

Nos. 17-2231 (L), 17-2232, 17-2233, 17-2240 (Consolidated)

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

INTERNATIONAL REFUGEE ASSISTANCE PROJECT, a project of the Urban Justice Center, Inc., on behalf of itself and its clients; HIAS, INC., on behalf of itself and its clients; JOHN DOES # 1 & 3; JANE DOE #2; MIDDLE EAST STUDIES ASSOCIATION OF NORTH AMERICA, INC., on behalf of itself and its members; MUHAMMED METEAB; PAUL HARRISON; IBRAHIM AHMED MOHOMED; ARAB AMERICAN ASSOCIATION OF NEW YORK, on behalf of itself and its clients,

Plaintiffs-Appellees,

and

ALLAN HAKKY; SAMANEH TAKALOO,
Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; DEPARTMENT OF STATE; OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; ELAINE DUKE in her official capacity as Acting Secretary of Homeland Security; REX TILLERSON, in his official capacity as Secretary of State; DANIEL R. COATS, in his official capacity as Director of National Intelligence,

Defendants – Appellants.

No. 17-2231 (L)
(8:17-cv-00361-TDC)

[Caption continued on inside cover]

JOINT APPENDIX – VOLUME 1

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IRANIAN ALLIANCES ACROSS BORDERS; JANE DOE #1; JANE DOE #2; JANE DOE #3; JANE
DOE #4; JANE DOE #5; JANE #6,

Plaintiffs-Appellees,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; ELAINE C. DUKE, in
her official capacity as Acting Secretary of Homeland Security; KEVIN K. MCALEENAN, in his official
capacity as Acting Commissioner of U.S. Customs and Border Protection; JAMES MCCAMENT, in his
official capacity as Acting Director of U.S. Citizenship and Immigration Services; REX TILLERSON;

JEFFERSON B. SESSIONS III, in his official capacity as Attorney General of the United States,

Defendants – Appellants.

No. 17-2232
(8:17-cv-02921-TDC)

EBLAL ZAKZOK; SUMAYA HAMADMAD; FAHED MUQBIL; JOHN DOE #1; JOHN DOE #2;
JOHN DOE #3,

Plaintiffs-Appellees,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; UNITED STATES
DEPARTMENT OF HOMELAND SECURITY; UNITED STATES DEPARTMENT OF STATE;

ELAINE C. DUKE, in her official capacity as Acting Secretary of Homeland Security; REX

TILLERSON, in his official capacity as Secretary of State,

Defendants – Appellants.

No. 17-2233
(1:17-cv-02969-TDC)

INTERNATIONAL REFUGEE ASSISTANCE PROJECT, a project of the Urban Justice Center, Inc., on behalf of itself and its clients; HIAS, INC., on behalf of itself and its clients; JOHN DOES #1 AND 3; JANE DOE #2; MIDDLE EAST STUDIES ASSOCIATION OF NORTH AMERICA, INC., on behalf of itself and its members; MUHAMMED METEAB; ARAB AMERICAN ASSOCIATION OF NEW YORK, on behalf of itself and its clients,

Plaintiffs – Appellants,

and PAUL HARRISON; IBRAHIM AHMED MOHOMED; ALLAN HAKKY; SAMANEH TAKALOO,
Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as President of the United States; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; DEPARTMENT OF STATE; OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; ELAINE C. DUKE, in her official capacity as Acting Secretary of Homeland Security; REX TILLERSON, in his official capacity as Secretary of State; DANIEL R. COATS, in his official capacity as Director of National Intelligence,

Defendants – Appellees.

No. 17-2240
(8:17-cv-00361-TDC)

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APPEAL

**U.S. District Court
District of Maryland (Greenbelt)
CIVIL DOCKET FOR CASE #: 8:17-cv-00361-TDC**

International Refugee Assistance Project et al v. Trump et al Date Filed: 02/07/2017
Assigned to: Judge Theodore D. Chuang Jury Demand: None
Case in other court: USCA, 17-01351 Nature of Suit: 440 Civil Rights: Other
USCA, 17-02231 Jurisdiction: U.S. Government
USCA, 17-02240 Defendant
Cause: 28:1331 Violation of Constitutional Rights

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Inc., on behalf of itself and its clients*

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Plaintiff

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*PRO HAC VICE**ATTORNEY TO BE NOTICED***Hina Shamsi**

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*PRO HAC VICE**ATTORNEY TO BE NOTICED***Hugh Handeyside**

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*PRO HAC VICE**ATTORNEY TO BE NOTICED***Karen C Tumlin**

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Omar C Jadwat
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PRO HAC VICE
ATTORNEY TO BE NOTICED

Sarah L Mehta
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

**Middle East Studies Association of
North America, Inc.**
on behalf of itself and its members

represented by **David Hausman**
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Robert Rocah
(See above for address)
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Kathryn C Meyer
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Plaintiff

Muhammed Meteab

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Plaintiff

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Plaintiff

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Mariko Hirose
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Nicholas Espiritu

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ATTORNEY TO BE NOTICED

Plaintiff

Arab American Association of New York
ARAB-AMERICAN ASSOCIATION OF NEW YORK, on behalf of itself and its clients

represented by **David Hausman**
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(See above for address)
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V.

Defendant

Donald J. Trump
in his official capacity as President of the United States

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Defendant**Department of State**

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Michelle Bennett
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Defendant**Office of the Director of National Intelligence**

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Defendant**John F. Kelly**

*In his official capacity as Secretary of
Homeland Security*

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Defendant

Rex W. Tillerson
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 State*

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Defendant

Daniel Coats
*In his official capacity as Acting
 Director of National Intelligence*

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Michelle Bennett
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Defendant

**Yemeni-American Merchants
 Association**
*YEMENI-AMERICAN MERCHANTS
 ASSOCIATION, on behalf of itself and
 its members*

V.

Appellee

**Yemeni-American Merchants
 Association**

Appellee**Mohamad Mashta****Appellee****Grannaz Amirjamshidi****Appellee****Fakhri Ziaolhagh****Appellee****Shapour Shirani****Appellee****Afsaneh Khazaeli****Appellee****John Doe #5****Appellee****John Doe #4****Amicus****Harvard Immigration and Refugee
Clinical Program**

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SERVICE**

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**Interfaith Coalition Supporting the
Plaintiffs Motion for a Temporary
Restraining Order Based on the
Language of the Executive Order and
the Report of the State Department**
*Interfaith Coalition Supporting the
Plaintiffs Motion for a Temporary
Restraining Order Based on the
Language of the Executive Order and
the Report of the State Department*

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Justice Center**

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Victor Williams

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 PRO SE

Date Filed	#	Docket Text
02/07/2017	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0416-6486891.), filed by Jane Doe 1, John Doe1-4, Samaneh Takaloo, Allan Hakky, HIAS, Inc., International Refugee Assistance Project. (Attachments: # <u>1</u> Civil Cover Sheet)(Rocah, David) (Entered: 02/07/2017)
02/07/2017	<u>2</u>	Local Rule 103.3 Disclosure Statement by HIAS, Inc. (Rocah, David) (Entered: 02/07/2017)
02/07/2017	<u>3</u>	Local Rule 103.3 Disclosure Statement by International Refugee Assistance Project identifying Corporate Parent Urban Justice Center for International Refugee Assistance Project.(Rocah, David) (Entered: 02/07/2017)
02/07/2017	<u>4</u>	CASE MANAGEMENT ORDER. Signed by Judge Theodore D. Chuang on 2/7/2017. (aos, Deputy Clerk) (Entered: 02/07/2017)
02/07/2017	<u>5</u>	MOTION for Other Relief <i>for Leave to Proceed Under Pseudonyms</i> by Jane Doe 1, John Doe1-4 (Attachments: # <u>1</u> Declarations of John Does 1-4 & Jane Doe 1, # <u>2</u> Declaration of Nicholas Espiritu & Exhibits A through V, # <u>3</u> Proposed Order)(Cox, Justin) (Entered: 02/07/2017)
02/08/2017	<u>6</u>	NOTICE by Jane Doe 1, John Doe1-4 re <u>5</u> MOTION for Other Relief <i>for Leave to Proceed Under Pseudonyms</i> (Cox, Justin) (Entered: 02/08/2017)
02/08/2017	7	QC NOTICE: <u>1</u> Complaint, filed by HIAS, Inc., Allan Hakky, Jane Doe 1, John Doe1-4, International Refugee Assistance Project and Samaneh Takaloo was filed incorrectly. <i>**The following attachments are missing - Proposed Summons. To correct this problem, file the Summons using the event Notice (Other) and link Summons to <u>1</u> Complaint.</i> (jf3s, Deputy Clerk) (Entered: 02/08/2017)
02/08/2017	<u>8</u>	NOTICE by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo <i>of Intent to File Pro Hac Vice Motions</i> (Rocah, David) (Entered: 02/08/2017)
02/08/2017	9	PAPERLESS NOTICE that parties are not required to seek leave from the Court to file motions concerning purely ministerial matters. (ps2s, Chambers) (Entered: 02/08/2017)
02/08/2017	<u>10</u>	NOTICE by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo re <u>1</u> Complaint, <i>Summonses</i> (Jeon, Deborah) (Entered: 02/08/2017)
02/08/2017	<u>11</u>	MOTION to Appear Pro Hac Vice for Cecilia Wang (Filing fee \$100, receipt number 0416-6489451.) by HIAS, Inc., Allan Hakky, International Refugee

		Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Attachments: # 1 Supplement)(Rocah, David) (Entered: 02/08/2017)
02/08/2017	12	MOTION to Appear Pro Hac Vice for Cody Wofsy (Filing fee \$100, receipt number 0416-6489545.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Attachments: # 1 Supplement)(Rocah, David) (Entered: 02/08/2017)
02/08/2017	13	MOTION to Appear Pro Hac Vice for Hina Shamsi (Filing fee \$100, receipt number 0416-6489668.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Attachments: # 1 Supplement)(Rocah, David) (Entered: 02/08/2017)
02/08/2017	14	MOTION to Appear Pro Hac Vice for Lee Gelernt (Filing fee \$100, receipt number 0416-6489696.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Attachments: # 1 Supplement)(Rocah, David) (Entered: 02/08/2017)
02/08/2017	15	MOTION to Appear Pro Hac Vice for Omar Jadwat (Filing fee \$100, receipt number 0416-6489709.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Attachments: # 1 Supplement)(Rocah, David) (Entered: 02/08/2017)
02/08/2017	16	MOTION to Appear Pro Hac Vice for Hugh Handeyside (Filing fee \$100, receipt number 0416-6489731.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Rocah, David) (Entered: 02/08/2017)
02/08/2017	17	MOTION to Appear Pro Hac Vice for Sarah Mehta (Filing fee \$100, receipt number 0416-6489739.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo(Rocah, David) (Entered: 02/08/2017)
02/08/2017	18	MOTION to Appear Pro Hac Vice for David Cole (Filing fee \$100, receipt number 0416-6489788.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo(Rocah, David) (Entered: 02/08/2017)
02/08/2017	19	MOTION to Appear Pro Hac Vice for Heather Weaver (Filing fee \$100, receipt number 0416-6489805.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Attachments: # 1 Supplement)(Rocah, David) (Entered: 02/08/2017)
02/08/2017	20	MOTION to Appear Pro Hac Vice for Daniel Mach (Filing fee \$100, receipt number 0416-6489826.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo (Attachments: # 1 Supplement)(Rocah, David) (Entered: 02/08/2017)
02/08/2017	21	MOTION to Appear Pro Hac Vice for Karen C. Tumlin (Filing fee \$100, receipt number 0416-6490230.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo(Cox, Justin) (Entered: 02/08/2017)
02/08/2017	22	

		MOTION to Appear Pro Hac Vice for Nicholas Espiritu (Filing fee \$100, receipt number 0416-6490237.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo(Cox, Justin) (Entered: 02/08/2017)
02/08/2017	<u>23</u>	MOTION to Appear Pro Hac Vice for Melissa S. Keaney (Filing fee \$100, receipt number 0416-6490239.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo(Cox, Justin) (Entered: 02/08/2017)
02/08/2017	<u>24</u>	MOTION to Appear Pro Hac Vice for Esther Sung (Filing fee \$100, receipt number 0416-6490240.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe1-4, Samaneh Takaloo(Cox, Justin) (Entered: 02/08/2017)
02/09/2017	<u>25</u>	Summons Issued 60 days as to Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump, U.S. Attorney and U.S. Attorney General(jf3s, Deputy Clerk) (Entered: 02/09/2017)
02/10/2017	<u>26</u>	QC NOTICE: <u>11</u> Motion to Appear Pro Hac Vice, filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	<u>27</u>	QC NOTICE: <u>12</u> Motion to Appear Pro Hac Vice, filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	<u>28</u>	QC NOTICE: <u>13</u> Motion to Appear Pro Hac Vice, filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	<u>29</u>	QC NOTICE: <u>14</u> Motion to Appear Pro Hac Vice, filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	<u>30</u>	QC NOTICE: <u>15</u> Motion to Appear Pro Hac Vice, filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	<u>31</u>	QC NOTICE: <u>16</u> Motion to Appear Pro Hac Vice filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo needs to be modified. See attachment for details and

		corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	32	QC NOTICE: 17 Motion to Appear Pro Hac Vice filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	33	PAPERLESS ORDER granting 18 Motion to Appear Pro Hac Vice on behalf of David D Cole. Directing attorney David D Cole to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/10/2017. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	34	PAPERLESS ORDER granting 19 Motion to Appear Pro Hac Vice on behalf of Heather Lynn Weaver. Attorney Heather Lynn Weaver will receive a separate email with the previously issued CM/ECF login and password. Signed by Clerk on 2/10/2017. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	35	PAPERLESS ORDER granting 20 Motion to Appear Pro Hac Vice on behalf of Daniel Mach. Directing attorney Daniel Mach to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/10/2017. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	36	PAPERLESS ORDER granting 21 Motion to Appear Pro Hac Vice on behalf of Karen C Tumlin. Directing attorney Karen C Tumlin to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/10/2017. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	37	PAPERLESS ORDER granting 22 Motion to Appear Pro Hac Vice on behalf of Nicholas Espiritu. Directing attorney Nicholas Espiritu to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/10/2017. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	38	PAPERLESS ORDER granting 23 Motion to Appear Pro Hac Vice on behalf of Melissa S Keaney. Directing attorney Melissa S Keaney to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/10/2017. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	39	PAPERLESS ORDER granting 24 Motion to Appear Pro Hac Vice on behalf of Esther Sung. Directing attorney Esther Sung to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/10/2017. (srd, Deputy Clerk) (Entered: 02/10/2017)
02/10/2017	40	NOTICE by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo <i>of Intent to File a Motion for Preliminary Injunction</i> (Cox, Justin) (Entered: 02/10/2017)
02/10/2017	41	PAPERLESS NOTICE that a TELEPHONE STATUS CONFERENCE is scheduled to discuss 6 Notice of Intent to File Motion for Leave to Proceed Under Pseudonyms and 40 Notice of Intent to File Motion for a Preliminary

		Injunction for February 13, 2017 at 3:30 p.m. Instructions for the call will be emailed to the parties. (ps2s, Chambers) (Entered: 02/10/2017)
02/10/2017	42	CORRECTED MOTION to Appear Pro Hac Vice for Cecillia Wang by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo. The fee has already been paid.(Rocah, David) (Entered: 02/10/2017)
02/10/2017	43	CORRECTED MOTION to Appear Pro Hac Vice for Cody Wofsy by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo. The fee has already been paid.(Rocah, David) (Entered: 02/10/2017)
02/10/2017	44	CORRECTED MOTION to Appear Pro Hac Vice for Hina Shamsi by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo. The fee has already been paid.(Rocah, David) (Entered: 02/10/2017)
02/10/2017	45	CORRECTED MOTION to Appear Pro Hac Vice for Hugh Handeyside by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo. The fee has already been paid.(Rocah, David) (Entered: 02/10/2017)
02/10/2017	46	CORRECTED MOTION to Appear Pro Hac Vice for Lee Gelernt by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo. The fee has already been paid.(Rocah, David) (Entered: 02/10/2017)
02/10/2017	47	CORRECTED MOTION to Appear Pro Hac Vice for Omar Jadwat by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo. The fee has already been paid.(Rocah, David) (Entered: 02/10/2017)
02/10/2017	48	CORRECTED MOTION to Appear Pro Hac Vice for Sarah Mehta by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo. The fee has already been paid.(Rocah, David) (Entered: 02/10/2017)
02/13/2017	49	NOTICE by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo <i>of Intent to File Motion for Expedited Discovery</i> (Cox, Justin) (Entered: 02/13/2017)
02/13/2017	50	PAPERLESS ORDER granting 42 Corrected Motion to Appear Pro Hac Vice on behalf of Cecillia D Wang. Directing attorney Cecillia D Wang to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/13/2017. (srd, Deputy Clerk) (Entered: 02/13/2017)
02/13/2017	51	PAPERLESS ORDER granting 43 Corrected Motion to Appear Pro Hac Vice on behalf of Cody Wofsy. Directing attorney Cody Wofsy to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/13/2017. (srd, Deputy Clerk) (Entered: 02/13/2017)
02/13/2017	52	

		PAPERLESS ORDER granting 44 Corrected Motion to Appear Pro Hac Vice on behalf of Hina Shamsi. Directing attorney Hina Shamsi to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/13/2017. (srd, Deputy Clerk) (Entered: 02/13/2017)
02/13/2017	53	PAPERLESS ORDER granting 45 Corrected Motion to Appear Pro Hac Vice on behalf of Hugh Handeyside. Directing attorney Hugh Handeyside to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/13/2017. (srd, Deputy Clerk) (Entered: 02/13/2017)
02/13/2017	54	PAPERLESS ORDER granting 46 Corrected Motion to Appear Pro Hac Vice on behalf of Lee Gelernt. Directing attorney Lee Gelernt to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/13/2017. (srd, Deputy Clerk) (Entered: 02/13/2017)
02/13/2017	55	PAPERLESS ORDER granting 47 Corrected Motion to Appear Pro Hac Vice on behalf of Omar C Jadwat. Directing attorney Omar C Jadwat to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/13/2017. (srd, Deputy Clerk) (Entered: 02/13/2017)
02/13/2017	56	PAPERLESS ORDER granting 48 Corrected Motion to Appear Pro Hac Vice on behalf of Sarah Mehta. Directing attorney Sarah Mehta to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 2/13/2017. (srd, Deputy Clerk) (Entered: 02/13/2017)
02/13/2017	57	Case Management Conference held on 2/13/2017 before Judge Theodore D. Chuang.(FTR-KLS-2B.) (klss, Deputy Clerk) (Entered: 02/14/2017)
02/14/2017	58	NOTICE of Appearance by Arjun Garg on behalf of All Defendants (Garg, Arjun) (Entered: 02/14/2017)
02/14/2017	59	ORDER deeming as filed 5 Motion for Leave to Proceed Under Pseudonyms; granting Plaintiffs leave to file Motions; scheduling a Motions hearing for March 28, 2017 at 9:30 a.m. Signed by Judge Theodore D. Chuang on 2/14/2017. (jf3s, Deputy Clerk) (Entered: 02/15/2017)
02/16/2017	60	NOTICE of Appearance by Omar C Jadwat on behalf of All Plaintiffs (Jadwat, Omar) (Entered: 02/16/2017)
02/16/2017	61	(FILED IN ERROR)CERTIFICATE OF SERVICE by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo re 4 Case Management Order, 1 Complaint, 25 Summons Issued as to USA, (Jadwat, Omar) Modified on 2/22/2017 (jf3s, Deputy Clerk). (Entered: 02/16/2017)
02/22/2017	62	QC NOTICE: 61 Certificate of Service filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo was filed incorrectly. <i>**Please re-file documents by selecting Service of Process Summons Returned Executed. It has been noted as FILED IN ERROR, and the document link has been disabled.</i> (jf3s, Deputy Clerk) (Entered: 02/22/2017)

02/22/2017	63	MOTION for Discovery <i>on an Expedited Basis</i> by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Attachments: # 1 Exhibit 1 & 2)(Cox, Justin) (Entered: 02/22/2017)
02/22/2017	64	MOTION for Preliminary Injunction & <i>MEMORANDUM OF LAW IN SUPPORT THEREOF</i> by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Attachments: # 1 Declarations and Exhibits (J.R. 1-166))(Cox, Justin) (Entered: 02/22/2017)
02/24/2017	65	SUMMONS Returned Executed by Jane Doe 1, John Doe 1-4, Samaneh Takaloo, Allan Hakky, HIAS, Inc., International Refugee Assistance Project. All Plaintiffs. (Attachments: # 1 Exhibit Attachment to Certificate of Service) (Jadwat, Omar) (Entered: 02/24/2017)
03/01/2017	66	MEMORANDUM ORDER granting Doe Plaintiffs' Motion for Leave to Proceed Under Pseudonyms. Signed by Judge Theodore D. Chuang on 3/1/2017. (jf3s, Deputy Clerk) (Entered: 03/01/2017)
03/02/2017	67	NOTICE of Appearance by Donald Paul Salzman on behalf of Harvard Immigration and Refugee Clinical Program (Salzman, Donald) (Entered: 03/02/2017)
03/02/2017	68	MOTION for Leave to File <i>Brief As Amicus Curiae In Support of Plaintiffs</i> by Harvard Immigration and Refugee Clinical Program (Attachments: # 1 Exhibit Harvard Immigration and Refugee Clinical Program's Amicus Brief)(Salzman, Donald) (Entered: 03/02/2017)
03/03/2017	69	NOTICE of Appearance by Daniel Mach on behalf of All Plaintiffs (Mach, Daniel) (Entered: 03/03/2017)
03/03/2017	70	NOTICE of Appearance by Heather Lynn Weaver on behalf of All Plaintiffs (Weaver, Heather) (Entered: 03/03/2017)
03/03/2017	71	NOTICE of Appearance by David Edward Mills on behalf of Anti-Defamation League, Jewish Council for Public Affairs (Mills, David) (Entered: 03/03/2017)
03/03/2017	72	Third Party MOTION for Leave to File <i>Amicus Curiae Brief in Support of Plaintiffs</i> by Anti-Defamation League, Jewish Council for Public Affairs (Attachments: # 1 Memorandum in Support of Motion for Leave to File Amicus Brief, # 2 Exhibit 1 - Amicus Brief of Anti-Defamation League and Jewish Council for Public Affairs, # 3 Text of Proposed Order)(Mills, David) (Entered: 03/03/2017)
03/03/2017	73	Local Rule 103.3 Disclosure Statement by Anti-Defamation League (Mills, David) (Entered: 03/03/2017)
03/03/2017	74	Local Rule 103.3 Disclosure Statement by Jewish Council for Public Affairs (Mills, David) (Entered: 03/03/2017)
03/03/2017	75	Third Party MOTION to Appear Pro Hac Vice for Alyssa T. Saunders (Filing fee \$100, receipt number 0416-6533805.) by Anti-Defamation League, Jewish Council for Public Affairs(Mills, David) (Entered: 03/03/2017)
03/03/2017	76	

		Amicus Curiae APPEARANCE entered by Bradley D Wine on behalf of AMERICAN JEWISH WORLD SERVICE(Wine, Bradley) (Entered: 03/03/2017)
03/03/2017	77	MOTION for Leave to File <i>Amici Curiae Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction</i> by AMERICAN JEWISH WORLD SERVICE (Attachments: # 1 Exhibit A Amicus Brief of Interfaith Group of Religious and Interreligious Orgnaizations, # 2 Text of Proposed Order)(Wine, Bradley) (Entered: 03/03/2017)
03/03/2017	78	NOTICE of Appearance by Michelle Bennett on behalf of All Defendants (Bennett, Michelle) (Entered: 03/03/2017)
03/06/2017	79	NOTICE by Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump <i>of Filing of Executive Order</i> (Attachments: # 1 Exhibit A)(Bennett, Michelle) (Entered: 03/06/2017)
03/07/2017	80	PAPERLESS ORDER granting 75 Motion to Appear Pro Hac Vice on behalf of Alyssa T Saunders. Directing attorney Alyssa T Saunders to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/7/2017. (srd, Deputy Clerk) (Entered: 03/07/2017)
03/08/2017	81	RESPONSE in Opposition re 63 MOTION for Discovery <i>on an Expedited Basis</i> filed by Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump.(Garg, Arjun) (Entered: 03/08/2017)
03/08/2017	82	RESPONSE in Opposition re 64 MOTION for Preliminary Injunction & <i>MEMORANDUM OF LAW IN SUPPORT THEREOF</i> filed by Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump.(Garg, Arjun) (Entered: 03/08/2017)
03/09/2017	83	Request for Conference (Espiritu, Nicholas) (Entered: 03/09/2017)
03/09/2017	84	PAPERLESS NOTICE that a telephone Case Management Conference is scheduled for 9:15 a.m. on Friday, May 10, 2017 to discuss 83 Request for Conference. Instructions for the call have been emailed to the parties. (nr, Chambers) (Entered: 03/09/2017)
03/10/2017	85	Case Management Conference held on 3/10/2017 before Judge Theodore D. Chuang.(FTR-KLS-2B.) (klss, Deputy Clerk) (Entered: 03/10/2017)
03/10/2017	86	ORDER directing Plaintiffs to file an Amended Complaint by Friday, March 10, 2017 by 5:00 p.m.; granting plaintiffs leave to file motions - deemed timely if filed by Friday, March 10, 2017 by 5:00 p.m.; Motions hearing scheduled for Wednesday, March 15, 2017 at 9:30 a.m. Signed by Judge Theodore D. Chuang on 3/10/2017. (jf3s, Deputy Clerk) (Entered: 03/10/2017)
03/10/2017	87	PAPERLESS ORDER. Plaintiffs are granted permission to file an oversize brief as to the consolidated Motion for a Temporary Restraining Order, Motion

		for a Preliminary Injunction, and Motion for Leave to Proceed Under a Pseudonym. The Government is granted permission to file an oversize brief for its consolidated Memorandum in Opposition to that filing. Briefs should not exceed 40 pages and should be in 12-point font, including footnotes, with 1" margins on all sides. Plaintiffs are granted permission to file their renewed Motion for Expedited Discovery as a separate motion, to which the Government will then be entitled to file a separate Memorandum in Opposition. Signed by Judge Theodore D. Chuang on 3/10/2017. (nr, Chambers) (Entered: 03/10/2017)
03/10/2017	88	PAPERLESS ORDER correcting 87 Paperless Order. Plaintiffs' Motion for Leave to Proceed Under a Pseudonym will proceed as a separate Motion. If the Government wishes to oppose the Motion, they will be permitted to file a separate Memorandum in Opposition. Signed by Judge Theodore D. Chuang on 3/10/2017. (nr, Chambers) (Entered: 03/10/2017)
03/10/2017	89	(FILED IN ERROR) AMENDED COMPLAINT against All Plaintiffs, filed by Jane Doe 1, John Doe 1-4, International Refugee Assistance Project, Allan Hakky, Samaneh Takaloo, HIAS, Inc.. (Attachments: # 1 Amended Complaint [REDLINED])(Keaney, Melissa) Modified on 3/10/2017 (slss, Deputy Clerk). (Entered: 03/10/2017)
03/10/2017	90	MOTION for Other Relief <i>for Jane Doe #2 to Proceed Under Pseudonym</i> by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Attachments: # 1 Exhibit Decl. of Jane Doe #2)(Cox, Justin) (Entered: 03/10/2017)
03/10/2017	91	MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Attachments: # 1 Exhibit IRAP Declaration, # 2 Exhibit HIAS Declaration, # 3 Exhibit MESA Declaration, # 4 Exhibit John Doe 1 Declaration, # 5 Exhibit John Doe 3 Declaration, # 6 Exhibit Mateab Declaration, # 7 Exhibit Jane Doe 2 Declaration, # 8 Exhibit Mohamed Declaration, # 9 Exhibit Harrison Declaration, # 10 Exhibit Hausman Declaration Pt. 1, # 11 Exhibit Hausman Declaration Pt. 2, # 12 Exhibit Hausman Declaration Pt. 3)(Jadwat, Omar) (Entered: 03/10/2017)
03/10/2017	92	Supplemental MOTION to Expedite <i>Discovery</i> by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4(Jadwat, Omar) (Entered: 03/10/2017)
03/10/2017	93	AMENDED COMPLAINT against All Plaintiffs, filed by Jane Doe 1, John Doe 1-4, International Refugee Assistance Project, Allan Hakky, Samaneh Takaloo, HIAS, Inc.. (Attachments: # 1 Amended Complaint [Redacted])(Keaney, Melissa) (Entered: 03/10/2017)
03/11/2017	94	NOTICE by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo <i>of Corrected Brief and Exhibits</i> (Jadwat, Omar) (Entered: 03/11/2017)
03/11/2017	95	Amended MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> by HIAS, Inc., Allan Hakky, International Refugee Assistance

		Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Attachments: # 1 Exhibit IRAP Declaration, # 2 Exhibit HIAS Declaration, # 3 Exhibit MESA Declaration, # 4 Exhibit John Doe #1 Declaration, # 5 Exhibit John Doe #3 Declaration, # 6 Exhibit Meteab Declaration, # 7 Exhibit Jane Doe #2 Declaration, # 8 Exhibit Mohamed Declaration, # 9 Exhibit Harrison Declaration, # 10 Exhibit Hausman Declaration Pt.1, # 11 Exhibit Hausman Declaration Pt.2, # 12 Exhibit Hausman Declaration Pt.3)(Jadwat, Omar) (Entered: 03/11/2017)
03/12/2017	96	(FILED IN ERROR- PER COUNSEL REFILED)NOTICE of Appearance by Kevin B Collins on behalf of Interfaith Coalition Supporting the Plaintiffs Motion for a Temporary Restraining Order Based on the Language of the Executive Order and the Report of the State Department (Collins, Kevin) Modified on 3/15/2017 (aos, Deputy Clerk). (Entered: 03/12/2017)
03/12/2017	97	(FILED IN ERROR- PER COUNSEL REFILED)NOTICE of Appearance by William Edward Zapf, III on behalf of Interfaith Coalition Supporting the Plaintiffs Motion for a Temporary Restraining Order Based on the Language of the Executive Order and the Report of the State Department (Zapf, William) Modified on 3/15/2017 (aos, Deputy Clerk). (Entered: 03/12/2017)
03/12/2017	98	RESPONSE in Support re 64 MOTION for Preliminary Injunction & <i>MEMORANDUM OF LAW IN SUPPORT THEREOF</i> filed by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4.(Keaney, Melissa) (Entered: 03/12/2017)
03/12/2017	99	MOTION for Leave to File <i>Amicus Curiae Brief in Support of Plaintiffs' Motion for Temporary Restraining Order</i> by Interfaith Coalition Supporting the Plaintiffs Motion for a Temporary Restraining Order Based on the Language of the Executive Order and the Report of the State Department (Attachments: # 1 Amici Curiae Brief in Support of Plaintiffs' Motion for a Temporary Restraining Order, # 2 Exhibit, # 3 Text of Proposed Order) (Collins, Kevin) (Entered: 03/12/2017)
03/12/2017	100	NOTICE of Appearance by Kevin B Collins on behalf of Interfaith Coalition (Attachments: # 1 Appendix)(Collins, Kevin) (Entered: 03/12/2017)
03/12/2017	101	NOTICE of Appearance by William Edward Zapf, III on behalf of Interfaith Coalition (Attachments: # 1 Appendix)(Zapf, William) (Entered: 03/12/2017)
03/12/2017	102	MOTION for Leave to File <i>Amici Curiae Brief in Support of Plaintiffs' Motion for a Temporary Restraining Order</i> by Interfaith Coalition (Attachments: # 1 Proposed Amici Curiae Brief in Support of Plaintiffs' Motion for a Temporary Restraining Order, # 2 Exhibit A to Proposed Amici Curiae Brief in Support of Plaintiffs' Motion for a Temporary Restraining Order, # 3 Text of Proposed Order)(Collins, Kevin) (Entered: 03/12/2017)
03/12/2017	103	MOTION to Appear Pro Hac Vice for Robert D. Fram (Filing fee \$100, receipt number 0416-6547562.) by Interfaith Coalition(Collins, Kevin) (Entered: 03/12/2017)
03/12/2017	104	

