

# DECLARATION OF RABYAAH ALTHAIBANI

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Rabyaah Althaibani, hereby declare as follows:

1. I am a New York City resident, a United States (“U.S.”) citizen, and a Yemeni-American.

I have personal knowledge of the facts set forth in this declaration, and I am competent to testify about them.

2. I immigrated with my family to the U.S. from Yemen in 1985. We joined my extended family in New York City, as they were part of one of the first waves of Yemeni immigrants to New York City in the 1960s.

3. I currently work as a Program Associate at the Center for New York City Neighborhoods.

4. The Executive Order issued on January 27, 2017, entitled “Protecting the Nation from Foreign Terrorist Entry into the United States,” created a great deal of uncertainty and anxiety for me as to my husband’s visa application to the U.S., and the new Order issued on March 6,

1 2017, did not resolve any of this uncertainty. Additionally, as a prominent Yemeni-American  
2 advocate, and organizer of the “Yemeni Bodega Strike,” I know many members of the Yemeni-  
3 American community who are facing similar uncertainty as to the re-unification of their families  
4 and their ability to travel outside the U.S.

5 5. I met my husband, a Yemeni national, in 2010 around the time of the Arab Spring in Yemen.  
6 At the time, he was an independent journalist and executive director of the Yemeni Institute for  
7 Social Studies. In that position, he ran research programs, some of which were funded by U.S.  
8 based think tanks, on issues such as women’s rights and empowerment.

9 6. We were engaged in 2015, just as the war in Yemen was worsening. While I was in the  
10 U.S., my husband had to flee Yemen out of fear for his life. Due to the dire situation he had to  
11 travel by boat to Djibouti, before re-locating to Goa, India.

12 7. We were married in India in January 2016. Shortly thereafter I filed an I-130 (Petition for  
13 Alien Relative), for my husband to join me in the U.S. He moved to Kuala Lumpur, Malaysia  
14 in August 2016, because Malaysia was accepting visas from Yemeni-nationals fleeing the war.

15 8. On November 18, 2016, I was granted an interview on the petition with the United States  
16 Citizenship and Immigration Services (“USCIS”). At the interview, I was told that his petition  
17 was approved, and that I would receive a letter from the National Visa Center within four to six  
18 weeks instructing us on how to proceed.

19 9. I received a letter from the National Visa Center on January 6, 2017, which contained  
20 instructions about filing fees for the petition and information about what documents to gather  
21 for his interview at the embassy in Kuala Lumpur.

1 10. We paid the filing fees on January 19, 2017, and I was in the process of compiling all of the  
2 relevant paper work when the Executive Order entitled “Protecting the Nation from Foreign  
3 Terrorist Entry into the United States,” (“The Executive Order”) was issued on January 27,  
4 2017.

5 11. After January 27, 2017, there was no news on my husband’s visa application, and I was  
6 devastated. Then, after the Washington District Court’s Stay was put in place, I received a letter  
7 from the National Visa Center, stating that as of February 3, 2017, they had received all of the  
8 paperwork, and that they were going to send the information to the U.S. embassy in Kuala  
9 Lumpur to set up an interview. We were given a priority date of April 4, 2017, but have not  
10 heard anything since.

11 12. I received that letter before the issuance of the new version of the Executive Order on March  
12 6, 2017. The new Executive Order still contains a 90-day ban on Yemeni nationals entering the  
13 U.S., and therefore, there is no guarantee that his visa application will continue to be processed.  
14 If there were no ban – to my understanding, his application would at least continue to be  
15 processed. I do not have that assurance here.

16 13. Knowing that under the new Executive Order, the default rule is that his visa application  
17 will not be processed, and that it is solely because he comes from Yemen, a war torn country  
18 that happens to be predominantly Muslim, is terrifying.

19 14. Our separation has propelled me into a constant state of uncertainty with regard to our  
20 family and our future. Everything from family-planning to buying a house is on hold, and I am  
21 under immense pressure both financially and mentally, since our future truly depends on his  
22 ability to get a visa to the U.S.  
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1 15. My husband was a well-known and respected journalist in Yemen who reported on the  
2 growth of extremist ideologies in Yemen. He did this coming from the perspective that  
3 uncovering the reality of these ideologies would disarm terrorists. Seeing the country, he grew  
4 up in turn into a state of chaos – he did not shy away from helping others by staying committed  
5 to uncovering the truth. What is hard to understand is how someone like him could potentially  
6 be barred from entering the U.S. solely because he is from Yemen, a country that is majority  
7 Muslim.  
8

9 16. At the same time, as a prominent advocate on behalf of the Yemeni-American community  
10 in New York, I have been in a state of crisis management. I have received calls from many  
11 Yemeni-American community members, who are terrified that they will not be re-united with  
12 family members fleeing war.  
13

14 17. My involvement with the Yemeni-American community in the days after the Executive  
15 Order was issued, led me to be one of the primary organizers of the “Yemeni Bodega Strike,”  
16 also known as “The Bodega Protest.”  
17

18 18. The protest was organized in direct response to the Executive Order, as many Yemeni-  
19 Americans who own “bodegas,” small convenient stores throughout New York City, and other  
20 similar businesses were directly impacted by the 90-day ban on Yemeni-nationals entering the  
21 U.S. Many of these business owners came to the U.S. to seek a better life and provide for their  
22 families, and were now unsure they could ever be re-united with their families in the U.S.  
23

24 19. The protest occurred in Brooklyn, New York on February 2, 2016 – six days after the  
25 issuance of the Executive Order.  
26

1 20. To underline the importance of Yemeni-owned businesses to New York City's economy  
 2 and culture, over 1,500 Yemeni-owned bodegas closed shop for eight hours while they attended  
 3 the protest.

4 21. Ultimately, approximately 2,000 New Yorkers of all backgrounds peacefully protested  
 5 outside courthouses in Brooklyn, New York. It was an incredible event that brought together  
 6 many communities, and even facilitated meaningful interfaith coalitions. It was a true example  
 7 of the spirit of New York, and the U.S.  
 8

9 22. The revised Executive Order issued on March 6, 2017, still contains the baseline rule is  
 10 that there is still a 90-day ban on Yemeni-nationals entering the U.S. Many members in the  
 11 Yemeni-American community in New York, are still living in fear of not being able to travel  
 12 outside the U.S., and are grappling with the reality that our families may never be re-united in  
 13 the U.S.  
 14

15 I declare under penalty of perjury that the foregoing is true and correct.

16 Executed on this 10 day of March, 2017

17 */S Rabyaah A.*

18 \_\_\_\_\_  
 19 [Typed Name Below Signature]

# DECLARATION OF SADAF AMIN

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Sadaf Amin, hereby declare as follows:

1. I am a resident of New York, and I have Iranian citizenship.
2. I am a PhD Student at Weill Cornell Medicine- Medical College of Cornell University. I moved to New York City in September 2011 from my hometown of Tehran, Iran with the goal of engaging in top notch research in biomedicine.
3. Currently, I am conducting research on stem cells to develop new models and drug candidates for diabetes which will pave the way to use precision medicine for the treatment of this devastating disease.
4. However, I had to make sacrifices on the way: being on a single entry F1 student visa for six years now, I did not want to risk leaving the country and experiencing long delays for being re-admitted so I have not seen my family for the past six years.



- 1 5. Because of the Executive Order, I will certainly not be able to visit my family as I would  
2 not be provided a new visa to be permitted back into the country, to my life, my fiancé,  
3 and my research. Nor is my immediate family, who live in Iran, able to come visit me  
4 because of the entry restrictions of those from Iran in the new Executive Order.  
5  
6 6. My mother was planning on visiting me this summer in New York but cancelled her plans  
7 because of the Executive Order.  
8  
9 7. This is a huge emotional burden as it seems very likely that the “temporary ban” on entry  
10 on Iranian nationals will be a permanent ban as Iran and the U.S. have not had diplomatic  
11 relations for decades. I have lived and served in this country for the past six years, and I  
12 have already undergone extensive vetting processes. So, it is unclear why this ban would  
13 apply when the U.S. already has so much information about me.  
14  
15 8. I was willing to make the personal sacrifice of not seeing my family for some time to  
16 achieve my goals of advancing research on diabetes. However, if the sacrifice means that I  
17 will never be able to see my family, I am not sure that I can remain in this country.  
18 Moreover, because my fiancé is an American citizen, leaving the United States for Canada  
19 or Europe would be a very difficult decision to make.

20 I declare under penalty of perjury that the foregoing is true and correct.  
21

22 Executed on this 10 day of March, 2017  
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Sadaf Amin

# DECLARATION OF ABDO ELFGEEH

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I Abdo Elfgeeh, hereby declare as follows:

1. I am a resident of Mohegan Lake, in Westchester County, New York State. I am a United States ("U.S.") citizen, and a Yemeni-American.

2. I came to the U.S. in 2001, as a legal permanent resident. My father came in the first wave of Yemeni immigrants to the U.S. in 1966, and became a U.S. citizen in 1972. When I came to the U.S., I joined my siblings and many of my cousins who reside in New York State, and who are also business owners.

3. I studied and graduated from Empire State College and obtained a Bachelor of Science degree in Business Administration in 2004. I am forty-two years old, and am currently employed as an Automated Teller Machine ("ATM") sales representative.

1 4. The Executive Order issued on January 27, 2017, entitled “Protecting the Nation from  
2 Foreign Terrorist Entry into the United States,” has left me fearful and uncertain about whether  
3 I can re-unite with my wife and four children, who are stranded in Sana’a, Yemen. The new  
4 Order issued on March 6, 2017, did not change any of this uncertainty.

5  
6 5. Respectively, my children are, 19 years old, 17 years old, 16 years old, and 9 years  
7 old. They are all currently living in Sana’a, until they hear about the status of visa applications.

8 6. My wife and first three children are waiting for their I-130 (Petition for Alien Relative) visa  
9 applications to be approved so that our family can be re-united, and everyone can be safe. My  
10 wife and the 16-year old’s applications were submitted in June 2014, while the 17 and 19 year  
11 olds’ applications were submitted in April 2016. The 9-year-old is a U.S. citizen, because she  
12 was born in 2008, after I became a U.S. citizen.

13  
14 7. My wife and the 16-year old’s visas were partially processed since they were submitted in  
15 2014. I attended an interview with United States Citizenship and Immigration Services  
16 (“USCIS”), as part of the processing of their applications – and was told that their applications  
17 would not be approved until the applications for my other two children were approved.

18 8. Since the passage of the Orders I have been trying to contact appropriate agencies to  
19 get information on the status of my family’s visa applications. I have not been able to get in  
20 contact with anyone. The 90-day ban on Yemeni-nationals entering the U.S., which is in both  
21 Executive Orders, has left me with no guarantee that my family’s visa applications will even  
22 continue to be processed.  
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1 9. The separation of my family is heartbreaking. Beyond the fact that we are physically  
2 separated, and this is not the way any family should live – I am worried about my family's  
3 safety, and what growing up in war will do to them – especially to my children.

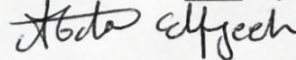
4 10. My eldest child should be going to college and the next in line should be finishing high  
5 school, but when they go to school often times teachers are not able to teach because of the  
6 uncertainty and danger related to the war.

7 11. All I want is to re-unite my family, and I am fearful that even under the new version of the  
8 Executive Order, the 90-day ban imposed on Yemenis entering the United States – means that  
9 the default rule is that their applications will not be processed for the sole reason that they are  
10 from Yemen, a country in the midst of war, which happens to be predominantly Muslim.

11 12. I am a proud citizen of the United States, and I want to live in peace with my family in this  
12 country.

13 I declare under penalty of perjury that the foregoing is true and correct.  
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16 Executed on this 10 day of March, 2017

17 

18 ABDO Y ELFGEEH

19 [Typed Name Below Signature]  
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# DECLARATION OF EVA HASSETT



The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Eva Hassett, hereby declare as follows:

1. I am Eva Hassett, Executive Director of the International Institute of Buffalo (“IIB”). I am responsible for overall financial and programmatic activities of the organization as well as for setting its strategic direction in conjunction with the IIB Board of Directors.
2. I have worked as Executive Director of IIB for over 7 ½ years. I completed my MBA at the Yale University School of Management, and have held senior executive positions in the private, public and nonprofit sectors for the majority of my career. I was the Commissioner of Finance and Administration and Chief of Staff to the Mayor for the City of Buffalo from 1994-2006.

3. The International Institute of Buffalo was founded in 1918 to serve immigrant women coming to the U.S. with their American soldier husbands after WW1; these “war brides” faced cultural and language barriers as well as resistance from the native born community, but wanted to integrate into America and start new lives.
4. Within 15 years of its founding, IIB expanded to serve immigrant men and families as well. IIB has welcomed and supported the integration of 100 years of immigrants to Western New York (WNY), including immigrants from Poland, Hungary, Italy, and more, long before there was a federal refugee resettlement program. IIB’s mission, now 99 years after our founding, is to “make Western New York a better place for, and because of, immigrants and refugees.”
5. IIB’s major service areas at present are: Refugee Services (resettlement, employment, community leadership development, receiving community welcoming), Survivor Support Services (support for foreign born survivors of domestic violence and any survivor of human trafficking), Language Services (interpretation and translation services as well as advocacy for the right to language access), and Education and International Visitors Services (including cultural competency training).
6. As of this writing, IIB has approximately 40 full time employees and an operating budget just under \$4 million. Our offices are located at 864 Delaware Avenue in Buffalo, New York.



