

Border Wall Waiver: Environmental Organizations U.S. Court of Appeals 9th Circuit Appeal



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A number of environmental organizations filed a Notice of Appeal before the United States Court of Appeals for the 9th Circuit Challenging the United States Department of Homeland Security Secretary's August 2, 2017, Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to waive requirements under the National environmental Policy Act, endangered Species Act, and other laws.

The appeal was filed by the following organizations:

- Defenders of Wildlife
- Sierra Club
- Animal Legal Defense Fund

The organizations argue that waiving such requirements was ultra vires to the Secretary's authority under those laws.

The organizations had previously challenged in the United States District Court for the Southern District of California the impacts of waiving such statutory requirements would have on wildlife and lands in San Diego and Imperial Valley, California.

[A copy of the Notice of Appeal can be downloaded here.](#)