		MOTION to Appear Pro Hac Vice for Alexandra P. Grayner (Filing fee \$100, receipt number 0416-6547563.) by Interfaith Coalition(Collins, Kevin) (Entered: 03/12/2017)
03/12/2017	105	MOTION to Appear Pro Hac Vice for Andrew Robert Guy (Filing fee \$100, receipt number 0416-6547565.) by Interfaith Coalition(Collins, Kevin) (Entered: 03/12/2017)
03/12/2017	106	MOTION to Appear Pro Hac Vice for Michael Baker (Filing fee \$100, receipt number 0416-6547566.) by Interfaith Coalition(Collins, Kevin) (Entered: 03/12/2017)
03/12/2017	107	MOTION to Appear Pro Hac Vice for Karun Tilak (Filing fee \$100, receipt number 0416-6547567.) by Interfaith Coalition(Collins, Kevin) (Entered: 03/12/2017)
03/13/2017	108	MOTION to Appear Pro Hac Vice for Kathryn Bi (Filing fee \$100, receipt number 0416-6547731.) by Interfaith Coalition(Collins, Kevin) (Entered: 03/13/2017)
03/13/2017	109	PAPERLESS ORDER granting 68 Motion for Leave to File Brief as Amicus Curiae in Support of Plaintiffs. Signed by Judge Theodore D. Chuang on 3/13/2017. (ka2s, Chambers) (Entered: 03/13/2017)
03/13/2017	110	PAPERLESS ORDER granting 72 Motion of Anti-Defamation League and Jewish Council for Public Affairs For Leave to File Amicus Curiae Brief in Support of Plaintiffs. Signed by Judge Theodore D. Chuang on 3/13/2017. (ka2s, Chambers) (Entered: 03/13/2017)
03/13/2017	111	PAPERLESS ORDER granting 77 Motion for Leave to File Amicus Curiae Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction. Signed by Judge Theodore D. Chuang on 3/13/2017. (ka2s, Chambers) (Entered: 03/13/2017)
03/13/2017	112	PAPERLESS ORDER finding as moot 99 Motion for Leave to File in light of 102 Motion for Leave to File. Signed by Judge Theodore D. Chuang on 3/13/2017. (nr, Chambers) (Entered: 03/13/2017)
03/13/2017	113	RESPONSE to Motion re 90 MOTION for Other Relief <i>for Jane Doe #2 to Proceed Under Pseudonym</i> filed by Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump.(Garg, Arjun) (Entered: 03/13/2017)
03/13/2017	114	NOTICE of Appearance by Veronica Byam Nannis on behalf of Roderick & Solange MacArthur Justice Center (Nannis, Veronica) (Entered: 03/13/2017)
03/13/2017	115	MOTION to Appear Pro Hac Vice for Amir H. Ali (Filing fee \$100, receipt number 0416-6549385.) by Roderick & Solange MacArthur Justice Center (Nannis, Veronica) (Entered: 03/13/2017)
03/13/2017	116	MOTION for Leave to File <i>Amicus Brief of the Roderick & Solange MacArthur Justice Center</i> by Roderick & Solange MacArthur Justice Center (Attachments: # 1 Text of Proposed Order, # 2 Exhibit 1-Proposed Amicus

		Brief, # 3 Memorandum in Support for Motion for Leave)(Nannis, Veronica) (Entered: 03/13/2017)
03/13/2017	117	RESPONSE in Opposition re 92 Supplemental MOTION to Expedite <i>Discovery</i> filed by Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump.(Garg, Arjun) (Entered: 03/13/2017)
03/13/2017	118	MOTION for Leave to File <i>Amici Curiae Brief in support of Plaintiffs' Motion for a Temporary Restraining Order</i> by Kelly Lyttle Hernandez(Shebaya, Sirine) (Entered: 03/13/2017)
03/13/2017	119	MOTION to Appear Pro Hac Vice for Katherine K. Huang (Filing fee \$100, receipt number 0416-6550035.) by Kelly Lyttle Hernandez(Shebaya, Sirine) (Entered: 03/13/2017)
03/13/2017	120	NOTICE of Appearance by John J Connolly on behalf of Former National Security Officials (Connolly, John) (Entered: 03/13/2017)
03/13/2017	121	MOTION to Appear Pro Hac Vice for Carlos A. Singer (Filing fee \$100, receipt number 0416-6550055.) by Kelly Lyttle Hernandez(Shebaya, Sirine) (Entered: 03/13/2017)
03/13/2017	122	RESPONSE in Opposition re 91 MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> filed by Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump.(Garg, Arjun) (Entered: 03/13/2017)
03/13/2017	123	MOTION for Leave to File <i>Amicus Brief in Support of Plaintiffs</i> by Former National Security Officials (Attachments: # 1 Exhibit Proposed Brief Amici Curiae in Support of Plaintiffs)(Connolly, John) (Entered: 03/13/2017)
03/13/2017	133	MOTION for Leave to File a Brief Amicus Curiae by Victor Williams (Attachments: # 1 Amicus Curiae Brief)(jf3s, Deputy Clerk) (Entered: 03/15/2017)
03/14/2017	124	RESPONSE re 110 Order on Motion for Leave to File <i>Amicus Curiae Brief</i> filed by Anti-Defamation League, Jewish Council for Public Affairs.(Mills, David) (Entered: 03/14/2017)
03/14/2017	125	MOTION for Leave to File <i>TO ADD THE NATIONAL COUNCIL OF CHURCHES OF CHRIST IN THE USA TO AMICI CURIAE INTERFAITH COALITIONS BRIEF IN SUPPORT OF PLAINTIFFS MOTION FOR A TEMPORARY RESTRAINING ORDER</i> by Interfaith Coalition (Attachments: # 1 Text of Proposed Order)(Collins, Kevin) (Entered: 03/14/2017)
03/14/2017	126	NOTICE of Appearance by Esther Sung on behalf of HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Sung, Esther) (Entered: 03/14/2017)
03/14/2017	127	

		NOTICE of Appearance by Karen C Tumlin on behalf of HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Tumlin, Karen) (Entered: 03/14/2017)
03/14/2017	128	NOTICE of Appearance by Melissa S Keaney on behalf of HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Keaney, Melissa) (Entered: 03/14/2017)
03/14/2017	129	NOTICE of Appearance by Nicholas Espiritu on behalf of HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo (Espiritu, Nicholas) (Entered: 03/14/2017)
03/14/2017	130	REPLY to Response to Motion re 95 Amended MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> filed by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo.(Jadwat, Omar) (Entered: 03/14/2017)
03/14/2017	131	NOTICE of Appearance by Michael Meriwether Hethmon on behalf of Immigration Reform Law Institute (Hethmon, Michael) (Entered: 03/14/2017)
03/14/2017	132	MOTION for Leave to File <i>Brief Amicus Curiae</i> by Immigration Reform Law Institute (Attachments: # 1 Exhibit Memorandum in Support of Motion for Leave to File Amicus Brief, # 2 Exhibit Proposed Amicus Brief In Support of Defendants and In Opposition to Plaintiffs' Motion for a Preliminary Injunction and/or Temporary Restraining Order, # 3 Text of Proposed Order Proposed Order)(Hethmon, Michael) (Entered: 03/14/2017)
03/15/2017	134	PAPERLESS ORDER granting 103 Motion to Appear Pro Hac Vice on behalf of Robert D Fram. Directing attorney Robert D Fram to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/15/2017. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	135	PAPERLESS ORDER granting 104 Motion to Appear Pro Hac Vice on behalf of Alexandra P Grayner. Directing attorney Alexandra P Grayner to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/15/2017. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	136	QC NOTICE: 105 Motion to Appear Pro Hac Vice filed by Interfaith Coalition needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	137	PAPERLESS ORDER granting 106 Motion to Appear Pro Hac Vice on behalf of Michael Baker. Directing attorney Michael Baker to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/15/2017. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	138	PAPERLESS ORDER granting 107 Motion to Appear Pro Hac Vice on behalf of Karun Tilak. Directing attorney Karun Tilak to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/15/2017. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	139	

		PAPERLESS ORDER granting 108 Motion to Appear Pro Hac Vice on behalf of Kathryn Bi. Directing attorney Kathryn Bi to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/15/2017. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	140	PAPERLESS ORDER granting 115 Motion to Appear Pro Hac Vice on behalf of Amir H Ali. Attorney Amir H Ali will receive a separate email with the previously issued CM/ECF login and password. Signed by Clerk on 3/15/2017. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	141	QC NOTICE: 119 Motion to Appear Pro Hac Vice filed by Kelly Lyttle Hernandez needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	142	QC NOTICE: 121 Motion to Appear Pro Hac Vice filed by Kelly Lyttle Hernandez needs to be modified. See attachment for details and corrective actions needed regarding the signature(s) on the motion. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	143	CORRECTED MOTION to Appear Pro Hac Vice for Andrew Robert Guy by Interfaith Coalition. The fee has already been paid.(Collins, Kevin) (Entered: 03/15/2017)
03/15/2017	144	Motion Hearing held on 3/15/2017 re 95 Amended MOTION for Temporary Restraining Order <i>and/or Preliminary Injunction</i> filed by John Doe 1-4, HIAS, Inc., Allan Hakky, Jane Doe 1, International Refugee Assistance Project, Samaneh Takaloo before Judge Theodore D. Chuang.(Court Reporter: Cindy Davis - 2B) (klss, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	145	PAPERLESS ORDER granting 143 Corrected Motion to Appear Pro Hac Vice on behalf of Andrew R Guy. Directing attorney Andrew R Guy to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/15/2017. (srd, Deputy Clerk) (Entered: 03/15/2017)
03/15/2017	146	NOTICE of Appearance by Daniel Stephen Garrett Schwei on behalf of Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump (Schwei, Daniel) (Entered: 03/15/2017)
03/15/2017	147	CORRECTED MOTION to Appear Pro Hac Vice for Katherine K. Huang by Kelly Lyttle Hernandez. The fee has already been paid.(Shebaya, Sirine) (Entered: 03/15/2017)
03/15/2017	148	CORRECTED MOTION to Appear Pro Hac Vice for Carlos A. Singer by Kelly Lyttle Hernandez. The fee has already been paid.(Shebaya, Sirine) (Entered: 03/15/2017)
03/16/2017	149	MEMORANDUM OPINION. Signed by Judge Theodore D. Chuang on 3/15/2017. (aos, Deputy Clerk) (Entered: 03/16/2017)
03/16/2017	150	

		ORDER granting in part and denying in part 95 Amended MOTION for Temporary Restraining Order and/or Preliminary Injunction. Signed by Judge Theodore D. Chuang on 3/15/2017. (aos, Deputy Clerk) (Entered: 03/16/2017)
03/16/2017	151	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings (TRO Hearing) held on March 15, 2017, before Judge Theodore D. Chuang. Court Reporter Cindy Davis, Telephone number (301) 344-3228. Total number of pages filed: 87. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained from the Court Reporter or through PACER. Redaction Request due 4/6/2017. Redacted Transcript Deadline set for 4/17/2017. Release of Transcript Restriction set for 6/14/2017.(cd, Court Reporter) (Entered: 03/16/2017)
03/17/2017	152	PAPERLESS ORDER finding as moot 91 Motion for a Preliminary Injunction and/or Temporary Restraining Order in light of 95 Amended Motion for a Preliminary Injunction and/or Temporary Restraining Order. Signed by Judge Theodore D. Chuang on 3/17/2017. (ps2s, Chambers) (Entered: 03/17/2017)
03/17/2017	153	PAPERLESS ORDER granting 102 Interfaith Coalition's Motion for Leave to File Amici Curiae Brief. Signed by Judge Theodore D. Chuang on 3/17/2017. (ps2s, Chambers) (Entered: 03/17/2017)
03/17/2017	154	PAPERLESS ORDER granting 116 Motion for Leave to File Amicus Curiae Brief. Signed by Judge Theodore D. Chuang on 3/17/2017. (ps2s, Chambers) (Entered: 03/17/2017)
03/17/2017	155	PAPERLESS ORDER granting 118 Motion for Leave to File Amici Curiae Brief. Signed by Judge Theodore D. Chuang on 3/17/2017. (ps2s, Chambers) (Entered: 03/17/2017)
03/17/2017	156	PAPERLESS ORDER granting 123 Motion for Leave to File Amicus Curiae Brief. Signed by Judge Theodore D. Chuang on 3/17/2017. (ps2s, Chambers) (Entered: 03/17/2017)
03/17/2017	157	PAPERLESS ORDER granting 125 Motion for Leave to Add the National Council of Churches of Christ in the USA to Amici Curiae Interfaith Coalition's Brief. Signed by Judge Theodore D. Chuang on 3/17/2017. (ps2s, Chambers) (Entered: 03/17/2017)
03/17/2017	158	PAPERLESS ORDER granting 132 Motion for Leave to File Brief as Amicus Curiae. Signed by Judge Theodore D. Chuang on 3/17/2017. (ps2s, Chambers) Modified on 3/17/2017 (jf3s, Deputy Clerk). (Entered: 03/17/2017)
03/17/2017	159	MOTION to Appear Pro Hac Vice for Spencer Amdur (Filing fee \$100, receipt number 0416-6557021.) by HIAS, Inc., Allan Hakky, International Refugee Assistance Project, Jane Doe 1, John Doe 1-4, Samaneh Takaloo(Rocah, David) (Entered: 03/17/2017)
03/17/2017	160	NOTICE OF APPEAL as to 150 Order on Motion for TRO, 149 Memorandum Opinion by Michael Dempsey, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump. (Garg, Arjun) (Entered: 03/17/2017)

03/17/2017	161	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 160 Notice of Appeal,. IMPORTANT NOTICE: To access forms which you are required to file with the United States Court of Appeals for the Fourth Circuit please go to http://www.ca4.uscourts.gov and click on Forms & Notices.(krc, Deputy Clerk) (Entered: 03/17/2017)
03/17/2017	162	ORDER granting 133 MOTION for Leave to File a Brief Amicus Curiae. Signed by Judge Theodore D. Chuang on 3/17/2017. (C/M 03/17/2017 jf3s, Deputy Clerk) (Entered: 03/17/2017)
03/17/2017	163	ORDER granting 90 MOTION for Other Relief for Jane Doe #2 to Proceed Under Pseudonym. Signed by Judge Theodore D. Chuang on 3/17/2017. (jf3s, Deputy Clerk) (Entered: 03/17/2017)
03/17/2017	164	USCA Case Number 17-1351 for 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Department of State, Office of the Director of National Intelligence, John F. Kelly, Michael Dempsey, Donald J. Trump. Case Manager - Jeffrey Neal (krc, Deputy Clerk) (Entered: 03/20/2017)
03/20/2017	165	PAPERLESS ORDER granting 147 Corrected Motion to Appear Pro Hac Vice on behalf of Katherine Huang. Directing attorney Katherine Huang to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/20/2017. (srd, Deputy Clerk) (Entered: 03/20/2017)
03/20/2017	166	PAPERLESS ORDER granting 148 Corrected Motion to Appear Pro Hac Vice on behalf of Carlos Singer. Directing attorney Carlos Singer to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/20/2017. (srd, Deputy Clerk) (Entered: 03/20/2017)
03/20/2017	167	ORDER scheduling a telephone status conference for March 21, 2017 at 3:00 p.m. Signed by Judge Theodore D. Chuang on 3/20/2017. (jf3s, Deputy Clerk) (Entered: 03/20/2017)
03/20/2017	168	NOTICE of Intent to File a Motion for Preliminary Injunction of EO § 6 by HIAS, Inc., Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc. and Ibrahim Ahmed Mohomed (Cox, Justin) (Entered: 03/20/2017)
03/21/2017	170	Case Management Conference held on 3/21/2017 before Judge Theodore D. Chuang.(FTR-KLS-2B.) (klss, Deputy Clerk) (Entered: 03/22/2017)
03/22/2017	169	ORDER directing parties to submit briefing on issues of the Court's jurisdiction over the proposed motion; continuing the scheduled Motions Hearing. Signed by Judge Theodore D. Chuang on 3/22/2017. (jf3s, Deputy Clerk) (Entered: 03/22/2017)
03/22/2017	171	NOTICE by HIAS, Inc., Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Ibrahim Ahmed Mohomed re 63

		MOTION for Discovery <i>on an Expedited Basis Notice of Withdrawal</i> (Jadwat, Omar) (Entered: 03/22/2017)
03/23/2017	172	PAPERLESS ORDER directing Plaintiffs to clarify whether they also intend to withdraw 92 Renewed Motion for Expedited Discovery. Signed by Judge Theodore D. Chuang on 3/23/2017. (ps2s, Chambers) (Entered: 03/23/2017)
03/23/2017	173	PAPERLESS ORDER granting 159 Motion to Appear Pro Hac Vice on behalf of Spencer E Amdur. Directing attorney Spencer E Amdur to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 3/23/2017. (srd, Deputy Clerk) (Entered: 03/23/2017)
03/23/2017	174	NOTICE by HIAS, Inc., Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Ibrahim Ahmed Mohomed re 92 Supplemental MOTION to Expedite <i>Discovery Notice of Withdrawal</i> (Jadwat, Omar) (Entered: 03/23/2017)
03/23/2017	175	PAPERLESS ORDER, in light of 174 Notice of Withdrawal, finding as moot 63 Motion for Expedited Discovery and 92 Renewed Motion for Expedited Discovery. Signed by Judge Theodore D. Chuang on 3/23/2017. (ps2s, Chambers) (Entered: 03/23/2017)
03/23/2017	176	STATUS REPORT by Daniel Coats, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump(Garg, Arjun) (Entered: 03/23/2017)
03/24/2017	177	MOTION for Leave to File <i>Motion for Preliminary Injunction</i> by HIAS, Inc., Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Ibrahim Ahmed Mohomed(Espiritu, Nicholas) (Entered: 03/24/2017)
03/24/2017	178	STATUS REPORT by Daniel Coats, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump (Attachments: # 1 Exhibit A) (Garg, Arjun) (Entered: 03/24/2017)
03/30/2017	179	NOTICE by HIAS, Inc., Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Ibrahim Ahmed Mohomed (Attachments: # 1 Exhibit A - Hawaii Preliminary Injunction Order)(Keaney, Melissa) (Entered: 03/30/2017)
03/31/2017	180	RESPONSE in Opposition re 177 MOTION for Leave to File <i>Motion for Preliminary Injunction</i> filed by Daniel Coats, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump.(Garg, Arjun) (Entered: 03/31/2017)
04/05/2017	181	

		REPLY to Response to Motion re 177 MOTION for Leave to File <i>Motion for Preliminary Injunction</i> filed by HIAS, Inc., Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Ibrahim Ahmed Mohomed. (Attachments: # 1 Joint Record 1-127)(Keaney, Melissa) (Entered: 04/05/2017)
04/10/2017	182	MEMORANDUM ORDER denying without prejudice 177 Plaintiff's Motion for Leave to File Motion for Preliminary Injunction; staying courts resolution of Plaintiff's Motion for Preliminary Injunction. Signed by Judge Theodore D. Chuang on 4/10/2017. (jf3s, Deputy Clerk) (Entered: 04/10/2017)
04/14/2017	183	NOTICE by Daniel Coats, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump re 93 Amended Complaint <i>re Intent to File Unopposed Motion to Stay Response Deadline</i> (Attachments: # 1 Text of Proposed Order)(Garg, Arjun) (Entered: 04/14/2017)
04/19/2017	184	ORDER staying 93 Amended Complaint, pending resolution of appellate proceedings. Signed by Judge Theodore D. Chuang on 4/19/2017. (jf3s, Deputy Clerk) (Entered: 04/19/2017)
05/10/2017	185	ORDER of USCA granting the unopposed motion to supplement the record include the "Supplemental Declaration of John Doe #3," executed on May 4, 2017, granting the motion and supplements the record on appeal pursuant to Federal Rule of Appellate Procedure 10(e) and Local Rule 10(d) as to 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump (Attachment: # 1 Declaration) (krc, Deputy Clerk) (Entered: 05/11/2017)
05/25/2017	186	JUDGMENT of USCA affirming in part and vacating in part the Judgment of the USDC as to 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump. This judgment shall take effect upon issuance of this court's mandate in accordance with Fed. R. App. P. 41. (Attachments: # 1 Published Opinion, # 2 Notice of Judgment)(krc, Deputy Clerk) (Entered: 05/25/2017)
05/31/2017	187	ORDER of USCA amending the caption of the opinion in this case as follows: The words and its clients are added at the end of the party text for the first Plaintiff-Appellee listed in the caption to read, INTERNATIONAL REFUGEE ASSISTANCE PROJECT, a project of the Urban Justice Center, Inc., on behalf of itself and its clients. re: 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump (krc, Deputy Clerk) (Entered: 05/31/2017)
05/31/2017	188	AMENDED PUBLISHED OPINION of USCA amending and superseding opinion dated 5/25/17 as to 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office

		of the Director of National Intelligence, John F. Kelly, Donald J. Trump (krc, Deputy Clerk) (Entered: 05/31/2017)
06/05/2017	189	SUPREME COURT Remark - petition for writ of certiorari filed 6/1/17 and placed on the docket 6/2/17 as No. 16-1436, re: 160 Notice of Appeal (USCA No. 17-1351)(krc, Deputy Clerk) (Entered: 06/05/2017)
06/15/2017	190	AMENDED ORDER of USCA amending its opinion filed 5/25/17, as follows:On page 127, line three of text -- the word the immediately preceding the word precisely is deleted; also on page 127, line six of text -- the word million is corrected to read billion as to 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump (krc, Deputy Clerk) (Entered: 06/16/2017)
06/15/2017	191	AMENDED OPINION of USCA affirming in part and vacating in part by superseding published opinion dated 5/25/17 as to 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump (krc, Deputy Clerk) (Entered: 06/16/2017)
06/29/2017	192	SUPREME COURT Remark - petition for writ of certiorari granted and application for stay of preliminary injunction granted in part (USCA No. 17-1351) re: 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump (krc, Deputy Clerk) (Entered: 06/29/2017)
07/17/2017	193	MANDATE of USCA takes effect today as to 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump (krc, Deputy Clerk) (Entered: 07/17/2017)
07/17/2017	194	ORDER of USCA recalling the mandate. The mandate issued this date due to clerical error is hereby withdrawn as to 160 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump (krc, Deputy Clerk) (Entered: 07/17/2017)
07/27/2017	195	ORDER denying without prejudice 64 Motion for Preliminary Injunction. Signed by Judge Theodore D. Chuang on 7/27/2017. (jf3, Deputy Clerk) (Entered: 07/27/2017)
08/01/2017	196	Record requested by Supreme Court of the United States (No. 16-1436) from USCA for the Fourth Circuit (17-1351) and USDC of Maryland, re 160 Notice of Appeal (Attachment: # 1 Record (4CCA) Letter to Supreme Court)(krca, Deputy Clerk) (Entered: 08/02/2017)
08/02/2017	197	RECORD (USDC of Maryland) transmitted to Supreme Court. Supreme Court Docket No. 16-1436, re 160 Notice of Appeal (krc, Deputy Clerk) (Entered: 08/02/2017)
09/29/2017	198	Request for Conference (Jadwat, Omar) (Entered: 09/29/2017)

09/29/2017	199	PAPERLESS NOTICE that a telephone CASE MANAGEMENT CONFERENCE to discuss 198 Notice of Intent to File Motion for Preliminary Injunction is scheduled for October 3, 2017 at 4:30 p.m. Instructions for the call will be emailed to the parties. (gk2s, Chambers) (Entered: 09/29/2017)
10/03/2017	200	Case Management Conference held on 10/3/2017 before Judge Theodore D. Chuang.(FTR-KLS-2B.) (klss, Deputy Clerk) (Entered: 10/03/2017)
10/04/2017	201	ORDER granting Plaintiffs leave to file a Second Amended Complaint and Motion for a Preliminary Injunction; Scheduling a Motions hearing for October 17, 2017 at 9:30 a.m. Signed by Judge Theodore D. Chuang on 10/4/2017. (jf3s, Deputy Clerk) (Entered: 10/04/2017)
10/04/2017	202	MOTION to Appear Pro Hac Vice for David Hausman (Filing fee \$100, receipt number 0416-6926867.) by HIAS, Inc., Allan Hakky, Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Ibrahim Ahmed Mohomed, Samaneh Takaloo(Rocah, David) (Entered: 10/04/2017)
10/05/2017	203	AMENDED COMPLAINT against Jane Doe # 2, Middle East Studies Association of North America, Inc., John Does 1 & 3, International Refugee Assistance Project, Muhammed Meteab, HIAS, Inc., filed by Jane Doe # 2, Middle East Studies Association of North America, Inc., John Does 1 & 3, International Refugee Assistance Project, Muhammed Meteab, HIAS, Inc.. (Attachments: # 1 Exhibit Redline from FAC)(Cox, Justin) (Entered: 10/05/2017)
10/06/2017	204	ORDER re the Case Management Conference held 10/05/2017. Signed by Judge Theodore D. Chuang on 10/6/2017. (jf3s, Deputy Clerk) (Entered: 10/06/2017)
10/06/2017	205	Third MOTION for Preliminary Injunction by HIAS, Inc., International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc. (Attachments: # 1 Appendix Joint Record)(Jadwat, Omar) (Entered: 10/06/2017)
10/06/2017	206	Local Rule 103.3 Disclosure Statement by Arab American Association of New York (Jadwat, Omar) (Entered: 10/06/2017)
10/06/2017	207	Local Rule 103.3 Disclosure Statement by Yemeni-American Merchants Association (Jadwat, Omar) (Entered: 10/06/2017)
10/06/2017	208	MOTION for Leave to File : <i>John Doe #4 and John Doe #5 to Proceed Pseudonymously and for Waiver of Local Rule 102.2(a) as to the Named Individual Plaintiffs</i> by HIAS, Inc., International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc. (Attachments: # 1 Text of Proposed Order) (Espiritu, Nicholas) (Entered: 10/06/2017)
10/10/2017	209	NOTICE rescheduling the Hearing on the Motions for Preliminary Injunction for October 16, 2017 at 2:00 p.m. at the United States Courthouse at 6500

		Cherrywood Lane in Greenbelt, Maryland. (signed by Judge Theodore D. Chuang 10/10/2017). (tds, Deputy Clerk) (Entered: 10/10/2017)
10/11/2017	210	PAPERLESS ORDER granting 202 Motion to Appear Pro Hac Vice on behalf of David Hausman. Directing attorney David Hausman to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 10/11/2017. (srd, Deputy Clerk) (Entered: 10/11/2017)
10/11/2017	211	NOTICE by HIAS, Inc., International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc. re 205 Third MOTION for Preliminary Injunction (Attachments: # 1 Supplement Supplement to Joint Record)(Jadwat, Omar) (Entered: 10/11/2017)
10/12/2017	212	RESPONSE in Opposition re 205 Third MOTION for Preliminary Injunction filed by Daniel Coats, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump.(Schwei, Daniel) (Entered: 10/12/2017)
10/13/2017	213	SUPREME COURT Remark - order remanding case received 10/10/17, remanded vacated, re 160 Notice of Appeal (USCA No. 17-1351) (krc, Deputy Clerk) (Entered: 10/13/2017)
10/13/2017	214	MOTION to Appear Pro Hac Vice for Kathryn Claire Meyer (Filing fee \$100, receipt number 0416-6942940.) by HIAS, Inc., International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc.(Cox, Justin) (Entered: 10/13/2017)
10/13/2017	215	MOTION to Appear Pro Hac Vice for Mariko Hirose (Filing fee \$100, receipt number 0416-6942974.) by HIAS, Inc., International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc.(Cox, Justin) (Entered: 10/13/2017)
10/14/2017	216	REPLY to Response to Motion re 205 Third MOTION for Preliminary Injunction filed by HIAS, Inc., International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc..(Jadwat, Omar) (Entered: 10/14/2017)
10/16/2017	217	Preliminary Injunction Hearing held on 10/16/2017 before Judge Theodore D. Chuang.(Court Reporter: Lisa Bankins - 4C) (klss, Deputy Clerk) (Entered: 10/16/2017)
10/17/2017	218	NOTICE by Arab American Association of New York, HIAS, Inc., Paul Harrison, International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Ibrahim Ahmed Mohomed of <i>Related Decision</i> (Attachments: # 1 Exhibit Order Granting Motion for Temporary Restraining Order)(Jadwat, Omar) (Entered: 10/17/2017)
10/17/2017	219	MEMORANDUM OPINION. Signed by Judge Theodore D. Chuang on 10/17/2017. (kns, Deputy Clerk) (Entered: 10/18/2017)
10/17/2017	220	

		ORDER granting in part and denying in part 205 Motion for Preliminary Injunction. Signed by Judge Theodore D. Chuang on 10/17/2017. (kns, Deputy Clerk) (Entered: 10/18/2017)
10/18/2017	221	PAPERLESS ORDER granting 214 Motion to Appear Pro Hac Vice on behalf of Kathryn Meyer. Directing attorney Kathryn Meyer to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 10/18/2017. (srd, Deputy Clerk) (Entered: 10/18/2017)
10/18/2017	222	PAPERLESS ORDER granting 215 Motion to Appear Pro Hac Vice on behalf of Mariko Hirose. Directing attorney Mariko Hirose to register online for CM/ECF at http://www.mdd.uscourts.gov/electronic-case-filing-registration . Signed by Clerk on 10/18/2017. (srd, Deputy Clerk) (Entered: 10/18/2017)
10/20/2017	223	NOTICE OF APPEAL as to 219 Memorandum Opinion, 220 Order on Motion for Preliminary Injunction by Daniel Coats, Department of Homeland Security, Department of State, John F. Kelly, Office of the Director of National Intelligence, Rex W. Tillerson, Donald J. Trump. (Schwei, Daniel) (Entered: 10/20/2017)
10/20/2017	224	Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 223 Notice of Appeal. IMPORTANT NOTICE: To access forms which you are required to file with the United States Court of Appeals for the Fourth Circuit please go to http://www.ca4.uscourts.gov and click on Forms & Notices.(kns, Deputy Clerk) (Entered: 10/20/2017)
10/20/2017	225	NOTICE of Appearance by Mariko Hirose on behalf of All Plaintiffs (Hirose, Mariko) (Entered: 10/20/2017)
10/20/2017	226	Correspondence re: Motion to Clarify/ Modify (Attachments: # 1 Exhibit Motion to Clarify/ Modify)(Jadwat, Omar) (Entered: 10/20/2017)
10/20/2017	227	USCA Case Number 17-2231 for 223 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump. Case Manager - RJ Warren.(kns, Deputy Clerk) (Entered: 10/20/2017)
10/20/2017	228	ORDER of USCA consolidating Case No. 17-2231(L) with Case No. 17-2232 and Case No. 17-2233 as to 223 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump. (kns, Deputy Clerk) (Entered: 10/20/2017)
10/23/2017	229	NOTICE OF CROSS APPEAL as to 219 Memorandum Opinion, 220 Order on Motion for Preliminary Injunction by Arab American Association of New York, HIAS, Inc., International Refugee Assistance Project, Jane Doe # 2, John Does 1 & 3, Muhammed Meteab, Middle East Studies Association of North America, Inc., Yemeni-American Merchants Association, Mohamad Mashta, Grannaz Amirjamshidi, Fakhri Ziaolhagh, Shapour Shirani, Afsaneh Khazaeli, John Doe #5, John Doe #4. Filing fee \$ 505, receipt number 0416-6957572. (Jadwat, Omar) (Entered: 10/23/2017)
10/23/2017	230	

		Transmission of Notice of Appeal and Docket Sheet to US Court of Appeals re 229 Notice of Cross Appeal. IMPORTANT NOTICE: To access forms which you are required to file with the United States Court of Appeals for the Fourth Circuit please go to http://www.ca4.uscourts.gov and click on Forms & Notices.(krc, Deputy Clerk) (Entered: 10/23/2017)
10/23/2017	231	USCA Case Number 17-2240 for 229 Notice of Cross Appeal,, filed by John Does 1 & 3, John Doe #4, Fakhri Ziaolhagh, Middle East Studies Association of North America, Inc., Arab American Association of New York, Muhammed Meteab, Grannaz Amirjamshidi, Shapour Shirani, HIAS, Inc., Jane Doe # 2, Afsaneh Khazaeli, Mohamad Mashta, John Doe #5, International Refugee Assistance Project, Yemeni-American Merchants Association. Case Manager - RJ Warren (krc, Deputy Clerk) (Entered: 10/23/2017)
10/23/2017	232	ORDER of USCA consolidating USCA Case No. 17-2231(L) and USCA Case No. 17-2240 as cross appeals. The appellants in Case No. 17-2231(L) shall be considered the appellants for purposes of the consolidated appeals and shall proceed first at briefing and at oral argument. Entry of appearance forms and disclosure statements filed by counsel and parties to the lead case are deemed filed in the secondary case as to 223 Notice of Appeal, filed by Rex W. Tillerson, Department of Homeland Security, Daniel Coats, Department of State, Office of the Director of National Intelligence, John F. Kelly, Donald J. Trump, 229 Notice of Cross Appeal,, filed by John Does 1 & 3, John Doe #4, Fakhri Ziaolhagh, Middle East Studies Association of North America, Inc., Arab American Association of New York, Muhammed Meteab, Grannaz Amirjamshidi, Shapour Shirani, HIAS, Inc., Jane Doe # 2, Afsaneh Khazaeli, Mohamad Mashta, John Doe #5, International Refugee Assistance Project, Yemeni-American Merchants Association (krc, Deputy Clerk) (Entered: 10/23/2017)
10/24/2017	233	NOTICE of Appearance by Kathryn C Meyer on behalf of All Plaintiffs (Meyer, Kathryn) (Entered: 10/24/2017)

PACER Service Center			
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10/30/2017 16:24:28			
PACER Login:	amurphy6932:3141548:4299065	Client Code:	
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

**SECOND DECLARATION OF REBECCA
HELLER, DIRECTOR OF IRAP, IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

SECOND DECLARATION OF REBECCA HELLER

I, Rebecca Heller, upon my personal knowledge, hereby submit this declaration pursuant to 28 U.S.C. §1746 and declare as follows:

1. I am the Director and co-founder of the International Refugee Assistance Project ("IRAP"), a project of the Urban Justice Center, Inc., a Plaintiff in the above-captioned case. I have been with IRAP since August 2008.

2. As IRAP's Director, I oversee all of IRAP's operations and activities, including programming and development. I am in constant, regular communication with my staff who provide legal representation to vulnerable individuals and consult with pro bono attorneys and law students working on IRAP cases. I also represent a number of refugee and visa cases myself, consult with numerous attorneys working on related cases, monitor field conditions on the ground in the Middle East/North Africa Region, liaise with the U.S. government and the United Nations around refugee and visa processing issues, and coordinate partnerships with numerous NGOs working with and advocating for refugees and immigrants in the U.S. and abroad.

Throughout my eight and a half years working on Middle East refugee issues, I have overseen, consulted on and/or represented thousands of cases.

3. I also teach a seminar on refugee law and practice at Yale Law School.

4. Founded in 2008, IRAP's mission is to provide and facilitate free legal services for vulnerable populations around the world, including refugees, who seek to escape persecution and find safety in the United States and other Western countries. IRAP has a staff of over 25 individuals based in offices in New York, Lebanon, and Jordan. IRAP works with 29 law school chapters and over 75 firms to provide pro bono assistance to persecuted individuals around the world. IRAP relies on the volunteer and pro bono assistance to meet the needs of its client base.