- 1 7. Since its founding, IIB has helped to welcome thousands of refugees and immigrants to  
2 WNY. IIB has participated in the U.S. Department of State refugee resettlement program  
3 (formally called the Reception and Placement program) since the program's inception in  
4 1980. During federal fiscal year 2015-2016 (October 1, 2015 to September 30, 2016), IIB  
5 resettled 352 individuals from all over the world, including refugees from Iraq, the Congo  
6 and Syria.  
7
- 8 8. During that same fiscal year, 5,026 refugees were resettled to New York State; this  
9 represents 5.91% of the total number of refugees resettled nationally in 2015-16. Upstate  
10 NY received 94% of the refugees resettled to New York State; Erie County received 1800  
11 refugees in total in 2015-16 (source: WRAPS data). And in addition to the 1800 refugees  
12 resettled directly in Erie County in 2015-16, approximately 400-500 secondary migrants –  
13 i.e., refugees resettled elsewhere in the US – came to Buffalo. Secondary migrants are  
14 attracted to Buffalo because there are jobs, homes, communities and agencies with case  
15 managers that can help them integrate and become successful.  
16
- 17 9. The March 6, 2017 Executive Order suspending entry into the U.S. based on an  
18 individual's country of origin, religion, and/or refugee status has caused direct and  
19 substantial harm to the refugee and immigrant communities that IIB serves and to the  
20 organization's ability to fulfill its mission to meet their needs.  
21
- 22 10. First, the Executive Order prevents family reunification and, in some instances, strands  
23 vulnerable family members in countries where even the United States has found their  
24 well-being to be in danger. Second, fear and uncertainty surrounding refugees' legal  
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1 status, rights, and future in the U.S. reintroduces the type of persecutory and government-  
2 instilled fear that caused refugees to flee their countries of origin in the first place. Third,  
3 the reduction in the total number of refugees that the US will accept for the year, and the  
4 resulting cap on refugee admissions, which is cut by 55% in the middle of the federal  
5 fiscal year, constitutes a significant funding cut to IIB as well as to each of the  
6 approximately 300 organizations across the U.S. contracted with and funded by the  
7 federal government to provide refugee resettlement services.  
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9  
10 11. This loss of funding also represents a significant loss of money that would otherwise be  
11 spent in and have impact on the Western New York economy. The four refugee  
12 resettlement agencies in WNY (Catholic Charities of Buffalo, Journey's End refugee  
13 Services, Jewish Family Service and IIB) rent hundreds of apartments annually for  
14 refugees resettling to the area, using federal refugee resettlement funding. Refugees  
15 resettled to WNY use program funds to buy food, clothing, and bus passes. Eventually,  
16 refugees buy homes and cars. Without refugee resettlement, these funds, and the people  
17 who spend them, will not be in Western New York.  
18

19  
20 12. The Executive Order prevents family reunification; families are often separated during  
21 the refugee application process, because the program does not resettle families together.  
22 Now, family members prevented from traveling due to the Executive Order will be  
23 delayed abroad even longer. After the 120-day suspension, tens of thousands of refugees  
24 who had completed the security screening process will likely no longer be "green lighted"  
25 and will be required to restart the entire screening process again, potentially delaying  
26

1 their travel for years. Furthermore, during this period of delay, the family members may  
2 continue to face the same threats to their safety or official persecution that prompted their  
3 family to seek refugee status in the first place.  
4

5 13. Second, the prospect of sudden changes to and uncertainty surrounding refugees' safety,  
6 rights and future in the U.S. reintroduces the type of government-instilled fear that caused  
7 many to flee their homes to begin with. Refugees are initially given that status by the  
8 United Nations High Commission on Refugees (UNHCR), using the UNHCR definition  
9 of a refugee: "A refugee is someone who has been forced to flee his or her country  
10 because of persecution, war, or violence. A refugee has a well-founded fear of  
11 persecution for reasons of race, religion, nationality, political opinion or membership in  
12 a particular social group." For a refugee to flee persecution, survive, live in a refugee  
13 camp, complete 18-24 months of security screening, and be chosen to resettle to the US  
14 -- then fear they will be persecuted, discriminated against or be the subject of violence,  
15 for the same reasons, is anxiety-producing, fear-inducing and generally re-traumatizing.  
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18 14. In fact, several hundred individuals who had legal authorization to be in the U.S. have  
19 crossed into Canada over recent weeks, to claim asylum. The refugees and migrant agencies  
20 in Canada attribute the exodus in large part to the recent Executive Order and the fear caused  
21 in non-native communities living in the U.S.<sup>1</sup>  
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<sup>1</sup> <http://www.newsweek.com/canada-border-asylum-seekers-united-states-immigration-566640>

1 15. Refugees undergo multiple security and health screenings before they even become  
2 candidates for resettlement in the U.S. They are vetted by the U.S. Department of  
3 Homeland Security, the FBI, the CIA, and the National Center on Counterterrorism. The  
4 screening process involves background checks, database checks, medical tests, document  
5 validation and revalidation, and multiple in-person interviews. Additional screening is  
6 required for refugees from Syria. Only if refugees pass these screenings are they then  
7 identified as individuals who are eligible for resettlement in the United States.  
8

9  
10 16. The entire security screening process can take up to two years and even longer for  
11 refugees from Syria, especially since not all the required checks are coordinated. In  
12 addition, the validity of one type of screening may expire before another approval comes  
13 through – when this happens, the individual must go through all the screenings again. It  
14 is not unusual for a refugee to go through several rounds of security screenings.  
15

16 17. For federal fiscal year 2016-17, which began October 1, 2016, IIB was approved by the  
17 federal and state government to resettle 380 refugees in the Western New York. This  
18 number was agreed to in consultation with our national resettlement partner, USCRI, and  
19 was approved by the U.S. Department of State Bureau of Population Resource Migration,  
20 as well as the NYS refugee coordinator, as it is every year. IIB budgeted for the revenue  
21 associated with this number of arrivals and hired resettlement case managers and other  
22 support staff to meet the U.S. Department of State’s recommended staffing ratio of 65-  
23 75 cases per manager.  
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1 18. As of March 15, 2017, IIB will have resettled 190 individuals. Before the Executive  
2 Order was issued, IIB would have expected to resettle an additional 190 individuals  
3 between now and September 30, 2017. However, as a result of the Executive Order's  
4 reduction of the national refugee resettlement program from 110,000 to 50,000, IIB has  
5 been informed by USCRI that we will be resettling approximately 9 more individuals for  
6 the balance of the fiscal year. The 120-day suspension in all resettlement, and the  
7 difficulty of restarting the program after the pause, will likely reduce these numbers to  
8 zero.  
9

10  
11 19. The reduction in resettlement caseload has already begun to impact IIB and sister  
12 resettlement organizations in New York State. Many agencies have already laid off staff.  
13 The Reception and Placement (refugee resettlement) program is a per capita funded  
14 program; for federal fiscal Year 2016-2017, the per capita funding amount is \$2025 per  
15 refugee. Of this total, \$950 per capita funds are used for agency administrative costs,  
16 principally the salaries of case managers, support, and supervisory staff. These employees  
17 are the people who carry out the work we are contracted to do under the Reception and  
18 Placement program.  
19

20  
21 20. By both suspending the refugee admissions program for 120-days and cutting the total  
22 number of individuals slated for resettlement (through the new 50,000 cap), the Executive  
23 Order forces a significant reduction in IIB's revenue, which is leading to staff layoffs and  
24 also harming case management services to refugee individuals already living in New York  
25 and participating in the local economy and community.  
26

1 21. As a direct result of the reduction in administrative funding, IIB will be laying off six  
2 employees over the next 90 days; all of these employees are critical to the resettlement  
3 program and are themselves local residents and community members. It will be difficult if  
4 not impossible to rehire these employees after the 120-days suspension period.  
5

6  
7 22. The reduction in federal funding for the refugee resettlement program in our region, which  
8 constitutes over \$2.1 million dollars just this year for the four resettlement agencies in  
9 Buffalo, most certainly has a negative effect on the local economy. Rent for apartments will  
10 not be paid; food, clothing, transportation services will not be purchased. Local interpreters  
11 will not earn tens of thousands of dollars – last year, IIB spent \$70,000 on interpreters for  
12 resettlement clients. This year, the purchase of these services from vendors will amount to  
13 substantially less.  
14

15 23. In addition, and significantly, the economic contribution of refugees to the WNY economy  
16 - as employees, business owners, homeowners, professionals, students, and more – will not  
17 occur. Western New York has long struggled with population decline. A shrinking  
18 population is one of the most salient and consistent attributes of the WNY economy over  
19 the last 60 years. Declining population manifests as a negative in many ways: vacant houses  
20 and storefronts, lack of purchasing power, declining populations in schools, lack of  
21 employees for local companies, declining tax base for local government, and more. Across  
22 the U.S., and in Western New York, refugees are a main reason for a reversal of that decline.  
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24. For instance, the population of Erie County, New York – which is where Buffalo is located – grew slightly, by about 12,000, in 2014. This growth has been attributed to the immigration of refugees and immigrants. Similarly, the Buffalo metropolitan area’s rate of population decline is slowing. According to a report released in February 2017, 32% of the foreign-born population in Buffalo in 2014 were refugees.<sup>2</sup> Projections are that the city will gain population in 2020, due in large part to refugees and immigrants.<sup>3</sup>

25. Entire neighborhoods which used to be dominated by vacant homes and storefronts are vibrant, populated and diverse—and desirable places to live, thanks to refugees. Refugee-owned and immigrant-owned businesses have been part of the early forces revitalizing long empty commercial streets all over Buffalo. As of 2014, the 2,691 self-employed refugees and immigrants in Buffalo generated \$121 million in business income.<sup>4</sup> Census and economic data also indicate that foreign-born residents in Buffalo – refugee and immigrant – contributed \$3.1 billion to the metro area’s gross domestic product in 2014.<sup>5</sup>

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11<sup>th</sup> day of March, 2017

/s

Eva Hassett

<sup>2</sup> *New Americans in Buffalo and Syracuse*, NEW ECON. PROJECT 3 (Feb. 22, 2017), [http://www.newamericaneconomy.org/wp-content/uploads/2017/02/BufferoSyracuse\\_brief\\_Final.pdf](http://www.newamericaneconomy.org/wp-content/uploads/2017/02/BufferoSyracuse_brief_Final.pdf). IIB and CenterState Corporation for Economic Opportunity, a leadership organization and chamber of commerce in New York State, obtained a competitive grant for the New American Economy to conduct research about the economic impact of refugee and immigrant population in the Buffalo and Syracuse metropolitan regions of New York State.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at 5.

<sup>5</sup> *Id.* at 2.

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# DECLARATION OF ABDUL SALAM MUBAREZ

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I Abdul Salam Mubarez, hereby declare as follows:

1. I am the chairman of ATM World Corp., which operates 4,500 Automated Teller Machines ("ATMs"), and processes approximately 2 million monthly transactions. I have owned the company for the past 18 years, and it is headquartered in Long Island City, New York.

2. I was born in Yemen and have lived in New York for approximately 40 years. I currently reside in East Elmhurst, New York.

3. I immigrated to the U.S. from Yemen in 1974, and became a U.S citizen in 1976.

4. In New York City, ATM World Corp. places ATMs in businesses throughout the city. We

1 proudly provide services to small businesses, including approximately 2,000 Yemeni-owned  
2 businesses across the five boroughs of New York City, as well as to large businesses, such as  
3 Ikea's Brooklyn location.

4 5. I am very proud that my company places ATMs in many underserved communities helping  
5 to ensure fellow New Yorkers have access to their hard-earned money, regardless of their zip  
6 code.  
7

8 6. In 2015 alone, ATM World Corp., paid roughly \$250,000 in taxes.

9 7. The Executive Orders passed on January 27, 2017 and March 6, 2017, both entitled  
10 "Protecting the Nation from Foreign Terrorist Entry in the United States," have affected me on  
11 a professional and personal level.

12 8. At ATM World Corp., I employ 30 New Yorkers, ten of whom are Yemeni-American.

13 9. Since the issuance of the Executive Orders, many of my employees are now uncomfortable  
14 performing their jobs. Their jobs require travel throughout the five boroughs to provide needed  
15 technical services to customers, and the anti-immigrant and anti-Muslim rhetoric surrounding  
16 the Orders, has left many fearful that because of their background and religion – they will be  
17 targeted and unwelcome.  
18

19 10. Even my business colleagues who are Yemeni-American citizens and lawful permanent  
20 residents are fearful of traveling outside of the U.S. to meet their family members in Yemen.

21 11. My business colleagues are afraid of vocalizing their opinions on the Executive Orders, for  
22 fear that any negative statement on the Orders will be used to further curtail their rights.  
23

24 12. On a personal level, my niece who is a U.S. citizen lives with me and has applied for  
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1 her husband, who is a Yemeni-national, to meet her in New York. She is now gravely worried  
2 that, because of the Executive Orders, she will not be reunited with her husband.

3 13. In my experience, the process for a Yemeni-national to come to the U.S. is already  
4 extremely difficult. To my knowledge, most Yemeni-nationals are not travelling to the U.S. for  
5 purposes of tourism. Rather they are undergoing a drawn-out process of extreme vetting. The  
6 Executive Orders are preventing business owners, like myself, from expecting employees and  
7 customers to stay in their jobs, and carry on their businesses.  
8

9 14. Despite the revisions in the Executive Order issued on March 6, 2017 – many of my  
10 employees and clients are living in a climate of fear – fear that their families will not be re-  
11 united, and fear that they will be targeted because of the rhetoric surrounding the Orders.

12 I declare under penalty of perjury that the foregoing is true and correct.  
13

14 Executed on this 11 day of March, 2017

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17 [Abdul Salam Mubarez]  
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# DECLARATION OF JENNIFER SIME

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Jennifer Sime, hereby declare as follows:

1. I am Jennifer Sime, Senior Vice President, US Programs of the International Rescue Committee (IRC). I am responsible for providing executive oversight and management of IRC's refugee resettlement programs in the United States.
2. IRC is a non-profit, non-sectarian global organization founded in 1933 and currently operating in over 40 countries around the world. The IRC's core mission is to serve people forced to flee from war, conflict, and disaster and help them survive, recover, and gain control of their lives. A substantial part of the IRC's work is providing aid to

1 refugees, which it does recognizing that refugees are the victims of terror, not the  
2 perpetrators of it.

3  
4 3. Responding to the world's worst humanitarian crises, the IRC helps people whose lives  
5 and livelihoods are shattered by conflict and disaster to recover and gain control of their  
6 futures. Starting from the moment a new refugee arrives at the airport, the IRC provides  
7 essential services to maximize successful resettlement through its 28 U.S. offices. These  
8 offices serve as a free, one-stop center for refugees' needs during their pivotal first  
9 months in the United States, providing immediate aid, including food, housing, and  
10 medical attention.  
11

12  
13 4. The March 6, 2017 Executive Order suspending the US Refugee Admissions Program  
14 has interfered with IRC's ability to carry out its mission and injured those the IRC serves,  
15 characteristically extinguishing the glimmer of hope of refugees awaiting a safe life in  
16 the United States.  
17

18  
19 5. The IRC is one of only nine resettlement agencies approved by the U.S. Department of  
20 State. Over the past forty-years, the IRC has resettled roughly 370,000 global refugees  
21 in cities throughout the United States.  
22

23 6. The IRC operates in 28 U.S. cities to oversee domestic refugee resettlement. The IRC in  
24 New York opened in 1975, and since then has resettled over 28,000 refugees by using a  
25 combination of services including case management, employment assistance, education  
26

1 programming, and legal services. The IRC of New York is headquartered in New York  
2 City and is operated by a staff of 21 employees and 400 volunteers annually.  
3

4 7. During fiscal year 2016 (October 1, 2015 to September 30, 2016), the IRC in New York  
5 resettled 125 individuals from fifteen different countries of origin. The office anticipated  
6 resettling approximately 125 individuals again in fiscal year 2017, and thus far the IRC  
7 in New York has resettled only 45 individuals from 10 different countries of origin.  
8

9  
10 8. The March 6, 2017 “Protecting The Nation From Foreign Terrorist Entry To The United  
11 States” Executive Order directly harms refugees awaiting resettlement to the U.S. and those  
12 already residing here.  
13

14 9. Families separated because they obtained refugee status at different times, who have been  
15 waiting to be reunited, will have to wait even longer. One case overseen by IRC of New  
16 York involves a 17-year old waiting to be reunited with his father, stepmother, and  
17 siblings, all of whom reside in New York City. However, because of the Executive Order,  
18 his family does not know when he will be permitted to join them.  
19

