. Based on our legal analysis of EO 13768, 8 U.S.C. § 1373, the U.S. Constitution, and relevant Supreme Court precedent, we conclude that terminating federal funding from these jurisdictions in order to coerce them to rescind their “sanctuary” policies violates the Tenth Amendment, exceeds the federal government’s powers under the Spending Clause, and exceeds the president’s powers under Article II.

I. JURISDICTIONS HAVE INHERENT CONSTITUTIONAL AUTHORITY TO PROMULGATE “SANCTUARY” POLICIES

When states, cities, and counties promulgate “sanctuary” policies, they are exercising their reserved constitutional authority under the Tenth Amendment to promote the health, safety, and welfare of their residents. At their core, “sanctuary” policies are decisions by state and

1 All institutional affiliations are for identification purposes only and do not signify institutional endorsement of this letter.
local governments about state and local priorities, particularly law enforcement priorities. Many of these policies offer the protections of equal treatment, privacy and confidentiality to community members. Some limit affirmatively sharing an individual’s immigration status, release date, or other immigration information except as required by law; others direct local law enforcement to refrain from asking victims and witnesses about immigration status; still others prohibit local authorities from investigating, arresting, or detaining individuals on immigration-related grounds. Importantly, “sanctuary” policies do not prevent federal immigration authorities from entering local jurisdictions and detaining, arresting, or deporting immigrants using federal resources and officers. More than 600 counties limit the use of their resources for the purposes of immigration enforcement and could conceivably be considered as having “sanctuary” policies.4

II. “SANCTUARY” POLICIES DO NOT VIOLATE 8 U.S.C. § 1373

As an initial matter, we believe that 8 U.S.C. § 1373 is unconstitutional as commandeering under the Tenth Amendment,5 a contention at the center of the legal challenge brought by the city of San Francisco.6 However, even if 8 U.S.C. § 1373 is constitutional, “sanctuary” policies do not violate 8 U.S.C. § 1373.7 The plain text of 8 U.S.C. § 1373 covers only information about citizenship or immigration status—not other information—and does not require state and local actors to collect any information regarding immigration status. 8 U.S.C. § 1373 only prohibits restrictions on the sharing of information that is collected.8 Under 8 U.S.C. § 1373, state and local jurisdictions “may not prohibit, or in any way restrict, any government entity or official from sending to” the federal government “information regarding the citizenship or immigration

---


5 See Ilya Somin, Why Trump’s executive order on sanctuary cities is unconstitutional, WASHINGTON POST, Jan. 26, 2017, https://www.washingtonpost.com/news/volokh-conspiracy/wp/2017/01/26/constitutional-problems-with-trumps-executive-order-on-sanctuary-cities/ (“As Scalia put it in the same opinion, federal law violates the Tenth Amendment if it ‘requires [state employees] to provide information that belongs to the State and is available to them only in their official capacity.’ The same is true if, as in the case of Section 1373, the federal government tries to prevent states from controlling their employees’ use of information that ‘is available to them only in their official capacity.’”).

6 Compl. ¶ 75, San Francisco v. Trump (N.D. Cal. 2017) (“Section 1373(a) unconstitutionally regulates ‘States in their sovereign capacity.’ (citing Reno v. Condon, 528 U.S. 141, 151 (2000).”).

7 Unfortunately, the Executive Order has already unconstitutionally coerced at least one jurisdiction. The Mayor and county commission of Miami-Dade recently ordered jails to comply with federal immigration detainers in response to EO 13768. See Alan Gomez, Miami-Dade Commission votes to end county’s ‘sanctuary’ status, Feb. 17, 2017, USA TODAY http://www.usatoday.com/story/news/nation/2017/02/17/miami-dade-county-grapples-sanctuary-city-president-trump-threat/98050976/. Not only does the mayor and commission’s order direct local jails to violate the Fourth Amendment by complying with warrantless detainer requests, but such directive is unnecessary because the Miami-Dade ordinance, like sanctuary policies in general, does not violate 8 U.S.C. § 1373. Moreover, the mayor and county’s decision instead open Miami-Dade to legal liability in light of extensive federal court decisions that warrantless detainers are unconstitutional.

status . . . of an individual” or restrict the “[m]aintaining [of] such information.”

Further, nothing in 8 U.S.C. § 1373 requires jurisdictions to prolong the detention of individuals otherwise entitled to release to comply with an immigration detainer. Thus, “sanctuary” policies that direct local law enforcement agencies to refrain from collecting immigration information or to decline detainers requesting prolonged detention requests do not violate 8 U.S.C. § 1373.

