



**For Immediate Release**  
**Friday, May 3, 2019**

**LDF Media**  
212-965-2200 / [media@naacpldf.org](mailto:media@naacpldf.org)

## **LDF Submits Amicus Brief in Support of Challenge to President Trump's National Emergency Declaration**

When President Trump declared a national emergency to secure funding for a wall along the southern border in February, the NAACP Legal Defense and Educational Fund, Inc. (LDF) [committed](#) to working with our partners in the civil rights community to combat his authoritarian decree. Late yesterday, LDF filed an [amicus brief](#) in *Sierra Club v. Trump* in support of the American Civil Liberties Union's challenge to President Trump's use of emergency powers to evade congressional funding restrictions.

LDF's brief focuses on two main arguments in opposing the President's unilateral action. First, the brief asserts that the courts must reject any invocation of executive authority that would allow the President to circumvent the will of Congress on a matter within Congress's authority. Second, LDF contends that allowing the President to evade the separation of powers in this way would fundamentally undermine the country's constitutional structure and leave minority groups particularly vulnerable to the abuse of government power.

"Our Constitution divides powers among three co-equal branches of government to protect against tyranny," said [Sam Spital](#), Litigation Director at LDF. "Allowing the President to sidestep the explicit will of Congress, which roundly rejected his request for additional funding for a border wall, violates basic constitutional principles. The President's actions threaten our democracy, and it's up to the courts to protect our constitutional structure."

Read LDF's brief [here](#).

###

*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes*

*innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.*

*Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).*