20  
21 10. Currently, the IRC in New York has 25 cases (56 people) in its pipeline waiting for  
22 resettlement in New York City, from countries such as Iraq, Afghanistan, Syria, El  
23 Salvador and Cuba. However, as a result of the EO’s limits on and suspension of the US  
24 Refugee Admissions Program, it is possible that none of these people will now be resettled.  
25  
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1 11. In this way, the Executive Order also directly impacts refugees already living in the U.S.  
2 Resettlement agencies including the IRC in New York are allocated funding on a per  
3 arrival basis through a contract with the U.S. State Department, but that does not account  
4 for ongoing services to individuals already in the country.  
5

6 12. The Order not only suspends refugee resettlement for 120 days, but reduces the number of  
7 refugee arrivals this fiscal year from 110,000 to 50,000. As a result, the IRC in New York  
8 is facing a reduction in resources. This puts in jeopardy the capacity for resettlement  
9 agencies to provide continued services for those refugees who are already here and in  
10 need of case management, employment and other support services, such as developing  
11 and refining job skills, connecting clients to professional work, offering English-  
12 language instruction or other training opportunities, providing access to legal services,  
13 and connecting clients to other community-based organizations.  
14  
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16 13. As of the issuance of the Executive Order, the United States had already vetted 60,000  
17 individuals for resettlement in the country. These refugees are now stranded in crisis  
18 zones, even though they have established to the satisfaction of Consular Officers that  
19 their lives are in danger and they pose no threat to the United States. In many cases, these  
20 are individuals who have been separated from family members already in the United  
21 States.  
22

23 14. Refugees are vetted more intensively than any other group seeking to enter the U.S. In  
24 fact, the hardest way to come to the country is as a refugee. Once those refugees most in  
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26

1 need are registered by the UNHCR, the U.N. refugee agency, the U.S. then hand-selects  
2 every person who is admitted.  
3

4 15. The U.S. resettlement program gives priority to refugees, usually vulnerable families,  
5 who have been targeted by violence. The U.S. does not recognize as refugees people who  
6 have committed violations of humanitarian and human rights law, including the crime of  
7 terrorism, as refugees. They are specifically excluded from the protection accorded to  
8 refugees.  
9

10  
11 16. Security screenings are intense and led by U.S. government authorities, including the  
12 FBI, the Department of Homeland Security, the Department of Defense, and multiple  
13 security agencies. The process typically takes up to 36 months and is followed by further  
14 security checks after refugees arrive in the States.  
15

16  
17 17. Refugees undergo biographic and biometric checks, medical screenings, forensic  
18 document testing, and in-person interviews. Because of the complexity of the conflict in  
19 their country, Syrian refugees must go through extra review steps with intelligence  
20 agencies and Department of Homeland Security officers who have particular expertise  
21 and training in conditions in Syria and the Middle East.  
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1 I declare under penalty of perjury that the foregoing is true and correct.  
2

3 Executed on this 10th day of March, 2017  
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8 Jennifer Sime  
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# DECLARATION OF SHAYDA HEMMATI

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Shayda Hemmati, hereby declare as follows:

1. I have been a resident of New York since September 2015 and, I am an Iranian national.
2. I am currently a postdoctoral research fellow at the Cancer Research Center at Albert Einstein College of Medicine.
3. After finishing my PhD in Germany at the prestigious University of Heidelberg, I came to the United States to pursue my career in helping cancer patients and improving the conventional cancer therapies by performing more in-depth translational research.
4. I am permitted to work in the United States under a H1-B employment visa which is valid for one more year, until April 2018. As a result of the Executive Order, I am not sure if I will be able to renew my visa and be permitted to continue to work in the United States.
5. I conduct research specifically on leukemia at the Cancer Center Research Center.

- 1 6. In my research career of over 10 years, I have researched several different types of  
2 cancer. I have several publications on how to improve treatments for certain types of  
3 blood and ovary cancer, including identifying genes involved in cancer. I also conducted  
4 clinical research, which is very useful for patients suffering from cancer. Clinical cancer  
5 research is typically conducted over the course of several years to obtain sufficient data—  
6 at least 2 to 3 years. I am currently researching personalized cancer treatment for  
7 leukemia patients which may take years to complete.
- 9 7. The Executive Order will also affect my personal life. My entire family is in Iran,  
10 including my parents and my siblings. Prior to the ban, it was very difficult to travel to  
11 the United States. The process took several months, and I had to go through a number of  
12 background checks. Now, it will be impossible. I am very concerned that my parents  
13 cannot come and visit me. This has made me question whether it is worth staying in the  
14 United States to do this research. I do not want to have to sacrifice seeing my close family  
15 members.
- 17 8. I was planning to apply for permanent residency in the United States to continue my  
18 research and pursue my goal of helping cancer patients. However, because of the  
19 Executive Order, I will probably go to Europe and continue my research there.

21 I declare under penalty of perjury that the foregoing is true and correct.

23 Executed on this 10<sup>th</sup> day of March, 2017

25 /s/ Shayda Hemmati

# DECLARATION OF VITA RABINOWITZ

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I Vita C. Rabinowitz, hereby declare as follows:

1. I am Executive Vice Chancellor and University Provost at The City University of New York, ("CUNY" or "University"), a position I have held since July 2015. As Executive Vice Chancellor and University Provost, I am the chief academic officer of the University, responsible for leading the planning, development, and implementation of University policies and initiatives relevant to all aspects of its academic programs, research, instructional technology, global engagement, student development, and enrollment management. Prior to holding my current position, I served as Provost and Vice President for Academic Affairs at Hunter College, a senior college of CUNY, for approximately ten years, and prior to that I was a faculty member at Hunter College as well as a member of the doctoral program in psychology



1 at CUNY Graduate Center. I have personal knowledge of the matters set forth below, or have  
2 knowledge of those matters based on my review of information and records gathered by  
3 members of my staff.  
4

5 2. The City University of New York is the nation's largest urban university, with  
6 twenty-four campuses, including senior and community colleges and graduate institutions  
7 including the CUNY Graduate School and University Center, the CUNY Graduate School of  
8 Journalism, the CUNY School of Law, the CUNY Graduate School of Public Health and Health  
9 Policy and the CUNY School of Medicine at City College. CUNY has approximately 1,600  
10 different academic programs running the gamut from certificate programs to Ph.D. and  
11 professional programs. The University has an enrollment of approximately 274,000 full and  
12 part-time undergraduate and graduate students and has nearly 276,000 students enrolled in adult  
13 and continuing education programs.  
14

15  
16 3. Since the founding of what is now City College (the oldest college in the CUNY  
17 system) in 1847, CUNY has had a special mission to provide an affordable and excellent  
18 education for students from disadvantaged backgrounds. More than 42 percent of CUNY's  
19 students are in the first generation of their families to attend college. With its home in the  
20 nation's largest and most diverse city, CUNY recruits and attracts a student body that is  
21 extraordinarily diverse by any measure, including in language, culture, race, ethnicity, religion,  
22 geography, family income, age, and educational background. CUNY students identify with 216  
23 different ancestries and speak 189 different languages. Thirty seven percent of CUNY students  
24 were born outside of the United States mainland.  
25  
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1           4.       As is described in its 2016-2020 Master Plan adopted by the University's Board  
 2 of Trustees, CUNY has recognized the increasing importance of providing global perspectives  
 3 to its students. Studying with faculty and alongside students from other countries can expose  
 4 students to different cultures and ideas, enliven their classroom experiences, expand their  
 5 networks and horizons and engender a sense of global citizenship. The Master Plan also  
 6 specifically highlights CUNY's goal to further diversity its faculty and increase the geographic  
 7 diversity of its students by recruiting more international students to enroll in and transfer to  
 8 CUNY.  
 9

10           5.       The March 6, 2017 Presidential Executive Order entitled "Protecting the Nation  
 11 from Terrorist Entry into the United States" ("EO") restricted entry to the United States from six  
 12 countries: Syria, Iran, Somalia, Sudan, Libya and Yemen ("affected countries"). The EO will  
 13 impede CUNY's ability to offer its students an excellent and affordable education, as well as the  
 14 ability of CUNY's faculty to engage in research and collaboration with foreign scholars. The  
 15 EO will affect CUNY by, among other things: impeding the ability of current students to leave  
 16 the United States for personal reasons and to take part in "study abroad" programs; chilling  
 17 CUNY's ability to recruit and enroll foreign students; interfering with the ability of CUNY  
 18 faculty, postdoctoral researchers and graduate students, and their collaborators abroad, to travel  
 19 for research purposes; and limiting CUNY's ability to hire and retain foreign faculty and to host  
 20 foreign scholars in the United States.  
 21

22 Student International Travel and Related Issues  
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24  
 25           6.       The University has more than 850 students born in the affected countries,  
 26 including approximately 116 students from those countries who attend CUNY on F or J visas

1 (including 18 doctoral students from Iran.) The implementation of the EO will have a negative  
2 impact on the lives of students from the affected countries as well as other students. CUNY's  
3 Citizenship Now! Program, which provides free immigration law services to help individuals  
4 and families on their path to U.S. citizenship, reports that since the promulgation of the first  
5 Executive Order on January 27, 2017 and continuing to date, it has been assisting dozens of  
6 international students who have concerns and fears about the impact of the EO on them and their  
7 families. Many of these inquiries are from students who are not from the six affected countries;  
8 they include students from Afghanistan, India and Pakistan, among others. These students are  
9 afraid to travel abroad, including for study abroad programs, because they fear being unable to  
10 return to the United States.  
11

12  
13 7. The EO will diminish CUNY's ability to continue and expand a number of  
14 international study abroad programs. Studying abroad is a formative educational experience that  
15 can provide tremendous personal growth and marketable global competencies for students. The  
16 University has more than 1,500 students and faculty traveling and participating in study abroad  
17 programs annually, and CUNY's undergraduate colleges are actively developing more such  
18 programs. The viability of CUNY's study abroad programs depends on the ability of CUNY  
19 students (as well as faculty) to travel outside of the United States. By affecting the right to travel,  
20 the EO is jeopardizing these programs, and will adversely affect students and faculty, regardless  
21 of their immigration or citizenship status.  
22

23  
24 8. International programs and partnerships at CUNY campuses are already being  
25 affected. At the Spitzer School of Architecture at City College, a partnership with institutions  
26

1 in Mexico City has been put on hold because the School cannot at this time risk taking all of its  
2 students out of the country since some may not be able to return. Current students are losing a  
3 valuable opportunity and future students may as well because international professional  
4 relationships cannot be regularly sustained. Both the Urban Design program and the Landscape  
5 Architecture program in that same School have supported the travel of entire studios of students  
6 to study foreign locations where urban areas are in crisis or major transition, including Ecuador,  
7 Southern China and Ireland, among others. These irreplaceable educational experiences are not  
8 possible at this time because it could put certain foreign students in jeopardy.  
9

10  
11 9. The EO is also posing an administrative burden on CUNY's study abroad offices,  
12 and adding uncertainty into study abroad planning. CUNY study abroad program offices now  
13 need to systematically record each study abroad participant's full nationality and immigration  
14 status from the moment the student expresses interest in a program, to allow them to advise  
15 students appropriately and to anticipate whether and how the student's status will impact the  
16 viability of the program, for example, by increasing the number of student withdrawals due to  
17 possible travel issues. If there are additional changes to immigration policies after students are  
18 admitted to study abroad programs and pay fees, colleges will generally not be able to reimburse  
19 students who withdraw, as most of the costs (such as to hotels and airlines) are paid in advance  
20 and non-refundable. Programs that depend on minimum enrollments will face greater challenges  
21 in meeting their targets, which may result in a higher than usual program cancellation rate.  
22

23  
24 10. Students at CUNY from the affected countries who are preparing to graduate are  
25 also fearful and anxious about potential changes in their plans to work post-graduation under  
26

1 Optional Practical Training (OPT) status. Post-graduation employment in OPT status gives  
2 these students the ability to work in their area of study and some financial security. Now,  
3 however, students from the affected countries will at a minimum experience delays in obtaining  
4 work authorization. This will affect the ability of these students to obtain job offers that were  
5 the hoped-for culmination of their CUNY education.  
6

### 7 Admissions and Enrollment

8

9 11. The EO will also harm CUNY's ability to continue to attract and enroll students  
10 from the affected countries and elsewhere. Higher education has become international, and  
11 CUNY is no exception. CUNY currently enrolls over 8,000 international students on F and J  
12 visas from over 100 countries. International students expect to be able to travel to their countries  
13 of origin to maintain family relationships and, in the case of graduate students, to cultivate  
14 professional opportunities because postgraduate employment in the United States is not  
15 guaranteed. The EO threatens to scare away prospective students from the affected countries as  
16 well as from other countries with large Muslim populations. It is also expected to reduce  
17 applications and admissions from other international students, who may well decline to pursue  
18 higher education in the United States in light of the EO.  
19  
20

21 12. For example, the lifeblood of CUNY's Graduate School is its doctoral students,  
22 and its programs grow more competitive each year. During the admissions cycle for Fall 2017,  
23 24.8 percent of the Graduate School's 4,255 applications were from international students. The  
24 deadline by which students must accept or decline the Graduate School's offer of admission is  
25 April 15. Graduate schools in Canada, Australia, New Zealand, and elsewhere are currently  
26

1 making a strong recruitment pitch to international applicants, stating that their countries are more  
 2 welcoming to international students than the U.S. In this climate of uncertainty and fear, the  
 3 Graduate School expects a negative impact on its student yield this year and on admissions  
 4 during the next academic year. The Graduate School has already been contacted by a number  
 5 of just-admitted applicants from the affected countries who have expressed concerns about their  
 6 ability to travel to the United States to begin their studies in Fall 2017.

8  
 9 13. Similarly, the Spitzer School of Architecture at City College, which has  
 10 applicants each year from predominantly Muslim countries, anticipates that the uncertainty of  
 11 being granted a student visa will discourage international students from applying to City College.  
 12 Baruch College expects a similar impact on its master's degree programs in business  
 13 administration, public affairs, international affairs and financial engineering, and its doctoral  
 14 program in business administration, each of which enroll significant numbers of foreign students  
 15 including students from one of the affected countries, Iran. The CUNY School of Journalism  
 16 also foresees a similar negative impact on an intensive summer workshop that attracts many  
 17 international students and has included participants from the affected countries.