Moreover, to the extent your administration purports to impose additional requirements beyond 8 U.S.C. § 1373 by promulgating EO 13768, such action exceeds the authority granted to the Executive under Article II to “take care that the laws be faithfully executed.”

Importantly, 8 U.S.C. § 1373 cannot, in any event, be the basis for the executive branch to create new conditions on federal grants.

III. THE EXECUTIVE’S ATTEMPTED IMPOSITION OF NEW CONDITIONS ON GRANTS EXCEEDS THE FEDERAL GOVERNMENT’S SPENDING CLAUSE AUTHORITY

Longstanding Supreme Court precedent interpreting Congress’s Spending Clause power mandates that the federal government may not impose conditions on grants to states and localities unless the conditions are “unambiguously” stated “so that the States can knowingly decide whether or not to accept those funds.”

Few if any federal grants to “sanctuary” cities are explicitly conditioned on compliance with 8 U.S.C. § 1373. Any such conditions must be approved by Congress and can only be applied prospectively on new grants, not retroactively to grants that have already been disbursed. The executive cannot simply make up new conditions on its own and impose them on state and local governments.

Moreover, any spending conditions must be germane to the “federal interest in [the] particular [project or program].” EO 13768’s attempt to reach funding streams unrelated to immigration enforcement would violate that requirement. Finally, the federal government may not use its Spending Clause power to induce state and local government action that is itself unconstitutional. Any attempt to induce states and localities to violate constitutional rights—for example, by unlawfully holding individuals on immigration detainers—would be an “illegitimate exercise of the [Spending Clause] . . . power.”

These limits on the federal government’s spending clause powers are not mere technicalities. If the President could make up new conditions on federal grants without specific, advance

10 See id.
11 U.S. CONST. art. II. (“he shall take Care that the Laws be faithfully executed”).
14 id. at 210.
15 id. at 210-11.
congressional authorization, impose them on funding streams wholly unrelated to immigration enforcement, and induce local actors to engage in actions that are themselves unconstitutional, it would create chaos in our constitutional system. Such an executive power-grab would also usurp Congress’s legislative powers. It is Congress, not the president, which has the constitutional authority to attach conditions to federal grants.  

IV. WITHHOLDING FEDERAL FUNDING TO “SANCTUARY” JURISDICTIONS IS UNCONSTITUTIONAL UNDER TENTH AMENDMENT

Nor can the executive branch use the threat of withholding federal funding to coerce states and localities to rescind “sanctuary” policies. EO 13768 directs the Office of Management and Budget to catalogue “all Federal grant money that is currently received by any ‘sanctuary’ jurisdiction.” Among others, the federal government administers a variety of law-enforcement grants to state and local jurisdictions under U.S. Department of Justice (DOJ) programs, including through Edward Byrne Memorial Justice Assistance Grants, State Criminal Alien Assistance Program, and Office of Community Oriented Policing Services. These grants are critical in the funding of public safety, crime victim and witness initiatives, and drug treatment and enforcement. The executive branch cannot, consistent with the Tenth Amendment, threaten to cut off these law-enforcement grants, much less the myriad other federal grants that states and cities receive, in order to coerce “sanctuary” jurisdictions to comply with EO 13768’s directives.

Critically, the Tenth Amendment prohibits the federal government from “commandeering” state and local government by simply forcing them to enforce federal law. In a case involving federal commands to state and local law enforcement, the Supreme Court held in Printz v. United States that the “Federal Government may not compel the States to enact or administer a federal regulatory program.” The federal government can no more command a “sanctuary” jurisdiction to implement the executive’s deportation policy than it can command a state legislature to enact a statute or a state executive official to conduct background checks on gun purchasers. Forcing counties and cities to allocate local resources, including police officers, technology, and personnel, to enforce federal immigration law by detaining immigrants, to collect and share immigration information, or otherwise participate in immigration enforcement runs afoul of the Supreme Court’s clear prohibition on commandeering. Consequently, neither Congress nor your Administration can force “sanctuary” jurisdictions to

16 U.S. CONST. art. II. ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States . . .").
19 Id. at 898-900.
enforce federal immigration law by directing them to rescind their “sanctuary” policies.

Importantly, there is no exception to the Tenth Amendment that allows federal statutes and regulations to mandate the disclosure of private information about residents gathered by sanctuary jurisdictions in their sovereign capacity. In *Reno v. Condon* the Supreme Court found that requiring information sharing is permissible under the Tenth Amendment only when it “does not require [states] to enact any laws or regulations, and it *does not require state officials to assist in the enforcement of federal statutes regulating private individuals.*” Here, the stated goal of EO 13768 is to “employ all lawful means to *enforce* the immigration laws of the United States” and obtaining the immigration status of individuals is an obvious effort to enforce federal immigration law.

