

Oral Argument Nov. 3, 2021 Decided Oct. 4, 2022

No. 21-5028

United States Court of Appeals

for the

District of Columbia Circuit

Washington Alliance of Technology Workers,

*Appellant,**v.*United States Department of Homeland Security, *et al.*,*Appellees.*

On appeal from an order entered in the
United States District Court for the District of Columbia
No. 1:16-cv-01170-RBW
The Hon. Reggie Walton

Petition for Rehearing *En Banc*

On the Brief:

JOHN M. MIANO

CHRISTOPHER J. HAJEC

November 15, 2022

IMMIGRATION REFORM LAW INSTITUTE

Attorneys for the Appellant

25 Massachusetts Ave. N.W.

Suite 335

Washington D.C. 20001

(202) 232-5590

CORPORATE DISCLOSURE STATEMENT

Petitioner-Appellant Washington Alliance of Technology Workers, Local 37083 of the Communication Workers of America, the AFL-CIO has no shareholders.

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Parties and Amici Curiae

The following are all the parties and *amici curiae* that appeared before the District Court:

1. Petitioner-Appellant is Washington Alliance of Technology Workers, Local 37083 of the Communications Workers of America, AFL-CIO.
2. Appellees are the U.S. Department of Homeland Security; Secretary of Homeland Security; U.S. Immigration and Customs Enforcement; Director of U.S. Immigration and Customs Enforcement, U.S. Citizenship and Immigration Services; Director of U.S. Citizenship and Immigration Services
3. Intervenor-Appellees are National Association of Manufacturers, Chamber of Commerce of the United States of America, and Information Technology Industry Council
4. Parties appearing as *amici curiae* are Landmark Legal Foundation, Center for Immigration Studies, Congressman Paul Gosar, Congressman Louie Gohmert, Congressman Mo Brooks, Congressman Madison Cawthorn, Congressman Joe Kent, Programmer's Guild, American Engineering Association, U.S. Tech Workers, Niskanen Center, FWD.us, Advanced Micro Devices, Inc, Airbnb, Inc., Apple, Inc., Argo AI, LLC, Asana, Inc., Bates White LLC, Betterment Holdings, LLC, Bloomberg LP, Boundless, Box, Inc., BSA | The Software Alliance, Business

Roundtable, Carbon Health, Cisco, College and University Professional Association for Human Resources, Compete America, Cummins Inc., The Dow Chemical Company, Dropbox, Enanta Pharmaceuticals, Engine Advocacy, Ernst & Young LLP, Facebook, Garmin International, GitHub, Inc., Google LLC, Hewlett Packard Enterprise, HP Inc., Illinois Science & Technology Coalition, Intel Corporation, LinkedIn Corporation, Micron, Microsoft, National Immigration Forum, National Venture Capital Association, Netflix, Ooma, Inc., Partnership for a New American Economy Research Fund, PayPal, RealNetworks, Inc., RingCentral, Inc., salesforce.com, inc., SAP, Semiconductor Industry Association, Schweitzer Engineering Laboratories, Inc., Society for Human Resource Management, Sourcegraph, Square, Inc., State Business Executives, TechNet, TechNexus, Tendo Technologies, Texas Instruments, The Guestbook, Transformative AI Inc., Unshackled Ventures, Waymo LLC, Zillow Group, American Immigration Council, American Immigration Lawyers Association, Agnes Scott College, American University, Amherst College, Arizona State University, Augustana College, Avila University, Babson College, Bard College, Bates College, Beloit College, Bentley University, Boston Architectural College, Boston Graduate School of Psychoanalysis, Boston University, Bowdoin College, Brandeis University, Brooklyn Law School, Brown University, Bryn Mawr College, Bucknell University, Butler University, California Institute of Technology, California Institute of the Arts, California State University, Carnegie Mellon University, Case Western Reserve University, Christian Brothers University, Claremont Graduate University, Clark University, Colby College, Colorado State University System, Colorado State University, Colorado State University Pueblo, Colorado State University Global, Columbia College, Converse College, Cornell University, Dartmouth College, DePaul

University, DePauw University, Dominican University, Duke University, Eastern Connecticut State University, Eastern Michigan University, Elon University, Emory University, Fairleigh Dickinson University, Franklin & Marshall College, Georgetown University, Goucher College, Greenfield Community College, Grinnell College, Hamilton College, Harvard University, Haverford College, Hofstra University, Hollins University, Illinois Institute of Technology, Ithaca College, Knox College, Lafayette College, Loyola University Chicago, Manhattanville College, Massachusetts Institute of Technology, Metropolitan State University of Denver, Mount Holyoke College, New Jersey City University, New Jersey Institute of Technology, New York University, Northampton Community College, Northeastern University, Northern Illinois University, Oakland University, Oberlin College, Oregon State University, Pace University, Palo Alto University, Pomona College, Portland State University, Princeton University, Queens University of Charlotte, Reed College, Relay GSE, Rhode Island School of Design, Rhodes College, Rice University, Ringling College of Art and Design, Rochester Institute of Technology, Roosevelt University, Rutgers University-Newark, Salt Lake Community College, Salve Regina University, Santa Clara University, Sarah Lawrence College, Saybrook University, Scripps College, Smith College, Soka University of America, Southern New Hampshire University, St. John's University, St. Olaf College, Stanford University, Stevens Institute of Technology, Stony Brook University, Suffolk University, Swarthmore College, Texas State University System, Texas Tech University System, The New School, The President & Fellows of Middlebury College, The Trustees of Columbia University in the City of New York, The University of Houston System, The University of Texas System, Toyota Technological Institute at Chicago, Trinity University, Trinity

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.