5. IRAP lawyers provide legal assistance to refugees and other immigrants to the United States throughout the resettlement process. IRAP also assists many individuals (including refugees, asylees, Lawful Permanent Residents and U.S. Citizens) inside the United States who need assistance filing family reunification petitions for family members overseas. IRAP has provided legal counseling and assistance to nearly 20,000 individuals.

6. Since its inception, IRAP has helped to resettle over 3,200 individuals from 55 countries of origin, with the majority resettled to the United States.

7. IRAP's client base includes refugees from Iraq, Afghanistan, Egypt, Eritrea, Ethiopia, Iran, Jordan, Kuwait, Libya, Pakistan, Palestine, Somalia, Sudan, Syria, Turkey, and Yemen. Of IRAP's current 599 open cases, 402 families are from one of the six countries targeted in the new Executive Order or are refugees from other countries and therefore potentially affected by the Executive Order. The overwhelming majority of IRAP's clients, including clients abroad and those within the United States, identify as Muslim.

8. Implementation of the Executive Order has frustrated and will continue to frustrate IRAP's mission and imposes a significant burden on its work. By drastically reducing the number of resettlement slots available for this fiscal year and freezing the resettlement process for at least 120 days, the Executive Order will force IRAP to invest significant time and energy exploring alternative routes to safety for its clients (many of whom are in imminent and life-threatening danger) and educating its network of over 2,000 pro bono attorneys and law students about those alternate routes. IRAP attorneys must also counsel their own clients about the changes in law as well as pursue other resettlement options for them, even though many were already being processed in the U.S. Refugee Admissions Program ("USRAP"). The first Executive Order has already wasted significant resources (typically hundreds of hours of legal representation over the course of many years navigating USRAP), forcing IRAP and our clients to make the Hobson's choice between starting the process over with another country, attempting to shelter in place in spite of life-threatening circumstances, or undertaking dangerous journeys to reach safety across other borders. Because the new Executive Order mirrors the first in terms of its effect on IRAP's refugee and immigrant clients, it too places IRAP and its clients at imminent risk of irreparable harm.¹

9. Following the signing of the first Executive Order, on January 27, 2017 at 4:42 P.M. EST, two IRAP clients, Mr. Hameed Khalid Darweesh and Mr. Haider Sameer Abdulkhaleq Alshawhi, were detained at John F. Kennedy Airport ("JFK") despite having valid entry documents. As a result, IRAP attorneys were present at JFK from 2 am to 6:30 pm on

¹ Since I do not anticipate any material difference in the effect of the new Executive Order Section 6(b)'s reduction by more than half of the refugee resettlement allotment for fiscal year 2017, which follows verbatim the first Executive Order's Section 5(d), I incorporate by reference my declaration submitted in support of Plaintiffs' Motion for a Preliminary Injunction Against Section 5(d). See Declaration of Rebecca Heller, Dkt. No. 64-1 (J.R. 26-35).

January 28, 2017 attempting to secure their lawful release. Furthermore, together with co-counsel, IRAP filed a habeas petition on behalf of those two clients, together with a motion for class certification (Darweesh et al. v. Trump et al., No. 1:17-cv-480 (E.D.N.Y. filed Jan. 28, 2017)). That litigation is ongoing. These actions are not in the scope of normal IRAP legal assistance, as previous IRAP clients were allowed to enter at U.S. Ports of Entry after receiving final approval to travel.

10. Both the first and the new Executive Order have also diverted IRAP resources as IRAP has become the focal point organization for volunteer attorneys all across the country who have gone to airports to attempt to secure the release of individuals detained pursuant to the first Executive Order. In addition to being the first organization to put out a call to volunteer attorneys, IRAP created and maintains a unique hotline email address (airport@refugeerights.org) to advise attorneys and affected individuals. Since the creation of this email address on January 28, 2017, IRAP has received and responded to nearly 800 email messages. IRAP has also developed templates and informational materials for attorneys, affected family members in the United States, and individuals overseas who have been denied travel pursuant to the Order. These actions are not in the normal scope of IRAP's work. I anticipate that this work will continue for IRAP under the new Executive Order as the need will continue to exist.

11. As a result of this Executive Order, our attorneys anticipate that their current caseload will take much longer to be resolved which has resulted in their limited capacity to take on the full representation of new clients. Thus, they now are providing limited representation in certain new cases, which prior to the Executive Order would have received full representation,

given the likely exorbitant delays in USRAP processing. This both diverts resources and frustrates our core mission.

12. Furthermore, because of the drastic decrease in refugee admissions and freeze in refugee processing, IRAP has significantly limited ability to open new law school chapters or begin new relationships with law firms to place cases for direct representation. We also are unable to place new cases with existing chapters or law firms because there is no movement on any refugee cases. We risk losing hundreds of volunteers, and relationships with numerous law firms, because we are unable to provide them with a way to partner with us on cases.

13. Our law firm partners also provide financial support with us. If we no longer have cases to place at law firms, and thus have to decrease our number of law firm partners, it will significantly cut into the corporate funding we receive.

14. In 2016, IRAP had been designated as a Priority 1 non-governmental organization (NGO) with the ability to make referrals of vulnerable refugees to USRAP. This authorization will now not be of any benefit to our clients if the USRAP is frozen or individuals from particular countries are ineligible.

15. As less than 1% of refugees are referred to countries for resettlement by the United Nations High Commissioner for Refugees (UNHCR), IRAP has significantly limited ability to draft referrals for our clients currently in USRAP to be sent to other safe countries because of the limited resettlement slots worldwide.

16. As a result of the Executive Order, IRAP's Resettlement Deployment Scheme with UNHCR, which allows IRAP resettlement experts since early 2016 to be deployed to UNHCR for assisting with their resettlement operations, may be terminated due to the drastic

decrease in resettlement slots available in the US and worldwide. This would lead to the termination of three IRAP staff as well as a revenue loss of approximately \$260,000.

17. IRAP provides safe housing for clients whose lives are in immediate danger while they await the outcomes of USRAP. Clients in urgent situations who face additional four-month delays on their applications (at a minimum) will require significant funding expenditures to ensure continued safe housing.

18. The new Executive Order will continue the significant backlog in the USRAP that resulted from the first Executive Order, delaying the processing of many of IRAP's clients' cases. This delay will force IRAP to exhaust more of its resources, as the average lifespan of a case now grows significantly. IRAP has a legal department composed of staff attorneys who advise and provide consultation to its network of pro bono legal volunteers on their casework. Because of delays in processing, IRAP's attorneys must spend significantly more time on each case, providing guidance about alternative routes to safety and possible exemptions. In addition to IRAP's staff attorneys' existing and ongoing responsibilities, they must now also draft and review additional submissions to State and to the Department of Homeland Security ("DHS"), such as waiver requests for admission to the United States for their clients, which will be reviewed by a case-by-case basis under the new Executive Order. Further, IRAP's field staff must largely give up their work on refugee case processing and focus primarily on ensuring the local safety of refugees who thought their lives would be saved for resettlement, and who are now caught in life-threatening limbo.

19. The Executive Order puts IRAP's refugee and immigrant clients in grave danger, because the longer it takes for their cases to be decided, the longer they are in life-threatening environments. All of IRAP's clients are in limbo and irreparably harmed because their cases

have been indefinitely stalled. Many are at imminent risk of persecution and death where they currently reside, and many others now face indefinite separation from family members already in the United States.

20. Many of IRAP's clients have been referred to the US for resettlement by the UN refugee agency, the United Nations High Commissioner for Refugees ("UNHCR"). UNHCR only refers the most vulnerable refugees for resettlement, such as unaccompanied minors, women-at-risk, and individuals with urgent medical or protection concerns. Less than 1% of refugees worldwide are referred for resettlement by UNHCR. If UNHCR refers an individual to USRAP, they are likely extremely vulnerable and have strong, pre-vetted refugee claims. Further, once UNHCR refers a refugee to USRAP, it precludes them from referring the refugee to another country until the USRAP process is completed.

21. IRAP works with some of the most vulnerable individuals in the world, including U.S.-affiliated refugees, LGBTI refugees, women who have survived trafficking, sexual and gender-based violence, and children with emergency medical needs. We estimate that approximately 700 IRAP clients are now trapped in the limbo of a halted U.S. Refugee Admissions Program as a result of the first Executive Order. The cases will continue in their frozen state under the new Executive Order and their prospects of coming to the U.S. any time soon have evaporated.

22. Furthermore, while the revised Executive Order takes off Iraq from the list of barred countries, Iraqis are still part of the suspension of USRAP processing. Over 50,000 U.S.-affiliated Iraqis are negatively impacted by this new Executive Order, including interpreters for the U.S. Army and for U.S. media organizations, NGO workers, fixers, engineers, and

physicians. These are Iraqis who supported the U.S. mission in Iraq and are now being targeted by militias and terrorist groups as a result.

23. Although the revised Executive Order allows for waivers in certain cases, these waivers will not be available to the vast majority of our clients. DHS interviews are currently only taking place in Vienna and Nauru. Based on my understanding of the refugee process and the language of the Executive Order, waivers will not be available for refugees who have not had DHS interviews. Therefore, hundreds of our clients (and thousands of refugees in the USRAP pipeline) throughout the Middle East and North Africa region (not to mention anyone who is not in Vienna or Nauru) will be ineligible for a waiver regardless of circumstances.

24. While we have been told by some government officials that a waiver process will exist, we have yet to receive any details about how to refer cases, how long waivers will take, or how many waivers are available. We have been told that waivers will only be considered on an individual basis and the Executive Order requires the designation of new personnel to review the waivers.

25. It is also my understanding based on my knowledge of refugee processing that at the end of the 120-day period, even if the refugee program reopens, under the terms of the Executive Order there will be a new security process that most of our clients must go through. In the past, security clearances typically take anywhere from one to five years. Thus, even if the refugee process goes back online following the Executive Order, under the terms of the order our clients are likely to be delayed for several additional years (even those already post-approval).

26. Both the first Executive Order and the new Executive Order that will replace it marginalize IRAP's Muslim clients and subject them to suspicion, scrutiny, and social isolation on account of their religious beliefs and national origin. Clients who are already inside the U.S.

are afraid and fear they are not welcome. Some have been subjected to harassment by law enforcement agencies allegedly conducting “new” security checks. Others have been detained at airports, or rejected from flights multiple times even though they are presenting valid visas. Our clients in USRAP and our Special Immigrant Visa programs are seeking resettlement of the U.S. as a safe haven but now feel threatened by the only safe option available to them.

27. Many of IRAP’s clients, including those living in the United States are fearful of asserting their legal rights through participation in lawsuits or otherwise. In addition to fears around possible retaliation from the government or private parties given the current anti-refugee and anti-Muslim climate in the United States, they face multiple barriers to doing so, including language barriers and unfamiliarity with American law and customs, including many customs we take for granted. For example, many of our clients have difficulty completing forms that seem basic and simple to Americans; a form that has a line for “address line two,” for example, confuses our clients, who do not understand why the form is asking for a second address. Moreover, a significant number of our clients have suffered extreme trauma, often at the hands of government officials; this trauma has predictable and understandable consequences,

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often including a desire to avoid calling attention to themselves, particularly from government officials, both in the United States and in their home countries. Many also feel shame or stigma associated with what has happened to them in their home countries, and avoid situations where they may have to talk about it, such as through participation in a lawsuit.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at in Los Angeles, California, on March 10, 2017.

A handwritten signature in black ink, appearing to read "Rebecca Heller", with a long horizontal flourish extending to the right.

Rebecca Heller

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

**DECLARATION OF MARK HETFIELD,
PRESIDENT AND CEO OF HIAS, INC.,
IN SUPPORT OF PLAINTIFFS' MOTION
FOR TEMPORARY RESTRAINING
ORDER AND/OR PRELIMINARY
INJUNCTION OF THE SECOND
EXECUTIVE ORDER**

DECLARATION OF MARK HETFIELD, PRESIDENT AND CEO OF HIAS, INC.

I, Mark Hetfield, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the President and Chief Executive Officer of HIAS, Inc., a Plaintiff in the above-captioned case.

2. HIAS was founded in 1881 as the Hebrew Immigrant Aid Society to assist Jews fleeing pogroms in Russia and Eastern Europe. It is the world's oldest—and only Jewish—refugee resettlement agency. Today, HIAS serves refugees and persecuted people of all faiths and nationalities around the globe. Since HIAS's founding, the organization has helped more than 4.5 million refugees start new lives. In 2016 alone, HIAS provided services to more than 350,000 refugees and asylum seekers globally.

3. HIAS has offices in twelve countries worldwide, including its headquarters in Silver Spring, Maryland, its principal place of business, and additional domestic offices in New York City and Washington, D.C.

4. HIAS's refugee resettlement work is grounded in, and an expression of, the organization's sincere Jewish beliefs. The Torah, Judaism's central and most holy text, commands followers to welcome, love, and protect the stranger. The Jewish obligation to the stranger is repeated in various ways throughout the Torah, more than any other teaching or commandment. HIAS believes that this religious commandment demands concern for and protection of persecuted people of all faiths. The Torah also teaches that the Jewish people are to welcome, protect, and love the stranger because "we were strangers in the land of Egypt" (Leviticus 19:34). Throughout their history, violence and persecution have made the Jewish people a refugee people. Thus, both our history and our values lead HIAS to welcome all refugees in need of protection. A refusal to aid persecuted people of any one faith, because of stigma attached to that faith, violates HIAS's deeply held religious convictions.

5. HIAS's client base includes refugees and their families abroad and those located in the United States. Hundreds of these clients hail from the six countries singled out in Section 2(c) of the March 6 Executive Order, including Syria, Iran, Sudan, Somalia, and Yemen. Other clients, who will also be affected by the 120-day ban on refugees in Section 6(a) of the Order, hail from countries that include Iraq, Ukraine, Bhutan, the Democratic Republic of the Congo, Afghanistan, Eritrea, Tanzania, Ethiopia, Central African Republic, Burundi, South Sudan, Uganda, Russia, Belarus, Burma, and El Salvador. Its overseas clients are seeking refugee status, and do so precisely because they face a real risk of persecution at home. They remain in precarious situations often in third countries. HIAS also provides services to individuals entering the United States under the Special Immigrant Visa ("SIV") program available to persons who worked with the U.S. Armed Forces as a translator or interpreter in Iraq or Afghanistan.

6. HIAS is one of nine non-profit organizations, called “Resettlement Agencies,” designated by the federal government to undertake this humanitarian work through cooperative agreements with the U.S. Department of State and the U.S. Department of Health and Human Services. To serve these refugees, HIAS currently holds sub-agreements with 18 local organizations (“affiliates”) who operate and oversee 21 resettlement sites across the country. A resettlement site is an office of one of the Resettlement Agencies; it could be either an affiliate or a sub-office of an affiliate. There may be more than one resettlement site in a single city, depending on how many national agencies have offices there. HIAS itself also directly operates a resettlement site in New York City, and, before the Executive Order was signed, was on the verge of expanding to an additional resettlement site in Westchester County, New York, which had been approved by the Department of State.

7. HIAS is assigned clients via the Department of State’s allocation process, which determines which refugee clients will be resettled by HIAS. Other clients—already residing in the United States—connect with HIAS when they come to one of HIAS’s local affiliates to file paperwork to initiate requests for refugee status for their relatives abroad.

8. HIAS’s work with the federal government occurs pursuant to several different cooperative agreements, including a cooperative agreement with the Department of State that provides funding for the Reception and Placement program. In Federal Fiscal Year (“FFY”) 2017, HIAS’s approved budget through this agreement was \$11.4 million, including funding for headquarters, affiliates, and direct assistance to refugees. Through headquarters staff, HIAS interfaces with the Department of State’s contractor for refugee processing, places cases with local affiliates, monitors the refugees’ travel to the United States and their final destination in the United States, monitors affiliates for ongoing compliance, and works with the affiliates to ensure

effective and timely service delivery to the new arrivals. The total budget under the cooperative agreement is approved at the beginning of the fiscal year, although the Department of State allocates the funds in portions throughout the year, depending on the amount of funding approved by Congress.

9. The largest source of funding for refugee resettlement by HIAS and its affiliates is the funding for Reception and Placement services for new refugee arrivals. These funds are provided by the government on a per capita basis, currently at the rate of \$2,075 per refugee. That amount includes \$1,125 of direct assistance per refugee and \$950 for affiliate staff support per refugee. The funding provided by the Department of State through the Reception and Placement program is intended to cover expenses for the refugees' initial period of resettlement, up to three months after arrival. With this funding, HIAS and its affiliates must find housing for the refugees, provide them with money for rent and utilities for up to three months, and supply them with initial food and medical care before government-funded benefits begin. In addition, with this funding, the affiliates pay for case management services for the refugees, which include meeting the refugees at the airport and bringing them to their new homes, providing initial safety orientation followed by weeks of extensive cultural orientation to adjust them to life in America, and assisting them in enrolling in ESL classes, school, employment services, and benefits programs (including Medicare, food stamps and Supplemental Security Income for the elderly and disabled).

10. In FFY 2016, HIAS's cooperative agreement with the Department of State provided that HIAS and its affiliates would resettle 3,768 refugees and SIVs in the United States. However, as the number of refugees and SIV's approved for admission increased, HIAS eventually resettled 4,191 individuals that year. The Department of State, aware that it would

significantly increase capacity for refugees in FFY 2017, then requested that HIAS apply for higher numbers of arrivals as the refugee program expanded. As a result, in its cooperative agreement for FFY 2017, HIAS was engaged to resettle 4,794 refugees and SIVs.

11. The Presidential Determination on Refugee Admissions for Fiscal Year 2017, signed in September 2016, authorized the admission of up to 110,000 refugees. Under the March 6 Executive Order, however, that number will be drastically reduced by the 90-day and 120-day bans in Sections 2(c) and 6(a), respectively, and Section 6(b)'s extreme reduction in refugee admissions overall to 50,000. As a result, HIAS and its affiliates will not be able to resettle a significant portion of planned-for arrivals. Indeed, in February, the Department of State notified HIAS that, because of the reduction in refugee admission levels in Section 5(d) of the January 27 Executive Order, HIAS's resettlement obligation for FFY 2017 would be reduced by 39 percent to 2,912 refugees and SIVs. Attached hereto as Exhibits 1 and 2 are true and correct copies of two email communications sent to HIAS staff by the Department of State, dated February 16, 2017, and February 17, 2017, respectively, outlining the changes mandated as a result of Section 5(d) of the January 27 Executive Order. That reduction in the level of refugee admissions remains in Section 6(b) the Revised Executive Order, and thus HIAS will still experience a 39 percent reduction in planned refugee resettlement, and a reduction in funding for its program.

12. Because HIAS had already resettled 1,941 refugees and SIVs for this fiscal year by the end of February, it will be permitted to resettle only 971 additional refugees and SIVs for the remainder of the year. The financial losses to HIAS and its affiliate network—up to \$2.2 million—will be crippling, especially for many of HIAS's affiliates, which are heavily dependent on funding that flows through HIAS. And, those losses will be hastened by the 120-day ban on refugee admissions. On March 6, 2017, the Department of State informed HIAS that only

refugees who are already booked for travel to the United States arriving at their port of entry through the end of March 15, 2017, i.e., before the March 6 Order's effective date of March 16, 2017 at 12:01 am, will be permitted to enter the United States. Defendant Department of State has indicated that no further bookings may be made. Attached hereto as Exhibit 3 is a true and correct copy of the pertinent email communication sent to HIAS staff by the Department of State, dated March 6, 2017. The email also informed HIAS that all DHS screening interviews will continue to be suspended until further notice, unless exceptions are arranged on an individual basis and that no new Interagency Checks (IAC) and Security Advisory Opinion (SAC) security checks may be requested.

13. The risk that the Executive Order poses to the viability of HIAS, its affiliates, and the vital services they provide to refugees is very real. World Relief, one of the other nine resettlement agencies that partners with the government, has already announced that it will be forced to lay off 140 staff members and close five of its offices due to the Executive Order. The Executive Order will likewise significantly impede HIAS's work for the government and the services provided to refugees, causing irreparable harm to HIAS, its affiliates, and its clients. HIAS itself has already been precluded from refilling key positions. HIAS has been compelled by President Trump's two immigration executive orders to dedicate substantial resources to finding other sources of support for its work, and will likely find itself in the same position as World Relief vis-à-vis layoffs if the Executive Order is allowed to be implemented. These staff losses negatively impact the services that HIAS is able to provide to refugees.

14. Affiliates, who hold sub-agreements under HIAS, operate and oversee a number of resettlement sites and are an integral part of the resettlement process; indeed, without them, it would be nearly impossible to ensure that refugees are properly resettled and integrated into

communities. However, as a result of the financial losses stemming from the 90-day and 120-day bans and the reduction in admission of refugees to 50,000, some of HIAS's affiliates may be forced to shut down permanently or significantly pare back their resettlement programs and sites. Affiliates have already laid off staff in response to the Executive Order. For example, HIAS's affiliate in Ohio—US Together—has already laid off more than six employees at just one resettlement site. Many of the staff who have lost their jobs or are likely to be laid off are staff who work directly with refugee clients, and are often former refugees themselves. HIAS also operates a direct resettlement site out of its New York office. If the Executive Order remains in place, it is likely that reductions in funding will require HIAS to lay off employees at its New York site.

15. When sites are shuttered or their capacity significantly decreased through staff layoffs and cut resources, the local expertise and relationships—developed by affiliate staff, often over years and years—is lost entirely or substantially diminished. Building a new resettlement site can take months or years of relationship-building, including cooperation with local government and elected officials, businesses who would be potential employers, landlords, and the refugee communities themselves.

16. In particular, in establishing and operating these sites, affiliates depend heavily on volunteer networks and support within interfaith religious communities to assist in carrying out resettlement; once sites close or are reduced in size, these volunteer networks will become disengaged and eventually dissipate. In Wilmington, Delaware, for example, a site that opened in FFY 2017, the Jewish Family Services office has developed a coalition of 28 organizations and faith communities. The coalition consists of large numbers of local churches, including Presbyterian, Mormon, and Methodist churches, as well as mosques and synagogues—all eager

to support refugees. They have, in fact, already prepared to welcome newcomers to their communities. Building these relationships, which are key to a site's operation, took months of staff time and resources before the site even opened. Thus, once a resettlement program or site is shut down or reduced in capacity, reopening or re-expanding it could take months or years, if it is able to be done at all. And, if an influx of refugees were later allowed in, HIAS and its affiliates would be left with a diminished ability to serve that influx of refugees all at once.

17. Moreover, the existence of fewer sites within HIAS's resettlement affiliate network limits the type of assistance refugees can receive because it results in less variety in terms of specialization by site and ability within the network to welcome different kinds of refugees with different vulnerabilities. For example, one of the affiliate sites with which HIAS currently works has been specially set up to address the unique challenges faced by LGBTI refugees. The Jewish Family and Community Services East Bay in Walnut Creek, California, has developed a specialization in serving this population by connecting them to appropriate, available community resources. As another example, the Jewish Family Services of Buffalo and Erie County operates a program to serve deaf refugees, offering services otherwise unavailable from other HIAS affiliates. And the US Together site in Toledo is managed by a Resettlement Director who is from the Syrian community, and the site has staff with language and cultural competency to specifically serve this population. If some of these sites are forced to close due to funding and arrival cuts, the quality and range of specialized services that HIAS can provide to refugees facing special challenges will be diminished.

18. For these reasons, and in reliance on the Department of State's representation that it needed HIAS to take on increased numbers of refugees, HIAS began developing a formal plan to add new resettlement sites to its network and to expand existing sites. HIAS secured private

funding and allocated funding from HIAS's private fundraising to support affiliate program expansion. For example, prior to securing any public funding for new sites, HIAS gave some affiliates grant funding of between \$50,000 and \$100,000 to build their capacity. These were typically matched by local fundraising, all through private fundraising dollars.

19. In addition, in reliance on the Department of State's representation that it needed HIAS to take on increased numbers of refugees, two staff members were hired to develop new partnerships and conduct a thorough review to identify and develop strong new resettlement sites. This process included developing an index to measure a locality for its strength as a potential resettlement site, including analyses of affordable housing, job growth, and involvement in welcoming community efforts. HIAS's staff then developed relationships with various local organizations to gauge interest in site development over a period of several months. The process culminated in the selection of six new sites in Wilmington, Delaware; Pittsfield, Massachusetts; Niagara Falls, New York; Tacoma, Washington; Westchester, New York; and Madison, Wisconsin — all of which were approved by the Department of State to host 50 refugees each. While timelines may vary, a typical site may require an initial investment of approximately 9-12 months of effort and then additional years to strengthen the site and cultivate additional resources and relationships, allowing the site to scale to accept greater numbers of refugee arrivals. In addition, HIAS's staff invests considerable time into training and coaching employees and volunteers at new sites, which is necessary because the refugee program is complex, involving extensive, detailed requirements.

20. Because of the Executive Orders' directives to drastically cut refugee admissions, several of these sites, which took months or even years to develop, already have suspended operations and may be forced to close. The resources expended to identify and establish these

new sites, as well to expand several other existing sites, are not recoverable. For example, the new site in Wilmington invested in new staff, built community and volunteer relationships, and established the infrastructure for the new program. The program had expected to receive 50 refugees but has received only nine refugees so far, and anticipates just fourteen more. These numbers are insufficient to justify a continuing staff, and the agency faces a loss of initial funding.

21. Because of the devastating toll that the Executive Order will take on HIAS, its affiliates, and the services they provide, the injury and harm that HIAS will suffer is irreparable, HIAS cannot be made whole by a payment of damages at the end of this litigation.

22. HIAS's clients will also suffer irreparable injury as a result of the Executive Order. Clients already in the United States and clients who are allowed to enter will received diminished and more limited services than would otherwise be available through HIAS and its affiliates. Meanwhile, if the Executive Order remains in place, many clients will be denied entry entirely or their entry will be substantially delayed, leaving them in precarious situations.

23. At the time that the new Executive Order was signed on March 6, 2017, there were 61,467 approved refugees in the U.S. pipeline. This included 13,302 Somalis, 9,886 Iraqis, 7,879 Syrians, 1,666 Sudanese, 597 Iranians, and 28 Yemenis. These refugees were spread across the nine Resettlement Agencies, including HIAS.

24. Specifically, HIAS has identified 1,395 clients worldwide who were allocated through the Department of State process, have been vetted, and have been approved for refugee status. These refugees have already been allocated and assured to one of HIAS's resettlement sites. Of these, 512 are nationals of one of the six banned countries. Thus, these individuals—the overwhelming majority of whom are Muslim—will likely be ineligible for the case-by-case

exception to the 120-day ban on refugee applicants set forth in Section 6(c) of the March 6 Executive Order.

25. Of the 1,395 HIAS clients worldwide who have been vetted, approved for refugee status, and allocated and assured to a HIAS site, only 58 (including 3 refugees from the six banned countries) have been scheduled for travel. This also includes 99 individuals who were intended to be booked for travel, and 338 individuals who were cleared for departure but are not yet scheduled to travel. These individuals will be prevented from travel as a direct result of the Executive Order, leaving them in precarious situations.

26. Even after the 120-day suspension on refugee admissions expires, most of these individuals will still be prevented or delayed from entering the United States, despite the fact that they have been vetted and determined to be refugees. Under the Executive Order, the earliest that refugee resettlement could resume would be early July 2017. This would leave Resettlement Agencies, at most, with only two-and-a-half months before the end of the fiscal year to resettle hundreds or thousands of refugees who were supposed to be resettled over a much longer period of time. Refugee processing would be impacted by the 120-day ban since security checks and processing would be suspended during that time. Because security and medical clearances have expiration dates, it is likely that some refugees would lose their readiness for travel during the suspension period and lengthy checks would need to be repeated. In addition, because of the recent notice that HIAS's resettlement commitment will be cut by 39 percent, some of these refugees will simply not be able to enter the country in FFY 2017. Every day that these individuals' entry is delayed, they remain in precarious situations.

27. Many of HIAS's clients abroad whose refugee status has been approved but have yet to be scheduled for travel, including clients from the six banned countries, have family

members in the United States, also HIAS clients, who will suffer as a result of the delay in reuniting with their family members. Some of these U.S. ties are, in fact, individuals who petitioned, applied, or sponsored their family members for refugee status (often through HIAS). For example, some HIAS clients have been granted refugee status through the Central American Minors program, which permits U.S. relatives of persecuted children in Central America to petition for these children to immigrate here. These children remain in vulnerable and dangerous situations in their home countries, despite having been approved for refugee status, and their U.S. family members are forced to endure continued separation from and concern for these children.

28. More than 1,300 refugee applications initiated through HIAS by family members residing in the United States remain pending for HIAS clients abroad. Many include individuals living in the six Muslim-majority countries subject to the order's 90-day ban. The adjudication of these applications has been or will be substantially delayed because of the Executive Orders. In fact, since the orders were signed, consideration of most refugee applicant cases in need of security checks have been suspended. This means that, for many refugees in the pipeline, security checks that typically lasted 18-24 months will now be paused and restarted, potentially adding years to their wait for stable resettlement. The delay in processing of these applications will subject these clients to further risk of persecution and abuse in their current situations, and their family members who petitioned for them to come to the United States will remain in limbo as to whether they will ever be reunited.

29. The refugees that HIAS assists in entering the country are well-vetted by the U.S. government. These are individuals and families who are granted refugee status because they have fled their own countries due to persecution. These refugees are selected for third-country resettlement precisely because they have vulnerabilities that make continued residence in first

countries of asylum or repatriation to their home countries unsafe. They are people who simply want to live a life in safety and freedom, and, to my knowledge, none who have been assisted by HIAS has ever been implicated in any terrorist act. I've set forth in the paragraphs below just a few examples of HIAS clients who have been affected by the Executive Order and will likely be harmed by the drastic cut in the number of refugees that will be allowed to enter the United States this year.

30. Fawzia¹ is a Muslim Somali refugee who fled her country in 2011 because of the ongoing persecution. Her sister was raped and her brother was shot by armed groups in Somalia. Her family originally fled Somalia to India where she met and married her husband, another refugee of the civil war in Somalia. Fawzia, however, was resettled to the United States without her husband and has not seen him for two years. She talks to him every day and finds it extremely hard to live without him. Her husband is not yet scheduled to enter the United States.

31. Yessenia is a Salvadoran woman who has been living in the United States since 1999. She left her daughter behind in El Salvador and has created a new life for herself in this country. Yessenia, who has lawful status here, expects to soon marry her U.S. citizen fiancé. Her daughter Maria, however, has faced increased risk from the gangs in El Salvador. They have targeted her because she has family in the United States and have been extorting her. The gangs are threatening to kill Maria, her older brother, her grandmother (Yessenia's mother), and the rest of the family living in El Salvador. Children like Maria are victims of gang violence every day in El Salvador. Maria has been approved as a refugee through the Central American Minors program but is not yet scheduled to travel to the United States.

¹ All refugee and family names in this affidavit have been changed to protect client identities. Declarations are on file in HIAS' headquarters in Silver Spring, Maryland.

32. Magan is an elderly refugee from Somalia who has been in the United States for more than a year. He is waiting for his daughter and her children, his grandchildren, to join him in the United States through the refugee program. He reports that he has not been able to sleep since learning of the January 27 Executive Order for fear that they will be blocked from finally finding safety in the United States. Magan's family was scheduled to travel to the United States in February but their flight was cancelled after the first Executive Order was signed. Magan worries that he will die without seeing his daughter again, and as a Muslim, he reads the Quran and makes extra prayers for his family's health and safety. Magan feels that he has already suffered enough as he lost his first wife in the conflict in Somalia. He is waiting in the hope that he will be reunited with his family.

33. Elias, his sister, and his sister's children are Muslim refugees in the United States who fled the conflict in Syria. Elias and his sister arrived here without their mother and father, who fled Syria to Jordan four years ago when their lives were endangered. It is illegal for Elias's parents to work in Jordan so they are struggling financially, and heartbroken over being separated from their children and grandchildren. They are only able to pay rent for an apartment because Elias sends them money. Elias knows his parents have already been interviewed three times by the UNHCR and the U.S. government but is waiting for further information.

34. Sunam is a lawful permanent resident, originally from Nepal, whose brother remains in a refugee camp in Eastern Nepal. Sunam's brother has been in the camp his entire life. Sunam knows how difficult life is in the camp, which she left in 2014 after being resettled in the United States. Sunam and her brother talk on the phone nearly every week. Sunam understands that the basic rations being delivered to the refugee camp have been cut off. Sunam does not know when they will come in again. Sunam's brother was fully approved to enter the

United States as a refugee and was supposed to travel in June of 2016, but his travel was delayed for medical reasons and has not been rescheduled. Sunam hopes that her brother is able to join her soon.

35. Eden is a lawful permanent resident who came to the United States from Eritrea in 2010. She taught herself English, attends nursing school and has just applied for citizenship. Eden recently had her first child, a joyful occasion that was tinged with sadness because her mother could not be with her. Eden's mother remains in a precarious situation in Ethiopia, where she has been waiting to come to the United States as a refugee. She had to flee from Eritrea after being harassed for her religion as a Pentecostal Christian. Eden's mother has been fully vetted and approved as a refugee, but her travel was cancelled around the time of the Executive Order and has not been rescheduled. Eden has not seen her mother for seven years. She worries about her getting older, with worsening health, and is desperate for her son to meet his grandmother.

36. Maung is a legal permanent resident who came to the United States three years ago as a refugee from Burma. He now owns and operates his own sushi business. Maung is waiting for his wife to join him in the United States. He does not remember the last time he saw her. Maung is very worried that his wife's refugee status will be rejected and her departure from Malaysia will be delayed. Maung's wife's refugee status has been approved, and she was assigned to HIAS for resettlement in the United States; however she is still waiting for travel to be scheduled.