19 International Travel by Faculty and Other CUNY-Affiliated Researchers

21 14. CUNY currently has over 80 faculty members who specialize in Middle Eastern  
 22 and diaspora studies. It also has numerous faculty in different fields (including STEM fields)  
 23 who conduct research and collaborate with foreign researchers in the affected countries and other  
 24 Muslim-majority countries. The uncertainty of travel for individuals from the six affected  
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1 countries or any Muslim-majority country harms the ability of CUNY faculty to engage in  
2 research abroad or to enter into partnerships with academic colleagues abroad.  
3

4 15. I am aware of at least five CUNY faculty members currently working on research  
5 projects relating to the Middle East and/or East Africa funded by grants from the National  
6 Science Foundation. Their project topics include dispute resolution in the Middle East and an  
7 archaeological and genetic study of East Africa, among others, and to different degrees will  
8 involve research about and in the affected countries. Based on my experience in higher  
9 education, I am confident that some or all of these faculty members will encounter considerable  
10 difficulties in carrying out research in countries whose citizens are prohibited from entering the  
11 United States, even if the faculty members themselves are not prohibited from re-entering the  
12 United States.  
13

14  
15 16. I am also aware of an assistant professor at Baruch who conducts archaeological  
16 research in Sudan. The EO will likely prevent her Sudanese colleagues from traveling to Baruch  
17 for symposia, workshops, and exhibitions, and will make it difficult or impossible for her and  
18 other American researchers to continue this and other active research projects in Sudan. The  
19 project at issue aims to recover lost data about Meroe, the capital of the Meroitic Kingdom (ca.  
20 400 BCE-350 CE) and a UNESCO World Heritage Site, which is in unstable condition. This  
21 research is critical to the recovery of data before it is lost to researchers.  
22

23 17. Additionally, I am aware of a Lehman College faculty member who is engaged  
24 in research on Syrian television drama production, much of which takes place outside Syria in  
25 neighboring countries. She expects that her research will be impeded due to the difficulty of  
26

1 traveling to and returning from Muslim majority nations, given the enhanced scrutiny of travelers  
 2 returning from the affected countries and other Muslim-majority countries.

3  
 4 18. It is becoming clear at CUNY and at other research institutions that I am aware  
 5 of that the EO is having and will have a significant impact not only on academic research directly  
 6 involving the affected countries or Muslim-majority countries, but on research activity and  
 7 collaboration in the United States more generally. At least one CUNY faculty member has  
 8 reported that several British and Canadian colleagues have advised that they are no longer  
 9 willing to visit the United States for conferences or academic meetings as a result of the EO, and  
 10 that some U.S. academic organizations are experiencing calls from members to boycott  
 11 conferences (such as the American Psychiatric Association Conference in San Diego) unless  
 12 they are moved outside of the United States. CUNY faculty will suffer significant harm if, as  
 13 appears likely, academic conferences are moved out of the United States, as conference travel  
 14 will be prohibitively expensive. The boycott by foreign scholars of U.S.-based conferences will  
 15 also diminish the ability of CUNY faculty to engage in academic collaborations and exchange  
 16 of research findings.

#### 17 Faculty Recruitment and Retention

18  
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 20  
 21 19. Although CUNY faculty have always engaged in research, within the past decade  
 22 CUNY has expanded its research enterprise significantly to become a major research institution,  
 23 spending over \$450 million on research within the past year. In 2014, the University opened  
 24 the CUNY Advanced Science Research Center to support and accelerate high-level science  
 25 research and development and the faculty whose work is concentrated on cutting-edge research.  
 26



1           20. In light of this commitment to research, it is critical that CUNY be able to recruit  
2 and retain highly qualified research faculty. Identifying, recruiting and negotiating with  
3 potential new faculty and researchers takes many months. Ideally, new teaching faculty start in  
4 the fall semester, requiring offers made and arrangements finalized months prior to August.  
5 Prospects who accept offers will also need to move family and secure housing by summer. The  
6 uncertainty in the process caused by the EO will delay and may prevent the University and its  
7 colleges and units from pursuing prospects, resulting in delays in research efforts and potential  
8 delay or loss of federal funding for new research.  
9

10  
11           21. Moreover, potential foreign faculty recruits have already expressed concerns  
12 about coming to CUNY and the U.S. Baruch College, for example, which hires a significant  
13 number of foreign faculty members, reports that as a result of the EO it has received many more  
14 questions from potential employees about travel restrictions that will interfere with normal  
15 family obligations such as care of elderly parents, attending family weddings and anniversary  
16 events, or participation in cultural holidays. New York City College of Technology has many  
17 faculty members in engineering technology from the Middle East, especially Iran, as well as  
18 other countries such as Pakistan, Bangladesh and Algeria, that could potentially be affected in  
19 the future. The college fears that its ability to recruit and retain faculty from those countries who  
20 have family at home or in temporary visa statuses will be seriously affected by the EO. The  
21 CUNY Graduate Center is currently negotiating with an international senior research scholar  
22 who has expressed serious concerns about moving to the United States at this time.  
23  
24

25 Summary  
26

22. The concerns raised above all reflect potential short- and long-term harm to CUNY from the EO. The EO seriously affects CUNY's educational mission to provide education to a geographically and intellectually diverse student body; to provide opportunities for students to obtain a global perspective by studying with students from all nationalities; to recruit and retain a diverse faculty, including international scholars; and to support wide-ranging and critically important research by faculty, postdoctoral researchers and graduate students. In my judgment, the EO will harm not only CUNY's educational and research missions, but also its financial health, due to reduced federal grant funding for research and a decline in student enrollment, and its reputation as a cutting-edge research university. It would take years for CUNY to recover from this damage.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11th day of March, 2017

*Vita C. Rabinowitz*

---

Vita C. Rabinowitz, Ph.D.  
Executive Vice Chancellor and University Provost  
The City University of New York,

# DECLARATION OF NANCY L. ZIMPHER

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Nancy L. Zimpher, hereby declare as follows:

1. I am the Chancellor of the State University of New York (“SUNY” or “university”).
2. As Chancellor, I routinely gather information about the operation of the institutions comprising SUNY as well as the university as a whole. I have compiled the information in the statements set forth below through SUNY personnel who have assisted me in gathering this information from SUNY campuses.
3. SUNY is the largest comprehensive university system in the United States, comprised of 64 institutions including research universities, academic medical centers, liberal arts colleges, community colleges, colleges of technology and an online learning network. Each year SUNY students and faculty across the state make significant contributions to research in the fields of medicine, engineering, technology, among others.

- 1 4. SUNY educates approximately 445,000 students in more than 7,500 degree and  
2 certificate programs and nearly 2 million in workforce and professional development  
3 programs. SUNY draws students from every state in the United States and 160 nations  
4 around the world. SUNY employs more than 88,000 faculty and staff and has over 3  
5 million alumni worldwide.  
6
- 7 5. SUNY was founded as a university of opportunity, educating all, including those who  
8 would not be admitted to other institutions of higher education because of their race,  
9 religion or national origin. As a public university system, SUNY's core mission is to  
10 ensure that all of its students, whatever their background, have access to high-quality  
11 education and training that develop the skills and knowledge necessary to build a  
12 rewarding life and career.  
13
- 14 6. Shortly after the January 27, 2017 Executive Order, titled "Protecting the Nation from  
15 Foreign Terrorist Entry Into the United States" ("January 27 Executive Order") went  
16 into effect, I, along with SUNY Board Chairman H. Carl McCall, issued a statement to  
17 SUNY students, faculty and staff expressing SUNY's support for individuals affected  
18 by the January 27 Executive Order. The statement also recommended suspending travel  
19 plans to the countries included in the January 27 Executive Order.  
20
- 21 7. In addition, the presidents of several SUNY campuses issued statements in response to  
22 the January 27 Executive Order to their students, faculty and staff offering support for  
23 individuals affected by the January 27 Executive Order and recommending that those  
24 individuals avoid international travel until further notice.  
25  
26

- 1 8. President Trump's March 6, 2017 Executive Order, titled "Protecting the Nation from  
2 Foreign Terrorist Entry Into the United States" ("Executive Order") could undermine  
3 SUNY's core mission. It threatens the free exchange of ideas and scholarship between  
4 SUNY schools and the affected countries and frustrates SUNY's ability to benefit from  
5 the talents of students and scholars from the countries listed in the Executive Order.  
6
- 7 9. SUNY enrolls more than 22,000 international students from 160 different countries. Of  
8 those students, approximately 232 visa holders are from the 6 countries listed in the  
9 Executive Order throughout the SUNY system.
- 10 10. The issuance of the Executive Order could impact a number of SUNY students, who  
11 are attempting to start, continue or complete their education, from entering the United  
12 States, if they do not already have valid visas or need to renew their visas.  
13
- 14 11. Although the Executive Order allows immigration-enforcement officials to issue  
15 waivers to permit admission of nationals from the 6 listed countries if there is proof  
16 that denying entry "would cause undue hardship, and that his or her entry would not  
17 pose a threat to national security and would be in the national interest," it is on a case-  
18 by-case basis. Therefore, it is uncertain how difficult it will be for SUNY students or  
19 faculty or prospective students or faculty to obtain a waiver.  
20
- 21 12. In addition, SUNY is deeply concerned that current uncertainties resulting from the  
22 Executive Order as well as fears that it will be expanded to other nations will have a  
23 chilling effect on international students applying to colleges and universities in the  
24 SUNY system.  
25  
26

1 13. Further, several SUNY institutions actively recruit international students. For example,  
 2 representatives from Binghamton University travel around the world to attract the best  
 3 and brightest graduate students to its top rated programs. It also invested resources into  
 4 digital marketing campaigns and other social media outlets. The Executive Order could  
 5 undermine these activities and could negatively impact Binghamton and other SUNY  
 6 schools' recruitment efforts to attract top international students.  
 7

8 14. SUNY fears that prospective students who may have applied to colleges and  
 9 universities within the SUNY system are now considering other options in other  
 10 nations.  
 11

12 15. Further, SUNY may need to assist students from the affected countries with living and  
 13 housing expenses who cannot return home for the summer because their visas expired  
 14 and may not be renewed as a result of the Executive Order.

15 16. Overall, this Executive Order could undermine SUNY's unwavering commitment to  
 16 diversity, equity and inclusion and could cause SUNY and New York State harm.  
 17

18 I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and  
 19 correct.  
 20

21 Executed on this 11th day of March, 2017  
 22

23 /s/ Nancy L. Zimpher  
 24 Nancy L. Zimpher  
 25 Chancellor, State University of New York  
 26

# DECLARATION OF SCOTT BUELL



The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Scott S. Buell, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am Senior Legal Counsel at MongoDB, Inc. ("MongoDB").

3. MongoDB provides database software that combines the best of traditional databases with the flexibility, scale and performance modern applications need. MongoDB builds the database and its drivers, offers software and services, provides MongoDB University, and sponsors the MongoDB community. MongoDB has thousands of customers across the world and its database has been downloaded more than 25 million times.

4. MongoDB was founded in 2007 and has headquarters in New York, New York and Palo Alto, California. We have more than 700 employees worldwide, across 27 offices in 13 countries.

1 5. MongoDB is organized around and driven by its core values. We are dedicated to  
2 fostering a diverse workforce and an inclusive culture, and we believe having employees from  
3 around the world brings out the best ideas, broadens our perspectives, and spurs innovation.

4 6. Hundreds of MongoDB's employees are citizens of countries other than the United States,  
5 including many who are in the United States on a visa. These employees regularly travel  
6 internationally for business and for personal reasons.

7 7. MongoDB is at its core an international company. We have customers, users and  
8 employees around the world. We frequently host events in the United States and in foreign  
9 countries. MongoDB also recruits internationally in order to hire and retain our talented  
10 employees.

11 8. MongoDB firmly believes that the Executive Order signed by President Trump on March  
12 6, 2017, "Protecting The Nation From Foreign Terrorist Entry Into The United States," presently  
13 harms and will continue to harm its ability to continue to conduct its business on this international  
14 scale. The Executive Order has created uncertainty regarding our international employees'  
15 immigration status and their ability to travel to and from the United States; it impedes our ability  
16 to serve our customers and users around the world and to recruit internationally; and it runs  
17 counter to the values at the core of our company.

18 9. I declare under penalty of perjury that the foregoing is true and correct.  
19  
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Executed on this 11<sup>th</sup> day of March, 2017

A handwritten signature in black ink, appearing to read 'S. Buell', is written over a horizontal line.

Scott S. Buell, Esq.

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# DECLARATION OF AARON LAVINE

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

**CITY OF ITHACA, NEW YORK DECLARATION OF  
IMMEDIATE AND IRREPARABLE HARM**

Pursuant to 28 U.S.C. § 1746(2), I, Aaron O. Lavine, hereby declare as follows:

1. I am the City Attorney for the City of Ithaca ("City"), 108 East Green Street, Ithaca, New York. I have been employed in this capacity since January 2012.

2. The City of Ithaca is located in the Finger Lakes region of New York State with an estimated population of approximately 30,788.

3. As the City Attorney, I advise and represent the City, including its elected officials, boards, departments, and staff, in all matters of concern to the City.

4. I have reviewed the March 6, 2017, Executive Order entitled "Protecting the Nation from Foreign Terrorist Entry into the United States" and the prior Executive Order of

1 January 27, 2017, entitled “Protecting the Nation from Terrorist Entry into the United States”. I  
 2 have personal knowledge of the matters set forth herein.

3 5. The City of Ithaca has long affirmed its commitment to, regardless of  
 4 nationality or citizenship status, creating a climate of welcome and inclusiveness, protecting  
 5 and preserving the values of democracy and freedom, and respecting the human dignity and  
 6 human rights of all persons.  
 7

8 6. The City of Ithaca has a long history of embracing refugees fleeing persecution  
 9 and violence, and, as recently as June 1, 2016, the Mayor and Common Council welcomed  
 10 future refugees to join the community and reaffirmed the City’s commitment to refugees that  
 11 already made their home in Ithaca.  
 12

13 7. Despite its relatively small size, the City of Ithaca relies both economically and  
 14 socially on its foreign-born population and the free movement of academia and tourists from  
 15 all parts of the world.

16 8. Seventeen percent of the City’s overall population is foreign born.

17 9. The metropolitan Ithaca area is home to three educational institutions, all of  
 18 which serve and accept international students and rely on the work of foreign-born teachers,  
 19 researchers, and other academic professionals.  
 20

21 10. The largest of these institutions, Cornell University, owns 56% of the real estate  
 22 within the City of Ithaca<sup>1</sup>. Based on reports provided to me by the Vice President for  
 23  
 24

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25 <sup>1</sup> See Bill Chaisson, *Cornell Compared: Ithaca Mayor Calls Out His Alma Mater on Financial*  
 26 *Contribution*, Ithaca Times (Feb. 15, 2014), [http://www.ithaca.com/news/cornell-compared-ithaca-mayor-calls-out-his-alma-mater-on/article\\_e8e56ab4-93e9-11e3-90ed-0019bb2963f4.html](http://www.ithaca.com/news/cornell-compared-ithaca-mayor-calls-out-his-alma-mater-on/article_e8e56ab4-93e9-11e3-90ed-0019bb2963f4.html)

1 University Relations, Joel M. Malina, Cornell University educates over 22,000 students  
2 annually and employs nearly 10,000 people on its Ithaca campus.<sup>2</sup>

3 11. I have reviewed reports from Cornell University Vice President Malina  
4 indicating that 10.1% of Cornell University's undergraduate student body is comprised of  
5 international students, and at least 40.3% of its graduate and professional students are  
6 international. Over 5% of Cornell University's faculty and 26.4% of other academic employees  
7 and postdocs are international.<sup>3</sup>

9 12. Cornell University has a substantive impact on the local economy. Based on my  
10 review of reports provided by Vice President Malina, I note that Cornell maintains a payroll of  
11 nearly \$800 million, and estimates \$211 million in student spending and \$72 million in visitor  
12 spending in the metropolitan Ithaca area. By its report, Cornell University spends over \$160  
13 million in purchasing and construction projects locally, and over \$12 million in contributions  
14 paid to area governmental organizations, including taxes and municipal fees, and other non-  
15 profits. I further note that Cornell estimates that the university draws over \$300 million in  
16 federal, state and corporate research funding to the local economy.<sup>4</sup>

18 13. The confusion and chilling effect of the recent Executive Orders is of great  
19 concern to the City of Ithaca. Substantial local economic benefits realized by Ithaca are  
20 dependent on Cornell University's ability to conduct its global academic and scholarly  
21 initiatives, and its standing and reputation as an international academic institution.  
22

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24 <sup>2</sup> <http://universityrelations.cornell.edu/files/2017/02/CornellEconomicImpact2016-1ad9n0o.pdf>

25 <sup>3</sup> [http://irp.dpb.cornell.edu/tableau\\_visual/diversity-composition-dashboard](http://irp.dpb.cornell.edu/tableau_visual/diversity-composition-dashboard) (Cornell's international  
26 student and staff data does not include foreign-born students and employees who are naturalized citizens or  
permanent residents.)