The federal government may, of course, “induce” state and local actors to cooperate with federal policymakers by “offer[ing] funds to the States, and . . . condition[ing] those offers on compliance with specified conditions.” The use of federal funds to “induce” jurisdictions, however, is not absolute. In 2012, the Supreme Court held that when the federal government “threatens to terminate other significant independent grants as a means of pressuring the States to accept” a federal policy, that threat can become coercive, and therefore, unconstitutional. In *NFIB*, the Court concluded that directing a cabinet Secretary, in that case the Secretary of Health and Human Services, to penalize States that did not participate in the Medicaid expansion by stripping their existing Medicaid funding, “threatened loss of over 10 percent” of the State’s budget and constituted “economic dragooning.” States had, in the words of the Court, “no real option but to acquiesce in the Medicaid expansion.” Moreover, the new federal policy accomplished a “shift in kind, not merely degree,” in the terms of the grant, one that states “could hardly anticipate.”

Here, the federal government provides a variety of grants and funding streams, virtually none of which, as previously stated, require jurisdictions to engage in enforcement of federal immigration law. Directing DOJ to withhold this funding unconstitutionally alters the bargain

---

25 *Id.* at 2566.
26 *Id.* at 2566-67.
27 *Id.* at 2574.
28 *Id.*
29 *Id.*
the states and cities agreed to by imposing additional, burdensome—and previously unannounced—requirements that amount to coercion.

Moreover, the scope of the grants and their intersection in a variety of different state and local programs leave jurisdictions “with no real option but to acquiesce.”30 Santa Clara (CA),31 San Francisco (CA), Chicago (IL), Providence (RI), Denver (CO), New York City (NY) would all lose approximately 10% or more of their budgets if federal funds were withheld, similar to the amount judged to be an unconstitutional coercion in NFIB.32 Certain jurisdictions would lose even more, with Washington, D.C. losing upwards of 25% of its budget, substantially more than the 10% loss contemplated in NFIB.33

For all of the reasons above, we strongly urge your Administration to rescind section 9(a) of EO 13768. Thank you for considering the above legal analysis. If you have any questions regarding this letter, please do not hesitate to contact Jose Magaña-Salgado of the Immigrant Legal Resource Center at 202-777-8999 or imagana@ilrc.org.

Sincerely,

Annie Lai
Assistant Clinical Professor of Law
UC Irvine School of Law

Bill Ong Hing
Professor
University of San Francisco School of Law

Christopher N. Lasch
Associate Professor
University of Denver Sturm College of Law

Dale Carpenter
Judge William Hawley Atwell Chair of Constitutional Law
SMU Dedman School of Law

30 Id.
31 Compl. ¶ 108, Santa Clara v. Trump, (N.D. Cal. 2017) (“As set forth above, [Santa Clara] County receives approximately $1 billion in federal funding per year, which amounts to more than 15% of its total budget.”).
33 Id. (“The threatened loss of over 10 percent of a State’s overall budget, in contrast, is economic dragooning that leaves the States with no real option but to acquiesce in the Medicaid expansion.”).
Erwin Chemerinsky  
Distinguished Professor of Law  
University of California, Irvine School of Law

Ilya Somin  
Professor of Law  
George Mason University

Seth Davis  
Assistant Professor of Law  
University of California, Irvine School of Law

Shoba Sivaprasad Wadhia  
Samuel Weiss Faculty Scholar and Clinical Professor of Law  
Penn State Law at University Park

A. Naomi Paik  
Assistant Professor  
University of Illinois, Urbana-Champaign

Adam S. Zimmerman  
Professor of Law  
Loyola Law School, Los Angeles

Alan Hyde  
Distinguished Professor  
Rutgers University

Alexa Koenig  
JD, PhD, Lecturer and Executive Director, Human Rights Center  
UC Berkeley School of Law

Alina Das  
Associate Professor of Clinical Law  
New York University School of Law

Allyson Gold  
Rodin Visiting Clinical Professor of Law  
Loyola University Chicago School of Law

Amna Akbar  
Assistant Professor  
The Ohio State University, Moritz College of Law
Ana Pottratz Acosta
Assistant Teaching Professor
Mitchell Hamline School of Law

Andrea Parra
Practitioner-in-Residence, Immigrant Justice Clinic
American University - Washington College of Law

Andrea Ramos
Clinical Professor of Law
Southwestern Law School Immigration Law Clinic

Andrew Moore
Associate Professor of Law
University of Detroit Mercy School of Law