37. Like Fawzia, Magan, and Elias, many of HIAS's clients here in the U.S. and abroad are Muslim. The Executive Order has taken a particular toll on them because of its anti-Muslim motivation and message. HIAS's Muslim clients have been marginalized in their

communities as a result of the Executive Order. Clients report feeling that everyone wants to fight with them, and describe rumors of various attacks on mosques and other Muslims. Fawzia, for example, reports that her niece and sister, who are both in middle school, were attacked at school. Other students harassed the girls, called them names, told them to go back where they came from, and even pulled off their headscarves. HIAS clients report feeling isolated and anxious about their situation and the future for their refugee relatives.

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



Mark Hetfield

Executed this 10th day of March 2017

EXHIBIT 1
to Hetfield Declaration

From: O'Connor, Margaret R <OconnorMR@state.gov>
Sent: Thursday, February 16, 2017 5:27 PM
To: [REDACTED]
Mark Hetfield;
Cc: PRM-Admissions-Domestic; Day, Barbara J; Santos, Carol T
Subject: FY 2017 RA Revised Budget Request
Attachments: RP Budget Summary and Detail Template - FY 2017 revisions.xls; RP Consolidated Placement Plan_FY2017 Revisions.xlsx

Dear colleagues,

With the adoption of Executive Order (EO) 13769, Protecting the Nation from Terrorist Activities by Foreign Nationals, PRM is implementing the revised target of 50,000 refugee arrivals and an estimated 15,000 SIVs for FY 2017.

Each agency's overall capacity will remain at the proportion of arrivals approved at the beginning of FY 2017 (for instance, if your agency was approved to resettle 10% of 107,000, you will now receive 10% of 65,000 arrivals). In order to issue funding for the remainder of FY 2017, PRM requires the submission of updated program and budget documents to reflect the revised ceiling of the U.S. Refugee Admissions Program. Your Program Officer will notify you of your revised approved network capacity for FY 2017.

We expect the updated Headquarters Management budget to reflect a careful assessment of the funding necessary to fulfill the revised workload expectations in a cost-efficient manner. It should be based on requirements to manage arrivals for the balance of FY 2017. Please consider if any currently planned program activities should be canceled or postponed. Proposals should include an outline of the specific actions being taken to adjust staffing, organizational structure and management, and other activities to appropriate levels. We understand that significant changes to affiliate networks, headquarters staffing, and other program requirements may have associated costs, however, we expect that revised full-year budgets will reflect savings from the significant reductions in estimated arrivals.

Please include the following documents by **Friday, March 3, 2017**:

- FY 2017 budget showing funds awarded to date (October 2016 – March 2017), Q3 and Q4 projected needs, and full-year funding requirements
 - Please use the attached template and submit as an excel spreadsheet
- Revised budget narrative (with changes tracked) detailing any new or updated activities to right-size the network (e.g. travel costs associated with restructuring or closing a site)
- Updated consolidated placement plan (attached) reflecting your revised capacity
 - Include a narrative detailing the strategy used in determining the revised plan
- Executive Summary outlining all changes from the originally-approved proposal, including staffing and operational changes and their associated impact on the budget
- Signed completed SF-424 and SF-424A
- Most recent Negotiated Indirect Cost Rate Agreement (NICRA)
- Signed and dated cover letter

PRM plans to issue additional per capita awards in early March given the robust arrivals through February. We will provide additional details in the coming weeks. Quarter 3 Headquarters Management awards will be issued after the proposed program adjustments have been finalized.

Please contact your Program Officer with any questions. Send your revised proposals to me and your Program Officer by **March 3, 2017**.

Sincerely,
Margaret

Margaret O'Connor
Budget Analyst, Refugee Admissions • Bureau of Population, Refugees, and Migration • U.S. Department of State
2025 E Street NW, Washington, DC 20520 | phone: 202.453.9262 | fax: 202.453.9393 | email: ooconnormr@state.gov

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EXHIBIT 2
to Hetfield Declaration

From: Jones, J Irving <JonesJI2@state.gov>
Sent: Friday, February 17, 2017 10:37 AM
To: [REDACTED]
Subject: HIAS Revised FY 2017 Capacity

Hi [REDACTED]

Your revised capacity for FY 2017 is below. This includes SIVs

CAPACITY & ARRIVALS	ESTABLISHED AGENCY CAPACITY	% by agency	REVISED CAPACITY - 65,000
HIAS	4,794	4.5%	2,912

Let me know if you have any questions.

Regards,
Irving

Irving Jones
Program Officer for Domestic Resettlement, Refugee Admissions • Bureau of Population, Refugees, and Migration
U.S. Department of State
2025 E Street NW, Washington, DC 20520 | phone: 202.453.9248 | fax: 202.453.9393 | email: JonesJI2@state.gov

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EXHIBIT 3
to Hetfield Declaration

-DHS interviews continue to be suspended until further notice, unless exceptions are arranged with individual RSCs. When requesting DHS interviews for urgent protection/medical cases, please consult your PRM Program Officer first.

-No new IAC or SAO security checks may be requested, except for urgent protection/medical cases or other cases approved by PRM/A to travel on an exceptional basis during the 120-day period. IAC and SAO re-requests as a result of new/additional information (biodiffs) should not be requested unless cases are approved by PRM/A for travel. All CLASS checks (new or re-requests) can continue to be requested.

-RSCs should request new assurances only for cases that have been approved for travel during the 120-day period. No other new assurances should be requested at this time. Assurance requests already in process will continue.

-Until further guidance is provided, RSCs may continue the following processing activities:

- Employment verification
- Pre-screening
- Class requests
- Medicals, as required for cases that have been approved by PRM for travel (either before and after the EO implementation date)
- Cultural orientation, as required for cases that have been approved by PRM for travel (either before and after the EO implementation date)
- Communications/responses to case inquiries

-The freeze on all hiring and expansion activities remains in effect until further notice.

-Cleared messaging for all RSCs to use with refugees and USRAP partners regarding the suspension is below. Please continue to clear ALL media/press requests with PRM/Admissions and PRM/Press in Washington.

Message to all RSCs for posting on websites or in public areas:

- **As stated in the Executive Order signed by the President, the United States government has suspended all refugee admissions for 120 days, effective March 16 at 12:01 a.m., eastern daylight time. Certain limited exceptions when in the national interest and when admission of the applicant would not pose a risk to U.S. security or welfare will be considered on a case-by-case basis.**
- **The suspension does not impact the cases of refugees already approved for refugee status who have been extensively screened, approved for admission to the United States, and scheduled for departure through March 15. Those individuals will continue to enter the United States through end of March 15.**
- **The Resettlement Support Center (RSC) is currently maintaining all case information and biodata on file for all refugees who have been referred for resettlement to the United States.**

- For questions from refugees in **XXX** assisted by RSC **XXX**, you may write to **XXX@XX** if you wish to provide information on emergency situations or update your contact information.
- As we receive additional guidance, we will update this website **xxxxx.com**.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

**DECLARATION OF BETH BARON,
PRESIDENT OF MIDDLE EAST
STUDIES ASSOCIATION, IN SUPPORT
OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

**DECLARATION OF BETH BARON, PRESIDENT OF MIDDLE EAST STUDIES
ASSOCIATION**

I, Beth Baron, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am the President of the Middle East Studies Association ("MESA"), a Plaintiff in the above-captioned case. In this capacity, I chair the Board of Directors, act as chief executive officer of the association, and respond to the interests and concerns of MESA members.
2. I am also a Professor of History at the City College and Graduate Center of the City University of New York. I was the editor of the *International Journal of Middle East Studies* from 2009 to 2014 and am the author of numerous books and articles in Middle Eastern history. I regularly supervise graduate students and am familiar with the normal research practices of MESA members and the importance of international travel for both students and professors.
3. MESA is a non-profit learned society that brings together scholars, educators, and those interested in the study of the Middle East from all over the world. From its inception in 1966 with 51 founding members, MESA has increased its membership to more than 2,400 and

now serves as an umbrella organization for fifty-five institutional members. MESA's membership includes both graduate students and faculty working in the field of Middle East studies.

4. MESA and its members will be seriously harmed by the Executive Order issued on March 6, 2017 ("the Executive Order").

5. MESA has members who are from the six countries designated in the Executive Order and who are outside the United States. I understand that individuals in those circumstances who lack visas will not be able to obtain visas to travel to the United States under the terms of the Executive Order. This inability to come to the United States impacts MESA members' ability to attend academic conferences, including an annual meeting sponsored by MESA discussed below. For example, I am aware of an Iranian MESA member who is a doctoral student in Germany, who will not be able to travel to the United States for conferences, including the MESA conference which she firmly planned to attend, because the Executive Order will prevent her from obtaining a visa. Participation in academic conferences is crucial to the professional success of both graduate students and professors, and to their ability to fully engage with the ideas and scholarship of the broader Middle East studies community. Many important conferences, including the MESA annual meeting, take place in the United States.

6. Graduate students who are MESA members or are studying under MESA members in the United States often leave the country to complete field work or library and archival research for advanced degrees. I am aware that many such students from the six designated countries fear exclusion from the United States because of the Executive Order if they leave the country. Students who do not leave the United States, because they lack an assurance they will be permitted to reenter, will miss out on opportunities to engage in research and participate in

academic conferences. This is a serious hindrance to their academic careers, as research in this field is often best conducted abroad—and sometimes can only realistically be conducted abroad. Likewise, as noted above, participation in international conferences is a crucial part of the development of an academic career, and many major conferences in this field take place abroad.

7. Students in these circumstances will also lose their ability to visit family and friends abroad with an assurance they will be permitted to reenter. For example, I have learned of Iranian students affiliated with MESA who have cancelled plans to return home for Persian New Year, an important holiday that will occur on March 21, because of the Executive Order. Missing out on the chance to return home for Persian New Year is for many Iranian students comparable to Americans missing the chance to return home for the Thanksgiving holiday.

8. MESA members who are U.S.-based faculty will be impacted by the Executive Order because potential students from the designated countries will be unable to obtain visas to study with them in the United States. Similarly, for the reasons explained above, their current U.S.-based students from the designated countries will not be able to travel abroad for field work with an assurance they will be permitted to reenter. Students' decisions to forego international travel will impact faculty members' ability to facilitate quality research and educational opportunities, which is both critically important to faculty members' pedagogical and academic mission and will impact their ability to attract students, obtain grants, and produce scholarship.

9. Likewise, U.S.-based MESA faculty members will forego opportunities to travel abroad for research and academic conferences for fear that they will not be readmitted, or will be subjected to harassment or discrimination upon application for reentry to the United States. MESA has already been in communication with a number of faculty members who plan to forego international travel for these reasons.

10. MESA members will also be precluded from traveling to the designated countries for research or academic conferences when those countries institute reciprocal actions in response to the Executive Order. Iran restricted the issuance of certain visas to U.S. citizens in response to the prior, January 27 version of the Executive Order. A meeting of a MESA affiliated organization, the Association for the Study of Persianate Societies, planned for this month in Shiraz, Iran, was cancelled because of Iran's response to the prior version of the Executive Order. I am aware of at least one MESA member who was scheduled to present an academic paper at that conference but has now lost the opportunity to do so.

11. A large number of MESA members are Muslim or are institutional members whose officers, employees, or members are Muslim. I have heard from many Muslim members—colleagues, students, and friends—that they understand the message of the prior and current versions of the Order to be an attack on Islam. They have expressed the concern that the Orders marginalize them and they fear that they will be singled out for suspicion, interrogation, search, and discrimination because of the anti-Muslim message of these Orders.

12. MESA itself will also be harmed by the Executive Order. As part of its goal to advance learning, facilitate communication, and promote cooperation, MESA sponsors an annual meeting that is a leading international forum for scholarship, intellectual exchange, and pedagogical innovation. Approximately thirty percent of MESA members are based outside of the United States and must travel to the United States to attend MESA's annual meeting. At least 46 citizens of the six designated countries traveled to the United States to attend the last annual meeting. MESA expects that a substantial number of scholars will be unable to attend this year's meeting because of the restrictions imposed by the Executive Order.

13. MESA expects that, in part because of the stigmatic message of the Executive Order, many members based in Europe and the Middle East are likely to heed international calls to boycott academic conferences in the United States in protest of the Executive Order, including the MESA annual meeting. Academic conferences, and the MESA annual meeting in particular, are most successful when a variety of backgrounds and viewpoints are represented.

14. The absence of these scholars from the designated countries and from other countries will have a substantial negative effect on the meeting. These and other effects of the Executive Order will negatively impact MESA's mission of fostering the study and public understanding of the Middle East.

15. In addition, the Executive Order will cause serious financial harms to MESA. A large portion of MESA's annual budget is funded through annual membership dues and registration fees to attend the annual meeting. In 2016, annual meeting revenue was 47% of our overall revenue. This revenue represented the largest single source of income for MESA.

16. For each individual who cannot or will not attend the annual meeting, MESA will lose \$90 to \$250 in registration fees. We do not yet know how many individuals will forego registration and attendance at the meeting because of the travel ban. However, we anticipate significantly reduced registration and attendance, in part based on the reduction in the number of academic papers submitted for the meeting.

17. MESA's meetings held in Washington, DC, have had higher attendance and paper submission rates than our meetings held in other cities. MESA has consistently maintained and typically exceeded submission numbers in each successive DC meeting. In 2017, for the first time in 24 years, MESA has had a substantial decline in submissions from one DC meeting (2014) to another (2017). 133 fewer people submitted papers as part of pre-organized sessions in

2017 than in 2014. Applications for the 2017 meeting were due by February 15, 2017, shortly after the original Executive Order was signed.

18. Assuming based on this decline that, at a minimum, 133 people would have registered and attended the meeting but for the Executive Order, the loss of meeting registration would be approximately \$18,000. However, MESA anticipates greater financial loss as people other than those who would have submitted papers but did not do so decide not to attend the meeting and thus do not pay the registration fee because of the Executive Order.

19. Likewise, I am aware that some individuals who cannot or will not attend the meeting will allow their MESA membership to lapse as a result. For each such lapsed membership, MESA will lose \$25-300 in membership dues.

20. There are additional potential financial impacts if registration for the DC meeting is lower than it has been in previous years. MESA has a performance clause in its contract with the Marriott Wardman Park Hotel, the location of the 2017 meeting. MESA guarantees that it will fill a minimum number of room nights and any shortfall must be paid by MESA. The penalty is equal to the single room rate for each night MESA falls short. MESA may be subject to this penalty because of the Executive Order.

21. MESA has already experienced a negative financial impact from the Executive Order, which is reflected in the lower submission numbers and loss of revenue. MESA anticipates that the decline in revenue it has already experienced because of the Executive Order will continue for the rest of the year if the Executive Order is in effect.

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



Beth Baron

Executed this 10th day of March, 2017

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

**DECLARATION OF JOHN DOE # 1 IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

DECLARATION OF JOHN DOE #1

I, John Doe #1, upon my personal knowledge, hereby submit this declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a Lawful Permanent Resident of Iranian origin, and I live in Silver Spring, Maryland.

2. I came to the United States in 2014 on a J1 visa. I am a scientist who studies atmospheric and natural hazards. In 2016, I obtained my lawful permanent resident (LPR) status through the National Interest Waiver program for people with extraordinary abilities.

3. In August 2016, while my application to become a lawful permanent resident was pending, I married an Iranian national. My wife lives in Tehran. She has been alone in Tehran since her mother's unexpected death in 2013.

4. My wife and I are non-practicing Muslims, but under Iranian law, a child born to a Muslim father is automatically considered to be Muslim. Conversion from Islam is deemed apostasy and is punishable by death.

5. My wife and I applied for a spousal immigration visa so that she could join me in the United States. Her application was approved on November 3, 2016. As of January 9, 2017, we had submitted all requisite documentation, paid the processing fees, and were waiting for notification that an embassy interview was scheduled.

6. Based on the information published by the National Visa Center, I expected my wife's interview to be scheduled in no more than six weeks. At the time the first Executive Order went into effect, we were near this six-week mark. However, after the Executive Orders went into effect, I have been told by the National Visa Center that the processing time has been extended to eight weeks.

7. When the new Executive Order was announced, I called the National Visa Center again, in the hopes that my wife's interview can be scheduled before the new Order goes into effect. With each day that passes, that window closes. And, even if she does manage to get an interview, the new Executive Order will still halt any further processing, putting us back where we started.

8. I would like to visit my wife in Iran, but I am afraid to make any travel plans because I do not want to risk not being able to return to the United States, even as a legal permanent resident. The confusion surrounding the first Executive Order, the constantly changing landscape, and the fact that the revised Executive Order is so similar to the first makes me worry that leaving the country is too risky. I could be denied entry or detained and questioned.

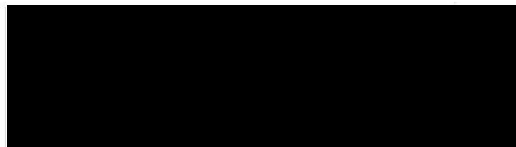
9. This also affects my job. Sometimes my work requires me to travel internationally, for example to attend conferences, but I feel I cannot do that at this time because I may not be permitted to re-enter the United States.

10. The Executive Order's travel ban on Iranian nationals has created significant fear, anxiety, and insecurity for my wife and I regarding our future. We simply cannot know what will happen, and if the delays will go for months and months only to result in a denial. The government calls it temporary but the language of the ban, the statements that have been made about banning Muslims from entering, and the broader context suggests otherwise. The waiver for hardship provides us with no reassurance. What is a hardship? What is that process? And there is so much confusion. I read a news report from the BBC about the embassy in Afghanistan delaying processing even before the new Executive Order goes into effect.

11. The ban forces me to choose between my career and being with my wife, who remains in Tehran. Moreover, even though we are married, her day-to-day life is difficult because she is, in many practical respects, living as a single woman. I can't be there for her to help her. Based on all the information that was out there about the process, we believed we would be together by this spring – or sooner. The more time passes, the harder and harder it is for us and the more pressure there is for me to give up my career here. But I do not know how to proceed because of the uncertainty—whether to keep working here, and keep hoping, while time passes, or whether to return, despite everything I would give up in doing so.

12. In addition, the anti-Muslim views that are driving the Executive Order, as well as the Order itself, have caused significant stress and anxiety for me. I worry that I may not be safe in this country, despite being invited to the U.S. by a university in order to contribute to the academic community in my initial visa.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Silver Spring, Maryland, on March 10, 2017.

A large black rectangular box redacting the signature of John Doe #1.

John Doe #1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONALREFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

**DECLARATION OF JOHN DOE # 3 IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

DECLARATION OF JOHN DOE #3

I, John Doe #3, upon my personal knowledge, hereby submit this declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a Lawful Permanent Resident of Iranian origin, and I live in Linthicum, Maryland.
2. I came to the United States in 2011 through the greencard lottery. I worked as a teacher in Iran and currently work in the engineering field.
3. I recently applied to become a naturalized citizen, and the petition remains pending with U.S. Citizenship and Immigration Services.
4. My wife, who is also an Iranian national, lives in Iran. She and I married in the summer of 2014. In October 2014, I applied for an immigration visa on her behalf.

5. In May 2016, my wife had her interview at the U.S. Embassy. At the time, she was informed that her documentation was complete and she needed to wait for administrative processing, but that she should be able to join me in two or three months. She therefore resigned from her job and began preparing to join me in the United States.

6. The Executive Order puts our future in peril, as it has delayed, and could prevent, my wife from obtaining her visa and joining me in the United States.

7. Moreover, the Executive Orders and the delays and uncertainty they have caused have placed extraordinary stress upon our relationship and my relationship with my in-laws. At this point, we have been forced to live apart from each other, without each other's companionship for more than two and a half years. We live in different time zones, eight hours apart, and thus even communicating by phone requires planning. The only way for us to see each other is for me to travel to Iran, at great expense. Moreover, I only have 15 days of leave per year at my job.

8. The effect of the Executive Order has been to convince my wife and her family that it will be impossible for us to live together in the United States because the process will just keep being delayed or denied. We are starting to feel desperate. We are young and our lives are passing. We are delayed in starting our lives together and building our family. My wife has been particularly devastated by the Executive Order, feeling like her life is in total limbo and each day makes it worse.

9. In fact, we have gotten to the point where my father-in-law asked me to leave the United States and go back to Iran because the Executive Order means that there will be even more delay and may mean that my wife can never come to the U.S.. It has been difficult for me to be placed in a position of feeling like I may be forced to choose between staying in the

U.S. and the life I have started building here, and my wife, who I love dearly and want here with me. My wife and I have never had a significant disagreement in our relationship until the Executive Orders. It has been exhausting for us. We are being torn apart by this situation and the uncertainty and delay.

10. Since moving to the United States, I have returned to Iran on several occasions to visit my wife. I had planned to visit her in February 2017, but I canceled these plans because of the Executive Order. I fear that if I leave the United States to see my wife, I will not be permitted to reenter the country or could be detained by immigration officials upon my return. I have no faith that the Executive Order won't be applied to me, or that a new Executive Order won't be issued, or that I won't be detained and interrogated upon my return, based on news reports of what has been happening to others and the total chaos of the first Executive Order.

11. Because of this fear, if I do end up needing to visit Iran for a family matter or to see my wife, I need to plan for what will happen to my apartment, my car, my savings, and the various pieces of my life here, if I am detained or refused entry. But I am also afraid that anything I do will be regarded with suspicion.

12. The anti-Muslim attitudes that are driving this Executive Order have caused me stress and anxiety and made me question whether I even belong in this country despite everything I have sacrificed and invested in making a life here.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Linthicum, Maryland, on March 10, 2017.

A solid black rectangular box used to redact the signature of John Doe #3.

John Doe #3

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONALREFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

DECLARATION OF MOHAMMED METEAB

I, Mohammed Meteab, upon my personal knowledge, hereby submit this declaration pursuant 28 U.S.C. § 1746 and declare as follows:

1. I am a lawful permanent resident of Iraqi origin, and I live in Springfield, Massachusetts.
2. I came to the United States in 2015 as a refugee, along with my wife and two children. All of us are now lawful permanent residents. My third child, who was born in the United States, is a U.S. citizen.
3. I am one of five brothers. We lived together with our families in Iraq. During and after the 2003 invasion of Iraq, my brothers and I all cooperated with the U.S. military, helping to establish the transitional government in the wake of the conflict in Najaf, Iraq.
4. Because of our cooperation with the U.S. government, we received threats and were shot at by armed militia groups in Iraq. In 2013, my brother Abdullateef found a note for us from the League of the Righteous milita saying we had to leave Najaf or be killed.

5. I am a Sunni Muslim, as are my brothers. We lived in a Shi'a neighborhood in Najaf, Iraq.

6. In 2013, my family received death threats because we were Sunni. We were warned by neighbors and members of the community that we would be killed if we stayed. A few days after receiving death threats, my nephew was shot in the leg. On December 25, 2013, my older brother Shareef, his children, and two of our nephews (Abdullateef's sons, Walid and Mosad, who was shot, and their wives), fled to Jordan.

7. Eleven days later, on January 5, 2014, I fled to Jordan with my wife and our two children. My three other brothers, Ahmed, Abdullateef, and Ali, joined us in Jordan in 2014. Like my wife, children and I, my brothers applied for refugee status soon after arriving in Jordan.

8. My wife, two children, and I were approved as refugees in March 2014.

9. On August 20, 2015, my wife, children, and I came to the United States as refugees. My nephew Walid and his wife were also approved and came to the U.S. as a refugee in July 2015. My older brother Shareef and his children also came to the United States as refugees in August 2015. Shareef's daughter and her husband, Mosad (who had been shot in Iraq) came to the United States in December 2015.

10. My remaining three brothers, Ahmed, Abdullateef, and Ali, had also applied for refugee status in 2014. Ahmed and Ali were approved for resettlement in the United States in 2016. In April 2015, Abdullateef was approved for resettlement in Canada. He is still in Jordan, awaiting final clearance to go to Canada.

11. In November 2016, Ahmed and Ali, who were still in Jordan, were informed by the International Organization for Migration that while their refugee applications had been

approved, my brothers and their families still did not have travel documents to come to the United States. Jewish Family Services gave me this update at the same time.

12. I expected that my brothers and their families would arrive in the United States in early 2017. However, when I learned from the news about the Executive Order in January, I realized my brothers would not be able to join us in the United States.

13. My brothers are living as refugees in Jordan. Like me, they fled threats to their lives in Iraq and were looking forward to starting a new life and sending their children to school here in the United States. Because of the January and now the updated Executive Order, they continue to live in insecurity as refugees awaiting resettlement.

14. Because of the Executive Order and official anti-Muslim sentiment motivating it, I have felt isolated and disparaged in my community. It is causing me and my wife a lot of mental stress. Particularly when my wife, who wears a hijab, and I are in public, I sense a lot of hostility from people around me. For example, at crosswalks, people refuse to stop their cars for us, and I see people staring at us. My wife doesn't not want to go outside the house except for doctors' appointments. My nieces, who wear hijab to school, say that people make mean comments and stare at them for being Muslim. One day, a student pulled the hijab off of my niece's head in class. On another occasion, as my niece was getting off the school bus, an older woman came up to her and pushed her to the ground.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed in Springfield, Massachusetts on March 10, 2017

A handwritten signature in black ink, appearing to read "Metiab", is written over a horizontal line.

Mohammed Metiab

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al.,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

DECLARATION OF JANE DOE #2

DECLARATION OF JANE DOE #2

I, Jane Doe #2, upon my personal knowledge, hereby submit this declaration pursuant to 28 U.S.C. § 1746 and declare as follows:

1. I am a United States Citizen of Syrian origin, and I live in Mecklenburg County, North Carolina.
2. I am currently enrolled in college and studying to become a healthcare technician.
3. My sister was born in Damascus, Syria, where she grew up and spent most of her life. She is married and has two young boys, aged 7 and 2. In 2012, government planes bombed her neighborhood in Damascus and destroyed her house. She and her family fled to the home of her parents-in-law with nothing but their passports and the clothes on their backs. After remaining with her in-laws for several weeks, my sister and her family eventually moved to a home about two hours outside of Damascus, but shelling eventually reached that town, too.
4. While internally displaced within Syria, my sister and her husband heard rumors that the Syrian government's selective service would eventually be expanded to include

men over the age of 30. After my sister's husband saw some of his friends taken for the selective service, she told him to flee to Yemen, because only Yemen and Sudan accept Syrian refugees without visas. She stayed behind in Syria with their first child, pregnant with their second, because as a teacher, she was a government employee and was required to apply for government approval to stop working and leave the country. She remained in Syria, enduring constant shelling of their town, until she received permission from the government to leave work, at which point she fled to Yemen with her child to join her husband.

5. In Yemen, my sister's family registered with the United Nations High Commissioner for Refugees and received a temporary protection certificate explaining that they should be protected from forcible return to Syria. They remained in Yemen for approximately a year and a half, but war broke out in the country six or seven months after they arrived and the capitol, where they were staying, was soon besieged. They had no electricity, fuel, clean water, or food. Her husband had to risk his life to leave the city every day to find food and clean water for them because no trucks could enter the city to deliver supplies.

6. War engulfed the capitol and at one point, the house where my sister's family was staying was taken over by insurgents as a site for launching shells. She and her children, including her newborn baby, were locked into a room for three to four days while insurgent militiamen used their house to fire rockets. In the meantime, her husband, who had left to find food, was prevented from entering. After the insurgents finally left, my sister and her husband fled that same day for the Saudi Arabian border.

7. My sister's family is now in a refugee hotel on the Saudi Arabia-Yemen border and living in terrible, life-threatening conditions. They endure regular shelling from the Yemeni side of the border; where they live is shelled so often that the local school is open only

one or two days a week, if at all. The building in which they live is infested with bugs; human refuse from the bathroom of the unit above them leaks into their room. They are constantly sick and their children are throwing up all the time. The Saudi Arabian government often turns off the power to the building in an attempt to make the living conditions there so intolerable that the refugees will leave.

8. Discrimination against Syrian refugees in Saudi Arabia is severe. My sister's husband searches for work every day, but is often cheated out of his wages and kicked out of jobs without payment because he is Syrian. Because her husband is gone during the day, my sister must remain inside with her children; if she went out in public by herself, it is unquestionable that she would be abducted because she is a woman and a Syrian. The only time she and her children are able to leave the room where they are staying is at night, when her husband returns home and can accompany them outside. For this reason, their children did not believe that the sun rose and set in Saudi Arabia for the first year they were in the country because their room where they were staying had no windows. Her children never have the opportunity to play outside, but instead remain in their room for most of the day. During the rare times that they are able to emerge from the building at night, my sister's younger son cries and tries to run away whenever they have to return to the hotel.

9. My sister's older son always asks her, "When am I going to have friends?" He has not been able to make any friends because he is rarely able to go to school or to interact with other children and his entire life has been a continual experience of displacement.

10. I am very worried that my participation in this lawsuit against federal government officials could jeopardize my sister's visa application. My I-130 petition for her is currently pending. Once approved for an I-130 visa, she will be able to access the U.S. Refugee

Admissions Program (USRAP) through the Priority-2 Direct Access Program for Iraqi and Syrian Beneficiaries of Form I-130 Petition for Alien Relatives. I do not want my participation in this lawsuit to adversely impact either her visa or refugee applications and delay or prevent her from joining me in the United States.

11. I fear that whether or not my sister's visa and refugee application are denied, my participation in this case could result in harassment of me and my sister. Persecution of Syrian refugees in Saudi Arabia is rampant, and the Saudi Arabian government tries to make conditions difficult for Syrian refugees in the country. I fear that if my identity is made public, it would be easy to identify her as well, making her susceptible to harassment or further persecution.

12. While participating in this lawsuit is important to me, I am also fearful that my participation may lead to me and my family being targeted for harassment if my identity were made public.

13. Even as a United States citizen, I am fearful of leaving the United States because I am afraid the Executive Order may result in difficulty or harassment upon my return to the United States.

14. I am aware of the reports indicating that harassment and violence targeting Muslims has been on the rise recently. In fact several of my friends have experienced such harassment on account of their perceived or actual religious affiliation. I am aware of the shooting at the mosque in Quebec and the bombings of mosques here in the United States.

15. For these reasons, I feel that my personal security and that of my family necessitates that I be allowed to proceed under a pseudonym.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Mecklenburg County, North Carolina, on March 10, 2017.

A large black rectangular redaction box covering the signature of Jane Doe #2.

Jane Doe #2

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

DECLARATION OF IBRAHIM AHMED MOHOMED

I, Ibrahim Ahmed Mohomed, upon my personal knowledge, hereby submit this declaration pursuant 28 U.S.C. § 1746 and declare as follows:

1. I am a citizen of the United States, and I live in Columbus, Ohio. I came to the United States as a refugee in 2009. I am Muslim.
2. I applied for refugee protection because I am a member of a minority claim in Somalia. When I lived in Mogadishu, where I worked as a street vendor, I was targeted and threatened by majority clans who knew I did not have protection.
3. In 2011, I petitioned for my wife and nine children to join me in the United States. In 2013, they were all approved to come to the United States as refugees. They are currently in Ethiopia waiting for authorization to travel to the United States.
4. After the January 27 Executive Order was signed, my family and I learned on the news that they would not be able to come to the United States as they are awaiting refugee resettlement and Somali nationals.

5. I was preparing to welcome my wife and children to the United States. I am worried that my children are not receiving adequate medical care or education in Ethiopia. Because they speak a different language in Ethiopia, my children are unable to go to school in Ethiopia.

6. My wife and children rely on me for financial support. I have not been able to see them since 2015. Because of this order, my family will not be able to join me, we continue to be separated, and my family's lives are in limbo.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed in Columbus, Ohio on March 10, 2017

Ibrahim 03-10-17

Ibrahim Ahmed Mohomed

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

INTERNATIONALREFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

DECLARATION OF PAUL HARRISON

I, Paul Harrison, upon my personal knowledge, hereby submit this declaration pursuant 28 U.S.C. § 1746 and declare as follows:

1. I am a United States citizen, and I live in Euless, Texas.
2. My fiancé is an Iranian national who lives in Tehran, Iran. We have been together since November 2015. He was raised Muslim.
3. In March 2016, I petitioned for a K-1 visa for my partner—by then, my fiancé—so he could join me in the United States. He had an interview at the U.S. Embassy in Ankara, Turkey on November 7, 2016.
4. On January 17, 2017, we found out via an email from the U.S. Embassy in Ankara that my partner’s visa processing was complete.
5. On January 27, 2017, President Trump signed Executive Order 13769, entitled “Protecting the Nation from Foreign Terrorist Entry Into the United States,” which barred all Iranian nationals from coming to the United States.

6. On January 30, 2017, we received a subsequent email from the U.S. Embassy in Ankara, stating that my fiancé should not submit his passport because his visa process had been placed on hold until further notice. The email said he should check online and contact the Embassy when the ban was lifted to continue his visa processing.

7. On February 7, 2017, my partner received another email from the Embassy, informing him that he could now submit his passport for the visa because the Department of Justice had informed the embassy of the Washington State court ruling, barring the U.S. government from enforcing certain provisions of Executive Order 13769, including those related to visas and travel.

8. My partner and I made plans to meet in Turkey and to submit his passport for the visa processing. We arrived in Turkey on March 3, 2017. On March 6, 2017, we learned there was a new Executive Order that also barred Iranian nationals from coming to the United States unless their visa had already been issued.

9. We looked at the website of the U.S. Embassy in Ankara to see if there was an instruction not to submit passports because of the new order, but there was no new information. On March 8, 2017, we submitted my partner's passport to the U.S. Embassy in Ankara through an express mail carrier.