<sup>4</sup> <http://universityrelations.cornell.edu/files/2017/02/CornellEconomicImpact2016-1ad9n0o.pdf>

1           14. Immigrants and foreign visitors also significantly contribute to the City of  
2 Ithaca's business and cultural community. The City's economic dependence on the movement  
3 of international visitors and immigrants is evidenced by the City's traveler data for the  
4 metropolitan Ithaca area.

5  
6           15. In preparing this declaration, I reviewed flight data provided by the Ithaca  
7 Tompkins Regional Airport from 2015-2016. The Ithaca Tompkins Regional Airport saw a  
8 total of 21,140 travelers with foreign destinations or origins, comprised of 211 different  
9 countries, and accounting for 11% of the airport's travel.

10           16. In preparing this declaration, I reviewed tourism data provided by Peggy  
11 Coleman, Vice President of Tourism and Community Relations for the Ithaca/Tompkins  
12 County Convention and Visitors Bureau. Data from 2016 indicates that over 19% of visitors to  
13 the City's downtown visitor center reported living outside of the United States. For all visitor  
14 centers within Tompkins County in 2016, 15% reported living outside the United States. Vice  
15 President Coleman informed me that the Tompkins County Chamber of Commerce estimates  
16 that this percentage conservatively translates into 8,400 individual foreign visitors to the Ithaca  
17 area.  
18

19           17. In preparing this declaration, I reviewed information provided by Jennifer  
20 Tavares, President of the Tompkins County Chamber of Commerce. Chamber of Commerce  
21 2015 traveler spending data shows that visitors to the greater Ithaca area spent approximately  
22 \$195,406,000 on lodging, recreation, restaurants, and other tourist amenities, constituting a  
23 sizeable portion of the regional economy. In a panel discussion hosted by the Chamber on  
24 March 6, 2017, President Tavares also expressed that would-be foreign tourists have contacted  
25  
26



1 the Chamber of Commerce to inform her that President Trump's executive orders have caused  
2 them to cancel plans to attend and visit Ithaca-regional events and attractions.

3 18. In preparing this declaration, I reviewed United States Bureau of Labor  
4 Statistics data for the Ithaca region. In 2016, the region saw the greatest payroll increases in the  
5 following three sectors: Education and health services, Professional and business services, and  
6 Leisure and hospitality.<sup>5</sup> As evidenced by the reports and data I have reviewed in preparing this  
7 declaration, any or all of the payroll gains seen in these sectors may be impacted by the March  
8 6, 2017 Executive Order.

10 19. Although already home to various refugee communities, in 2017, the City of  
11 Ithaca was poised, for the first time, to serve as a formal reception site for the arrival of  
12 refugees to the United States. In preparing this declaration, I instructed my office to consult  
13 with the Program Director for Catholic Charities Tompkins/Tioga Immigrant Services  
14 Program. The Program Director reported to us that her program was recently awarded a  
15 Department of State grant to help resettle 50 refugees from Syria, among other countries, in the  
16 City of Ithaca. Arrangements for the arrival of at least three refugee families were impeded as a  
17 direct result of the January 2017 Executive Order.<sup>6</sup> The Program Director advised us that the  
18 March 6, 2017 Executive Order has further delayed the arrival of these families by at least four  
19 months, and that a reduction in resettlement numbers could jeopardize the status of Ithaca as a  
20 reception site, even for refugees from countries other than those named in the Executive Order.

23 20. By hindering the flow of international visitors and foreign born residents to and  
24 from Ithaca, the City stands to lose millions from tourism and other visitor spending, threatens

25 <sup>5</sup> [https://www.bls.gov/regions/new-york-new-jersey/summary/blssummary\\_ithaca.pdf](https://www.bls.gov/regions/new-york-new-jersey/summary/blssummary_ithaca.pdf)

26 <sup>6</sup> Jolene Almendarez, *Reports: Refugee families set to arrive in Ithaca indefinitely stalled*, Ithaca Voice  
(Jan. 31, 2017), <https://ithacavoice.com/2017/01/reports-refugee-families-set-arrive-ithaca-indefinitely-stalled/>

1 the City's economy and workforce generally, and jeopardizes Ithaca's core values as a small  
2 city supportive and welcoming of global ideas and unity through multiculturalism.  
3

4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed on this 10<sup>th</sup> day of March, 2017  
6

7 

8 Aaron O. Lavine  
9 City Attorney  
10 City of Ithaca  
11 108 E. Green St.  
12 Ithaca, NY 14850  
13 (607) 274-6504  
14 Attorney for Svante L. Myrick,  
15 Mayor of Ithaca  
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# DECLARATION OF DAVID PASHMAN

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON,

Plaintiff,

v.

DONALD TRUMP, in his official capacity as President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY; JOHN F. KELLY, in his official capacity as Secretary of the Department of Homeland Security; TOM SHANNON, in his official capacity as Acting Secretary of State; and the UNITED STATES OF AMERICA,

Defendants.

**Declaration of David J. Pashman, Esq.**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am the General Counsel of Meetup, Inc. ("Meetup"). In that role, I oversee the legal team, managing all legal functions. I also lead all of Meetup's public policy efforts.

3. Meetup is one of the world's largest network of local community groups, enabling people across the country and the world to find an existing Meetup group or start a new one.

Meetup changes people's lives—and the cities and towns where they live—by connecting people around the things that matter to them. There are approximately 28 million Meetup members and approximately 260,000 Meetup groups.

4. Meetup was founded in 2002 and has been based in New York City since its inception. The company currently employs about 160 people. These employees are comprised of a diverse mix of ethnicities, religions and nationalities.

5. Meetup is a mission-driven company with a strong focus on how its business impacts society. It is committed to diversity, inclusivity, and connecting people around the world with each other. Meetup's business is premised on the belief that bringing people together locally in thousands of cities across the world can improve their lives through community. Meetup seeks to make it easier for anyone to organize a Meetup group and create something important, resulting in actions that might change their own life or one of their members' lives.

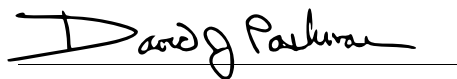
6. The recent revised Executive Order signed by President Trump on March 6, 2017, "Protecting the Nation from Foreign Terrorist Entry into the United States" (the "Executive Order") immediately and negatively impacts Meetup's employees, as well as employees' friends, families, and spouses. The Executive Order also negatively impacts candidates for employment with Meetup.

7. Meetup currently employs over 20 individuals who are not citizens of the United States. Meetup currently employs 12 individuals who are on a visa. Many of these employees have expressed fear, anxiety, and uncertainty regarding the stability of their immigration status.

8. Additionally, Meetup has serious concerns that the Executive Order will have a negative impact on its employees who are nationals of other majority Muslim nations not contained within the Executive Order, such as Bangladesh, Pakistan, or Turkey. Meetup currently employs at least 1 person who is a national of such a nation. Meetup further anticipates that the Executive Order will have a negative impact on its ability to recruit and retain highly skilled workers from both nations affected by the order and currently unaffected Muslim-majority nations, as well as Muslim individuals from other countries.

9. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 10<sup>th</sup> day of March 2017.

A handwritten signature in black ink, reading "David J. Pashman", is written over a horizontal line.

David J. Pashman, Esq.

# DECLARATION OF MICHAL ROSENN

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Michal Rosenn, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am General Counsel of Kickstarter, PBC ("Kickstarter"). In that role, I oversee the legal team, managing all legal functions, and head all of Kickstarter's public policy efforts.

3. Kickstarter is the world's largest funding platform for creative projects. More than 12 million backers have pledged nearly \$3 billion to projects on the site, helping to bring more than 100,000 creative ideas to life. The artists, musicians, creators, entrepreneurs, and filmmakers who use Kickstarter—and the backers who support them—hail from all over the world.

4. Kickstarter has been based in New York since its founding in 2009 and is

1 headquartered in Brooklyn. It employs nearly 130 people, and its employees hail from all over  
2 the United States and the world.

3           5.       Kickstarter is a mission-driven company whose values are at its core. It is  
4 committed to diversity, to inclusivity, and to fighting inequality and discrimination. In 2015,  
5 Kickstarter reincorporated as a Public Benefit Corporation, enshrining in its articles of  
6 incorporation its commitments to these values. Specifically, Kickstarter spelled out its  
7 commitment to fighting systemic inequality, and its support of efforts that aim to end  
8 prejudice. Also in 2015, Kickstarter launched a campaign at the White House's request and in  
9 collaboration with the United Nations Human Rights Campaign ("UNHCR") to raise  
10 awareness and aid for Syrian refugees. The campaign inspired more than 25,000 people to  
11 donate more than \$1.7 million in direct aid.  
12

13           6.       The Revised Executive Order signed by President Trump on March 6, 2017,  
14 "Protecting the Nation from Foreign Terrorist Entry into the United States" (the "Executive  
15 Order") immediately and negatively impacts Kickstarter's employees, as well as employees'  
16 friends, families, and spouses.  
17

18           7.       Kickstarter currently employs eleven individuals who are not citizens of the  
19 United States. Nine of these employees are in the United States on a visa, while two are  
20 employed abroad. The Administration's shifting positions and the continued confusion as to  
21 the scope of the Executive Order and its predecessor have resulted in Kickstarter's non-U.S.-  
22 citizen employees feeling unsure of their positions. These employees have expressed fear,  
23 anxiety, and uncertainty regarding the stability of their immigration status and ability to travel  
24 to and from the United States.  
25  
26





# DECLARATION OF JILL SIMEONE

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

CIVIL ACTION NO. 2:17-cv-00141-JLR

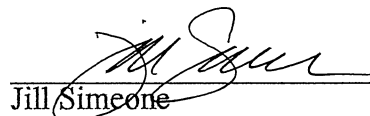
Pursuant to 28 U.S.C. § 1746(2), I, Jill Simeone, hereby declare as follows:

1. I am over the age of eighteen and competent to testify.
2. I am General Counsel of Etsy, Inc. ("Etsy"). In my capacity as General Counsel I oversee the legal team and oversee Etsy's overall legal strategy. In addition, I work with human resources to ensure compliance with immigration laws and regulations.
3. Etsy is a global creative commerce platform. Our mission is to reimagine commerce in ways that build a more fulfilling and lasting world. Founded in 2005, Etsy has been empowering creative small businesses to connect directly with buyers around the world. We build markets, services, and economic opportunities that empower creative entrepreneurs and shape a positive future for business. As of December 31, 2016, our platform connected 1.7 million active Etsy sellers and 28.6 million active Etsy buyers in nearly every country in the world. Over 80% of our sellers are women.
4. Etsy is a values-based company. Etsy has been a "Certified B Corporation" since 2012, and is committed to rigorous standards of social and environmental performance, accountability, and transparency.
5. We strongly believe that a diverse work force and candidate pool is essential to Etsy's success. Etsy currently employs over 1,000 employees, both U.S. and non-U.S. citizens, with most employees working at Etsy's headquarters located in Brooklyn, New York, as well as our satellite office in Hudson, New York.

6. The Trump administration's revised Executive Order, "Protecting the Nation from Foreign Terrorist Entry into the United States", signed on March 6, 2017 (the "Executive Order") has both immediate and long-term negative consequences for Etsy, our employees, their families and loved ones, prospective candidates, and by extension, the millions of small businesses that we support through our platforms and services.
7. Etsy has employees who are not citizens of the U.S. and who are currently working in the U.S. on a visa. Additionally, Etsy has over 175 employees working outside of the United States who often visit Etsy's U.S. headquarters. Some of our employees are, or have family members and loved ones who are, from the countries impacted by the Executive Order. Our employees have expressed concern about their immigration status, and are worried about their continued ability to travel to and from the United States.
8. In response to the initial Executive Order, on January 28, 2017, Etsy's CEO, Chad Dickerson, reached out to all of Etsy's employees and encouraged employees to ask for help and coordinate with Etsy's legal and human resources team for any immigration concerns they might have. Multiple employees reached out in response, indicating their fears and anxieties about immigration policies, including concerns about their visa and concerns about their families and loved ones who live in the affected countries. We believe that the revised Executive Order does not alleviate, but in fact perpetuates, the stress related to these issues.
9. Etsy has employees who were born in and/or who have family and loved ones living in predominantly Muslim countries, including countries listed in the Executive Order. Our employees are anxious, confused, and frightened by the prospect of being unable to return home to visit their family and loved ones. The Executive Order's prohibition of nationals from predominantly Muslim countries has also caused our employees of Muslim faith to feel ostracized.
10. Etsy is a diverse company and it is important to us to be able to recruit and retain highly-skilled, diverse workers for our global workforce. We are concerned that the Executive Order has the impact of discouraging highly-skilled, diverse workers who are of Muslim faith from choosing to work for us because they may feel unsafe, unwelcome, or uncertain about traveling to the U.S.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11th day of March, 2017

  
 Jill Simeone

# DECLARATION OF JONATHAN TRUPPMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

STATE OF WASHINGTON, et al.,

Plaintiff,

v.

DONALD TRUMP, in his official capacity as President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY; JOHN F. KELLY, in his official capacity as Secretary of the Department of Homeland Security; TOM SHANNON, in his official capacity as Acting Secretary of State; and the UNITED STATES OF AMERICA,

CASE NO. C17-00141 (JLR)  
DECLARATION OF JONATHAN TRUPPMAN, ESQ.

**Declaration of Jonathan Truppman, Esq.**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am over the age of 18 and competent to testify.
2. I am General Counsel of Casper Sleep Inc. ("Casper"). I am responsible for Casper's day-to-day legal operations, including commercial and corporate transactions, litigation, and regulatory compliance. On an as-needed basis, I help Casper employees and their families obtain immigrant and non-immigrant visas, and ensure Casper's compliance with applicable immigration laws. I have been employed by Casper with these general responsibilities since 2015.
3. Casper is a technology-driven e-commerce company that has upended the mattress industry with our obsessively engineered mattress and other sleep-related products. Casper's success is, in large part, a function of our relentless focus on finding and hiring the best employees. Casper employs



approximately 274 people in our offices and retail stores in New York, California, the United Kingdom and Germany. We hire without regard to race, gender, age, sexual orientation, national origin, politics or faith, and are committed to building a diverse workforce. Our employees come to Casper from all over the United States and the world. Together, we are building a global business.