Andrew T. Kim
Associate Professor
Syracuse University College of Law

Anil Kalhan
Associate Professor of Law
Drexel University Kline School of Law

Anita Maddali
Associate Professor of Law & Director of Clinics
Northern Illinois University College of Law

Anju Gupta
Associate Professor of Law & Director of the Immigrant Rights Clinic
Rutgers Law School

Anna Cabot
Davis Clinical Teaching Fellow
University of Connecticut

Anna Welch
Clinical Professor
University of Maine School of Law

Anthony Paul Farley
James Campbell Matthews Distinguished Professor of Jurisprudence
Albany Law School
Anthony Thompson  
Professor of Clinical Law  
New York University School of Law

Arthur S. Leonard  
Professor of Law  
New York Law School

Ayodele Gansallo  
Adjunct Lecturer in Law  
University of Pennsylvania Law School, Transnational Legal Clinic

Barbara A Schwartz  
Emeritus Clinical Professor  
University of Iowa College of Law

Barbara Hines  
Clinical Professor of Law (retired)  
University of Texas School of Law

Benjamin G. Davis  
Professor of Law  
University of Toledo College of Law

Beryl Blaustone  
Professor of Law  
CUNY School of Law

Beth Lyon  
Clinical Professor of Law  
Cornell Law School

Bram T.B. Elias  
Clinical Associate Professor  
University of Iowa College of Law

Britton Schwartz  
Clinical Fellow  
UC Berkeley School of Law
C. Mario Russell
Director, Immigrant and Refugee Services, Catholic Charities, NY
St. John's University School of Law

Caroline Mala Corbin
Professor of Law
University of Miami School of Law

Carolyn Patty Blum
Interim Faculty Director, Human Rights and Atrocity Prevention Clinic
Cardozo Law School

Catherine Y. Kim
Associate Professor of Law
University of North Carolina School of Law

Cedric Merlin Powell
Professor of Law
University of Louisville Brandeis School of Law

César Cuauhtémoc García Hernández
Assistant Professor of Law
University of Denver

Christian Sundquist
Professor of Law
Albany Law School

Christopher J. Roederer
Professor of Law
Florida Coastal School of Law

Claire R. Thomas
Adjunct Professor of Law
New York Law School

Craig B. Futterman
Clinical Professor of Law
University of Chicago Law School

D. Bruce La Pierre
Professor
Washington University Law School
Dan Smulian  
Associate Professor of Clinical Law  
Brooklyn Law School  

Dania Lopez Beltran  
Clinical Supervisor  
East Bay Community Law Center, Clinic of Berkeley Law  

Daniel Kanstroom  
Professor of Law  
Boston College  

Daniel M. Kowalski  
Attorney / Editor  
Bender's Immigration Bulletin (LexisNexis)  

David B. Thronson  
Professor of Law and Associate Dean for Experiential Education  
Michigan State University College of Law  

David Baluarte  
Associate Clinical Professor of Law  
Washington & Lee University  

David M. Driesen  
University Professor  
Syracuse University College of Law  

David S. Cohen  
Professor of Law  
Drexel University Thomas R. Kline School of Law  

Debora M. Ortega  
Professor  
University of Denver  

Deborah M. Weissman  
Reef C. Ivey II Distinguished Professor of Law  
University of North Carolina School of Law  

Deborah S. Gonzalez, Esq.  
Director of the Immigration Clinic and Associate Clinical Professor  
Roger Williams University School of Law
Denise Gilman  
Clinical Professor of Law  
University of Texas Law School Immigration Clinic

Diana Kearney  
Lecturer  
Cardozo Law School

Diane Uchimiya  
Professor  
Justice and Immigration Clinic, University of La Verne College of Law

Dina Francesca Haynes  
Professor of Law, Director Human Rights and Immigration Law Project  
New England Law|Boston

Doron M. Kalir  
Clinical Professor of Law  
Cleveland-Marshall College of Law - Cleveland State University

Douglas L. Colbert  
Professor  
Maryland King Carey School of Law

Dr. Neil H. Cogan  
Professor and Former Dean  
Whittier College School of Law

Dree K. Collopy  
Lecturer  
The Catholic University of America Columbus School of Law

Ediberto Roman  
Professor of Law  
Florida International University

Eduardo R.C. Capulong  
Professor of Law  
University of Montana Alexander Blewett III School of Law

Elena L. Cohen  
Adjunct Associate Professor  
John Jay College of Criminal Justice
Elisabeth Wickeri  
Adjunct Professor; Executive Director, Leitner Center for International Law and Justice  
Fordham Law School  

Elise C. Boddie  
Professor of Law, Henry Rutgers University Professor  
Rutgers Law School  

Elissa Steglich  
Clinical Professor  
University of Texas School of Law, Immigration Clinic  