10. The Executive Order is creating a significant hardship for me and my partner. I cannot visit him in Iran, given Iran's reciprocal ban on U.S. citizen visitors, and the continued cost of flying to Turkey to be together is a considerable financial hardship.

11. Moreover, homosexuality is a crime in Iran, punishable in some cases by death. My partner has had two incidents with the morality police in Iran who harassed him on one occasion and assaulted him on another. For him, living each day hiding who he is and in

constant fear of exposure for his homosexuality is incredibly emotionally and mentally stressful. He wants the opportunity to live as himself, and I am eager for him to join me here in the United States where we can live openly together as a couple.

12. I am concerned that, even if there is a possibility of a waiver, my partner will have to start this lengthy process over again, and there is no guarantee that he will receive a waiver, even after previously being approved for a visa to the United States. I am also concerned that, as relations deteriorate between the United States and Iran, it will only become more difficult for my partner if the U.S. Embassy requires more information from Iran to process his visa.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed in Edirne, Turkey on March 10, 2017.

Paul Harrison

Paul Harrison

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

INTERNATIONAL REFUGEE
ASSISTANCE PROJECT, et al.,

Plaintiffs,

v.

DONALD TRUMP, et al,

Defendants.

Civil Action No.: 8:17-CV-00361-TDC

**DECLARATION OF DAVID HAUSMAN IN SUPPORT OF PLAINTIFFS' MOTION
FOR A TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

I, David Hausman, upon my personal knowledge and in accordance with 28 U.S.C. § 1746, hereby declare as follows:

1. I am a Skadden Fellow with the American Civil Liberties Union Immigrants' Rights Project. As a witness, I could and would testify competently as to the matters set forth below.
2. A true and correct copy of the February 16, 2017 CNN article by Laura Jarrett, Allie Malloy and Dan Merica entitled "Trump promises new immigration order as DOJ holds off appeals court," is attached hereto as Exhibit A. The article can also be found at <http://www.cnn.com/2017/02/16/politics/donald-trump-travel-ban-executive-order/>.
3. A true and correct copy of the February 21, 2017 Politico article by Matthew Nussbaum, Josh Gerstein, and Cristiano Lima entitled "White House creates confusion about future of Trump's travel ban," is attached hereto as Exhibit B. The article can also be found at <http://www.politico.com/story/2017/02/trump-travel-ban-confusion-235241>.

4. A true and correct copy of the December 7, 2015 Washington Post article by Jenna Johnson entitled "*Trump calls for 'total and complete shutdown of Muslims entering the United States,'*" is attached hereto as Exhibit D. The article can also be found at https://www.washingtonpost.com/news/post-politics/wp/2015/12/07/donald-trump-calls-for-total-and-complete-shutdown-of-muslims-entering-the-united-states/?utm_term=.b6d478b253a6.
5. A true and correct copy of the December 7, 2015 statement posted to Donald J. Trump's official campaign website entitled "*Donald J. Trump Statement On Preventing Muslim Immigration,*" is attached hereto as Exhibit E. The statement can also be found at <https://www.donaldjtrump.com/press-releases/donald-j.-trump-statement-on-preventing-muslim-immigration>.
6. A true and correct copy of the February 17, 2017 CNN article entitled "*Full Transcript: President Donald Trump's News Conference,*" is attached hereto as Exhibit G. The article can also be found at <http://www.cnn.com/2017/02/16/politics/donald-trump-news-conference-transcript/>.
7. A true and correct copy of the March 6, 2017 VOA News article by William Gallo and Victoria Macchi entitled "*Trump Signs New Travel Ban Order,*" is attached hereto as Exhibit H. The article can also be found at <http://www.voanews.com/a/trump-signs-new-travel-ban-order/3751526.html>.
8. A true and correct copy of the January 30, 2017 CNN article by Evan Perez, Pamela Brown and Kevin Liptak entitled "*Inside the confusion of the Trump Executive Order and travel ban,*" is attached hereto as Exhibit I. The article can also be found at <http://www.cnn.com/2017/01/28/politics/donald-trump-travel-ban/index.html>.
9. A true and correct copy of the January 28, 2017 New York Times article by Michael D. Shear, Nicholas Kulish, and Alan Feuer entitled "*Judge Blocks Trump Order on Refugees Amid Chaos and Outcry Worldwide,*" is attached hereto as Exhibit J. The article can also be found at <https://www.nytimes.com/2017/01/28/us/refugees-detained-at-us-airports-prompting-legal-challenges-to-trumps-immigration-order.html>.
10. A true and correct copy of the January 28, 2017 Law Fare article by Benjamin Wittes entitled "*Malevolence Tempered by Incompetence: Trump's Horrifying Executive Order on Refugees and Visas,*" is attached hereto as Exhibit K. The article can also be found at <https://lawfareblog.com/malevolence-tempered-incompetence-trumps-horrifying-executive-order-refugees-and-visas>
11. A true and correct copy of the March 7, 2017 CNN article by Daniella Diaz entitled "*Kelly: There are '13 or 14' more countries with questionable vetting procedures,*" is attached hereto as Exhibit L. The article can also be found at <http://www.cnn.com/2017/03/06/politics/john-kelly-travel-ban-muslim-countries/index.html>.

12. A true and correct copy of the March 26, 2011 New York Times article by Charlie Savage entitled "*F.B.I. Casts Wide Net Under Relaxed Rules for Terror Inquiries, Data Show*," is attached hereto as Exhibit M. The article can also be found at <http://www.nytimes.com/2011/03/27/us/27fbi.html>
13. A true and correct copy of the February 25, 2017 N.Y. Times article by Ron Nixon entitled "*People From 7 Travel-Ban Nations Pose No Increased Terror Risk, Report Says*," is attached hereto as Exhibit N. The article can also be found at <https://www.nytimes.com/2017/02/25/us/politics/travel-ban-nations-terror-risk.html>.
14. A true and correct copy of the March 2, 2017 MSNBC article by The Maddow Blog, entitled "*TRMS Exclusive: DHS document undermines Trump case for travel ban*," is attached hereto as Exhibit O. The article can also be found at <http://www.msnbc.com/rachel-maddow-show/trms-exclusive-dhs-document-undermines-trump-case-travel-ban>.
15. A true and correct copy of the February 3, 2017 Washington Post article by Justin Jouvenal, Rachel Weiner, and Ann E. Marimow entitled "*Justice Dept. Lawyer Says 100,000 Visas Revoked Under Travel ban; State Dept. says About 60,000*," is attached hereto as Exhibit P. The article can also be found at https://www.washingtonpost.com/local/public-safety/government-reveals-over-100000-visas-revoked-due-to-travel-ban/2017/02/03/7d529eec-ea2c-11e6-b82f-687d6e6a3e7c_story.html?utm_term=.e5ded8f0c284.
16. A true and correct copy of a draft Executive Order entitled "*Protecting the Nation from Terrorist Attacks by Foreign Nationals*," is attached hereto as Exhibit Q. The draft can also be found at <https://apps.washingtonpost.com/g/documents/world/read-the-draft-of-the-executive-order-on-immigration-and-refugees/2289/>.
17. A true and correct copy of the Central Intelligence Agency's World Listing Factbook website providing countries' population percentage by religious affiliation is attached hereto as Exhibit R. This demographic information can also be found at <https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html#sy>.
18. A true and correct copy of the January 27, 2017 CBN News article by The Brody File entitled "*Brody File Exclusive: President Trump Says Persecuted Christians Will Be Given Priority As Refugees*," is attached hereto as Exhibit S. The article can also be found at <http://www1.cbn.com/thebrodyfile/archive/2017/01/27/brody-file-exclusive-president-trump-says-persecuted-christians-will-be-given-priority-as-refugees>.
19. A true and correct copy of the January 31, 2017 Washington Post article by Sarah Pulliam Bailey entitled "*Trump signs order limiting refugee entry, says he will prioritize Christian refugees*," is attached hereto as Exhibit T. The article can also be found at

https://www.washingtonpost.com/news/acts-of-faith/wp/2017/01/27/we-dont-want-them-there-trump-signs-order-limiting-refugee-entry/?utm_term=.1238bc7f1081.

20. A true and correct copy of the December 7, 2015 statement posted to Donald J. Trump's official campaign website entitled "*Donald J. Trump Statement on Preventing Muslim Immigration*," is attached hereto as Exhibit U. The speech can also be found at <https://www.donaldjtrump.com/press-releases/donald-j.-trump-statement-on-preventing-muslim-immigration>.
21. A true and correct copy of the 1:47pm December 7, 2015 tweet by Donald J. Trump @realDonaldTrump is attached hereto as Exhibit V. The tweet can also be found at <https://twitter.com/realdonaldtrump/status/673982228163072000?lang=en>.
22. A true and accurate copy of the December 7, 2015 Washington Post article by Jenna Johnson entitled "*Trump calls for 'total and complete shutdown of Muslims entering the United States'*" is attached hereto as Exhibit W. The article can also be found at https://www.washingtonpost.com/news/post-politics/wp/2015/12/07/donald-trump-calls-for-total-and-complete-shutdown-of-muslims-entering-the-united-states/?utm_term=.b6d478b253a6.
23. A true and correct copy of the transcript of the July 24, 2016 NBC interview of Donald Trump by Chuck Todd on "*Meet the Press*" is attached hereto as Exhibit X. The transcript can also be found at <http://www.nbcnews.com/meet-the-press/meet-press-july-24-2016-n615706>.
24. A true and correct copy of the December 21, 2016 Time article by Katie Reilly entitled "*Donald Trump on Proposed Muslim Ban: 'You Know My Plans,'*" is attached hereto as Exhibit Y. The article can also be found at <http://time.com/4611229/donaldtrumpberlinattack/>.
25. A true and correct copy of the January 29, 2017 Washington Post article by Amy B. Wang entitled "*Trump asked for a 'Muslim ban,' Giuliani says – and ordered a commission to do it 'legally,'*" is attached hereto as Exhibit Z. The article can also be found at https://www.washingtonpost.com/news/the-fix/wp/2017/01/29/trump-asked-for-a-muslim-ban-giuliani-says-and-ordered-a-commission-to-do-it-legally/?utm_term=.2f88f830c54c.
26. A true and correct copy of the December 8, 2015 Washington Post article by Jenna Johnson entitled "*Donald Trump says he is not bothered by comparisons to Hitler*" is attached hereto as Exhibit AA. The article can also be found at https://www.washingtonpost.com/news/post-politics/wp/2015/12/08/donald-trump-says-he-is-not-bothered-by-comparisons-to-hitler/?utm_term=.97e412919c27.
27. A true and correct copy of the March 10, 2016 CNN article by Theodore Schliefer, entitled "*Donald Trump: 'I think Islam hates us,'*" is attached hereto as Exhibit BB. The

article can also be found at <http://www.cnn.com/2016/03/09/politics/donald-trump-islam-hates-us/>.

28. A true and correct copy of the March 22, 2016 Mediate article by Alex Griswold entitled "*Trump Responds to Brussels Attacks: 'We're Having Problems With the Muslims'*" is attached hereto as Exhibit CC. The article can also be found at <http://www.mediaite.com/tv/trump-responds-to-brussels-attack-were-having-problems-with-the-muslims/>.
29. A true and correct copy of the February 6, 2017 Declaration of Reema Khaled Dahman, *Ali v. Trump*, No. 17-0135 (W.D. Wash.) is attached hereto as Exhibit DD. The Declaration can also be found at *Ali v. Trump*, No. 17-0135 (W.D. Wash.), Dkt. No. 14.
30. A true and correct copy of the January 29, 2017 New York Times article by Benjamin Mueller and Matthew Rosenberg entitled "*Disorder at Airports as Travelers Are Detained Without Lawyers*," is attached hereto as Exhibit EE. The article can also be found at <https://nyti.ms/2jHM3ba>.
31. A true and correct copy of the March 1, 2017 CNN article by Laura Jarrett, Ariane de Vogue, and Jeremy Diamond entitled "*Trump delays new travel ban after well-reviewed speech*," is attached hereto as Exhibit FF. The article can also be found at <http://www.cnn.com/2017/02/28/politics/trump-travel-ban-visa-holders>.
32. A true and correct copy of the February 24, 2017 New York Times article by Mark Landler and Eric Schmitt entitled "*H.R. McMaster Breaks with Administration on Views of Islam*," is attached hereto as Exhibit GG. The article can also be found at <https://www.nytimes.com/2017/02/24/us/politics/hr-mcmaster-trump-islam.html?>.
33. A true and correct copy of the November 15, 2015 BuzzFeed article by Nicolas Medina Mora and Mike Hayes entitled "*The Big (Imaginary) Black Friday Bombing*," is attached hereto as Exhibit HH. The article can also be found at https://www.buzzfeed.com/nicolasmedinamora/did-the-fbi-transform-this-teenager-into-a-terrorist?utm_term=.yfEDJ2zy#.qkLW8Ggl.
34. A true and correct copy of the February 22, 2017 Washington Post article by Matt Zapotosky entitled, "*A new travel ban with 'mostly minor technical differences'? That probably won't cut it analysts, say*," is attached hereto as Exhibit II. The article can also be found at https://www.washingtonpost.com/world/national-security/a-new-travel-ban-with-mostly-minor-technical-differences-that-probably-wont-cut-it-analysts-say/2017/02/22/8ae9d7e6-f918-11e6-bf01-d47f8cf9b643_story.html?utm_term=.c318a2ad6c8b
35. A true and correct copy of the September 1, 2016 New York Times article entitled "*Transcript of Donald Trump's Immigration Speech*," is attached hereto as Exhibit JJ. The article can also be found at

https://www.nytimes.com/2016/09/02/us/politics/transcript-trump-immigration-speech.html?_r=0.

36. A true and correct copy of the January 30, 2017 Pew Research Center article by Jens Manuel Krogstand and Jynnah Radford entitled “*Key facts about refugees to the U.S.*,” is attached hereto as Exhibit KK. The article can also be found at <http://www.pewresearch.org/fact-tank/2017/01/30/key-facts-about-refugees-to-the-u-s/>
37. A true and correct copy of the February 16, 2017 Amicus Brief of Former National Security Officials, *Darweesh v. Trump*, No 17-00480 (E.D.N.Y.) is attached hereto as Exhibit LL. The brief can also be found at *Darweesh v. Trump*, No. 17-00480 (E.D.N.Y.), Dkt. No. 137.
38. A true and correct copy of the February 5, 2017 Joint Declaration of Madeleine K. Albright, et al., *Darweesh v. Trump*, No 17-00480 (E.D.N.Y.) is attached hereto as Exhibit MM. The declaration can also be found at *Darweesh v. Trump*, No. 17-00480 (E.D.N.Y.), Dkt. No. 28.
39. A true and correct copy of the March 6, 2017 Breitbart News article by Katie McHugh entitled “Trump’s Executive Order Mandates Government Reports on Honor Killings Committed by Migrants,” is attached hereto as Exhibit NN. The article can also be found at <http://www.breitbart.com/big-government/2017/03/06/trumps-executive-order-mandates-government-reports-on-honor-killings-committed-by-migrants/>.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, based on my personal knowledge. Executed at New York, NY on March 10, 2017.



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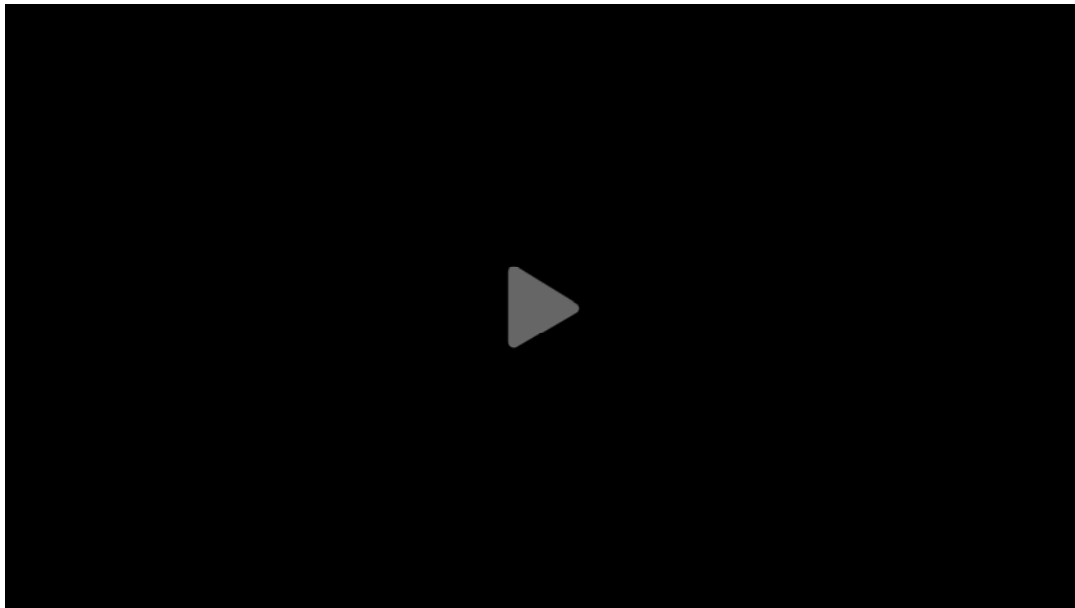
Exhibit A



Trump promises new immigration order as DOJ holds off appeals court

By [Laura Jarrett](#), [Allie Malloy](#) and [Dan Merica](#), CNN

🕒 Updated 11:38 PM ET, Thu February 16, 2017



New travel ban will be based on court decision 02:24

Story highlights

Trump said Thursday that his administration will issue "a new and very comprehensive order to protect our people" next week

The original three-judge panel retains control of the case and the travel ban remains on hold

Trump press conference

- [Amazing moment in history](#)
- [Most memorable lines](#)
- [To Jewish reporter: 'Sit down'](#)
- [To black reporter: 'Set up a meeting'](#)
- [Treatment of first lady 'unfair'](#)
- [OPINION: Performance fuels worry](#)
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Washington (CNN) — President Donald Trump vowed Thursday to roll out a new immigration executive order next week that will be tailored to the federal court decision that paused his travel ban.

"The new order is going to be very much tailored to what I consider to be a very bad decision," said Trump during a news conference, referring to a decision by the Ninth Circuit Court of Appeals that blocked his travel ban earlier this month.

Meanwhile, the Justice Department told the Ninth Circuit Court of Appeals that it did not need a larger panel of judges to rehear its failed emergency challenge to a lower court's temporary suspension of Trump's executive order on immigration at this time, because a new order is on the way. The Ninth Circuit agreed Thursday evening to put any rehearing of the matter on hold for now.

The Justice Department wrote at length in a 47-page about the "seriously flawed" Ninth Circuit ruling from last week, but nevertheless said: "(r)ather than continuing this litigation, the President intends in the near future to rescind the order and replace it with a new, substantially revised executive order to eliminate what the panel erroneously thought were constitutional concerns."

"In so doing, the President will clear the way for immediately protecting the country rather than pursuing further, potentially time-consuming litigation," it added.

Questions have swirled over what the Trump administration would do this week after a three-judge panel on the Ninth Circuit refused to lift a federal judge's temporary restraining order on Trump's executive order barring foreign nationals from Iran, Sudan, Libya, Somalia, Syria, Iraq and Yemen from entering the country for 90 days, all refugees for 120 days and all refugees from Syria indefinitely.

Last Friday, an unidentified judge on the Ninth Circuit requested that the full court vote on whether to rehear the decision reached by the three-judge panel. Such requests are not uncommon, but the call for a vote came at time when the Justice Department's position on pursuing the appeal was uncertain.

The states that brought the lawsuit -- Washington and Minnesota -- said in their court filing on Thursday that there is no basis for rehearing the case, as the opinion from the three-judge panel is "firmly grounded in precedent."

And while the nation waits on a new or modified executive order on immigration from the Trump administration, at least one federal court is barreling ahead on litigation over the original one.

US District Court Judge James Robart in Seattle -- the judge who originally halted the key provisions of the travel ban -- denied a request from the Trump administration earlier this week to postpone any further proceedings in his court, which means the parties will now proceed to the discovery phase of the case.



Trump vs. Obama: A rocky relationship



Schwarzenegger's theory on Donald Trump



4 reasons why Republicans did Obamacare repeal before tax reform



AARP comes out against House GOP health care bill

Exhibit B

POLITICO



White House press secretary Sean Spicer said Tuesday that President Donald Trump will not rescind the original order. | Getty

White House creates confusion about future of Trump's travel ban

By **MATTHEW NUSSBAUM**, **JOSH GERSTEIN** and **CRISTIANO LIMA** | 02/21/17 05:06 PM EST | Updated 02/21/17 08:15 PM EST

The White House is sending mixed signals as to whether or not it will rescind President Donald Trump's controversial travel ban even as officials seek to craft a new order that will be less vulnerable to legal challenge.

The Justice Department told the 9th Circuit Court of Appeals last week that Trump will "rescind...and replace" the original order, which remains largely on hold after an appeals court panel upheld a lower court's broad injunction.

But White House press secretary Sean Spicer said at the conclusion of his daily briefing Tuesday that Trump will not rescind the original order. Instead, the first order is being updated, Spicer insisted.

The contradictory statements sowed further confusion about the fate of Trump's original order, which bars immigrants from seven Muslim-majority countries and halts the entry of refugees.

"The new order is going to be very much tailored to what I consider to be a very bad decision," Trump said last week.



White House creates confusion about future of Trump's travel ban

An excerpt of Sean Spicer's remarks on Tuesday.

02/21/17 05:30 PM EST

Spicer said the administration remains confident in the legality of its original order, but is also working with Cabinet agencies to prepare a new one.

His statements seemed to leave open the possibility that there could be two orders in effect at once — a situation that could complicate efforts to defend the new order in court.

The White House said Tuesday afternoon it intended to issue a clarification about the conflicting statements.

But a statement from the administration — released on Tuesday evening — did little to clear up any confusion.

"The administration continues to defend the President's national security Executive Order in court, and though we believe it to be fully lawful, we are simultaneously finalizing a revised policy tailored to the Ninth Circuit's ruling," White House spokesman Michael Short said in a written statement.

During an appearance on Fox News Tuesday, White House aide Stephen Miller similarly left the door open for the initial order to remain in place, adding only that the new policy would be "responsive" to recent court rulings.

"These are mostly minor technical differences, fundamentally," he said of the forthcoming revised order. "You are still going to have the same basic policy outcome for the country but you are going to have a lot of technical issues brought up by the court."

Miller added that the administration would be rolling out the details of the revised order "in the next few days."

He also stood by the original executive order's constitutionality, despite the flurry of legal challenges to it.

"The president's actions were clearly legal and constitutional and consistent with the long-standing traditions of presidents in the past to exercise the authority in the Immigration and Nationality Act to suspend immigration when it poses a threat to our security," he said.

Exhibit D

Post Politics

Trump calls for 'total and complete shutdown of Muslims entering the United States'

By **Jenna Johnson** December 7, 2015

Updated at 7:43 p.m.

Donald Trump called Monday for a "total and complete shutdown" of the entry of Muslims to the United States "until our country's representatives can figure out what is going on."

In a statement released by his campaign Monday afternoon, Trump included recent poll findings that he says show that a sizable segment of the Muslim population has "great hatred towards Americans."

"Without looking at the various polling data, it is obvious to anybody the hatred is beyond comprehension," Trump is quoted as saying in the statement. "Where this hatred comes from and why we will have to determine. Until we are able to determine and understand this problem and the dangerous threat it poses, our country cannot be the victims of horrendous attacks by people that believe only in Jihad, and have no sense of reason or respect for human life."

At a rally in Mount Pleasant, South Carolina on Monday evening, Trump pointed to the statement he released earlier in the day.

"Should I read you the statement?" he asked.

The crowd enthusiastically agreed that he should.

"Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what the hell is going on," he said, adding the word "hell" for emphasis this time.

Supporters erupted in applause.

"We have no choice. We have no choice," Trump said. "We have no choice."

Case 8:17-cv-00361-TDC Document 95-10 Filed 03/11/17 Page 16 of 19

Earlier in the rally, Trump said: "I have a lot of great people -- but they know we have a problem."

Trump campaign manager Corey Lewandowski told the Associated Press that the ban would apply to "everybody," including both immigrants and tourists. Soon after the statement was released, Trump tweeted that he had "just put out a very important policy statement on the extraordinary influx of hatred and danger coming into our country." He added in the tweet: "We must be vigilant!"

In an interview on Fox News Channel shortly ahead of his campaign rally, Trump was asked whether his policy would apply to Muslim military personnel stationed overseas who want to come home.

"They will come home. We have to be vigilant," he responded. "We have to take care of the Muslims that are living here. But we have to be vigilant."

He later added: "Anybody here stays, but we have to be very vigilant... This does not apply to people living in the country except that we have to be vigilant."

In the past month, particularly following the recent mass shooting in Southern California that is believed to have been inspired by the Islamic State terrorist group, Trump has called for greater scrutiny of Muslims -- including Muslim Americans who are legal residents of the country. He has said he would support heavy surveillance of mosques, bar Syrian refugees of all religions from entering the country and would consider establishing a database to track all Muslims in the country. But Trump's statement on Monday was his most controversial proposal yet.

Trump: 'I want surveillance of certain mosques' </> ↩

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"Oh, my goodness," said Ibrahim Hooper, national communications director at the Council on American-Islamic Relations. "One has to wonder what Donald Trump will say next as he ramps up his anti-Muslim bigotry. Where is there left for him to go? Are we talking internment camps? Are we talking the final solution to the Muslim question? I feel like I'm back in the 1930s."

What worried Hooper, he said, was the premeditated nature of Trump's statement.

"He feels perfectly okay saying this," said Hooper. "It's not an open mic moment, where he has to walk something back. This was a statement from his campaign. They had to believe that this would be well received by his supporters. We've always had anti-Muslim bigots, but they've always been at the fringes of society. Now they want to lead it. In saner times, his campaign would be over. In insane times, his campaign can gain support. And that's why he put it out."

David Weigel and Sean Sullivan contributed to this report.

Jenna Johnson is a political reporter who covers the White House. She spent more than a year writing about Donald Trump's presidential campaign, traveling to 35 states to attend more than 170 political rallies and interview hundreds of Trump supporters. 🐦 Follow @wpjenna



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Stephen Miller's Fox News interview is coming back to haunt President Trump

Hawaii is challenging the revised travel ban in court, and it thinks Miller's remarks on TV are a liability for the White House.

Analysis

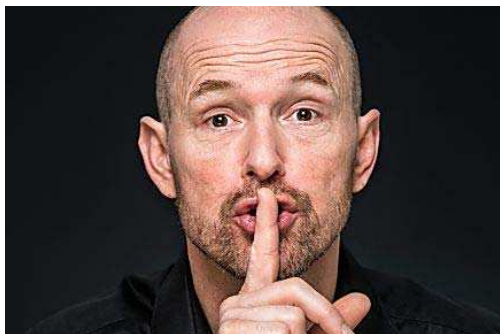
This Palm Beach Post story is peak Trump-Russia media frenzy

News outlets big and small are competing for scooplets that might or might not advance the biggest story in politics.

U.S. awash in 'terrible' human rights abuses, Chinese government report claims

"Concrete facts show that the United States saw continued deterioration in some key aspects of its existent human rights issues last year," the Chinese report says.

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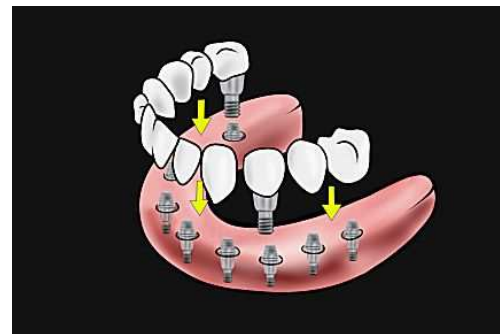
How Older Men Tighten Their Skin [Do This Daily]

The Modern Man Today



5 Questions That Can Help You Buy Into The Right Franchise

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Here's What New Dental Implants Should Cost You - View Pricing & Dentist Information

New Dental Implants

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Exhibit E



- DECEMBER 07, 2015 -

DONALD J. TRUMP STATEMENT ON PREVENTING MUSLIM IMMIGRATION

(New York, NY) December 7th, 2015, -- Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on. According to Pew Research, among others, there is great hatred towards Americans by large segments of the Muslim population. Most recently, a poll from the [Center for Security Policy](#) released data showing "25% of those polled agreed that violence against Americans here in the United States is justified as a part of the global jihad" and 51% of those polled, "agreed that Muslims in America should have the choice of being governed according to Shariah." Shariah authorizes such atrocities as murder against non-believers who won't convert, beheadings and more unthinkable acts that pose great harm to Americans, especially women.

Mr. Trump stated, "Without looking at the various polling data, it is obvious to anybody the hatred is beyond comprehension. Where this hatred comes from and why we will have to determine. Until we are able to determine and understand this problem and the dangerous threat it poses, our country cannot be the victims of horrendous attacks by people that believe only in Jihad, and have no sense of reason or respect for human life. If I win the election for President, we are going to Make America Great Again." - *Donald J. Trump*

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Next Release: [Donald J. Trump Announces State Directors in](#)

J.R.085

JA 135

Exhibit G



Full transcript: President Donald Trump's news conference

🕒 Updated 4:12 AM ET, Fri February 17, 2017



Source: [CNN](#)

President Trump's full press conference 01:16:56

PRESIDENT DONALD TRUMP HOLDS A NEWS CONFERENCE TO
ANNOUNCE HIS NEW NOMINEE FOR SECRETARY OF LABOR
FEBRUARY 16, 2017

SPEAKER: PRESIDENT DONALD TRUMP

[*]

TRUMP: Thank you very much.

I just wanted to begin by mentioning that the nominee for secretary of the Department of Labor will be Mr. Alex Acosta. He has a law degree from Harvard Law School, was a great student; former clerk for Justice Samuel Alito. And he has had a tremendous career. He's a member and has been a member of the National Labor Relations Board, and has been through Senate confirmation three times, confirmed; did very, very well.

And so Alex, I've wished him the best. We just spoke. And he's going to be -- I think he'll be a tremendous secretary of labor.

And also as you probably heard just a little while ago, Mick Mulvaney, former congressman, has just been approved weeks late, I have to say that, weeks, weeks late, Office of Management and Budget. And he will be I think a fantastic addition.

Paul Singer just left. As you know, Paul was very much involved with the anti-Trump or as they say, "never Trump." And Paul just left and he's given us his total support. And it's all about unification. We're unifying the party and hopefully we're going to be able to unify the country. It's very important to me. I've been talking about that for a long time. It's very, very important to me.

So I want to thank Paul Singer for being here and for coming up to the office. He was a very strong opponent, and now he's a very strong ally. And I appreciate that.

I think I'll say a few words, and then we'll take some questions. And I had this time. We've been negotiating a lot of different transactions to save money on contracts that were terrible, including airplane contracts that were out of control and late and terrible; just absolutely catastrophic in terms of what was happening. And we've done some really good work. We're very proud of that.

And then right after that, you prepare yourselves, we'll do some questions, unless you have enough questions. That's always a possibility.

I'm here today to update the American people on the incredible progress that has been made in the last four weeks since my inauguration. We have made incredible progress. I don't think there's ever been a president elected who in this short period of time has done what we've done.

Trump press conference

- [Amazing moment in history](#)
- [Most memorable lines](#)
- [To Jewish reporter: 'Sit down'](#)
- [To black reporter: 'Set up a meeting'](#)
- [Treatment of first lady 'unfair'](#)
- [OPINION: Performance fuels worry](#)
- [OPINION: Trump voters applaud presser](#)
- [Full transcript](#)

A new Rasmussen poll, in fact -- because the people get it -- much of the media doesn't get it. They actually get it, but they don't write it. Let's put it that way. But a new Rasmussen poll just came out just a very short while ago, and it has our approval rating at 55 percent and going up. The stock market has hit record numbers, as you know. And there has been a tremendous surge of optimism in the business world, which is -- to me means something much different than it used to. It used to mean, "Oh, that's good." Now it means, "That's good for jobs." Very different.

Plants and factories are already starting to move back into the United States, and big league -- Ford, General Motors, so many of them. I'm making this

presentation directly to the American people, with the media present, which is an honor to have you. This morning, because many of our nation's reporters and folks will not tell you the truth, and will not treat the wonderful people of our country with the respect that they deserve. And I hope going forward we can be a little bit -- a little bit different, and maybe get along a little bit better, if that's possible. Maybe it's not, and that's OK, too.

TRUMP: Unfortunately, much of the media in Washington, D.C., along with New York, Los Angeles in particular, speaks not for the people, but for the special interests and for those profiting off a very, very obviously broken system. The press has become so dishonest that if we don't talk about, we are doing a tremendous disservice to the American people. Tremendous disservice. We have to talk to find out what's going on, because the press honestly is out of control. The level of dishonesty is out of control.

I ran for president to present the citizens of our country. I am here to change the broken system so it serves their families and their communities well. I am talking -- and really talking on this very entrenched power structure, and what we're doing is we're talking about the power structure; we're talking about its entrenchment. As a result, the media is going through what they have to go through too often times distort - not all the time - and some of the media is fantastic, I have to say - they're honest and fantastic.

But much of it is not a - the distortion -- and we'll talk about it, you'll be able to ask me questions about it. But we're not going to let it happen, because I'm here again, to take my message straight to the people. As you know, our administration inherited many problems across government and across the economy. To be honest, I inherited a mess. It's a mess. At home and abroad, a mess. Jobs are pouring out of the country; you see what's going on with all of the companies leaving our country, going to Mexico and other places, low pay, low wages, mass instability overseas, no matter where you look. The middle east is a disaster. North Korea - we'll take care of it folks; we're going to take care of it all. I just want to let you know, I inherited a mess.