4. On January 27, 2017, President Trump signed an Executive Order, "Protecting the Nation from Foreign Terrorist Entry into the United States" (the "First Executive Order"). On March 6, 2017, President Trump signed a new Executive Order (the "Second Executive Order" and collectively, the "Executive Orders") that, in the words of his senior advisers, adopts "the same basic policy" as the first. In particular, the policy purports to reinstate two provisions of the First Executive Order: (1) a 90-day ban on entry of persons from several Muslim-majority countries, and (2) a 120-day suspension of the U.S. Refugee Admissions Program. *See* First Executive Order §§ 3(c), 5(a) (imposing these bans), and ECF No. 52, at 5 (enjoining §§ 3(c), 5(a)), and Second Executive Order §§ 2(c), 6(a) (reinstating these bans). Collectively, the Executive Orders immediately – and negatively – impacted Casper's ability to hire the best candidates and grow our business.

5. First, the Executive Orders have induced anxiety in current employees who are non-US citizens, all of whom have proper work authorization and are essential to our operations. Casper employs at least a dozen non-US citizens in its three US offices, and many more in our offices abroad. Although none of these individuals is from one of the Muslim-majority countries included in the Executive Orders, they are nonetheless reasonably worried about their immigration status and ability to travel to and from the United States. The Executive Orders themselves promise to ban individuals from additional countries if those nations do not provide information the Secretary of State deems necessary to approve visas. *See* First Executive Order § 3(e)-(f); Second Executive Order § 2. A few weeks ago, these employees could focus on their work and their families, secure in the knowledge that their green cards or work visas could not be suddenly and arbitrarily revoked. That confidence is now broken. Given the capricious nature of the Executive Orders, both in their substance and their implementation, I cannot assure our non-US citizen employees that, if they continue to abide by settled immigration laws, they will be able to live and

work in the United States.

6. Second, the Executive Orders are unclear. While there is no absolute right to the maintenance or continuation of a visa, Casper relies on predictability in the visa and green card system, and on U.S. immigration laws that are clear and enforced by immigration authorities who have constrained and reasonable discretion. The Executive Orders overturned settled immigration rules by imposing new and burdensome restrictions on entry into the United States. In addition, the Executive Orders give the Departments of Homeland Security and States the power to make “case-by-case” exceptions, but do not specify any criteria for issuing exceptions. Because individual immigration officers appear to have unconstrained discretion in issuing exceptions, it is unclear what exemptions will be given, or why—and whether that authority is being exercised fairly and without discrimination. Without clear immigration rules, I cannot advise Casper’s hiring managers as to what rules apply to their current non-US citizen reports and non-US citizens they are interviewing for open positions. This uncertainty not only imposes additional financial and administrative burdens on Casper’s business operations, it also hinders Casper’s ability to invest in the growth necessary to create even more jobs in the future. The swift replacement of the First Executive Order with the Second Executive Order only compounds this uncertainty.

7. Third, the Executive Orders will make it more difficult for Casper to recruit. In light of the Executive Orders, Casper must re-evaluate its approach to hiring non-US citizens (even though, by law, Casper is not permitted to discriminate against non-US citizens who have proper work authorization). When deciding whether to hire a non-US citizen, we must weigh not only the cost of sponsoring or obtaining a visa for such a candidate, but also the risk that such a candidate will be unexpectedly turned back at the border. Given the shifting interpretations of the Executive Orders by the White House and Departments of Homeland Security and State, I cannot advise a candidate who does not appear to be included in the current interpretation of the Executive Orders that she will not be included in the next interpretation—or indeed the next Executive Order. As a result of this uncertainty, skilled individuals who are non-US citizens will be dissuaded from immigrating to the United States and working




for Casper, where they may be cut off without warning from their spouses, grandparents, relatives, and friends. The Executive Orders will make it more difficult and expensive for Casper to hire the world's best talent, and more risky for non-US citizens to join Casper—which in turn will impede us from competing in the global marketplace.

8. Finally, the Executive Orders have negatively impacted Casper's ability to expand internationally. By significantly limiting the ability of non-US citizens to travel to and from the United States, the Executive Orders inhibit Casper's ability to create an integrated global workforce. Non-US citizens employed in Casper's international offices need to travel back and forth from our offices in the United States, and the Executive Orders makes such travel more risky. More fundamentally, the Executive Orders inhibit Casper's global expansion because they decrease the value of American products and American companies competing in the global marketplace. An important element of Casper's success is that it is an American company committed to American values, selling distinctively designed-in-America products. The values that we are committed to include the belief that America is a country founded and built by immigrants, and that we are accepting of all faiths and creeds. The Executive Orders compromise those values, and as a result compromise American companies competing in the global marketplace.

9. I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11 day of March, 2017.



Jonathan Truppmann  
General Counsel  
Casper Sleep Inc.

# DECLARATION OF MITRA AKHTARI

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Mitra Akhtari, hereby declare as follows:

1. I am a 6th year Ph.D. candidate in economics at Harvard University. I received my B.A. in applied mathematics and economics from the University of California, Berkeley. My teaching and research fields are labor economics, political economy, development economics, and public finance. I am an affiliate of the Weatherhead Center for International Affairs, the largest international science center within Harvard's Faculty of Arts and Sciences. I am also affiliated with the Institute for Quantitative Social Science, Harvard's largest social science research center. I have personal knowledge of the facts set forth in this declaration, and I am competent to testify about them.
2. I am one of the founding members of the Immigrant Doctors Project, as well one of the researchers. The Project comprises ten economists and doctoral candidates in economics

1 at Harvard, the Massachusetts Institute of Technology, and the University of Chicago.

2 3. I have reviewed the Executive Order titled “Protecting the Nation from Foreign Terrorist  
3 Entry Into the United States,” signed by the President on March 6, 2017 (hereinafter, “the  
4 Second Executive Order”). I am aware that the Order purports to temporarily bar entry  
5 into this country by nationals from Iran, Libya, Somalia, Sudan, Syria, and Yemen.

6 4. The Immigrant Doctors Project was formed to analyze the impact of the President’s  
7 Executive Orders on the provision of health care in the United States.

8 5. Our work shows that the Second Executive Order is likely to hurt the health of millions of  
9 Americans—including New Yorkers—who rely on physicians trained in Iran, Libya,  
10 Somalia, Sudan, Syria, and Yemen.

11 6. The data underlying our results comes from Doximity, an online networking site for  
12 doctors. Doximity assembles the data from a variety of sources, including the American  
13 Board of Medical Specialties, specialty societies, state licensing boards, and collaborating  
14 hospitals and medical schools. Doximity data has been verified to be highly reliable and  
15 has been used in research published in leading peer-reviewed journals, such as the Journal  
16 of the American Medical Association.<sup>1</sup>

17 7. The Doximity data is comprehensive, covering 1,005,419 physicians—virtually all  
18 practicing physicians in the United States. (It includes every doctor assigned a National  
19 Provider Identifier by the Centers for Medicare and Medicaid Services.) We restrict our  
20 analysis to the subset of observations in the Doximity data with both current zip code and  
21 country of medical school information, leaving us with a final sample of 827,522 doctors.

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25 <sup>1</sup> See, e.g., Anumpam B. Jena, M.D., Ph.D. et al., *Sex Differences in Academic Rank in US Medical Schools*  
26 *in 2014*, *Journal of the Am. Med. Ass’n*, 314(11):1149-1158 (Sept. 15, 2015).

- 1 8. Doctors are classified as immigrants from one of the six designated countries based on the  
2 country in which they attended medical school. Although this is not a perfect measure of  
3 citizenship, it is a useful—and even conservative—estimate for the total number of  
4 affected doctors.
- 5  
6 9. We count 7,000 doctors presently working in America who attended medical school in  
7 one of the designated countries. We believe that our count underestimates the total number  
8 of doctors who immigrated to the United States from the six countries named in the  
9 Second Executive Order. In practice, many citizens of these countries attend medical  
10 school in the United States or other non-designated countries. Others are among the 18%  
11 of doctors excluded from our counts because they we do not know their up-to-date zip  
12 code or the country in which they attended medical school. These factors would cause us  
13 to undercount the number of affected doctors.
- 14  
15 10. One factor that could cause us to overcount the number of affected doctors would be if a  
16 citizen of a non-designated country (e.g., Egypt) attended medical school in a designated  
17 country (e.g., Syria). Since we observe only the country in which the doctor attended  
18 medical school we would be counting that person as affected. However, we believe that  
19 this number is likely exceeded by the number of doctors we exclude from our count (e.g.,  
20 doctors from the designated countries who trained in the United States). An analysis by  
21 Medicus using country-of-birth information contained in licensing data supports this  
22 conclusion.
- 23  
24 11. Doximity contains data on the address of a doctor's practice. We group doctors based on  
25 the commuting zone of their practice address. Commuting zones are groups of adjacent  
26

counties that have close economic ties; for instance, seven counties in the eastern part of Massachusetts make up the Boston commuting zone.

12. To estimate the number of appointments provided to patients each year by doctors from the designated countries, we multiply the number of doctors by 2,000. This estimate is based on research by Hannah Neprash, who finds that an average doctor serves just over 40 appointments per week (40 appointments/week x 50 weeks worked = 2,000 appointments/year).<sup>2</sup> Estimates from other sources, such as the 2016 Survey of America's Physicians, generate similar estimates.<sup>3</sup>

13. We characterize commuting zones as having a shortage of doctors if the population of the commuting zone is more than 3,500 times the number of doctors with an internal medicine specialty in the commuting zone. This definition corresponds closely with one of the main criteria used in the federal Health Professional Shortage Area (HPSA) designation: whether the ratio of the population to primary care providers exceeds 3,500. Population information is obtained from the 2015 American Community Survey, conducted by the U.S. Census Bureau.

14. In New York State, about 550 doctors trained in the six designated countries offer 1.1 million medical appointments each year. In New York City alone, there are about 400 doctors who trained in the six designated countries; they offer about 800,000 appointments each year.

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<sup>2</sup> See Hannah T. Neprash, *Better Late than Never? Physician Response to Schedule Disruptions* (Nov. 15, 2016), available at [http://scholar.harvard.edu/files/hannahneprash/files/neprash\\_jmp\\_november2016.pdf](http://scholar.harvard.edu/files/hannahneprash/files/neprash_jmp_november2016.pdf).

<sup>3</sup> See The Physicians Foundation, *2016 Survey of America's Physicians: Practice Patterns & Perspectives* (Sept. 2016), available at [http://www.physiciansfoundation.org/uploads/default/Biennial\\_Physician\\_Survey\\_2016.pdf](http://www.physiciansfoundation.org/uploads/default/Biennial_Physician_Survey_2016.pdf).

1 15. There are 741 commuting zones in the United States. Three of New York's commuting  
2 zones—Syracuse, Poughkeepsie, and Buffalo—are among the top 20 commuting zones in  
3 in terms of the percentage of doctors who trained in the six designated countries:

4 a. In Buffalo, there are about 60 doctors who trained in the six designated countries;  
5 they offer about 120,000 appointments each year.

6 b. In Syracuse, there are about 30 doctors who trained in the six designated countries;  
7 they offer about 60,000 appointments each year.

8 c. In Poughkeepsie, there are about 30 doctors who trained in the six designated  
9 countries; they offer about 60,000 appointments each year.

10 16. Even smaller commuting zones are affected by the Second Executive Order. For example,  
11 both Olean and Watertown, NY are medically underserved commuting zones. Although  
12 they each have less than ten physicians from the designated countries, they stand to lose as  
13 many as 20,000 appointments each year.

14 17. In rural and medically underserved areas like Olean and Watertown, the shortage of  
15 doctors can have a devastating impact on the health of residents. Cardiology and  
16 neurology are two of the three specialties with the highest share of doctors from the six  
17 designated countries. Proximity to cardiologists and neurologists is critical to the survival  
18 and recovery of patients suffering from heart attacks and strokes. In these cases, there is a  
19 short window—the so-called “golden hour”—during which immediate treatment can  
20 prevent permanent damage to the heart or brain. Longer drives to the nearest specialist  
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1 mean higher rates of permanent disability and death.<sup>4</sup> Beyond emergency situations, long  
2 distances can prevent patients from seeking routine, but essential care.<sup>5</sup>  
3  
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5 I declare under penalty of perjury that the foregoing is true and correct.

6 Executed on this \_11th\_ day of March, 2017  
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9 Mitra Akhtari  
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21 <sup>4</sup> A 2002 survey found that increased distances from medical care in rural areas contributed to higher  
22 fatalities from car accidents. *See* U.S. Dep't of Agriculture, *Health Care Status and Health Care Access of Farm  
and Rural Populations* 31 (Aug. 2009), [https://www.ers.usda.gov/webdocs/publications/eib57/9371\\_eib57\\_1\\_.pdf](https://www.ers.usda.gov/webdocs/publications/eib57/9371_eib57_1_.pdf)  
(footnote omitted).

23 <sup>5</sup> *See, e.g.*, William F. Rayburn M.D. et al., *Drive Times to Hospitals with Perinatal Care in the United*  
24 *States*, *Obstetrics & Gynecology*, 119(3):611-616 (March 2012) (evaluating driving times to hospitals offering  
perinatal services in the United States); Laura-Mae Baldwin, M.D. MPH et al., *Low Birth Weight Rates in the*  
25 *Rural United States, 2005*, Rural Health Research Center, Univ. of Wash. (Oct. 2013),  
26 [http://depts.washington.edu/uwrhrc/uploads/RHRC\\_PB138\\_Baldwin.pdf](http://depts.washington.edu/uwrhrc/uploads/RHRC_PB138_Baldwin.pdf) (explaining that barriers to low-birth weight  
prevention include insufficient provider supply and longer distances to provider offices).



# DECLARATION OF ROOZBEH ESKANDARI

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Roozbeh Eskandari, hereby declare as follows:

1. I am a resident of New York, and I have Iranian citizenship.
2. I moved from Iran to the United States in 2009 with a hope of receiving an education in a more effective academic environment. I was inspired by the United States' values of freedom of speech, and the opportunity to work closely with others regardless of their religion, ethnicity, or backgrounds.
3. In August 2009, while on a F1 student visa, I started my graduate studies at Case Western in Ohio. There, I studied chemistry and obtained a PhD degree. During these years, I had the privilege to interact with great scientists from all over the world and trained a lot of students in the chemical biology field in my capacity as instructor in the teaching lab. A

1 good proportion of my students are now at many top institutions, such as Berkeley, MIT,  
2 Duke, University of California at San Diego, working towards further developing the field.