Elizabeth B. Cooper  
Associate Professor  
Fordham University School of Law  

Elizabeth Keyes  
Assistant Professor, Director of the Immigrant Rights Clinic  
University of Baltimore School of Law  

Elizabeth M. Iglesias  
Professor of Law  
University of Miami School of Law  

Elizabeth McCormick  
Associate Clinical Professor of Law  
The University of Tulsa College of Law  

Elizabeth Thornburg  
Richard R. Lee Endowed Professor of Law  
SMU Dedman School of Law  

Elora Mukherjee  
Associate Clinical Professor of Law  
Columbia Law School  

Elvia R. Arriola  
Professor Emerita  
Northern Illinois University
Emily Benfer
Clinical Professor of Law
Loyola University Chicago School of Law

Emily L Robinson
Co-Director
Loyola Immigrant Justice Clinic, Loyola Law School Los Angeles

Enid Trucios-Haynes
Professor of Law
Louis D. Brandeis School of Law

Eric Blumenson
Research professor of Law
Suffolk University Law School

Erica Schommer
Clinical Assistant Professor of Law
St. Mary's University School of Law

Ericka Curran
Professor of Clinical Skills
Florida Coastal School of Law

Erin Jacobsen
Assistant Professor/Supervising Attorney
Vermont Law School

Estelle McKee
Clinical Professor
Cornell Law School

Farrin Anello
Visiting Assistant Clinical Professor
Seton Hall University School of Law Center for Social Justice

Francine J. Lipman
William S. Boyd Professor of Law
University of Nevada, Las Vegas

Francisco J. Rivera Juaristi
Director
Santa Clara University - International Human Rights Clinic
Frank E Deale  
Professor of Law  
CUNY Law School

Gabor Rona  
Visiting Professor of Law  
Cardozo Law School

Gabriel J. Chin  
Edward L. Barrett Jr. Chair & Martin Luther King Jr. Professor of Law  
UC Davis School of Law

Galya Ben-Arieh  
Director, Center for Forced Migration Studies  
Northwestern University

Gemma Solimene  
Clinical Associate Professor of Law  
Fordham University School of Law

**Geoffrey A. Hoffman**  
Director-UHLC Immigration Clinic  
University of Houston Law Center

Geoffrey Heeren  
Associate Professor  
Valparaiso University Law School

George Bach  
Visiting Professor  
University of New Mexico School of Law

Gerald Frug  
Professor of Law  
Harvard University

Gilbert Paul Carrasco  
Professor of Law  
Willamette University

H. Allen Blair  
Robins Kaplan Distinguished Professor of Law  
Mitchell Hamline School of Law
Jacqueline Pearce  
Clinical Teaching Fellow  
Immigration Justice Clinic, Cardozo School of Law

Jamal Greene  
Dwight Professor of Law  
Columbia Law School

James Gray Pope  
Professor of Law  
Rutgers Law School

Janet M. Calvo  
Professor  
CUNY School of Law

Jason Parkin  
Visiting Associate Clinical Professor of Law  
Columbia Law School

Jaya Ramji-Nogales  
I. Herman Stern Professor of Law  
Temple Law School

Jayashri Srikantiah  
Professor of Law & Director, Immigrants' Rights Clinic  
Stanford Law School  
Jean Stefancic  
Professor & Clement Research Affiliate  
University of Alabama School of Law

Jeffrey D. Kahn  
Professor of Law  
SMU Dedman School of Law

Jeffrey M. Gaba  
Professor  
SMU Dedman School of Law

Jeffrey Selbin  
Clinical Professor of Law  
UC Berkeley School of Law
Jennifer A. Gundlach
Clinical Professor of Law
Maurice A. Deane School of Law, Hofstra University

Jennifer Gordon
Professor of Law
Fordham University School of Law

Jennifer J. Lee
Clinical Assistant Professor of Law
Temple University Beasley School of Law

Jennifer Kowski-Dahlberg
Adjunct
Mitchell Hamline School of Law

Jennifer Lee Koh
Professor of Law and Director, Immigration Clinic
Western State College of Law

Jennifer M. Chacon
Professor of Law
U.C. Irvine School of Law

Jennifer Moore
Professor of Law
University of New Mexico School of Law

Jessica Emerson
Director, Human Trafficking Prevention Project
The University of Baltimore School of Law

Joanna L. Grossman
Ellen K. Solender Endowed Chair in Women and the Law
SMU Dedman School of Law

JoAnne Sweeny
Associate Professor
University of Louisville, Louis D. Brandeis School of Law