Beginning on day one, our administration went to work to tackle these challenges. On foreign affairs, we've already begun enormously productive talks with many foreign leaders, much of it you've covered, to move forward towards stability, security and peace in the most troubled regions of the world, which there are many. We have had great conversations with the United Kingdom, and meetings. Israel, Mexico, Japan, China and Canada, really, really productive conversations. I would say far more productive than you would understand.

We've even developed a new council with Canada to promote women's business leaders and entrepreneurs. It's very important to me, very important to my daughter Ivanka. I have directed our defense community headed by our great general, now Secretary Mattis. He's over there now working very hard to submit a plan for the defeat of ISIS, a group that celebrates the murder and torture of innocent people in large sections of the world. It used to be a small group, now it's in large sections of the world.

They've spread like cancer. ISIS has spread like cancer - another mess I inherited. And we have imposed new sanctions on the nation of Iran, whose totally taken advantage of our previous administration, and they're the world's top sponsor of terrorism, and we're not going to stop until that problem is properly solved. And it's not properly solved now, it's one of the worst agreements I've ever seen drawn by anybody. I've ordered plan to begin building for the massive rebuilding of the United States military. Had great support from the Senate, I've had great from Congress, generally.

We've pursued this rebuilding in the hopes that we will never have to use this military, and I will tell you that is my - I would be so happy if we never had to use it. But our country will never have had a military like the military we're about to build and rebuild. We have the greatest people on earth in our military, but they don't have the right equipment and their equipment is old. I used it; I talked about it at every

stop. Depleted, it's depleted - it won't be depleted for long. And I think one of the reason I'm standing here instead of other people is that frankly, I talked about we have to have a strong military.

We have to have a strong law enforcement also. So we do not go abroad in the search of war, we really are searching for peace, but its peace through strength. At home, we have begun the monumental task of returning the government back to the people on a scale not seen in many, many years. In each of these actions, I'm keeping my promises to the American people. These are campaign promises. Some people are so surprised that we're having strong borders.

Well, that's what I've been talking about for a year and a half, strong borders. They're so surprised, oh, he having strong borders, well that's what I've been talking about to the press and to everybody else. One promise after another after years of politicians lying to you to get elected. They lied to the American people in order to get elected. Some of the things I'm doing probably aren't popular but they're necessary for security and for other reasons.

And then coming to Washington and pursuing their own interests which is more important to many politicians. I'm here following through on what I pledged to do. That's all I'm doing. I put it out before the American people, got 306 electoral college votes. I wasn't supposed to get 222. They said there's no way to get 222, 230's impossible.

270 which you need, that was laughable. We got 306 because people came out and voted like they've never seen before so that's the way it goes. I guess it was the biggest electoral college win since Ronald Reagan. In other words, the media's trying to attack our administration because they know we are following through on pledges that we made and they're not happy about it for whatever reason.

And - but a lot of people are happy about it. In fact, I'll be in Melbourne, Florida five o'clock on Saturday and I heard - just heard that the crowds are massive that want to be there. I turn on the T.V., open the newspapers and I see stories of chaos. Chaos. Yet it is the exact opposite. This administration is running like a fine- tuned machine, despite the fact that I can't get my cabinet approved.

And they're outstanding people like Senator Dan Coats who's there, one of the most respected men of the Senate. He can't get approved. How do you not approve him? He's been a colleague - highly respected. Brilliant guy, great guy, everybody knows it. We're waiting for approval. So we have a wonderful group of people that's working very hard, that's being very much misrepresented about and we can't let that happen.

So, if the Democrats who have - all you have to do is look at where they are right now. The only thing they can do is delay because they screwed things up royally, believe me. Let me list to you some of the things that we've done in just a short period of time. I just got here. And I got here with no cabinet. Again, each of these actions is a promise I made to the American people.

I'll go over just some of them and we have a lot happening next week and in the weeks - in the weeks coming. We've withdrawn from the job-killing disaster known as Trans Pacific Partnership. We're going to make trade deals but we're going to have one on one deals, bilateral. We're going to have one on one deals.

We've directed the elimination of regulations that undermine manufacturing and call for expedited approval of the permits needed for America and American infrastructure and that means plant, equipment, roads, bridges, factories. People take 10, 15, 20 years to get disapproved for a factory. They go in for a permit, it's many, many years. And then at the end of the process -- they spend 10s of millions of dollars on nonsense and at the end of the process, they get rejected.

Now, they may be rejected with me but it's going to be a quick rejection. Not going to take years. But mostly it's going to be an acceptance. We want plants built and we want factories built and we want the jobs. We don't want the jobs going to other countries. We've imposed a hiring freeze on non-essential federal workers. We've imposed a temporary moratorium on new federal regulations.

We've issued a game-changing new rule that says for each one new regulation, two old regulations must be eliminated. Makes sense. Nobody's ever seen regulations like we have. You go to other countries and you look at indexes (ph) they have and you say "let me see your regulations" and they're fraction, just a tiny fraction of what we have. And I want regulations because I want safety, I want environmental - all environmental situations to be taken properly care of. It's very important to me. But you don't need four or five or six regulations to take care of the same thing.

We've stood up for the men and women of law enforcement, directing federal agencies to ensure they are protected from crimes of violence. We've directed the creation of a task force for reducing violent crime in America, including the horrendous situation -- take a look at Chicago and others, taking place right now in our inner cities. Horrible.

We've ordered the Department of Homeland Security and Justice to coordinate on a plan to destroy criminal cartels coming into the United States with drugs. We're becoming a drug infested nation. Drugs are becoming cheaper than candy bars. We are not going to let it happen any longer.

We've undertaken the most substantial border security measures in a generation to keep our nation and our tax dollars safe. And are now in the process of beginning to build a promised wall on the southern border, met with general -- now Secretary Kelly yesterday and we're starting that process. And the wall is going to be a great wall and it's going to be a wall negotiated by me. The price is going to come down just like it has on everything else I've negotiated for the government. And we are going to have a wall that works, not gonna have a wall like they have now which is either non-existent or a joke.

We've ordered a crackdown on sanctuary cities that refuse to comply with federal law and that harbor criminal aliens, and we have ordered an end to the policy of catch and release on the border. No more release. No matter who you are, release. We have begun a nationwide effort to remove criminal aliens, gang members, drug dealers and others who pose a threat to public safety. We are saving American lives every single day.

The court system has not made it easy for us. And are even creating a new office in Homeland Security dedicated to the forgotten American victims of illegal immigrant violence, which there are many. We have taken decisive action to keep radical Islamic terrorists out of our country. No parts are necessary and constitutional actions were blocked by judges, in my opinion, incorrect, and unsafe ruling. Our administration is working night and day to keep you safe, including reporters safe. And is vigorously defending this lawful order.

I will not back down from defending our country. I got elected on defense of our country. I keep my campaign promises, and our citizens will be very happy when they see the result. They already are, I can tell you that. Extreme vetting will be put in place and it already is in place in many places.

In fact, we had to go quicker than we thought because of the bad decision we received from a circuit that has been overturned at a record number. I have heard 80 percent, I find that hard to believe, that is just a number I heard, that they are overturned 80 percent of the time. I think that circuit is -- that circuit is in chaos and that circuit is frankly in turmoil. But we are appealing that, and we are going further.

We're issuing a new executive action next week that will comprehensively protect our country. So we'll be going along the one path and hopefully winning that, at the same time we will be issuing a new and very comprehensive order to protect our people. That will be done sometime next week, toward the

beginning or middle at the latest part. We have also taken steps to begin construction of the Keystone Pipeline and Dakota Access Pipelines. Thousands and thousands of jobs, and put new buy American measures in place to require American steel for American pipelines. In other words, they build a pipeline in this country, and we use the powers of government to make that pipeline happen, we want them to use American steel. And they are willing to do that, but nobody ever asked before I came along. Even this order was drawn and they didn't say that.

TRUMP: And I'm reading the order, I'm saying, why aren't we using American steel? And they said, that's a good idea, we put it in. To drain the swamp of corruption in Washington, D.C., I've started by imposing a five-year lobbying ban on White House officials and a lifetime ban on lobbying for a foreign government.

We've begun preparing to repeal and replace Obamacare. Obamacare is a disaster, folks. It is a disaster. I know you can say, oh, Obamacare. I mean, they fill up our alleys with people that you wonder how they get there, but they are not the Republican people our that representatives are representing.

So we've begun preparing to repeal and replace Obamacare, and are deep in the midst of negotiations on a very historic tax reform to bring our jobs back, to bring our jobs back to this country. Big league. It's already happening. But big league.

I've also worked to install a cabinet over the delays and obstruction of Senate Democrats. You've seen what they've done over the last long number of years. That will be one of the great cabinets ever assembled in American history.

You look at Rex Tillerson. He's out there negotiating right now. General Mattis I mentioned before, General Kelly. We have great, great people. Mick is with us now. We have great people.

Among their responsibilities will be ending the bleeding of jobs from our country and negotiating fair trade deals for our citizens.

Now look, fair trade. Not free, fair. If a country is taking advantage of us, not going to let that happen anymore. Every country takes advantage of us almost. I may be able to find a couple that don't. But for the most part, that would be a very tough job for me to do.

Jobs have already started to surge. Since my election, Ford announced it will abandon its plans to build a new factory in Mexico, and will instead invest \$700 million in Michigan, creating many, many jobs.

Fiat Chrysler announced it will invest \$1 billion in Ohio and Michigan, creating 2,000 new American jobs. They were with me a week ago. You know you were here.

General Motors likewise committed to invest billions of dollars in its American manufacturing operation, keeping many jobs here that were going to leave. And if I didn't get elected, believe me, they would have left. And these jobs and these things that I'm announcing would never have come here.

Intel just announced that it will move ahead with a new plant in Arizona that probably was never going to move ahead with. And that will result in at least 10,000 American jobs.

Walmart announced it will create 10,000 jobs in the United States just this year because of our various plans and initiatives. There will be many, many more, many more, these are a few that we're naming.

Other countries have been taking advantage of us for decades -- decades, and decades, and decades, folks. And we're not going to let that happen anymore. Not going to let it happen.

And one more thing, I have kept my promise to the American people by nominating a justice of the United States Supreme Court, Judge Neil Gorsuch, who is from my list of 20, and who will be a true defender of our laws and our Constitution, highly respected, should get the votes from the Democrats. You may not see that. But he'll get there one way or the other. But he should get there the old-fashioned way, and he should get those votes.

This last month has represented an unprecedented degree of action on behalf of the great citizens of our country. Again, I say it. There has never been a presidency that's done so much in such a short period of time. And we have not even started the big work yet. That starts early next week.

Some very big things are going to be announced next week. So we are just getting started. We will be giving a speech, as I said, in Melbourne, Florida, at 5:00 p.m. I hope to see you there.

And with that, I just say, God bless America, and let's take some questions.

Mara (ph), Mara (ph), go ahead. You were cut off pretty violently at our last news conference.

QUESTION: (OFF-MIKE)

TRUMP: Mike Flynn is a fine person, and I asked for his resignation. He respectfully gave it. He is a man who there was a certain amount of information given to Vice President Pence, who is with us today. And I was not happy with the way that information was given.

He didn't have to do that, because what he did wasn't wrong -- what he did in terms of the information he saw. What was wrong was the way that other people, including yourselves in this room, were given that information, because that was classified information that was given illegally. That's the real problem.

And, you know, you can talk all you want about Russia, which was all a, you know, fake news, fabricated deal, to try and make up for the loss of the Democrats and the press plays right into it. In fact, I saw a couple of the people that were supposedly involved with all of this -- that they know nothing about it; they weren't in Russia; they never made a phone call to Russia; they never received a phone call.

It's all fake news. It's all fake news. The nice thing is, I see it starting to turn, where people are now looking at the illegal -- I think it's very important -- the illegal, giving out classified information. It was -- and let me just tell you, it was given out like so much.

I'll give you an example. I called, as you know, Mexico. It was a very, very confidential, classified call. But I called Mexico. And in calling Mexico, I figured, oh, well that's -- I spoke to the president of Mexico; I had a good call. All of a sudden, it's out there for the world to see. It's supposed to be secret. It's supposed to be either confidential or classified, in that case.

Same thing with Australia. All of a sudden, people are finding out exactly what took place. The same thing happened with respect to General Flynn. Everybody saw this. And I'm saying -- the first thing I thought of when I heard about it is: How does the press get this information that's classified? How do they do it?

You know why? Because it's an illegal process and the press should be ashamed of themselves. But more importantly, the people that gave out the information to the press should be ashamed of themselves, really ashamed.

Yes, go ahead.

QUESTION: (OFF-MIKE)

TRUMP: Because when I looked at the information, I said, "I don't think he did anything wrong; if anything, he did something right." He was coming into office. He looked at the information. He said, "Huh, that's fine." That's what they're supposed to do. They're supposed to -- he didn't just call Russia. He called and spoke to both ways, I think there were 30-some-odd countries. He's doing the job.

You know, he was doing his job. The thing is, he didn't tell our vice president properly, and then he said he didn't remember. So either way, it wasn't very satisfactory to me. And I have somebody that I think will be outstanding for the position. And that also helps, I think, in the making of my decision.

But he didn't tell the vice president of the United States the facts. And then he didn't remember. And that just wasn't acceptable to me.

Yes?

QUESTION: (inaudible) clarification here. During your campaign, did anyone from your team (inaudible) Russian government or Russian intelligence? And if so, what was the nature of those conversations (inaudible)? TRUMP: The failing New York Times wrote a big, long front-page story yesterday. And it was very much discredited, as you know. It was -- it's a joke. And the people mentioned in the story, I notice they were on television today saying they never even spoke to Russia. They weren't even a part, really -- I mean, they were such a minor part. They -- I hadn't spoken to them.

I think the one person -- I don't think I've ever spoken to him. I don't think I've ever met him. And he actually said he was a very low-level member of I think a committee for a short period of time. I don't think I ever met him. Now, it's possible that I walked into a room and he was sitting there, but I don't think I ever met him. I didn't talk to him ever. And he thought it was a joke.

The other person said he never spoke to Russia; never received a call. Look at his phone records, et cetera, et cetera. And the other person, people knew that he represented various countries, but I don't think he represented Russia, but knew that he represented various countries. That's what he does. I mean, people know that.

That's Mr. Manafort, who's -- by the way, who's by the way a respected man. He's a respected man. But I think he represented the Ukraine or Ukraine government or somebody, but everybody -- people knew that. Everybody knew that.

So, these people -- and he said that he has absolutely nothing to do and never has with Russia. And he said that very forcefully. I saw his statement. He said it very forcefully. Most of the papers don't print it because that's not good for their stories.

TRUMP: So the three people that they talked about all totally deny it. And I can tell you, speaking for myself, I own nothing in Russia. I have no loans in Russia. I don't have any deals in Russia. President Putin called me up very nicely to congratulate me on the win of the election.

He then, called me up extremely nicely to congratulate me on the inauguration, which was terrific. But so did many other leaders, almost all other leaders from almost all of the country. So that's the extent.

Russia is fake news. Russia -- this is fake news put out by the media. The real news is the fact that people, probably from the Obama administration because they're there, because we have our new people going in place, right now.

As you know, Mike Pompeo has -- has now taken control of the CIA, James Comey at FBI, Dan Coats is waiting to be approved, I mean he is a senator and a highly respected one and he's still waiting to be approved. But our new people are going in.

And just while you're at it, because you mentioned this, Wall Street Journal did a story today that was almost as disgraceful as the failing New York Time's story, yesterday. And it talked about -- these are (ph) front page.

So director of national intelligence just put out, acting a statement, any suggestion that the United States intelligence community, this was just given to us, is withholding information and not providing the best possible intelligence to the president and his national security team is not true.

So they took this front page story out of The Wall Street Journal top and they just wrote the story that its not true. And I'll tell you something, I'll be honest, because I sort of enjoy this back and forth that I guess I have all my life but I've never seen more dishonest media than frankly, the political media. I thought the financial media was much better, much more honest.

But I will say that, I never get phone calls from the media. How did they write a story like that in The Wall Street Journal without asking me or how did they write a story in The New York Times, put it on front page?

That was like the story they wrote about the women and me, front page, big massive story. And it was nasty and then they called, they said we never said that, we like Mr. Trump. They called up my office, we like Mr. Trump, we never said that.

And it was totally -- they totally misrepresented those very wonderful women, I have to tell you, totally misrepresented. I said give us the retraction. They never gave us a retraction and frankly, I then went on to other things.

OK, go ahead.

QUESTION: (OFF-MIKE) said today that you have big intellectual margins (inaudible) 300 or more (ph), or 350 (ph) electoral (ph) votes. President Obama about 365 (OFF-MIKE).

(CROSSTALK)

TRUMP: Yeah.

QUESTION: Obama (OFF-MIKE) 426 on (OFF-MIKE). So why should Americans...

(CROSSTALK)

TRUMP: ...I'm skipping that information, I don't know, I was just given (ph) we had a very, very big margin.

QUESTION: (OFF-MIKE) why should Americans trust you (OFF-MIKE) the information (OFF-MIKE)?

TRUMP: Well, I don't know, I was given that information. I was given -- I actually, I've seen that information around. But it was a very substantial victory, do you agree with that? OK thank you, that's...

(CROSSTALK)

TRUMP: Go ahead Sir, yes?

QUESTION: Can you tell us in determining that Lieutenant General Flynn did -- whether there was no wrongdoing in your mind, what evidence was weighed? Did you ask for transcripts of these telephone intercepts with Russian officials, particularly the Ambassador Sergey Kislyak, who he was communicating with?

What-- what evidence did you weigh to determine that there was no wrongdoing? Further to that, Sir, you said on a couple of locations this morning, you are going to aggressively pursue the source of these leaks.

TRUMP: We are.

QUESTION: Can we ask what you're going to do and also, we've heard about a -- a review of the intelligence community headed up by Steven Feinberg, what can you tell us about that?

TRUMP: Well, first of all about that, we now have Dan Coats, hopefully soon, Mike Pompeo and James Comey and they're in position so I hope that we'll be able to straighten that out without using anybody else.

The gentleman you mentioned is a very talented man, very successful man and he's offered his services and you know, it's something we may take advantage of. But I don't think we need that at all because of the fact that you know, I think that we are gonna be able to straighten it out very easily on its own.

As far as the general's concerned, when I first heard about it, I said huh, that doesn't sound wrong. My counsel came, Don McGahn, White House Counsel, and he told me and I asked him, he can speak very well for himself. He said he doesn't think anything is wrong, you know, really didn't think.

It was really, what happened after that but he didn't think anything was done wrong. I didn't either because I waited a period of time and I started to think about it, I said "well I don't see" -- to me, he was doing the job.

The information was provided by -- who I don't know, Sally Yates. And I was a little surprised because I said "doesn't sound like he did anything wrong there." But he did something wrong with respect to the vice president and I thought that was not acceptable. As far as -- as far as the actual making the call, fact I've watched various programs and I've read various articles where he was just doing his job.

That was very normal. You know, first everybody got excited because they thought he did something wrong. After they thought about it, it turned out he was just doing his job. So -- and I do. And by the way, with all of that being said, I do think he's a fine man.

QUESTION: Sir, if I could, on the leaks -- on the leaks, sir...

TRUMP: ...Go ahead. Finish off then I'll get you.

QUESTION: I'm sorry. What will you do on the leaks? You've said twice today...

TRUMP: ...Yes, we're looking at them very -- very, very serious. I've gone to all of the folks in charge of the various agencies and we're -- I've actually called the Justice Department to look into the leaks. Those are criminal leaks. They're put out by people either in agencies -- I think you'll see it stopping because now we have our people in. You know, again, we don't have our people in because we can't get them approved by the Senate.

We just had Jeff Sessions approved. Injustice, as an example (ph). So, we are looking into that very seriously. It's a criminal act. You know what I say, when I -- when I was called out on Mexico, I was

shocked because all this equipment, all this incredible phone equipment -- when I was called out on Mexico, I was -- honestly, I was really, really surprised.

But I said "you know, it doesn't make sense. That won't happen" but that wasn't that important a call, it was fine, I could show it to the world and he could show it to the world, the president who's a very fine man, by the way. Same thing with Australia. I said "that's terrible that it was leaked" but it wasn't that important. But then I said to myself "what happens when I'm dealing with the problem of North Korea?"

What happens when I'm dealing with the problems in the Middle East? Are you folks going to be reporting all of that very, very confidential information, very important, very -- you know, I mean at the highest level? Are you going to be reporting about that too? So, I don't want classified information getting out to the public and in a way that was almost a test.

So I'm dealing with Mexico, I'm dealing with Argentina, we were dealing on this case with Mike Flynn. All this information gets put into the "Washington Post" and gets put into the "New York Times" and I'm saying "what's going to happen when I'm dealing on the Middle East? What's going to happen when I'm dealing with really, really important subjects like North Korea?"

We got to stop it. That's why it's a criminal penalty.

QUESTION: I just want to get you to clarify this very important point. Can you say definitively that nobody on your campaign had any contacts with the Russians during the campaign? And on the leaks, is it fake news or are these real leaks?

TRUMP: Well the leaks are real. You're the one that wrote about them and reported them, I mean the leaks are real. You know what they said, you saw it and the leaks are absolutely real. The news is fake because so much of the news is fake. So one thing that I felt it was very important to do -- and I hope we can correct it. Because there's nobody I have more respect for -- well, maybe a little bit but the reporters, good reporters.

It's very important to me and especially in this position. It's very important. I don't mind bad stories. I can handle a bad story better than anybody as long as it's true and, you know, over a course of time, I'll make mistakes and you'll write badly and I'm OK with that. But I'm not OK when it is fake. I mean, I watch CNN, it's so much anger and hatred and just the hatred.

I don't watch it any more because it's very good -- he's saying no. It's OK, Jim (ph). It's OK, Jim (ph), you'll have your chance. But I watch others too. You're not the only one so don't feel badly. But I think it should be straight. I think it should be -- I think it would be frankly more interesting. I know how good everybody's ratings are right now but I think that actually -- I think that'd actually be better.

People -- I mean, you have a lower approval rate than Congress. I think that's right. I don't know, Peter (ph), is that one right? Because you know I think they have lower -- I heard lower than Congress. But honestly, the public would appreciate it, I'd appreciate it -- again, I don't mind bad stories when it's true but we have an administration where the Democrats are making it very difficult.

TRUMP: I think we're setting a record or close to a record in the time of approval of a cabinet. I mean, the numbers are crazy. When I'm looking, some of them had them approved immediately.

I'm going forever and I still have a lot of people that we're waiting for. And that's all they're doing, is delaying. And you look at Schumer and the mess that he's got over there and they have nothing going. The only thing they can do is delay. And, you know, I think that they'd be better served by, you know, approving and making sure that they're happy and everybody's good.

And sometimes -- I mean, I know President Obama lost three or four, and you lose them on the way, and that's OK. That's fine. But I think it would -- I think they would be much better served, John, if they just went through the process quickly. This is pure delay tactics.

And they say it, and everybody understands it. Yeah, go ahead, Jimmy.

QUESTION: (OFF-MIKE)

TRUMP: Well, I had nothing to do with it. I have nothing to do with Russia. I told you, I have no deals there, I have no anything. Now, when WikiLeaks, which I had nothing to do with, comes out and happens to give, they're not giving classified information. They're giving stuff -- what was said at an office about Hillary cheating on the debates.

Which, by the way, nobody mentions. Nobody mentions that Hillary received the questions to the debates. Can you imagine -- seriously -- can you imagine if I received the questions? It would be the electric chair. OK, he should be put in the electric -- you would even call for the reinstitution of the death penalty, OK. Maybe not you John. Yes? We'll do you next Jim, I do you next(ph).

QUESTION: (OFF-MIKE) clarify --

TRUMP: Yes, yes, sure

QUESTION: Did you direct Mike Flynn to discuss sanctions with the Russian ambassador --

TRUMP: No, I didn't.

QUESTION: -- prior to your -- TRUMP: No, I didn't.

QUESTION: -- inauguration.

TRUMP: No, I didn't.

QUESTION: And then fired him --

TRUMP: Excuse me.

QUESTION: (OFF-MIKE)

TRUMP: No, I fired him because of what he said to Mike Pence. Very simple. Mike was doing his job. He was calling countries and his counterparts. So, it certainly would have been OK with me if he did it. I would have directed him to do it if I thought he wasn't doing it.

I didn't direct him, but I would have directed him because that's his job. And it came out that way -- and in all fairness, I watched Dr. Charles Krauthammer the other night say he was doing his job and I agreed with him. And since then, I've watched many other people say that.

No, I didn't direct him, but I would have directed him if he didn't do it. OK? Jim?

QUESTION: Thank you very much, and just for the record, we don't hate you. I don't hate you.

TRUMP: OK.

QUESTION: So, pass that along --

TRUMP: Ask -- ask Jeff Zucker how he got his job. OK?

QUESTION: If I may follow up on some of the questions that have taken place so far here, sir --

TRUMP: Well, that's -- well, you know, we do have other people. You do have other people and your ratings aren't as good as some of the other people that are waiting.

QUESTION: It's pretty good right now, actually.

TRUMP: OK, go ahead, John.

QUESTION: If I may ask, sir, you said earlier that WikiLeaks was revealing information about the Hillary Clinton campaign during the election cycle. You welcomed that. At one time --

TRUMP: I was OK with it.

QUESTION: -- you said -- you said that you loved WikiLeaks. At another campaign press conference you called on the Russians to find the missing 30,000 e-mails. I'm wondering, sir, if you -- TRUMP: Well, she was actually missing 33 and then that got extended with a pile after that.

QUESTION: Then(ph), your(ph) numbers(ph) were off too.

TRUMP: No -- no, but I did say 30. But it was actually higher than that.

QUESTION: If -- if I may ask you, sir, it -- it sounds as though you do not have much credibility here when it comes to leaking if that is something that you encouraged during(ph) the campaign --

TRUMP: OK, fair question. Ready?

QUESTION: Well, if I may ask you that --

TRUMP: No -- no, but let me do one at a time.

QUESTION: If I may as a follow up?

TRUMP: Do you mind?

QUESTION: Yes, sir.

TRUMP: All right. So, in one case, you're talking about highly classified information. In the other case, you're talking about John Podesta saying bad things about the boss. I will say this, if John Podesta said that about me and he was working for me, I would have fired him so fast your head would have spun.

He said terrible things about her. But it wasn't classified information. But in one case, you're talking about classified -- regardless, if you look at the RNC, we had a very strong -- at my suggestion -- and I give Reince great credit for this -- at my suggestion, because I know something about this world, I said I want a very strong defensive mechanism.

I don't want to be hacked. And we did that. And you have seen that they tried to hack us and they failed. The DNC did not do that. And if they did it, they could not have been hacked. But they were hacked and terrible things came in. And, you know, the only thing that I do think is unfair is some of the things were so -- they were -- when I heard some of those things I picked up the papers the next morning and said, oh, this is going to be front page, it wasn't even in the papers.

Again, if I had that happen to me, it would be the biggest story in the history of publishing or the head of newspapers. I would have been headline in every newspaper. I mean, think of it. They gave her the questions to a debate and she -- and she should have reported herself.

Why did Hillary Clinton announce that, "I'm sorry, but I have been given the questions to a debate or a town hall, and I feel that it's inappropriate, and I want to turn in CNN for not doing a good job."

QUESTION: And if I may follow up on that, just something that Jonathan Karl (ph) was asking you about. You said that the leaks are real, but the news is fake. I guess I don't understand. It seems that there's a disconnect there. If the information coming from those leaks is real, then how can the stories be fake?

TRUMP: The reporting is fake. Look, look...

(CROSSTALK)

TRUMP: You know what it is? Here's the thing. The public isn't -- you know, they read newspapers, they see television, they watch. They don't know if it's true or false because they're not involved. I'm involved. I've been involved with this stuff all my life. But I'm involved. So I know when you're telling the truth or when you're not. I just see many, many untruthful things.

And I'll tell you what else I see. I see tone. You know the word "tone." The tone is such hatred. I'm really not a bad person, by the way. No, but the tone is such -- I do get good ratings, you have to admit that -- the tone is such hatred.

I watched this morning a couple of the networks. And I have to say, Fox & Friends in the morning, they're very honorable people. They're very -- not because they're good, because they hit me also when I do something wrong. But they have the most honest morning show. That's all I can say. It's the most honest.

But the tone, Jim. If you look -- the hatred. The, I mean, sometimes -- sometimes somebody gets...

(CROSSTALK)

TRUMP: Well, you look at your show that goes on at 10 o'clock in the evening. You just take a look at that show. That is a constant hit. The panel is almost always exclusive anti-Trump. The good news is he doesn't have good ratings. But the panel is almost exclusive anti-Trump. And the hatred and venom coming from his mouth; the hatred coming from other people on your network.

Now, I will say this. I watch it. I see it. I'm amazed by it. And I just think you'd be a lot better off, I honestly do. The public gets it, you know. Look, when I go to rallies, they turn around, they start screaming at CNN. They want to throw their placards at CNN. You know.

I -- I think you would do much better by being different. But you just take a look. Take a look at some of your shows in the morning and the evening. If a guest comes out and says something positive about me, it's -- it's brutal.

Now, they'll take this news conference -- I'm actually having a very good time, OK? But they'll take this news conference -- don't forget, that's the way I won. Remember, I used to give you a news conference every time I made a speech, which was like every day. OK?

(CROSSTALK)

TRUMP: No, that's how I won. I won with news conferences and probably speeches. I certainly didn't win by people listening to you people. That's for sure. But I'm having a good time.

Tomorrow, they will say, "Donald Trump rants and raves at the press." I'm not ranting and raving. I'm just telling you. You know, you're dishonest people. But -- but I'm not ranting and raving. I love this. I'm having a good time doing it.

But tomorrow, the headlines are going to be, "Donald Trump rants and raves." I'm not ranting and raving.

Go ahead.

QUESTION: If I may, just one more followup...

TRUMP: Should I let him have a little bit more? What do you think, Peter? Peter, should I have -- let him have a little bit more?

Sit down. Sit down. We'll...

(CROSSTALK)

QUESTION: Just because of the attack of fake news and attacking our network, I just want to ask you, sir...

TRUMP: I'm changing it from fake news, though.

QUESTION: Doesn't that under...

TRUMP: Very fake news.

QUESTION: ... I know, but aren't you...

(LAUGHTER)

TRUMP: Go ahead.

QUESTION: Real news, Mr. President, real news.

TRUMP: And you're not related to our new...

QUESTION: I am not related, sir. No. I do like the sound of Secretary Acosta, I must say.

TRUMP: I looked -- you know, I looked at that name. I said, wait a minute, is there any relation there? Alex Acosta.

QUESTION: I'm sure you checked that out, sir.

TRUMP: OK. Now I checked it -- I said -- they said, "No, sir." I said, "Do me a favor, go back and check the family tree."

QUESTION: But aren't you -- aren't you concerned, sir, that you are undermining the people's faith in the First Amendment, freedom of the press, the press in this country, when you call stories you don't like "fake news"? Why not just say it's a story I don't like.

TRUMP: I do that.

QUESTION: When you call it "fake news," you're undermining confidence in our news media (inaudible) important.

TRUMP: No, no. I do that. Here's the thing. OK. I understand what you're -- and you're right about that, except this. See, I know when I should get good and when I should get bad. And sometimes I'll say, "Wow, that's going to be a great story." And I'll get killed.

I know what's good and bad. I'd be a pretty good reporter, not as good as you. But I know what's good. I know what's bad. And when they change it and make it really bad, something that should be positive -- sometimes something that should be very positive, they'll make OK. They'll even make it negative.

So I understand it. So, because I'm there. I know what was said. I know who's saying it. I'm there. So it's very important to me.

Look, I want to see an honest press. When I started off today by saying that it's so important to the public to get an honest press. The press -- the public doesn't believe you people anymore. Now, maybe I had something to do with that. I don't know. But they don't believe you. If you were straight and really told it like it is, as Howard Cosell used to say, right?

Of course, he had some questions also. But if you were straight, I would be your biggest booster. I would be your biggest fan in the world, including bad stories about me. But if you go - as an example, you're CNN, I mean it's story after story after story is bad. I won. I won. And the other thing, chaos because zero chaos. We are running - this is a fine-tuned machine and Reince happens to be doing a good job but half of his job is putting out lies by the press (ph).

You know, I said to him yesterday this whole Russia scam that you guys are building so that you don't talk about the real subject which is illegal leaks, but I watched him yesterday working so hard to try and get that story proper. And I'm saying "here's my chief of staff," a really good guy, did a phenomenal job at RNC. I mean, he won the election, right?

We won the presidency. We got some senators, we got some - all over the country, you take a look, he's done a great job. And I said to myself, you know - and I said to somebody that was in the room, I said "you take a look at Reince, he's working so hard just putting out fires that are fake fires." I mean, they're fake. They're not true. And isn't that a shame because he'd rather be working on healthcare, he'd rather be working on tax reform, Jim (ph).

I mean that. I would be your biggest fan in the world if you treated me right. I sort of understand there's a certain bias maybe by Jeff (ph) or somebody, you know - you know, whatever reason. But - and I understand that. But you've got to be at least a little bit fair and that's why the public sees it. They see it. They see it's not fair. You take a look at some of your shows and you see the bias and the hatred.

And the public is smart, they understand it. Go ahead.

QUESTION: (inaudible) ...for those who believe that there is something to it, is there anything that you have learned over the last few weeks that you might be able to reveal that might ease their concerns that this isn't fake news? And second...

TRUMP: ...I think they don't believe it. I don't think the public - that's why the Rasmussen poll just has me through the roof. I don't think they believe it. Well, I guess one of the reasons I'm here today is to tell you the whole Russian thing, that's a ruse. That's a ruse. And by the way, it would be great if we could get along with Russia, just so you understand that.