3 4. I graduated from Case Western Reserve University in July 2015. I moved to New York  
4 City a month after and began to work at the Memorial Sloan Kettering Cancer Center as a  
5 postdoctoral scientist focusing on developing imaging molecules with Hyperpolarize MRI  
6 using the expertise that I developed for years. I currently have an Optional Practical  
7 Training visa, which is an extension of my F1 visa for temporary employment.  
8

9 5. I have been working on developing molecules to study the aberration of metabolism in  
10 different types of cancers. My current work on renal cell carcinoma is proven to be  
11 translatable to humans. My colleagues and I are in the process of submitting our results to  
12 cancer discovery journals, so that other physicians can utilize this technique and diagnose  
13 kidney cancer at early stages.  
14

15 6. The issuance of the Executive Order has had a negative impact on my research. Given the  
16 great uncertainty surrounding the Executive Order, it is unclear whether I will be able to  
17 continue my research in the United States as my visa may not be renewed. If I cannot  
18 continue my research, there is a chance that life-saving cancer treatments will remain  
19 undiscovered.  
20

21 7. Unfortunately, the new Executive Order will also make my personal life much harder. My  
22 parents live in Iran. Because of the Executive Order, they would be unable to visit me,  
23 which is emotionally burdensome.

24 8. I am also concerned that the discrimination exhibited by this Executive Order will also  
25 increase the risk for hostility towards people like me.  
26

1 I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and  
2 correct.  
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4 Executed on 10th of March, 2017  
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7 Roozbeh Eskandari  
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# DECLARATION OF TIM JOHNSON

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Tim Johnson, hereby declare as follows.

1. I am a Senior Vice President and the Executive Director of the Center for GME Policy and Services with the Greater New York Hospital Association (GNYHA.) I help develop and oversee GNYHA's policy development and advocacy work in the area of graduate medical education (GME) and health care workforce.

Background on GNYHA and the New York State Health Care Workforce

2. GNYHA is a trade association comprised of 160 hospital members, approximately 140 of which are located in New York State. Virtually every academic medical center and major teaching hospital in New York is a GNYHA member.
3. Our members are worldwide leaders in GME and medical research, in addition to providing patient care. Foreign nationals form a very important segment of our members' workforce. The J-1 and H-1B visas are among the most common types of nonimmigrant visas held by international professionals employed by our membership.
4. A large number of these visa holders are physician trainees in residency and fellowship programs. Physician trainees' primary goal is to learn to be independent, practicing physicians. They learn by taking care of patients under supervision, and as they progress through their training, they are given greater autonomy in caring for patients.

Physician trainees are an integral part of New York's health care workforce, working in hospital emergency rooms, inpatient units, and outpatient clinics. They provide culturally competent care in a variety of settings and communities, caring for many underserved New Yorkers of great need as part of their training.

5. Foreign nationals applying to physician training programs are subject to rigorous screening. The Educational Commission for Foreign Medical Graduates (ECFMG) sponsors foreign nationals in physician training programs on J-1 visas. It is my understanding that all credentials are verified and the foreign nationals are screened in partnership with the Specially Designated Nationals (SDN) list maintained by the Office of Foreign Assets Control of the U.S. Department of Treasury. Only after successful completion of this screening and passing certain examinations are the candidates certified by ECFMG to apply for a residency position.
6. Certified candidates submit applications and supporting documentation, including diplomas and licenses, through a centralized, electronic system, the Electronic Residency Application Service, that is sponsored by the Association of American Medical Colleges. Each year, hospitals with such programs and applicants for residency positions participate in a process known as "the match," which is conducted by the National Resident Matching Program (NRMP). Selection of residents and fellows for physician training programs is largely a centralized, controlled process with set milestone dates during the year. The NRMP is the conduit for matching applicants to residency and fellowship training programs that begin on July 1 each year. Each year in February, residency program directors must submit a rank order list of candidates to the NRMP. The residency program directors develop these rank order lists using objective criteria based on qualifications and likelihood of success in meeting the demands of the physician training programs. Candidates and programs are then "matched" by the end of March. At that point, any applicant who has matched with a program and who is in need of a visa must take steps to secure it prior to commencement of training on July 1.
7. Our members will sometimes hire physician trainees outside of the match as well, as there may be a need to recruit independently in certain cases for a variety of reasons. In addition to physician trainees, hospitals and their affiliated medical schools and research institutes also employ and sponsor other foreign professionals, including attending physicians, nurses, and scientific researchers. These organizations therefore recruit and hire physician trainees and other health care professionals continuously through each year.

#### GNYHA Member Survey

8. In the days following the issuance of President Trump's original travel ban, Executive Order 13769, on January 27, 2017, GNYHA immediately identified three broad



categories of individuals associated with our member hospitals who were being or could be impacted by the Executive Order: current visa holders prohibited from traveling or denied reentry to the U.S.; current visa holders whose renewals could be denied during the ban; and applicants for residency positions who may not be able to secure visas to commence their training. This last category was of particular importance because of impending deadlines in the resident match process. GNYHA determined that we should survey our membership to assess the potential impact of the Executive Order in these areas.

9. On February 1, 2017, GNYHA surveyed its members on, among other things, the number of visa holders in their workforce from the seven countries designated for the ban in Executive Order 13769 and the types of positions and visas they hold. We also asked whether any of our members had interviewed, or planned to interview, nationals from any of the seven countries for residency positions during the current match process. The survey closed on February 13.
10. Thirty-two New York State respondents from GNYHA's membership submitted data in response to the survey. Because some of the respondents are hospital systems that responded on behalf of multiple hospitals, the data represents submissions on behalf of 80 individual New York State hospitals.
11. Among these 80 hospitals, the survey found that there are 72 physician trainees from the six countries now subject to the ban under President Trump's new Executive Order 13780, who are on nonimmigrant visas. According to the survey results, there are 38 other health care workers from the six countries who are on nonimmigrant visas.
12. Fourteen of the 32 respondents (representing as many as 56 individual hospitals) responded that they had interviewed foreign nationals from the original seven countries for residency or fellowship positions during the current match process. We did not ask respondents to identify which countries the candidates were from or how many candidates from each of the designated countries the respondents had interviewed or planned to interview during the match.

#### Impact of Executive Order 13780

13. As the GNYHA survey results demonstrate, many of our member hospitals rely on foreign nationals from the six countries designated for the ban under Executive Order 13780 to fill physician trainee and other staff positions. Moreover, they likely have considered such nationals for physician trainee positions in the current match process. This year's match results will be announced on March 17. There may well be foreign nationals from the six countries who have successfully matched to our members' training programs, and those individuals will not be allowed to begin training in New York unless they fit into an exception or can get a waiver, in accordance with Executive



1 Order 13780. If they cannot identify a means to get a visa, the training programs will be  
 2 forced to seek out other, potentially less qualified, candidates from the applicants  
 3 remaining who have not been matched.

4 14. Executive Order 13780 may also affect our members if it results in a diminution or  
 5 delay in processing renewals of visas currently held by nationals from the six  
 6 designated countries. The implications for visa renewals are not entirely clear under the  
 7 new order or the Department of Homeland Security's related Q&A document, and this  
 8 uncertainty is deleterious to our members' ongoing need to conduct important research,  
 9 provide quality patient care, and have a robust staff in place to take care of their  
 10 communities.

11 15. Much will depend on how the authorities interpret and implement the new order and  
 12 how they exercise their discretion to grant waivers. We continue to be concerned about  
 13 the longer-term effects on our members' workforce, particularly if the ban is expanded  
 14 or extended as allowed by the terms of the new order. Executive Order 13780 addresses  
 15 some but not all of GNYHA's original concerns.

16 I declare under penalty of perjury that the foregoing is true and correct.

17 Executed on this 11<sup>th</sup> day of March, 2017

18 

19 Tim Johnson  
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# DECLARATION OF ERIC SCHERZER

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I Eric Scherzer, hereby declare as follows:

1. I am the Executive Director of the Committee of Interns and Residents/SEIU Healthcare ("CIR"), a national union representing interns, residents, and fellows in the medical field, which is headquartered in New York City.
2. I have personal knowledge of the statements set forth below. Personnel within CIR, including the legal department and research department, assisted in gathering information related to these statements.
3. CIR is the oldest and largest housestaff union in the country, representing more than 14,000 interns, residents, and fellows in the medical field in New York, New Jersey, New Mexico, Massachusetts, Florida, California and Washington, D.C. CIR members comprise approximately 13% of all United States resident physicians.

- 1 4. CIR has over 5,900 members in New York State and is the major union representing  
2 medical interns, residents, and fellows in the state. The majority of these CIR members  
3 (approximately 5,600) work in hospitals located in New York City. The remainder  
4 work in Westchester County.
- 5 5. A breakdown of CIR members in each of our New York State hospitals and clinics is  
6 attached as Exhibit A.  
7

#### 8 **Harm to CIR Members**

- 9 6. The March 6, 2017 Executive Order, titled "Protecting the Nation from Foreign  
10 Terrorist Entry Into the United States" ("March 6<sup>th</sup> Executive Order") will be  
11 particularly harmful to CIR members. Although we do not collect visa information, I  
12 have reason to believe that more than 500 CIR members are foreign nationals with  
13 temporary employment visas. Scores of resident physicians in New York City alone are  
14 from the countries listed in the Executive Order. Of these, a significant number are  
15 from Iran, one of the listed countries. Shortly after the January 27, 2017 Executive  
16 Order also titled "Protecting the Nation from Foreign Terrorist Entry Into the United  
17 States" ("January 27<sup>th</sup> Executive Order") went into effect, CIR issued a notice advising  
18 all nationals of the affected counties not to travel outside of the United States. We also  
19 warned foreign nationals from other countries not listed in the January 27, 2017  
20 Executive Order to avoid international travel. We cautioned other members on visas to  
21 travel outside of the U.S. only after consideration of the possible risks associated with  
22 travel during this unpredictable time.  
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- 1 7. As a result of the January 27<sup>th</sup> Executive Order, a second-year Internal Medicine  
2 resident at Interfaith Medical Center in Brooklyn – one of New York's "safety-net  
3 hospitals" that treat some of New York's most vulnerable patients -- was denied entry  
4 back into the United States when he attempted to leave Sudan after a visit to his family.  
5 This doctor is a Sudanese citizen who has a valid H-1 B visa for foreign workers in  
6 specialty occupations. He was unable to return to his residency program until he was  
7 allowed to enter the United States on February 5, 2017, after a temporary restraining  
8 order was issued by the Western District of Washington at Seattle, halting  
9 implementation and enforcement of the Executive Order.  
10
- 11 8. The March 6<sup>th</sup> Executive Order continues to harm CIR members and potential CIR  
12 members from the 6 listed countries. Although the March 6<sup>th</sup> Executive Order allows  
13 immigration-enforcement officials to issue waivers to permit admission of nationals of  
14 the 6 listed countries if there is proof that denying entry "would cause undue hardship,  
15 and that his or her entry would not pose a threat to national security and would be in the  
16 national interest," this is done on a case-by-case basis. Therefore, it is unclear how  
17 difficult it will be for CIR members or prospective members to obtain a waiver. Also,  
18 family members of CIR members from the 6 listed countries may be barred from  
19 obtaining a visa as a result of the March 6<sup>th</sup> Executive Order.  
20
- 21 9. The March 6<sup>th</sup> Executive Order will also likely harm CIR members beyond those from  
22 the listed countries. Many CIR members who are foreign nationals from other countries  
23 expressed concern that the January 27<sup>th</sup> and March 6<sup>th</sup> Executive Orders will be  
24 expanded to include their countries of origin. This is particularly the case for CIR  
25  
26

1 members from countries with a large Muslim population. Since the January 27, 2017  
 2 Executive Order went into effect, CIR's counsel has been inundated with panicked calls  
 3 from foreign- national residents seeking advice about how the Executive Orders could  
 4 affect them.

### 5 6 7 **Impact on Safety-Net Hospitals**

8 10. I expect that the March 6th Executive Order and other policies promulgated by  
 9 Department of Homeland Security will result in medical students deciding not to pursue  
 10 their medical training in the U.S. Because of the remaining uncertainties engendered  
 11 by this March 6th Executive Order, many medical students may elect to do their  
 12 residency in Britain or Canada thus depriving U.S. hospitals from the best and brightest  
 13 foreign trained medical students.

14  
 15 11. CIR members primarily work in safety-net hospitals, which include all of New York  
 16 City Health and Hospitals, public acute care hospitals, as well as most hospitals in  
 17 Brooklyn, Queens and the Bronx. Upon completing their residencies these members  
 18 often go on to work within the primary care units throughout New York State, where  
 19 there is a particularly underserved population and a great need for health care  
 20 professionals.

21  
 22 12. New York's safety-net hospitals rely heavily on foreign national resident physicians.  
 23 For example, in the Department of Internal Medicine at Interfaith Medical Center, a  
 24 safety-net hospital in Brooklyn, there are 91 resident physicians. Of the 91, 43 are on  
 25 H-1 B visas, 12 are on J-1s, 20 are green card holders and 16 are U.S. citizens. There  
 26

1 are, for example, four Sudanese resident physicians in this Department at Interfaith, one  
 2 of whom was discussed above. The Sudanese doctors cannot have family members visit  
 3 them because of the Executive Order. These Sudanese residents are still concerned  
 4 about overseas travel, as the Executive Orders could change to include visa holders.  
 5 Many of their foreign national colleagues are similarly worried about exiting the U.S.  
 6 in case the Executive Order is expanded to encompass citizens of their home countries  
 7 as well.  
 8

9 13. Resident physicians in the U.S. on a J-1 visa, which affords foreign nationals cultural  
 10 and educational exchange opportunities in the United States, need a waiver to stay in  
 11 the U.S. after their residency program is complete. A J-1 Visa Waiver allows a  
 12 physician to stay in the country to practice in a federally designated Health Professional  
 13 Shortage Area or Medically Underserved Area. As a result of the March 6<sup>th</sup> Executive  
 14 Order, physicians from the affected countries may not pursue entry to the U.S. in J-1  
 15 status and will thereby deprive underserved rural communities of the benefit of their  
 16 service under a J-1 waiver after their training.  
 17

18 14. The Executive Order has significant public health implications. Even the shortage of  
 19 one physician can have a significant impact on a safety-net hospital and the patients  
 20 they treat. Further, CIR learned about foreign-national patients who are confused by the  
 21 Executive Order and are afraid to get treated in some of these safety-net hospitals out of  
 22 concern that they would be deported. If this concern continues, it would have wide  
 23 public health impacts.  
 24  
 25  
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**Harm to New York Hospitals' Residency Programs**

15. There has been a profound chilling effect on international medical students applying to New York hospitals' residency programs and a major disincentive for hospitals to select foreign nationals for their residency programs due to the January 27<sup>th</sup> and March 6<sup>th</sup> Executive Orders and the uncertainty about whether they will be expanded to include other nations. CIR is concerned that some of the best and brightest international medical students, who have options to participate in residency programs in the United Kingdom and Canada, for example, will decide not to participate in a U.S. residency program. Many of these international medical students will not want to invest the time, energy and resources into applying for U.S. residency programs as they are concerned that they may not be able to enter the country.