Johanna K.P. Dennis
Visiting Professor
Northeastern University School of Law
John A. Scanlan
Professor Emeritus
Maurer School of Law, Indiana University, Bloomington, IN

John R.B. Palmer
Marie Curie Research Fellow
Universitat Pompeu Fabra, Barcelona, Spain

John Willshire Carrera
Lecturer on Law - Harvard Immigration and Refugee Clinic/GBLS
Harvard Law School

Jonathan Kahn
James E. Kelley Professor of Law
Mitchell Hamline School of Law

Jorge R. Roig
Associate Professor of Law
Charleston School of Law

José Roberto Juárez, Jr.
Professor of Law
University of Denver Sturm College of Law

Joseph D. Harbaugh
Professor Emeritus and Dean Emeritus
Nova Southeastern College of Law

Julie Dahlstrom
Clinical Instructor
Boston University School of Law

Julie Greenwald Marzouk
Assistant Clinical Professor
Chapman University Fowler School of Law

Julie K. Waterstone
Associate Dean for Experiential Learning
Southwestern Law School
Juliet P. Stumpf  
Robert E. Jones Professor of Advocacy and Ethics  
Lewis & Clark Law School

Jyoti Nanda  
Binder Clinical Teaching Fellow  
UCLA School of Law

Kaci Bishop  
Clinical Associate Professor of Law  
University of North Carolina School of Law

Karen Brown  
Professor of Law  
George Washington University Law School

Karen Musalo  
Professor  
U.C. Hastings, College of the Law

Karen Pita Loor  
Associate Clinical Professor of Law  
Boston University Law School

Kate Aschenbrenner Rodriguez  
Associate Professor, Immigration Clinic  
Barry University Dwayne O. Andreas School of Law

Kate Evans  
Associate Professor of Law  
University of Idaho College of Law

Kate Griffith  
Associate Professor  
Cornell ILR School

Katherine Kaufka Walts  
Director, Center for the Human Rights of Children  
Loyola University Chicago

Kathleen Kim  
Professor of Law  
Loyola Law School Los Angeles
Kathryn Abrams  
Herma Hill Kay Distinguished Professor of Law  
UC-Berkeley School of Law

Katie Eyer  
Associate Professor  
Rutgers Law School

Ken Port  
Professor of Law  
Mitchell Hamline School of Law

Kent Greenfield  
Professor of Law and Law School Fund Distinguished Scholar  
Boston College Law School

Kevin Lapp  
Associate Professor of Law  
Loyola Law School, Los Angeles

Kim D. Chanbonpin  
Professor  
The John Marshall Law School

Kim Taylor-Thompson  
Professor of Clinical Law  
New York University School of Law

Krista Kshatriya  
Lecturer  
UC San Diego

Kristina M. Campbell  
Professor of Law  
University of the District of Columbia David A. Clarke School of Law

L. Song Richardson  
Senior Associate Dean for Academic Affairs and Professor of Law  
UC Irvine School of Law

Laila L. Hlass  
Professor of Practice  
Tulane University Law School
Laura A. Hernandez  
Professor of Law  
Baylor Law School

Laura Oren  
Professor Emerita  
University of Houston Law Center

Laura Rovner  
Professor of Law  
University of Denver College of Law

Laurel E. Fletcher  
Clinical Professor of Law  
UC Berkeley School of Law

Lauren Edelman  
Agnes Roddy Robb Professor of Law and Professor of Sociology  
University of California, Berkeley

Lauren Gilbert  
Professor of Law  
St. Thomas University School of Law

Lauren R. Aronson  
Assistant Professor of Professional Practice  
Louisiana State University Law Center

Laurence H. Tribe  
Carl M. Loeb University Professor and Professor of Constitutional Law  
Harvard Law School

Lenni B. Benson  
Professor of Law  
New York Law School

Leti Volpp  
Robert D. and Leslie Kay Raven Professor of Law  
UC Berkeley School of Law

Linda Bosniak  
Distinguished Professor  
Rutgers University Law School
Lindsay M. Harris
Assistant Professor of Law
UDC David A. Clarke School of Law

Lindsay Nash
Visiting Assistant Clinical Professor of Law
Immigration Justice Clinic, Cardozo School of Law

Linus Chan
Director Detainee Rights Clinic
University of Minnesota Law School

Loftus E. Becker, Jr.
Professor of Law
University of Connecticut School of Law

Lynn Marcus
Professor of the Practice
University of Arizona Rogers College of Law