Now tomorrow, you'll say "Donald Trump wants to get along with Russia, this is terrible." It's not terrible. It's good. We had Hillary Clinton try and do a reset. We had Hillary Clinton give Russia 20 percent of the uranium in our country. You know what uranium is, right? This thing called nuclear weapons like lots of things are done with uranium including some bad things.

Nobody talks about that. I didn't do anything for Russia. I've done nothing for Russia. Hillary Clinton gave them 20 percent of our uranium. Hillary Clinton did a reset, remember? With the stupid plastic button that made us all look like a bunch of jerks. Here, take a look. He looked at her like, what the hell is she doing with that cheap plastic button?

Hillary Clinton - that was the reset, remember it said reset? Now if I do that, oh, I'm a bad guy. If we could get along with Russia, that's a positive thing. We have a very talented man, Rex Tillerson, who's going to be meeting with them shortly and I told him. I said "I know politically it's probably not good for me." The greatest thing I could do is shoot that ship that's 30 miles off shore right out of the water.

Everyone in this country's going to say "oh, it's so great." That's not great. That's not great. I would love to be able to get along with Russia. Now, you've had a lot of presidents that haven't taken that tack. Look where we are now. Look where we are now. So, if I can - now, I love to negotiate things, I do it really well, and all that stuff. But - but it's possible I won't be able to get along with Putin.

Maybe it is. But I want to just tell you, the false reporting by the media, by you people, the false, horrible, fake reporting makes it much harder to make a deal with Russia. And probably Putin said "you know." He's sitting behind his desk and he's saying "you know, I see what's going on in the United States, I follow it closely. It's going to be impossible for President Trump to ever get along with Russia because of all the pressure he's got with this fake story." OK?

And that's a shame because if we could get along with Russia - and by the way, China and Japan and everyone. If we could get along, it would be a positive thing, not a negative thing.

QUESTION: Is tax reform on the line (ph)?

QUESTION: Mr. President? Mr. President? Mr. President, since you...

TRUMP: Tax reform is going to happen fairly quickly. We're doing Obamacare. We're in final stages. We should be submitting the initial plan in March, early March, I would say. And we have to, as you know, statutorily and for reasons of budget, we have to go first. It's not like, frankly, the tax would be easier, in my opinion, but for statutory reasons and for budgetary reasons, we have to submit the healthcare sooner.

So we'll be submitting healthcare sometime in early March, mid- March. And after that, we're going to come up, and we're doing very well on tax reform.

Yes?

QUESTION: Mr. President, you mentioned Russia. Let's talk about some serious issues that have come up in the last week that you have had to deal with as president of the United States.

TRUMP: OK.

QUESTION: You mentioned the vessel -- the spy vessel off the coast of the United States.

TRUMP: Not good.

QUESTION: There was a ballistic missile test that many interpret as a violation of an agreement between the two countries; and a Russian plane buzzed a U.S. destroyer.

TRUMP: Not good.

QUESTION: I listened to you during the campaign ...

TRUMP: Excuse me, excuse me. When did it happen? It happened when, if you were Putin right now, you would say, "Hey, we're back to the old games with the United States; there's no way Trump can ever do a deal with us." Because the -- you have to understand. If I was just brutal on Russia right now, just brutal, people would say, you would say, "Oh, isn't that wonderful." But I know you well enough.

Then you would say, "Oh, he was too tough; he shouldn't have done that." Look, all of the...

(CROSSTALK)

QUESTION: I'm just trying to find out your orientation to those...

(CROSSTALK)

TRUMP: Wait a minute. Wait, wait. Excuse me just one second.

(CROSSTALK)

TRUMP: All of those things that you mentioned are very recent, because probably Putin assumes that he's not going to be able to make a deal with me because it's politically not popular for me to make a deal. So Hillary Clinton tries a re-set. It failed. They all tried. But I'm different than those people.

Go ahead.

QUESTION: How are you interpreting those moves? And what do you intend to do about them? Have you given Rex Tillerson any advice or counsel on how to deal?

TRUMP: I have. I have. And I'm so beautifully represented. I'm so honored that the Senate approved him. He's going to be fantastic.

Yes, I think that I've already...

QUESTION: Is Putin testing you, do you believe, sir?

TRUMP: No, I don't think so. I think Putin probably assumes that he can't make a deal with me anymore because politically it would be unpopular for a politician to make a deal. I can't believe I'm saying I'm a politician, but I guess that's what I am now.

Because, look, it would be much easier for me to be tough on Russia, but then we're not going to make a deal.

Now, I don't know that we're going to make a deal. I don't know. We might. We might not. But it would be much easier for me to be so tough -- the tougher I am on Russia, the better. But you know what? I want to do the right thing for the American people. And to be honest, secondarily, I want to do the right thing for the world.

If Russia and the United States actually got together and got along -- and don't forget, we're a very powerful nuclear country and so are they. There's no up-side. We're a very powerful nuclear country and so are they. I have been briefed. And I can tell you one thing about a briefing that we're allowed to say because anybody that ever read the most basic book can say it, nuclear holocaust would be like no other.

They're a very powerful nuclear country and so are we. If we have a good relationship with Russia, believe me, that's a good thing, not a bad thing.

QUESTION: So when you say they're not good, do you mean that they are...

TRUMP: Who did I say is not good?

QUESTION: No, I read off the three things that have recently happened. Each one of them you said they're not good.

(CROSSTALK)

TRUMP: No, it's not good, but they happened.

QUESTION: But do they damage the relationship? Do they undermine...

TRUMP: They all happened recently.

No...

(CROSSTALK)

QUESTION: ... this country's ability to work with Russia?

TRUMP: They all happened recently. And I understand what they're doing because they're doing the same thing.

Now, again, maybe I'm not going to be able to do a deal with Russia, but at least I will have tried. And if I don't, does anybody really think that Hillary Clinton would be tougher on Russia than Donald Trump? Does anybody in this room really believe that? OK?

But I tell you one thing, she tried to make a deal. She had the re-set. She gave all that valuable uranium away. She did other things. You know, they say I'm close to Russia. Hillary Clinton gave away 20 percent of the uranium in the United States. She's close to Russia.

QUESTION: Can we...

TRUMP: I gave -- you know what I gave to Russia? You know what I gave? Nothing.

QUESTION: Can we conclude there will be no response to these particular provocations?

TRUMP: I'm not going to tell you anything about what response I do. I don't talk about military response. I don't say I'm going into Mosul in four months. "We are going to attack Mosul in four months." Then three months later, "We are going to attack Mosul in one month." "Next week, we are going to attack Mosul."

In the meantime, Mosul is very, very difficult. Do you know why? Because I don't talk about military, and I don't talk about certain other things, you're going to be surprised to hear that. And by the way, my whole campaign, I'd say that. So I don't have to tell you. I don't want to be one of these guys that say, "Yes, here's what we're going to do." I don't have to do that. I don't have to tell you what I'm going to do in North Korea.

(CROSSTALK)

TRUMP: Wait a minute. I don't have to tell you what I'm going to do in North Korea. And I don't have to tell you what I'm going to do with Iran. You know why? Because they shouldn't know. And eventually, you guys are going to get tired of asking that question.

TRUMP: So when you ask me what am I going to do with a ship, the Russian ship as an example, I'm not going to tell you. But hopefully, I won't have to do anything, but I'm not going to tell you.

OK.

QUESTION: Could I just ask you -- thank you very much, Mr. President. The trouble...

TRUMP: Where are you from?

QUESTION: BBC.

TRUMP: Here's another beauty.

QUESTION: That's a good line. Impartial, free and fair.

TRUMP: Yeah. Sure.

QUESTION: Mr. President...

TRUMP: Just like CNN right?

QUESTION: On the travel ban -- we could banter back and forth. On the travel ban would you accept that that was a good example of the smooth running of government...

TRUMP: Yeah, I do. I do. Let me tell you about this government...

QUESTION: Were there any mistakes...

TRUMP: Wait. Wait. I know who you are. Just wait.

Let me tell you about the travel ban. We had a very smooth rollout of the travel ban. But we had a bad court. Got a bad decision. We had a court that's been overturned. Again, may be wrong. But I think it's 80 percent of the time, a lot.

We had a bad decision. We're going to keep going with that decision. We're going to put in a new executive order next week some time. But we had a bad decision.

That's the other thing that was wrong with the travel ban. You had Delta with a massive problem with their computer system at the airports. You had some people that were put out there, brought by very nice busses, and they were put out at various locations.

Despite that the only problem that we had is we had a bad court. We had a court that gave us what I consider to be, with great respect, a very bad decision. Very bad for the safety and security of our country. The rollout was perfect.

Now, what I wanted to do was do the exact same executive order, but said one thing. I said this to my people. Give them a one-month period of time. But Gen. Kelly, now Sec. Kelly, said if you do that, all these people will come in and (inaudible) the bad ones.

You do agree there are bad people out there, right? That not everybody that's like you. You have some bad people out there.

Kelly said you can't do that. And he was right. As soon as he said it I said wow, never thought of it. I said how about one week? He said no good. You got to do it immediately because if you do it immediately they don't have time to come in.

Now nobody ever reports that. But that's why we did it quickly.

Now, if I would've done it a month, everything would've been perfect. The problem is we would've wasted a lot of time, and maybe a lot of lives because a lot of bad people would've come into our country.

Now in the meantime, we're vetting very, very strongly. Very, very strongly. But we need help. And we need help by getting that executive order passed.

QUESTION: Just a brief follow-up. But if it's so urgent, why not introduce...

TRUMP: Yes? Go ahead.

QUESTION: Thank you. I was just hoping that we could get a yes or no answer on one of these questions involving Russia. Can you say whether you are aware that anyone who advised your campaign had contacts with Russia during the course of the election?

TRUMP: Well I told you, Gen. Flynn obviously was dealing. So that's one person. But he was dealing, as he should have been.

QUESTION: During the election?

TRUMP: No. Nobody that I know of. Nobody...

QUESTION: So you're not aware of any contact during the course..

TRUMP: Look, look, look...

QUESTION: ... of the election?

TRUMP: How many times do I have to answer this question?

QUESTION: Can you just say yes or no? TRUMP: Russia is a ruse.

I know you have to get up and ask a question. It's so important.

Russia is a ruse. I have nothing to do with Russia. Haven't made a phone call to Russia in years. Don't speak to people from Russia. Not that I wouldn't. I just have nobody to speak to.

I spoke to Putin twice. He called me on the election. I told you this. And he called me on the inauguration, a few days ago.

We had a very good talk, especially the second one, lasted for a pretty long period of time. I'm sure you probably get it because it was classified. So I'm sure everybody in this room perhaps has it. But we had a very, very good talk.

I have nothing to do with Russia. To the best of my knowledge no person that I deal with does.

Now, Manafort has totally denied it. He denied it. Now people knew that he was a consultant over in that part of the world for a while, but not for Russia. I think he represented Ukraine or people having to do with Ukraine, or people that -- whoever. But people knew that. Everybody knew that.

QUESTION: But in his capacity as your campaign manager, was he in touch with Russian officials during the election?

TRUMP: You know what? He said no. I could only tell you what he -- now he was replaced long before the election. You know that, right?

He was replaced long before the election. When all of this stuff started coming out, it came out during the election. But Paul Manafort, who's a good man also by the way, Paul Manafort was replaced long before the election took place. He was only there for a short period of time.

QUESTION: Mr. President...

TRUMP: How much longer should we stay here, folks?

QUESTION: Mr. President...

TRUMP: Five more minutes. Is that OK? Five?

QUESTION: Mr. President, on national...

TRUMP: Wait. Let's see. Who's -- I want to find a friendly reporter.

QUESTION: Mr....

TRUMP: Are you a friendly reporter? Watch how friendly he is. Wait. Wait. Watch how friendly he is. Go ahead.

QUESTION: (OFF-MIKE)...

TRUMP: Go ahead.

QUESTION: So first of all, my name is (Inaudible) from (Inaudible) Magazine. I (inaudible). I haven't seen anybody in my community, including yourself or any of the -- anyone on your staff of being (OFF-MIKE).

Because (OFF-MIKE). However, what we've already heard about and what we (OFF-MIKE) is (OFF-MIKE) so you're general forecast (ph) like 48 (OFF-MIKE). There are people who are everything (ph) happens through their packs (ph) is one of the (OFF-MIKE)...

(CROSSTALK)

TRUMP:...he said he was gonna ask a very simple, easy question. And it's not, its not, not -- not a simple question, not a fair question. OK sit down, I understand the rest of your question.

So here's the story, folks. Number one, I am the least anti- Semitic person that you've ever seen in your entire life. Number two, racism, the least racist person. In fact, we did very well relative to other people running as a Republican -- quiet, quiet, quiet.

See, he lied about -- he was gonna get up and ask a very straight, simple question, so you know, welcome to the world of the media. But let me just tell you something, that I hate the charge, I find it repulsive.

I hate even the question because people that know me and you heard the prime minister, you heard Ben Netanyahu (ph) yesterday, did you hear him, Bibi? He said, I've known Donald Trump for a long time and then he said, forget it.

So you should take that instead of having to get up and ask a very insulting question like that.

(CROSSTALK)

TRUMP: Yeah, go ahead. Go ahead.

QUESTION: Thank you, I'm Lisa (ph) from the...

(CROSSTALK)

TRUMP: See, it just shows you about the press, but that's the way the press is.

QUESTION: Thank you, Mr. President. Lisa DeJardown (ph) from the PBS News Hour. On national security and immigration, can you give us more details on the executive order you plan for next week? Even its broad outlines?

TRUMP: Yeah.

QUESTION: Will it be focused on specific...

TRUMP: It's a very fair question.

QUESTION: ...countries? And in addition, on the DACA program for immigration.

TRUMP: Right.

QUESTION: What is your plan, do you plan to continue that program or to end it?

TRUMP: We're gonna show great heart, DACA is a very, very difficult subject for me, I will tell you. To me, it's one of the most difficult subjects I have because you have these incredible kids.

In many cases, not in all cases. And some of the cases, having DACA and they're gang members and they're drug dealers, too. But you have some absolutely, incredible kids, I would say mostly. They were brought here in such a way -- it's a very -- it's a very, very tough subject.

We're gonna deal with DACA with heart. I have to deal with a lot of politicians, don't forget and I have to convince them that what I'm saying is -- is right. And I appreciate your understanding on that.

But the DACA situation is a very, very -- it's a very difficult thing for me because you know, I love these kids, I love kids, I have kids and grandkids. And I find it very, very hard doing what the law says exactly to do and you know, the law is rough.

I'm not talking about new laws, I'm talking the existing law, is very rough, it's very, very rough. As far as the new order, the new order is going to be very much tailored to the what I consider to be a very bad decision.

But we can tailor the order to that decision and get just about everything, in some ways, more. But we're tailoring it now to the decision, we have some of the best lawyers in the country working on it.

And the new executive order, is being tailored to the decision we got down from the court. OK?

QUESTION: Mr. President...

(CROSSTALK) QUESTION: ...reopening of the White House Visitors Office?

TRUMP: Yes.

QUESTION: And she does a lot of great work for the country as well (ph). Can you talk a little bit about what's first for (ph) Melania Trump does for the country and (inaudible) so opening White House Visitors Office, what does that mean...

TRUMP: Now, that's what I call a nice question. That is very -- who are you with?

QUESTION: (OFF-MIKE)

TRUMP: Good, I'm gonna start watching, all right? Thank you very much. Melania's terrific, she was here last night, we had dinner with Senator Rubio and his wife who is by the way, lovely.

And we had a really good discussion about Cuba because we have very similar views on Cuba. And Cuba was very good to me in the Florida election, as you know the Cuban Americans. And I think that Melania's gonna be outstanding, that's right, she just opened up the visitors center, in other words, touring of the White House.

She, like others that she's working with, feel very, very strongly about women's issue, women's difficulties. Very, very strongly, she's a very, very strong advocate. I think she's a great representative for this country.

And a funny thing happens, because she gets -- she gets so unfairly -- Melania, the things they say. I've known her for a long time, she was a very successful person, she was a very successful model. She did really well.

She would go home at night and didn't even want to go out with people. She was a very private person. She was always the highest quality that you'll ever find. And the things they say -- I've known her for a long time -- the things they say are so unfair. And actually, she's been apologized to, as you know, by various media because they said things that were lies.

I'll just tell you this. I think she's going to be a fantastic first lady. She's going to be a tremendous representative of women and of the people. And helping her and working her will be Ivanka, who is a fabulous person and a fabulous, fabulous woman. And they're not doing this for money.

They're not doing this for pay, they're doing this because they feel it; both of them. And Melania goes back and forth and after Barron finishes school -- because it's hard to take a child out of school with a few months left -- she and Barron will be moving over to the White House. OK, thank you, that's a very nice question.

(CROSSTALK)

TRUMP: Go ahead. QUESTION: Mr. Trump?

TRUMP: Yes, oh, this is going to be a bad question, but that's OK.

QUESTION: It doesn't(ph) have(ph) to be a bad question.

TRUMP: Good, because I enjoy watching you on television. Go ahead.

QUESTION: Well, thank you so much. Mr. President, I need to find out from you, you said something as it relates to inner cities. That was one of your platforms during your campaign. Now you're --

TRUMP: Fix the inner cities.

QUESTION: -- president. Fixing the inner cities.

TRUMP: Yep.

QUESTION: What will be that fix and your urban agenda as well as your HBCU Executive Order that's coming out this afternoon? See, it wasn't bad, was it?

TRUMP: That was very professional and very good.

QUESTION: I'm very professional.

TRUMP: We'll be announcing the order in a little while and I'd rather let the order speak for itself. But it could be something that I think that will be very good for everybody concerned. But we'll talk to you about that after we do the announcement. As far as the inner cities, as you know, I was very strong on the inner cities during the campaign.

I think it's probably what got me a much higher percentage of the African American vote than a lot of people thought I was going to get. We did, you know, much higher than people thought I was going to get. And I was honored by that, including the Hispanic vote, which was also much higher.

And by the way, if I might add, including the women's vote, which was much higher than people thought I was going to get. So, we are going to be working very hard on the inner cities, having to do with education, having to do with crime. We're going to try and fix as quickly as possible -- you know, it takes a long time.

It's taken more a hundred years and more for some of these places to evolve and they evolved, many of them, very badly. But we're going to be working very hard on health and healthcare, very, very hard on education, and also we're going to be working in a stringent way, in a very good way, on crime.

You go to some of these inner city places and it's so sad when you look at the crime. You have people -- and I've seen this, and I've sort of witnessed it -- in fact, in two cases I have actually witnessed it. They lock themselves into apartments, petrified to even leave, in the middle of the day.

They're living in hell. We can't let that happen. So, we're going to be very, very strong. That's a great question and -- and it's a -- it's a very difficult situation because it's been many, many years. It's been festering for many, many years. But we have places in this country that we have to fix.

We have to help African American people that, for the most part, are stuck there. Hispanic American people. We have Hispanic American people that are in the inner cities and their living in hell. I mean, you look at the numbers in Chicago. There are two Chicagos, as you know.

There's one Chicago that's incredible, luxurious and all -- and safe. There's another Chicago that's worse than almost any of the places in the Middle East that we talk, and that you talk about, every night on the newscasts. So, we're going to do a lot of work on the inner cities.

I have great people lined up to help with the inner cities. OK?

QUESTION: Well, when you say the inner cities, are you going -- are you going to include the CBC, Mr. President, in your conversations with your -- your urban agenda, your inner city agenda, as well as --

TRUMP: Am I going to include who?

QUESTION: Are you going to include the Congressional Black Caucus and the Congressional --

TRUMP: Well, I would. I tell you what, do you want to set up the meeting?

QUESTION: -- Hispanic Caucus --

TRUMP: Do you want to set up the meeting?

QUESTION: No -- no -- no. I'm not --

TRUMP: Are they friends of yours?

QUESTION: I'm just a reporter.

TRUMP: Well, then(ph) set up the meeting.

QUESTION: I know some of them, but I'm sure they're watching right now.

TRUMP: Let's go set up a meeting. I would love to meet with the Black Caucus. I think it's great, the Congressional Black Caucus. I think it's great. I actually thought I had a meeting with Congressman Cummings and he was all excited. And then he said, well, I can't move, it might be bad for me politically. I can't have that meeting.

I was all set to have the meeting. You know, we called him and called him. And he was all set. I spoke to him on the phone, very nice guy.

QUESTION: I hear he wanted that meeting with you as well.

TRUMP: He wanted it, but we called, called, called and can't make a meeting with him. Every day I walk and say I would like to meet with him because I do want to solve the problem. But he probably was told by Schumer or somebody like that, some other lightweight. He was probably told - he was probably told "don't meet with Trump. It's bad politics."

And that's part of the problem in this country. OK, one more.

QUESTION: (inaudible)

TRUMP: No, no, one question. Two we can't handle. This room can't handle two. Go ahead, give me the better of your two.

QUESTION: (inaudible) ...not about your personality or your beliefs, talking about (inaudible), some of it by supporters in your name. What do you...

TRUMP: ...And some of it - can I be honest with you? And this has to do with racism and horrible things that are put up. Some of it written by our opponents. You do know that. Do you understand that? You don't think anybody would do a thing like that. Some of the signs you'll see are not put up by the people that love or like Donald Trump, they're put up by the other side and you think it's like playing it straight?

No. But you have some of those signs and some of that anger is caused by the other side. They'll do signs and they'll do drawings that are inappropriate. It won't be my people. It will be the people on the other side to anger people like you. OK.

(CROSSTALK)

TRUMP: Go ahead, go ahead.

QUESTION: You're the president now. What are you going to do about it?

TRUMP: Who is that? Where is that?

QUESTION: What are you going to do about - what are you going to do about (inaudible).

TRUMP: Oh, I'm working on it. I'm working on it very - no, no, look. Hey, just so you understand, we had a totally divided country for eight years and long before that. In all fairness to President Obama, long before President Obama we have had a very divided - I didn't come along and divide this country. This country was seriously divided before I got here.

We're going to work on it very hard. One of the questions I was asked, I thought it was a very good question was about the inner cities. I mean, that's part of it. But we're going to work on education, we're going to work on - you know, we're going to stop - we're going to try and stop the crime. We have great law enforcement officials, we're going to try and stop crime.

We're not going to try and stop, we're going to stop crime. But it's very important to me - but this isn't Donald Trump that divided a nation. We went eight years with President Obama and we went many years before President Obama. We lived in a divided nation. And I am going to try - I will do everything within my power to fix that. I want to thank everybody very much.

It's a great honor to be with you. Thank you. Thank you very much, thanks.



Trump vs. Obama: A rocky relationship



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Exhibit H

USA

Trump Signs New Travel Ban Order

Last Updated: March 06, 2017 11:35 PM William Gallo Victoria Macchi

WASHINGTON — U.S. President Donald Trump signed a new executive order Monday, barring travelers from six countries to the United States for three months, and all refugees for four months, after federal appeals judges blocked a similar order last month.

The new ban includes a grace period and will take effect on March 16. It will not affect legal permanent residents — those with green cards — or travelers who already had valid visas as of Jan. 27, 2017.

"This executive order is a vital measure for strengthening our national security," Secretary of State Rex Tillerson said at press conference announcing the new ban. "It is the president's solemn duty to protect the American people."

The rollout of the new security measures amounts to an acknowledgement by the Trump administration that its original travel ban, issued January 27, was flawed.

But critics immediately assailed the new order as merely making "cosmetic changes" to the original ban and argued that it still creates a religious test for entering the United States and will therefore not stand up to judicial scrutiny.

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In an attempt to ensure a smoother rollout of the travel ban and protect it from legal scrutiny, the new executive order differs from the old version in several key aspects.

Among the most notable changes is the exclusion of Iraqis from the list of suspended travelers. The new order bans nationals and citizens from Iran, Libya, Somalia, Sudan, Syria, and Yemen.

Monday's order also removes a provision indefinitely barring Syrian refugees from the U.S. Also removed is language giving preference to "religious minorities," a provision that had been widely seen as an attempt to follow through on Trump's promise to prioritize Christian refugees.

Iraq promises more cooperation

Iraq was removed from the list after officials there promised increased cooperation with U.S. officials regarding the vetting process, according to a senior official with the Department of Homeland Security (DHS), who spoke to reporters on a conference call.

Baghdad, a key ally in the U.S. fight against Islamic State militants, had complained when Iraq was included in the original travel ban.

"The close cooperative relationship between the United States and the democratically-elected Iraqi government, the strong U.S. diplomatic presence in Iraq, the significant presence of U.S. forces in Iraq, and Iraq's commitment to combat ISIS justify different treatment," said a Q&A sheet distributed by the Trump administration. ISIS is an acronym for Islamic State.

WATCH: Tillerson on removal of Iraq

Critics of the original order questioned whether the seven countries affected — all majority-Muslim — were targeted for religious reasons. The DHS official on Monday again denied those accusations, saying: "This is not a Muslim ban in any way, shape or form."

White House officials also stressed the temporary nature of the order, but suggested that the travel ban may be expanded after the 90 days expire and that other countries could be added to the list.

Reaction

Even with the changes, the bill is still likely to face legal challenges by groups that view the order as a partial fulfillment of Trump's campaign call for a "total and complete shutdown of Muslims entering the United States."

"Nothing substantive has changed," said Lavinia Limon, who heads the U.S. Committee for Refugees and Immigrants (USCRI). "It's around the edges, right? If this had come out a month ago, we would be outraged."

The American Civil Liberties Union, or ACLU, which filed successful legal challenges against the original order, also said the revised ban "has the same fatal flaws" as the original.

"These are again, simply cosmetic changes," said Ed Yohnka, the ACLU's Director of Communications and Public Policy. "This is still unconstitutional, this remains a religious test to enter the United States of America. This is something fundamentally that our nation has never permitted. And we will not permit it again."

"The only way to actually fix the Muslim ban is not to have a Muslim ban. Instead, President Trump has recommitted himself to religious discrimination, and he can expect continued disapproval from both the courts and the people," said Omar Jadwat, director of the ACLU's Immigrant Rights Project. "What's more, the changes the Trump administration has made, and everything we've learned since the original ban rolled out, completely undermine the bogus national security justifications the president has tried to hide behind and only strengthen the case against his unconstitutional executive orders."

White House: Ban needed to mitigate refugee risk

Administration officials, meanwhile, were walking a fine line between insisting the new order was different enough from the old measure to withstand legal challenges but similar enough so that it would still be effective.

"The principles of the executive order remain the same," said White House press secretary Sean Spicer, adding, "We continue to maintain the [original travel ban] order was fully lawful."

The Trump administration leans heavily on the rationale that refugees, as well as immigrants and travelers from certain countries, are a security risk to the United States; however, it has proffered little evidence of that risk.

White House officials on Monday released a memorandum saying that the FBI is carrying out "terrorism-related investigations" into approximately 300 individuals across the U.S. who were admitted as refugees. It is not clear whether those being investigated came from the list of banned countries, or how many have been charged with a crime.

When pushed for details, the senior DHS official declined further comment, saying only that the 300 people were being investigated for "potential terrorism-related activities" and that it was "truly an alarming number from all our perspectives."

Filippo Grandi, who heads the U.N.'s refugee agency, said the U.S. has long been a partner in finding solutions for refugees, but expressed concern about how the order will affect those fleeing violence and persecution.

"The imperative remains to provide protection from people fleeing deadly violence, and we are concerned that this decision, though temporary, may compound the anguish for those it affects," Grandi said.

*** Differences in executive orders restricting travel (click here to see)**

Smoother rollout?

Administration officials are promising a smoother rollout this time, insisting the White House has cooperated with DHS, the State Department, and the Justice Department on drafting and implementing the new executive order.

"We're going to have a very smooth implementation period," the senior DHS officials told reporters in a press call, adding that there will not be any "chaos, or alleged chaos" at airports.

WATCH: Kelly on vetting of refugees seeking to enter US

The original order was announced early on the evening of Jan. 27 — a Friday right when most federal employees were finishing their first full week of work under the new administration — creating confusion at international airports across the country.

Travelers from the seven countries — including legal permanent residents of the United States — were detained by U.S. Customs and Border Protection agents. Law enforcement didn't know what to do with the refugees mid-flight when the order came down that banned them, as well.

Still others were turned away at airports abroad, denied by airline officials who questioned the validity of their already-issued visas.

DHS Secretary John Kelly, who was confirmed by the Senate a week before the original executive order was issued, shouldered the blame for the bungled implementation of the original order.

"The thinking was to get it out quick so that potentially people that might be coming here to harm us would not take advantage of some period of time they could jump on an airplane and get here," he testified at a hearing of the House Homeland Security Committee on Feb. 7.

More than a dozen lawsuits were filed across the country challenging the January order. Federal appeals court judges ruled in February to suspend the order in support of the "free flow of travel," as well as "in avoiding separation of families, and in freedom from discrimination."

Trump's travel restrictions have not received broad public support. A poll released in late February by Pew Research Center showed that 59 percent of those surveyed opposed the ban, while 38 percent approved.

A CNN poll released Monday suggested that 55 percent of Americans disapprove of the way Trump has handled immigration issues, compared to 44 percent who approve. On national security issues, Americans were split, the poll found, with 50 percent approving and 49 percent disapproving.

WATCH: History of US Immigration Restrictions

Exhibit I



Inside the confusion of the Trump executive order and travel ban

By **Evan Perez**, **Pamela Brown** and **Kevin Liptak**, **CNN**

🕒 Updated 11:29 AM ET, Mon January 30, 2017

Story highlights

Trump's unilateral moves reflect the President's desire to quickly make good on his campaign promises

But they also encapsulate the pitfalls of an administration largely operated by officials with scant federal experience

The White House overruled DHS regarding allowing green card holders to enter the country

Trump's immigration order: Which countries are affected?

- Iran
- Iraq
- Syria
- Sudan
- Libya
- Yemen
- Somalia

Washington (CNN) — When President Donald Trump declared at the Pentagon Friday he was enacting strict new measures to prevent domestic terror attacks, there were few within his government who knew exactly what he meant.

Administration officials weren't immediately sure which countries' citizens would be barred from entering the United States. The Department of Homeland Security was left making a legal analysis on the order after Trump signed it. A Border Patrol agent, confronted with arriving refugees, referred questions only to the President himself, according to court filings.

Saturday night, a federal judge granted an emergency stay for citizens of the affected countries who had already arrived in the US and those who are in transit and hold valid visas, ruling they can legally enter the US.

Trump's unilateral moves, which have drawn the ire of human rights groups and prompted protests at US airports, reflect the President's desire to quickly make good on his campaign promises. But they also encapsulate the pitfalls of an administration largely operated by officials with scant federal experience.

It wasn't until Friday -- the day Trump signed the order banning travel from seven Muslim-majority countries for 90 days and suspending all refugee admission for 120 days -- that career homeland



Related Article: More protests against Trump's immigration policies planned

The ban and its impact

- [What we know so far](#)
- [What it's like in the 7 impacted countries](#)
- [How the countries were chosen](#)
- [What the ban says: The full text](#)
- [What to know about the restrictions](#)
- [Is the ban legal?](#)
- [These are the people directly impacted](#)
- [The ban's Christian focus](#)
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- [Comparing Trump to previous presidents](#)



security staff were allowed to see the final details of the order, a person familiar with the matter said.

The result was widespread confusion across the country on Saturday as airports struggled to adjust to the new directives. In New York, two Iraqi nationals sued the federal government after they were detained at John F. Kennedy International Airport, and 10 others were detained as well.

In Philadelphia, a Syrian family of six who had a visa through a family connection in the US was placed on a return flight to Doha, Qatar, and Department of Homeland Security officials said others who were in the air would be detained upon arrival and put back on a plane to their home country.

Asked during a photo opportunity in the Oval Office Saturday afternoon about the rollout, Trump said his government was "totally prepared."

"It's working out very nicely," Trump told reporters. "You see it at the airports. You see it all over. It's working out very nicely and we're going to have a very, very strict ban, and we're going to have extreme vetting, which we should have had in this country for many years."

The policy team at the White House developed the executive order on refugees and visas, and largely avoided the traditional interagency process that would have allowed the Justice Department and homeland security agencies to provide operational guidance, according to numerous officials who spoke to CNN on Saturday.

Homeland Security Secretary John Kelly and Department of Homeland Security leadership saw the final details shortly before the order was finalized, government officials said.

Friday night, DHS arrived at the legal interpretation that the executive order restrictions applying to seven countries -- Iran, Iraq, Libya, Somalia, Syria, Sudan and Yemen -- did not apply to people with lawful permanent residence, generally referred to as green card holders.

The White House overruled that guidance overnight, according to officials familiar with the rollout. That order came from the President's inner circle, led by Stephen Miller and Steve Bannon.

Related Article: Trump's immigration ban sends shockwaves



Related Video: Travel ban affects citizens of 7 Muslim-majority nations 02:26



Related Video: Iran says it will ban US citizens 02:16



A source said the creation of the executive order did not follow the standard agency review process that's typically overseen by the National Security Council.

Their decision held that, on a case by case basis, DHS could allow green card holders to enter the US.

There had been some debate whether green card holders should be even allowed to board international flights. It was decided by the Department of Homeland Security they could fly to the US and would be considered on a case-by-case basis after passing a secondary screening.

But the guidance sent to airlines on Friday night, obtained by CNN, said clearly, "lawful permanent residents are not included and may continue to travel to the USA."

As of Saturday afternoon, Customs and Border Protection continued to issue the same guidance to airlines as it did Friday, telling airlines that fly to the US that green card holders can board planes to the US but they may get extra scrutiny on arrival, according to an airline official.

Before the President issued the order, the White House did not seek the legal guidance of the Office of Legal Counsel, the Justice Department office that interprets the law for the executive branch, according to a source familiar with the process.

White House officials disputed that Sunday morning, saying that OLC signed off and agency review was performed.



Related Video: Trump: Travel ban working out very nicely 01:07

and that people at the State Department and DHS who were involved in the process were able to make decisions about who to talk and inform about this.