16. I expect that there will be a significant negative impact on the National Residency Matching Program ("the Match") which will result in lower ranked medical students working in New York hospitals. During the Match, domestic and international medical school students are matched with residency programs at teaching hospitals throughout the United States. Medical students apply to residency programs and rank their hospitals by preference while teaching hospitals interview and evaluate residency program applicants and also rank them by preference. The result of the Match is that most of these applicants are placed with their most preferred program and, similarly, each program is matched with the most preferred applicants on its list.

17. The March 6<sup>th</sup> Executive Order places teaching hospitals and residents in an untenable position as they will be uncertain about which medical students will be allowed to enter



1 the country to fill their residency positions in July. We will not know for sure what the  
 2 effects of this uncertainty has been on the selection process until the results are  
 3 announced on March 17 ("Match Day"), but I suspect that hospitals will be reluctant to  
 4 rank some of the best and most qualified candidates if they are from the 6 affected  
 5 countries, or even if they are foreign nationals from other countries, as they may not be  
 6 able to participate in the program due to the March 6<sup>th</sup> Executive Order. As it is very  
 7 difficult to fill a vacant residency position after the Match, programs may determine  
 8 that it would be too much of a risk for them to rank foreign nationals who might not be  
 9 able to enter the country, especially those from the affected countries.  
 10

11 18. The March 6th Executive Order will likely continue to cause great injury to CIR  
 12 members, the hospitals where they train and the communities that they serve.  
 13

14  
 15 I declare under penalty of perjury that the foregoing is true and correct.

16 Executed on this 10<sup>th</sup> day of March, 2017

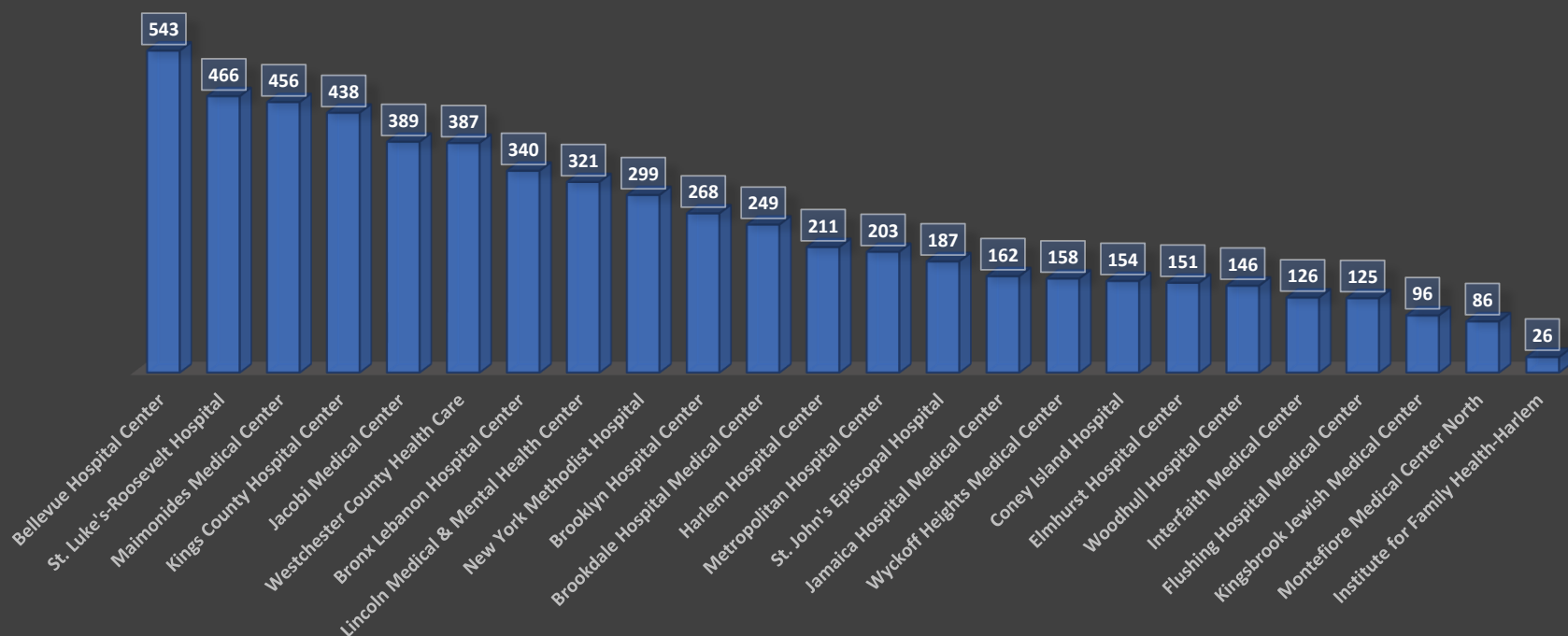
17 

18  
 19 Eric Scherzer  
 20 Executive Director  
 21 Committee of Interns and Residents/SEIU  
 22 Healthcare  
 23  
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### Breakdown of CIR Residents in New York State

#### CIR RESIDENTS IN NEW YORK STATE



# DECLARATION OF LOVELY WARREN

The Honorable James L. Robart

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON and  
STATE OF MINNESOTA,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-00141-JLR

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Acting Secretary of State; and the  
UNITED STATES OF AMERICA,

Defendants.

**Declaration of  
Mayor Lovely A. Warren,  
City of Rochester, New York,  
Regarding Immediate and  
Irreparable Harm**

Pursuant to 28 U.S.C. § 1746(2), I Lovely A. Warren, hereby declare as follows:

1. I am the Mayor of the City of Rochester, New York (the “City”), with offices at City Hall, 30 Church Street, Rochester, New York. I have been the City’s Mayor since January 2014.
2. I make this declaration based in part on personal knowledge and in part on information City staff has collected from community organizations, colleges and universities in the Rochester area, and published reports. The City of Rochester Law Department has reviewed Executive Order 13780, “Protecting the Nation from Foreign Terrorist Entry into the United States,” issued March 6, 2017, and to be implemented March 16, 2017, and the predecessor to that order, Executive Order 13769, entitled “Protecting the Nation from Terrorist Entry into the United States,” issued January 27, 2017.

3. The City of Rochester, the home of Frederick Douglass and Susan B. Anthony, has a long tradition of support for equal rights for all people, including immigrants and refugees.
4. In 1986, Rochester City Council Resolution No. 86-29 recognized Rochester as a City of Sanctuaries.
5. On February 21, 2017, the Rochester City Council passed Resolution No. 2017-5 reaffirming the City's status as a Sanctuary City and adopting Sanctuary City policies. The resolution reiterated that the City is one community that is welcoming and inclusive of all, united and strengthened by its diversity, and committed to upholding and protecting the civil and human rights of all individuals that come within its borders, including immigrants and refugees.
6. The City of Rochester is the third largest city in New York State with a population of approximately 210,000 people.
7. Approximately 8.5% of the City's residents were born outside the United States—more than 17,000 Rochesterians, according to 2015 data from the U.S. Census Bureau.
8. Immigrants in the City of Rochester—members of our community born outside the United States but who have made Rochester their home—contribute significantly to the City economically, socially, and culturally.<sup>1</sup>
9. In the past decade, approximately 6,300 refugees have settled in Rochester, making Rochester one of the top three cities in refugee resettlement in New York State during that period, according to a published report.<sup>2</sup>

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<sup>1</sup> See, e.g., Brief for Association of American Universities as Amicus Curiae in Support of Petitioners' Requested Relief at 28, *Darweesh v. Trump*, No. 17-cv-480 (E.D.N.Y. filed Feb. 16, 2017), ECF No. 139 [hereinafter "AAU Amicus Brief"] (discussion of Saudi Arabian hepatologist who was recently hired by University of Rochester and the University of Rochester's Division of Solid Organ Transplantation's Chief, a Mexican national, who is a world-renowned liver-transplant surgeon and has recruited an international team to join him in Rochester).

<sup>2</sup> See Joseph Spector, *Immigration order hits home across NY*, DEMOCRAT & CHRONICLE (Feb. 3, 2017), <http://www.democratandchronicle.com/story/news/politics/albany/2017/02/03/immigration-order-hits-home-across-ny/97303656>

10. According to the Catholic Family Center, which handles refugee resettlement in the Rochester area, in 2016, a total of 1,180 refugees settled in Rochester, including from countries named in Executive Order 13780: 231 from Somalia and 72 from Syria.

11. In 2015, 756 refugees resettled in Rochester, according to a published report.<sup>3</sup>

12. Refugees are the fastest growing population in the Rochester City School District.

13. The Rochester International Academy (“RIA”), a school in the Rochester City School District that helps newly arrived students learn English and become part of the community, and which most refugee children attend for some time after arriving in Rochester, has experienced a significant increase in enrollment this school year, with 426 students enrolled, according to a published report.<sup>4</sup>

14. Rochester City School District School No. 15, the Children’s School of Rochester, has approximately 333 students in Pre-K through grade 6. Some of those students are originally from three countries named in the executive order—Somalia, Sudan, and Yemen. Those students are predominantly Muslim.

15. If Executive Order 13780 is implemented, it will cause significant harm and upheaval in the City of Rochester, including in immigrant and refugee communities, and for organizations that serve them.

16. The 120-day suspension of the United States Refugee Assistance Program as set forth in Executive Order 13780 may cause refugees to face delays in entry to the United States. Such Delays in entry may prevent Rochester’s refugee resettlement agency, Catholic Family Center, from doing its work effectively. When entry is delayed, Catholic Family Center must refile paper work, reissue checks, and secure housing again for arriving refugees.

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<sup>3</sup> See Justin Murphy, *Rochester’s refugee population booms*, DEMOCRAT & CHRONICLE (Dec. 27, 2016), <http://www.democratandchronicle.com/story/news/2016/12/27/rochester-international-academy-refugees-enrollment/95713600>

<sup>4</sup> See *id.*

17. Catholic Family Center not only serves refugees, it employs many former refugees. As a result of the executive order, however, its work force may face cuts.

18. While Catholic Family Center had been planning for an increase in refugees from Syria and Somalia due to ongoing crisis conditions in those countries, Executive Order 13780's reduction in the number of refugees allowed to resettle may force Catholic Family Center to reduce its resettlement services. That reduction could result in lost jobs in its Resettlement Office.

19. International students in New York's 25th Congressional District, which encompasses the City of Rochester, have a major economic impact on the area, according to data from NAFSA, the Association of International Educators. During the 2015–2016 academic year, the presence of 7,138 international students in the district contributed \$253.3 million to the economy and supported 3,613 jobs.<sup>5</sup>

20. Rochester Institute of Technology ("RIT") employs approximately 3,900 faculty and staff. Of RIT's more than 18,600 students, approximately 2,700 are international students, from more than 100 countries.<sup>6</sup>

21. During the 2015–2016 academic year, RIT's international students were responsible for financial contributions of \$105.4 million in the 25th Congressional District, supporting 1,567 jobs, according to NAFSA.<sup>7</sup>

22. RIT has 32 students on its main campus who are from the countries named in Executive Order 13780.<sup>8</sup>

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<sup>5</sup> NAFSA, New York *Congressional District 25 Benefits from International Students*, <http://istart.iu.edu/nafsa/reports/district.cfm?state=NY&year=2015&district=25> (last visited Mar. 10, 2017).

<sup>6</sup> Rochester Institute of Technology, RIT in Brief, <https://www.rit.edu/overview/rit-in-brief> (last visited March 10, 2017); Rochester Institute of Technology, A message from RIT President Bill Destler regarding U.S. Presidential executive orders pertaining to immigration (Jan. 29, 2017), <http://www.rit.edu/immigration>.

<sup>7</sup> NAFSA, *supra* note 5.

<sup>8</sup> See Rochester Institute of Technology, A message from RIT President Bill Destler regarding U.S. Presidential executive orders pertaining to immigration (Mar. 8, 2017), <http://www.rit.edu/immigration>.

23. RIT has advised its students, faculty, and staff from the countries covered by Executive Order 13780 not to leave the United States due to the risk they may be unable to reenter the country.<sup>9</sup>

24. Even before the announcement of Executive Order 13780, RIT faced a 10% decrease in applicants from the Middle East and various predominantly Muslim countries around the world for the 2017–2018 school year, according to a published report. Applicants from the countries affected named in the previous travel ban, Executive Order 13769, have expressed concerns about studying in the United States.<sup>10</sup>

25. The University of Rochester is Rochester's largest employer, with more than 28,000 employees.<sup>11</sup> Of those employees, more than 2,000 serve as faculty and instructional staff to approximately 11,100 students.<sup>12</sup>

26. The University of Rochester is critical to Rochester's economy. Its operations produce an economic impact estimated at \$3.26 billion per year.<sup>13</sup>

27. The University of Rochester has 3,432 International Students.<sup>14</sup>

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<sup>9</sup> *Id.*

<sup>10</sup> See James Goodman, *Fear and economic conditions account for RIT drop*, DEMOCRAT & CHRONICLE (Feb. 20, 2017), <http://www.democratandchronicle.com/story/news/2017/02/20/rit-finds-drop-applications-middle-east/98147154>

<sup>11</sup> See Brian Sharp, *Study highlights UR's economic impact*, DEMOCRAT & CHRONICLE (June 16, 2016), <http://www.democratandchronicle.com/story/news/2016/06/16/study-highlights-urs-economic-impact/85951436/>; see also University of Rochester, About Us, <http://www.rochester.edu/aboutus> (last visited March 10, 2017); University of Rochester, Working Here <http://www.rochester.edu/working> (last visited March 10, 2017).

<sup>12</sup> See University of Rochester, About Us, *supra* note 11.

<sup>13</sup> See KENT GARDNER, UNIVERSITY OF ROCHESTER & AFFILIATES 2015 NYS ECONOMIC IMPACT at ii (Center for Governmental Research 2016), <http://www.rochester.edu/newscenter/wp-content/uploads/2016/06/NYS-economic-impact-report-UR-affiliates-2015.pdf>.

<sup>14</sup> See AAU Amicus Brief, *supra* note 1, at Appendix A.



28. During the 2015–2016 academic year, the University of Rochester’s international students were responsible for financial contributions of \$132.7 million in the 25th Congressional District, supporting 1,951 jobs, according to NAFSA.<sup>15</sup>

29. Applicants to the University of Rochester have also expressed concerns to the University about studying in the United States since the release of the original travel ban, Executive Order 13769, according to a published report.<sup>16</sup>

30. According to the Catholic Family Center, delays in refugee resettlement and reduction in the number of refugees allowed to resettle may also negatively affect employers in the City of Rochester that hire refugees, including Kraft, Wegmans Food Markets, and the University of Rochester.

31. Thus, by impeding foreign-born visitors, workers, and students from entering the City or traveling freely, Executive Order 13780 would negatively impact the City of Rochester as well as its residents, its economy, and educational institutions.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 11th day of March, 2017



Mayor Lovely A. Warren

<sup>15</sup> NAFSA, *supra* note 5.

<sup>16</sup> See Goodman, *supra* note 10.