M Isabel Medina
Professor of Law
Loyola University New Orleans College of Law

Madeline Y. Hsu
Professor, History/Asian American Studies
UT Austin

Margaret B. Kwoka
Associate Professor
University of Denver Sturm College of Law

Margaret H. Taylor
Professor of Law
Wake Forest University School of Law

Margaret M. deGuzman
Associate Professor
Temple University Beasley School of Law

Margaret M. Flint
Professor
Elisabeth Haub School of Law
Margaret Montoya
Professor Emerita of Law
University of New Mexico

Maria M. Pabon
Professor
Loyola University New Orleans College of Law

Maria Woltjen
Executive Director, Young Center
Young Center at University of Chicago Law School

Marie A. Failinger
Professor of Law
Mitchell Hamline School of Law

Marisa S. Cianciarulo
Professor of Law
Chapman University

Marjorie Cohn
Professor Emerita of Law
Thomas Jefferson School of Law

Mark E. Wojcik
Professor of Law
The John Marshall Law School

Mary A. Lynch
Kate Stoneman Professor of Law
Albany Law School

Mary Holper
Associate Clinical Professor
Boston College Law School

Mary Pat Treuthart
Professor
Gonzaga University School of Law

Matthew H. Charity
Professor of Law
Western New England University School of Law
Matthew I. Hirsch  
Adjunct Professor, Immigration and Nationality Law  
Delaware Law School of Widener University  

Maureen A. Sweeney  
Law School Associate Professor  
University of Maryland Carey School of Law  

Maya Manian  
Professor  
University of San Francisco School of Law  

Michael A. Olivas  
William B. Bates Distinguished Chair  
University of Houston Law Center  

Michael C. Dorf  
Robert S. Stevens Professor of Law  
Cornell University Law School  

Michael Greenberger  
Law School Professor  
University of Maryland Carey School of Law  

Michael J. Wishnie  
William O. Douglas Clinical Professor of Law  
Yale Law School  
Michael Kagan  
Professor  
University of Nevada, Las Vegas  

Michael Pappas  
Associate Professor of Law  
University of Maryland Carey School of Law  

Michael Rooke-Ley  
Emeritus Professor of Constitutional Law  
Nova Southeastern University College of Law  

Michelle Mckinley  
Bernard B. Kliks Associate Professor of Law  
University of Oregon School of Law  
Mike Steenson
Bell Distinguished Professor of Law
Mitchell Hamline School of Law

Ming H. Chen
Associate Professor
University of Colorado Law School

Miriam H Marton
Director, Tulsa Immigrant Resource Network
University of Tulsa College of Law

Muneer Ahmad
Clinical Professor of Law
Yale Law School

Nancy Kelly
Lecturer on Law - Harvard Immigration and Refugee Clinic/GBLS
Harvard Law School

Nancy Morawetz
Professor of Clinical Law
NYU School of Law

Natalie Nanasi
Assistant Professor
SMU Dedman School of Law

Nathan Cortez
Callejo Endowed Professor of Law
SMU Dedman School of Law

Neil Gotanda
Professor
Western State College of Law

Nicole Hallett
Assistant Clinical Professor of Law
University at Buffalo School of Law

Paul Lufkin
Adjunct Professor of Law
San Francisco Law School; John F. Kennedy College of Law
Paula Galowitz
Clinical Professor of Law Emerita
New York University School of Law

Paula J. Duthoy
Adjunct Professor
Mitchell Hamline School of Law

Peter Halewood
Professor of Law
Albany Law School

Peter L. Markowitz
Professor of Law
Cardozo School of Law

Peter M. Shane
Jacob E. Davis & Jacob E. Davis II Chair in Law
Ohio State University Moritz College of Law

Philip A. Eichorn
Adjunct Professor
Cleveland–Marshall College of Law

Philip L. Torrey
Lecturer on Law
Harvard Law School

Pratheepan Gulasekaram
Professor of Law
Santa Clara University School of Law

Prerna Lal
Clinical Supervisor
East Bay Community Law Center, Clinic of Berkeley Law

Arlene S. Kanter
Professor of Law
Syracuse University

Mariela Olivares
Professor
Howard University School of Law
Rachel E. Rosenbloom  
Professor of Law  
Northeastern University School of Law  

Rachel Settlage  
Assistant Professor  
Wayne State Law School  

Ragini Shah  
Clinical Professor of Law  
Suffolk University Law School  

Raquel Aldana  
Professor of Law  
McGeorge School of Law  

Rebecca Sharpless  
Clinical Professor  
University of Miami School of Law  

Regina Jefferies  
Clinical Teaching Fellow  
University of Minnesota Law School  

Rena Steinzor  
Edward M. Robertson Professor of Law  
University of Maryland Carey Law School  

Richard A. Boswell  
Professor of Law  
University of California, Hastings College of Law  

Richard A. Wilson  
Professor  
University of Connecticut School of Law  

Richard Delgado  
John J. Sparkman Chair of Law  
University of Alabama School of Law  

Richard H. Frankel  
Associate Professor  
Drexel University Thomas R. Kline School of Law
Richard Zitrin  
Lecturer in Law  
Univ. of California, Hastings

Rick Su  
Professor of Law  
University at Buffalo School of Law

Roberto L. Corrada  
Professor & Mulligan Burleson Chair in Modern Learning  
University of Denver Sturm College of Law

Ron Beal  
Professor  
Baylor Law School

Rose Cuison-Villazor  
Professor of Law  
UC Davis School of Law

Rubén G. Rumbaut  
Distinguished Professor  
University of California, Irvine

Ruben Garcia  
Professor of Law  
University of Nevada, Las Vegas

Ruqaiijah Yearby  
Professor of Law  
Case Western Reserve University School of Law

Sabrineh Ardalan  
Lecturer on Law  
Harvard Law School

Sally B Frank  
Professor of Law  
Drake University

Sam Myers  
Adjunct Professor of Law  
University of Minnesota School of Law
Sarah Rogerson
Associate Professor of Law; Director, Immigration Law Clinic
Albany Law School

Sarah Sherman-Stokes
Clinical Instructor
Boston University School of Law

Scott Cummings
Robert Henigson Professor of Legal Ethics
UCLA School of Law

Scott Michelman
Adjunct Professor
American University Washington College of Law

Shana Tabak
Visiting Assistant Professor
Georgia State University

Sheila I. Velez Martinez
Jack and Lovell Olender Professor of Asylum Refugee and Immigration Law
University of Pittsburgh School of Law

Snehal Shingavi
Associate Professor, English
University of Texas at Austin

Stacy Caplow
Professor of Law
Brooklyn Law School

Stella Burch Elias
Associate Professor
University of Iowa College of Law

Stephen Cody
Visiting Assistant Professor
University of the Pacific, McGeorge School of Law
Stephen Legomsky  
John S. Lehmann University Professor Emeritus  
Washington University School of Law  

Stephen Yale-Loehr  
Professor of Immigration Law Practice  
Cornell Law School  

Steven W. Bender  
Professor and Associate Dean of Research and Faculty Development  
Seattle University School of Law  

Stewart L. Chang  
Associate Professor of Law and Director of the Center for International and Comparative Law  
Whittier Law School  

Sudha Setty  
Professor of Law  
Western New England University School of Law  

Sunita Patel  
Practitioner in Residence  
American University Washington College of Law  

Susan Bryant  
Professor  
CUNY School of Law  

Susan Coutin  
Professor  
UC Irvine  

Susan D. Bennett  
Professor  
American University Washington College of Law  

Susan I. Nelson  
Adjunct Professor  
Baylor University School of Law  

Susan R. Gzesh  
Senior Lecturer & Executive Director, Pozen Center for Human Rights, University of Chicago  
University of Chicago  

AILA Doc. No. 17032031. (Posted 3/20/17)
Susan V. Hazeldean
Assistant Professor of Law
Brooklyn Law School

Theo L. Cuisson
Staff Attorney and Clinical Supervisor
East Bay Community Law Center - Immigration Unit

Theo Liebmann
Clinical Professor of Law
Hofstra Law School

Thomas J. Davis, PhD, JD
Professor
Arizona State Univ., Tempe

Tom I Romero II
Associate Professor of Law and Affiliated Faculty of History
University of Denver

Tomar Pierson-Brown Clinical Assistant
Professor of Law
University of Pittsburgh School of Law

Ulysses Jaen
Director & Asst. Prof.
Ave Maria School of Law

Verna L. Williams
Judge Joseph P. Kineary Professor of Law and Co-Director, Center for Race, Gender, and Social Justice
University of Cincinnati College of Law

Veronica T. Thronson
Clinical Professor of Law
Michigan State University College of Law Immigration Law Clinic

Victor Romero
Maureen B. Cavanaugh Distinguished Faculty Scholar, Professor of Law & Associate Dean of Academic Affairs
Penn State Law at University Park
Victoria Neilson  
Adjunct Professor  
CUNY  

Vinay Harpalani  
Associate Professor of Law  
Savannah Law School  

Violeta R. Chapin  
Clinical Professor of Law  
University of Colorado Law School  

William J. Bridge  
Associate Professor of Law  
Southern Methodist University Dedman School of Law  

William Quigley  
Professor  
Loyola University New Orleans College of Law  

Yolanda Vazquez  
Associate Professor of Law  
University of Cincinnati College of Law  

Zhulmira Paredes  
Adjunct Professor  
John Marshall Law School