Executive orders: Read more

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- [Will the orders and actions stick?](#)
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- [What Trump can and cannot do](#)
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Separately, a person familiar with the matter said career officials in charge of enforcing the executive order were not fully briefed on the specifics until Friday. The officials were caught off guard by some of the specifics and raised questions about how to handle the new banned passengers on US-bound planes.

Regarding the green card holders and some of the confusion about whether they were impacted, the person familiar with the matter said if career officials had known more about the executive order earlier, some of the confusion could have been avoided and a better plan could be in place.

Administration officials also defended the process Saturday. They said the people who needed to be briefed ahead of time on the plane were briefed

Bannon and Miller were running point on this order and giving directives regarding green cards, according to a Republican close to the White House.

But even after the Friday afternoon announcement, administration officials at the White House took several hours to produce text of the action until several hours after it was signed. Adviser Kellyanne Conway even said at one point it was not going to be released before eventually it did get sent out.

Administration officials also seemed unsure at first who was covered in the action, and a list of impacted countries was only produced later on Friday night, hours after the President signed the document at the Pentagon.

This story has been updated to include the White House's response on the issue of Justice Department review.

CNN's Rene Marsh and Athena Jones contributed to this report.





Trump vs. Obama: A rocky relationship



Schwarzenegger's theory
on Donald Trump
Cummings, Trump find
common ground on need
for drug pricing reforms

It took FOIA for Park
Service to release photos
of Obama, Trump...

Exhibit J

U.S.

Judge Blocks Trump Order on Refugees Amid Chaos and Outcry Worldwide

By MICHAEL D. SHEAR, NICHOLAS KULISH and ALAN FEUER JAN. 28, 2017

WASHINGTON — A federal judge in Brooklyn came to the aid of scores of refugees and others who were trapped at airports across the United States on Saturday after an executive order signed by President Trump, which sought to keep many foreigners from entering the country, led to chaotic scenes across the globe.

The judge's ruling blocked part of the president's actions, preventing the government from deporting some arrivals who found themselves ensnared by the presidential order. But it stopped short of letting them into the country or issuing a broader ruling on the constitutionality of Mr. Trump's actions.

The high-stakes legal case played out on Saturday amid global turmoil, as the executive order signed by the president slammed shut the borders of the United States for an Iranian scientist headed to a lab in Massachusetts, a Syrian refugee family headed to a new life in Ohio and countless others across the world.

The president's order, enacted with the stroke of a pen at 4:42 p.m. Friday, suspended entry of all refugees to the United States for 120 days, barred Syrian refugees indefinitely, and blocked entry into the United States for 90 days for citizens of seven predominantly Muslim countries: Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen.

The Department of Homeland Security said that the order also barred green card holders from the 8 countries from re-entering the United States. In a briefing for

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reporters, White House officials said that green card holders from the seven affected countries who are outside the United States would need a case-by-case waiver to return.

Mr. Trump — in office just a week — found himself accused of constitutional and legal overreach by two Iraqi immigrants, defended by the American Civil Liberties Union. Meanwhile, large crowds of protesters turned out at airports around the country to denounce Mr. Trump's ban on the entry of refugees and people from seven predominantly Muslim countries.

Lawyers who sued the government to block the White House order said the judge's decision could affect an estimated 100 to 200 people who were detained upon arrival at American airports.

Judge Ann M. Donnelly of Federal District Court in Brooklyn, who was nominated by former President Barack Obama, ruled just before 9 p.m. that implementing Mr. Trump's order by sending the travelers home could cause them "irreparable harm." She said the government was "enjoined and restrained from, in any manner and by any means, removing individuals" who had arrived in the United States with valid visas or refugee status.

The ruling does not appear to force the administration to let in people otherwise blocked by Mr. Trump's order who have not yet traveled to the United States.

The judge's one-page ruling came swiftly after lawyers for the A.C.L.U. testified in her courtroom that one of the people detained at an airport was being put on a plane to be deported back to Syria at that very moment. A government lawyer, Gisela A. Westwater, who spoke to the court by phone from Washington, said she simply did not know.

Hundreds of people waited outside of the courthouse chanting, "Set them free!" as lawyers made their case. When the crowd learned that Judge Donnelly had ruled in favor of the plaintiffs, a rousing cheer went up in the crowd.

Minutes after the judge's ruling in New York City, another judge, Leonie M. Brinkema of Federal District Court in Virginia, issued a temporary restraining order

8
ARTICLES REMAINING

for a week to block the removal of any green card holders being detained at Dulles International Airport.

In a statement released early Sunday morning, the Department of Homeland Security said it would continue to enforce all of the president's executive orders, even while complying with judicial decisions. "Prohibited travel will remain prohibited," the department said in a statement, adding that the directive was "a first step towards re-establishing control over America's borders and national security."

Around the nation, security personnel at major international airports had new rules to follow, though the application of the order appeared chaotic and uneven. Humanitarian organizations delivered the bad news to overseas families that had overcome the bureaucratic hurdles previously in place and were set to travel. And refugees already on flights when the order was signed on Friday found themselves detained upon arrival.

"We've gotten reports of people being detained all over the country," said Becca Heller, the director of the International Refugee Assistance Project. "They're literally pouring in by the minute."

Earlier in the day, at the White House, Mr. Trump shrugged off the sense of anxiety and disarray, suggesting that there had been an orderly rollout. "It's not a Muslim ban, but we were totally prepared," he said. "It's working out very nicely. You see it at the airports, you see it all over."

But to many, the government hardly seemed prepared for the upheaval that Mr. Trump's actions put into motion.

There were numerous reports of students attending American universities who were blocked from returning to the United States from visits abroad. One student said in a Twitter post that he would be unable to study at Yale. Another who attends the Massachusetts Institute of Technology was refused permission to board a plane. A Sudanese graduate student at Stanford University was blocked for hours from entering the country.

Human rights groups reported that legal permanent residents of the United States who hold green cards were being stopped in foreign airports as they sought to return from funerals, vacations or study abroad. There was widespread condemnation of the order, from religious leaders, business executives, academics, political leaders and others. Mr. Trump's supporters offered praise, calling it a necessary step on behalf of the nation's security.

Homeland Security officials said on Saturday night that 109 people who were already in transit to the United States when the order was signed were denied access; 173 were stopped before boarding planes heading to America. Eighty-one people who were stopped were eventually given waivers to enter the United States, officials said.

Legal residents who have a green card and are currently in the United States should meet with a consular officer before leaving the country, a White House official, who spoke on the condition of anonymity, told reporters. Officials did not clarify the criteria that would qualify someone for a waiver, other than that it would be granted "in the national interest."

But the week-old administration appeared to be implementing the order chaotically, with agencies and officials around the globe interpreting it in different ways.

The Stanford student, Nisrin Omer, a legal permanent resident, said she was held at Kennedy International Airport in New York for about five hours but was eventually allowed to leave the airport. Others who were detained appeared to be still in custody or sent back to their home countries.

White House aides claimed on Saturday that there had been consultations with State Department and homeland security officials about carrying out the order. "Everyone who needed to know was informed," one aide said.

But that assertion was denied by multiple officials with knowledge of the interactions, including two officials at the State Department. Leaders of Customs and Border Protection and of Citizenship and Immigration Services — the two agencies

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most directly affected by the order — were on a telephone briefing on the new policy even as Mr. Trump signed it on Friday, two officials said.

The A.C.L.U.'s legal case began with two Iraqis detained at Kennedy Airport, the named plaintiffs in the case. One was en route to reunite with his wife and son in Texas. The other had served alongside Americans in Iraq for a decade.

Shortly after noon on Saturday, Hameed Khalid Darweesh, an interpreter who worked for more than a decade on behalf of the United States government in Iraq, was released. After nearly 19 hours of detention, Mr. Darweesh began to cry as he spoke to reporters, putting his hands behind his back and miming handcuffs.

“What I do for this country? They put the cuffs on,” Mr. Darweesh said. “You know how many soldiers I touch by this hand?”

The other man the lawyers are representing, Haider Sameer Abdulkhaleq Alshawi, who was en route to Houston, was released Saturday night.

Before the two men were released, one of the lawyers, Mark Doss, a supervising attorney at the International Refugee Assistance Project, asked an official, “Who is the person we need to talk to?”

“Call Mr. Trump,” said the official, who declined to identify himself.

While the judge's ruling means that none of the detainees will be sent back immediately, lawyers for the plaintiffs in the case expressed concern that all those at the airports would now be put in detention, pending a resolution of the case.

The White House said the restrictions would protect “the United States from foreign nationals entering from countries compromised by terrorism” and allow the administration time to put in place “a more rigorous vetting process.” But critics condemned Mr. Trump over the collateral damage on people who had no sinister intentions in trying to come to the United States.

Peaceful protests began forming Saturday afternoon at Kennedy Airport, where nine travelers had been detained upon arrival at Terminal 7 and two others at

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Terminal 4, an airport official said. Similar scenes were playing out at other airports across the nation.

An official message to all American diplomatic posts around the world provided instructions about how to treat people from the countries affected: “Effective immediately, halt interviewing and cease issuance and printing” of visas to the United States.

Internationally, confusion turned to panic as travelers found themselves unable to board flights bound for the United States. In Dubai and Istanbul, airport and immigration officials turned passengers away at boarding gates and, in at least one case, ejected a family from a flight it had boarded.

Seyed Soheil Saeedi Saravi, a promising young Iranian scientist, had been scheduled to travel in the coming days to Boston, where he had been awarded a fellowship to study cardiovascular medicine at Harvard, according to Thomas Michel, the professor who was to supervise the research fellowship.

But Professor Michel said the visas for the student and his wife had been indefinitely suspended.

“This outstanding young scientist has enormous potential to make contributions that will improve our understanding of heart disease, and he has already been thoroughly vetted,” Professor Michel wrote to The New York Times.

A Syrian family of six who have been living in a Turkish refugee camp since fleeing their home in 2014 had been scheduled to arrive on Tuesday in Cleveland. Instead, the family’s trip has been called off.

“Everyone is just so heartbroken, so angry, so sad,” said Danielle Drake, the community manager for US Together, an agency that resettles refugees.

A Christian family of six from Syria said in an email to Representative Charlie Dent, Republican of Pennsylvania, that they were being detained on Saturday morning at Philadelphia International Airport despite having legal paperwork, green cards and visas that had been approved.

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In the case of the two Iraqis held at Kennedy Airport, the legal filings by his lawyers say that Mr. Darweesh was granted a special immigrant visa on Jan. 20, the same day Mr. Trump was sworn in as president.

A husband and father of three, Mr. Darweesh arrived at Kennedy Airport with his family. Mr. Darweesh's wife and children made it through passport control and customs, but agents of Customs and Border Protection detained him.

In Istanbul, during a stopover on Saturday, passengers reported that security officers had entered a plane after everyone had boarded and ordered a young Iranian woman and her family to leave the aircraft.

Iranian green card holders who live in the United States were blindsided by the decree while on vacation in Iran, finding themselves in a legal limbo and unsure whether they would be able to return to America.

"How do I get back home now?" said Daria Zeynalia, a green card holder who was visiting family in Iran. He had rented a house and leased a car, and would be eligible for citizenship in November. "What about my job? If I can't go back soon, I'll lose everything."

Michael D. Shear reported from Washington, and Nicholas Kulish and Alan Feuer from New York. Reporting was contributed by Mark Mazzetti, Matthew Rosenberg, Ron Nixon and Adam Liptak from Washington; Thomas Erdbrink from Tehran; Manny Fernandez from Houston; Julie Bosman from Chicago; and Liam Stack, Russell Goldman, Joe Goldstein, Liz Robbins, Stephanie Saul and Sean Piccoli from New York.

A version of this article appears in print on January 29, 2017, on Page A1 of the New York edition with the headline: Judge Blocks Trump Order On Refugees.

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Exhibit K

MENU

LAWFARE



REFUGEES

Malevolence Tempered by Incompetence: Trump's Horrifying Executive Order on Refugees and Visas

By **Benjamin Wittes** Saturday, January 28, 2017, 10:58 PM

Omphalos: Middle East Conflict in Perspective

The malevolence of President Trump's Executive Order on visas and refugees is mitigated chiefly—and perhaps only—by the astonishing incompetence of its drafting and construction.

NBC is reporting that the document was not reviewed by DHS, the Justice Department, the State Department, or the Department of Defense, and that National Security Council lawyers were prevented from evaluating it. Moreover, the *New York Times* writes that Customs and Border Protection and U.S. Citizen and Immigration Services, the agencies tasked with carrying out the policy, were only given a briefing call while Trump was actually signing the order itself. Yesterday, the Department of Justice gave a “no comment” when asked whether the Office of Legal Counsel had reviewed Trump's executive orders—including the order at hand. (OLC normally reviews every executive order.)

This order reads to me, frankly, as though it was not reviewed by competent counsel at all.

CNN offers extraordinary details:

Administration officials weren't immediately sure which countries' citizens would be barred from entering the United States. The Department of Homeland Security was left making a legal analysis on the order after Trump signed it. A Border Patrol agent, confronted with arriving refugees, referred questions only to the President himself, according to court filings.

...

It wasn't until Friday -- the day Trump signed the order banning travel from seven Muslim-majority countries for 90 days and suspending all refugee admission for 120 days -- that career homeland security staff were allowed to see the final details of the order, a person with the familiar the matter said.

...

The policy team at the White House developed the executive order on refugees and visas, and largely avoided the traditional interagency process that would have allowed the Justice Department and homeland security agencies to provide operational guidance, according to numerous officials who spoke to CNN on Saturday.

Homeland Security Secretary John Kelly and Department of Homeland Security leadership saw the final details shortly before the order was finalized, government officials said.

Friday night, DHS arrived at the legal interpretation that the executive order restrictions applying to seven countries -- Iran, Iraq, Libya, Somalia, Syria, Sudan and Yemen -- did not apply to people who with lawful permanent residence, generally referred to as green card holders.

The White House overruled that guidance overnight, according to officials familiar with the rollout. That order came from the President's inner circle, led by Stephen Miller and Steve Bannon. Their decision held that, on a case by case basis, DHS could allow green card holders to enter the US.

As I shall explain, in the short term, the incompetence is actually good news for people who believe in visa and refugee policies based on criteria other than—let's not be coy about this—bigotry and religious discrimination. The President has

created a target-rich environment for litigation that will make his policies, I suspect, less effective than they would have been had he subjected his order to vetting one percent as extreme as the vetting to which he proposes to subject refugees from Bashar al-Assad and the bombing raids of Vladimir Putin.

Indeed, even as I write these words, the ACLU has already succeeded in petitioning a federal court for a class-wide stay of deportations of immigrants and refugees trapped in airports by Trump's order. And a federal judge in Virginia has issued a temporary restraining order preventing the removal of green card holders detained in Dulles International Airport and requiring that these legal residents of the United States have access to counsel.

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In the broader sense, however, it is most emphatically not good news to have a White House that just makes decisions with no serious thought or interagency input into what those decisions might mean. In fact, it's really dangerous.

Let's start with the malevolence of the document, which Amira Mikhail summarized and Adham Sahloul analyzed earlier today. I don't use the word "malevolence" here lightly. As readers of my work know, I believe in strong counterterrorism powers. I defend non-criminal detention. I've got no problem with drone strikes. I'm positively enthusiastic about American surveillance policies. I was much less offended than others were by the CIA's interrogations in the years after September 11. I have defended military commissions.

Some of these policies were effective; some were not. Some worked out better than others. And I don't mean to relitigate any of those questions here. My sole point is that all of these policies were conceptualized and designed and implemented by people who were earnestly trying to protect the country from very real threats. And the policies were, to a one, proximately related to important goals in the effort. While some of these policies proved tragically misguided and caused great harm to innocent people, *none of them was designed or intended to be cruel to vulnerable,*

concededly innocent people. Even the CIA's interrogation program, after all, was deployed against people the agency believed (mostly correctly) to be senior terrorists of the most dangerous sort and to garner information from them that would prevent attacks.

I actually cannot say that about Trump's new executive order—and neither can anyone else.

Here's how the order describes its purpose:

Section 1. Purpose. The visa-issuance process plays a crucial role in detecting individuals with terrorist ties and stopping them from entering the United States. Perhaps in no instance was that more apparent than the terrorist attacks of September 11, 2001, when State Department policy prevented consular officers from properly scrutinizing the visa applications of several of the 19 foreign nationals who went on to murder nearly 3,000 Americans. And while the visa-issuance process was reviewed and amended after the September 11 attacks to better detect would-be terrorists from receiving visas, these measures did not stop attacks by foreign nationals who were admitted to the United States.

Numerous foreign-born individuals have been convicted or implicated in terrorism-related crimes since September 11, 2001, including foreign nationals who entered the United States after receiving visitor, student, or employment visas, or who entered through the United States refugee resettlement program. Deteriorating conditions in certain countries due to war, strife, disaster, and civil unrest increase the likelihood that terrorists will use any means possible to enter the United States. The United States must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism.

In order to protect Americans, the United States must ensure that those admitted to this country do not bear hostile attitudes toward it and its founding principles. The United States cannot, and should not, admit those who do not support the Constitution, or those who would place violent ideologies over American law. In addition, the United States should not admit those who engage in acts of bigotry or hatred (including "honor" killings, other forms of violence against women, or the persecution of those who practice religions different from their own) or those who would oppress Americans of any race, gender, or sexual orientation.

Color me skeptical that this is the real purpose. After all, if this is the real purpose, then the document is both wildly over-inclusive and wildly under-inclusive. On the over-inclusive side, it will keep tens of thousands of innocent refugees who have been subject to unspeakable violence outside of the protection of the United States

on the vanishingly small chance that these people might be terrorists—indeed, to make it impossible for them *even to apply* for refugee admission if they are Syrian. It will prevent untold numbers of people about whom there is no whiff of suspicion from coming here as students, as professionals, as tourists. It overtly treats members of a particular religion differently from other people.

On the underinclusive side, the order wouldn't have blocked the entry of many of the people responsible for the worst recent terrorist attacks. There is, in fact, simply no rational relationship between cutting off visits from the particular countries that Trump targets (Muslim countries that don't happen to be close U.S. allies) and any expected counterterrorism goods. The 9/11 hijackers, after all, didn't come from Somalia or Syria or Iran; they came from Saudi Arabia and Egypt and a few other countries not affected by the order. Of the San Bernardino attackers (both of Pakistani origin, one a U.S. citizen and the other a lawful permanent resident), the Orlando shooter (a U.S. citizen whose parents were born in Afghanistan), and the Boston marathon bombers (one a naturalized U.S. citizen, one a green card holder who arrived in Massachusetts from Kyrgyzstan), none came from countries listed in the order. One might argue, I suppose, that the document is tied to current threats. But come now, how could Pakistan *not* be on a list guided by current threat perception?

What's more, the document also takes steps that strike me as utterly orthogonal to any relevant security interest. If the purpose of the order is the one it describes, for example, I can think of no good reason to burden the lives of students individually suspected of nothing who are here lawfully and just happen to be temporarily overseas, or to detain tourists and refugees who were mid-flight when the order came down. I have trouble imagining any reason to raise questions about whether green card holders who have lived here for years can leave the country and then return. Yes, it's temporary, and that may lessen the costs (or it may not, depending on the outcome of the policy review the order mandates), but temporarily irrational is still irrational.

Put simply, I don't believe that the stated purpose is the real purpose. This is the first policy the United States has adopted in the post-9/11 era about which I have ever said this. It's a grave charge, I know, and I'm not making it lightly. But in the rational pursuit of security objectives, you don't marginalize your expert security

agencies and fail to vet your ideas through a normal interagency process. You don't target the wrong people in nutty ways when you're rationally pursuing real security objectives.

When do you do these things? You do these things when you're elevating the symbolic politics of bashing Islam over any actual security interest. You do them when you've made a deliberate decision to burden human lives to make a public point. In other words, this is not a document that will cause hardship and misery because of regrettable incidental impacts on people injured in the pursuit of a public good. It will cause hardship and misery for tens or hundreds of thousands of people *because that is precisely what it is intended to do*.

To be sure, the executive order does not say anything as crass as: "Sec. 14. Burdening Muslim Lives to Make Political Point." It doesn't need to. There's simply no reason in reading it to ignore everything Trump said during the campaign, during which he repeatedly called for a ban on Muslims entering the United States.

Even while he was preparing to sign the order itself, he declared, "This is the 'Protection of the Nation from Foreign Terrorist Entry into the United States.' We all know what that means." Indeed, we do. This document is the implementation of a campaign promise to keep out Muslims moderated only by the fact that certain allied Muslim countries are left out because the diplomatic repercussions of including them would be too detrimental.

Many years ago, the great constitutional law scholar Charles Black Jr., contemplating the separate but equal doctrine, asked:

does segregation offend against equality? Equality, like all general concepts, has marginal areas where philosophic difficulties are encountered. But if a whole race of people finds itself confined within a system which is set up and continued for the very purpose of keeping it in an inferior station, and if the question is then solemnly propounded whether such a race is being treated "equally," I think we ought to exercise one of the sovereign prerogatives of philosophers—that of laughter.

I think we can, without drawing any kind of equivalence between this order and Jim Crow, make a similar point here: Is this document a reasonable security measure? There are many areas in which security policy affects innocent lives but within which we do not presumptively say that the fact that some group of people faces disproportionate burdens renders that policy illegitimate. But if an entire religious grouping finds itself irrationally excluded from the country for no discernible security benefit following a lengthy campaign that overtly promised precisely such discrimination and exactly this sort of exclusion, if the relevant security agencies are excluded from the policy process, and if the question is then solemnly propounded whether the reasonable pursuit of security is the purpose, I think we ought to exercise one of the sovereign prerogatives of philosophers—that of laughter.

So yes, the order is malevolent. But here's the thing: Many of these malevolent objectives were certainly achievable within the president's lawful authority. The president's power over refugee admissions is vast. His power to restrict visa issuances and entry of aliens to the United States is almost as wide. If the National Security Council had run a process of minimal competence, it could certainly have done a lot of stuff that folks like me, who care about refugees, would have gnashed our teeth over but which would have been solidly within the President's authority. It could have all been implemented in a fashion that didn't create endless litigation opportunities and didn't cause enormous diplomatic friction.

How incompetent is this order? An immigration lawyer who works for the federal government wrote me today describing the quality of the work as "look[ing] like what an intern came up with over a lunch hour. . . . My take is that it is so poorly written that it's hard to tell the impact." One of the reasons there's so much chaos going on right now, in fact, is that nobody really knows what the order means on important points.

Some examples:

- Sec. 3(c) bans "entry"—which to the best of my knowledge has had no meaning in the Immigration and Nationality Act (INA) since the passage of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) in 1996. Pre-IIRIRA law did use the term "entry," but that is no longer the case.
- Section 3(g) talks of waivers on a case-by-case basis for people who are otherwise denied visas or other benefits under the immigration laws pursuant to the order. If a person needs a waiver to obtain "other benefits," does that

mean that nationals of the seven countries are denied *any* benefit under the INA without a waiver, benefits such as naturalization, adjustment of status, or temporary protected status, even if they are already in the US?

- On its face, the order bars entry of both immigrants and non-immigrants. Again, as entry is not defined, and no one was given any time to draft implementing guidance or to clarify any points, it's no surprise that Customs and Border Protection doesn't seem to know how to apply it to lawful permanent residents (LPRs). The INA, at section 101(a)(13)(C), says that green card holders will not be deemed as seeking admission absent the factors enumerated therein—factors that do not include an executive order banning entry. Yet Reuters and The Guardian are both reporting quotations from a DHS public relations official, stating that the order *does* apply to LPRs. If that interpretation lasts, look for DHS to get its ass handed to it on a platter in federal court—a defeat it will richly deserve.
- Another big mystery is how the order will apply to asylees. Will people even be allowed to apply? On the one hand, the right to seek asylum is right there in the INA. But to apply for asylum, you have to be interviewed by a U.S. Citizen and Immigration Services officer to determine if you have a credible fear of persecution. Is that interview a benefit under the act? And if so, is it barred? From what I hear, right now anyway, Customs and Border Protection is not allowing anyone to claim asylum and have a credible fear interview.

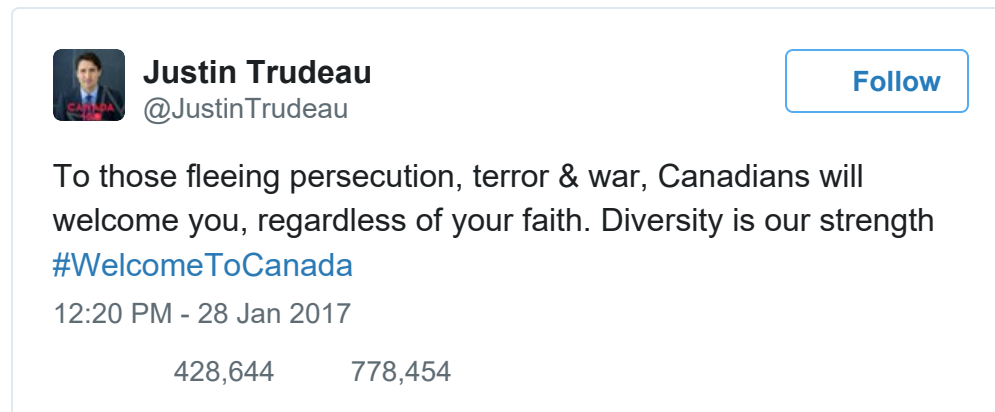
I could go on, but you get the point. This order is a giant birthday present to the ACLU and other immigration litigators. And godspeed to them in going after it—which, as I noted above, they are already succeeding in doing.

But the incompetence actually does not stop at running a process that causes legal chaos and probable manhandling by the federal courts.

Consider, for example, the likely diplomatic fallout. In his first week in office, Trump has managed to create a major rift with Mexico, our peaceable neighbor to the south with whom we have no earthly reason to be spatting and haven't had bilateral problem this serious since Pancho Villa. Trump's new order seems certain to raise tensions with other countries too—and not just the countries whose nationals it targets (Iran, for example, which today restricted travel by U.S. nationals in retaliation; a great many U.S. citizens have family in Iran and now can't visit them).

Because the order applies to dual nationals, where a person is a citizen of one restricted country and one non-restricted country, it appears to bar entry to hundreds of thousands of citizens of the U.K. and Canada—including a British Member of Parliament and a Canadian-Iranian consultant who lives in the United States but now can no longer safely travel to her business’s headquarters in Toronto without being blocked from reentry. British Prime Minister Theresa May wasn’t showing a lot of spine today over the matter, but what happens when she starts getting political blowback at home for the not standing up to the U.S. over its treatment of her nationals?

And Canadian Prime Minister Justin Trudeau is already making noise. He tweeted today:



In some ways, the most stunning incompetence in the document appears in one of the least discussed sections: The section at the end that mandates reporting on the nefarious terrorist activities of foreigners in the United States. This section requires regular reports from DHS on terrorism-related offenses by foreign nationals, and gender-based violence and honor killings by foreign nationals (because remember, Mexico sends us their rapists and Muslims all kill their daughters when they date Americans).

The White House appears to have included this section because the Trumpists think it will show that large numbers of foreigners are coming to the United States and committing acts of terrorism here. But that is delusional, and the data will not show that—as I suspect someone at DHS would have pointed out had they had the chance. Here’s *Politifact* summarizing the extant data on the citizenship status of the authors of terrorist attacks in the United States:

The New America Foundation, a Washington think tank that promotes data-driven research for social and economic policy, did an analysis of "homegrown extremism" since 2000. The foundation compiled data on 499 extremists, who either adhered to jihadist ideology inspired by al-Qaida or were motivated by right- or left-wing political beliefs. This database includes attacks as well as those accused of terrorism-related offenses, such as plotting attacks or fundraising.

New America found that about 64 percent of the extremists were U.S.-born citizens and 80 percent were either American-born or naturalized citizens. The database shows eight out of 499 extremists were illegal residents; all eight were jihadists.

A New York Times analysis cited by many experts we interviewed found that half of the jihadist attacks since 2001 were committed by men born in the United States. Many others were naturalized citizens. Some were noncitizens but were traveling legally, such as Richard Reid, the attempted shoe bomber in Miami in 2001, who didn't need a visa because he was from Britain.

Overall, databases of terrorist acts in the United States show that many were committed by Americans or naturalized citizens, though some high-profile incidents have involved legal immigrants.

"Empirically, domestic terrorism is carried out by citizens—not immigrants—with right-wing terrorism, racial hate crimes, and the sovereign-citizen movement making up a majority of domestic terrorist incidents," said Joel Day, assistant professor of security and global studies at the University of Massachusetts Lowell. "Other domestic incidents have indeed been carried out by those who came here through legal channels."

In other words, the executive order sets up a reporting mechanism that will almost certainly falsify its own premise.

I would wax triumphant about the mitigating effect of incompetence on this document, but alas, I can't do it. The president's powers in this area are vast, as I say, and while the incompetence is likely to buy the administration a world of hurt in court and in diplomacy in the short term, this order is still going to take more than a few pounds of flesh out of a lot of innocent people.

Moreover, it's a very dangerous thing to have a White House that can't with the remotest pretense of competence and governance put together a major policy document on a crucial set of national security issues without inducing an avalanche of litigation and wide diplomatic fallout. If the incompetence mitigates the malevolence in this case, that'll be a blessing. But given the nature of the federal immigration powers, the mitigation may be small and the blessing short-lived; the implications of having an executive this inept are not small and won't be short-lived.

Topics: [Donald Trump](#), [Omphalos](#), [Refugees](#)



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Exhibit L



Kelly: There are '13 or 14' more countries with questionable vetting procedures



By **Daniella Diaz**, CNN

Updated 2:09 AM ET, Tue March 7, 2017



Source: CNN

Kelly says more countries have vetting issues 01:08

Story highlights

Trump signed a new executive order that bans immigration from six Muslim-majority countries

Kelly says the ban is not a Muslim ban

Revised US travel ban

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- [Will this impact the court cases?](#)
- [Travel ban: Read the full executive order](#)
- [Instant backlash to new travel ban](#)
- [This time around, ban offers wiggle room](#)

Washington (CNN) — Secretary of Homeland Security John Kelly said that apart from the six countries listed on Monday's travel ban, there are "13 or 14" other countries that also have questionable vetting procedures.

Kelly didn't name any of the additional countries the administration is concerned about and acknowledged he doesn't expect the list of countries subject to the travel ban will grow.

"There will probably be other countries we will look at," he told CNN's Wolf Blitzer on "The Situation Room." "I don't believe the list will be expanded, but there are countries out there that we will ask, like Iraq has done ... to cooperate with us better, to get us the information we need to safeguard the country."

He continued: "There's a number of them out there, I don't want to speculate. There's probably 13 or 14 countries, not all of them Muslim countries, not all of them in the Middle East, that have questionable vetting procedures we can rely on. And if we overlay additional vetting procedures, the chances are these countries will be minimum citizens from those countries that visit our country."

President Donald Trump on Monday signed a new executive order that bans immigration from six Muslim-majority countries, dropping Iraq from January's previous order and reinstates a temporary blanket ban on all refugees. Iraq was removed from a revised version of an executive order banning travel from certain Muslim-majority countries after intensive lobbying from the Iraqi government at the highest levels, a senior US official told CNN Monday.

[President Donald Trump signs new travel ban, exempts Iraq](#)

The new measures will block citizens of Syria, Iran, Libya, Somalia, Sudan and Yemen from obtaining visas for at least 90 days.

The new ban, which will be implemented March 16, comes six weeks after Trump's original executive order caused chaos at airports nationwide before it was blocked by federal courts.



The ban removes language in the original order that indefinitely banned Syrian refugees and called for prioritizing the admission of refugees who are religious minorities in their home countries.

Kelly told Blitzer that the ban is not a "Muslim ban," which is what it's being called by critics of the executive order.

"Three of the six (countries in the travel ban) now are designated as terrorism supporters," Kelly said. "We can't rely on those governments ... It's not a Muslim ban ... there are 51 overwhelmingly Muslim countries."

Related Video: Trump signs revised travel ban, Iraq is exempt 03:12



Trump vs. Obama: A rocky relationship




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Exhibit M

The New York Times |

U.S.

F.B.I. Casts Wide Net Under Relaxed Rules for Terror Inquiries, Data Show

By CHARLIE SAVAGE MARCH 26, 2011

WASHINGTON — Within months after the Bush administration relaxed limits on domestic-intelligence gathering in late 2008, the F.B.I. assessed thousands of people and groups in search of evidence that they might be criminals or terrorists, a newly disclosed Justice Department document shows.

In a vast majority of those cases, F.B.I. agents did not find suspicious information that could justify more intensive investigations. The New York Times obtained the data, which the F.B.I. had tried to keep secret, after filing a lawsuit under the Freedom of Information Act.

The document, which covers the four months from December 2008 to March 2009, says the F.B.I. initiated 11,667 “assessments” of people and groups. Of those, 8,605 were completed. And based on the information developed in those low-level inquiries, agents opened 427 more intensive investigations, it says.

The statistics shed new light on the F.B.I.’s activities in the post-Sept. 11 era, as the bureau’s focus has shifted from investigating crimes to trying to detect and disrupt potential criminal and terrorist activity.

It is not clear, though, whether any charges resulted from the inquiries. And because the F.B.I. provided no comparable figures for a period before the rules change, it is impossible to determine whether the numbers represent an increase in

7 investigations. **Get up to 40% off** The Times subscription of your choice.

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Still, privacy advocates contend that the large number of assessments that turned up no sign of wrongdoing show that the rules adopted by the Bush administration have created too low a threshold for starting an inquiry. Attorney General Eric H. Holder Jr. has left those rules in place.

Michael German, a former F.B.I. agent who is now a policy counsel for the American Civil Liberties Union, argued that the volume of fruitless assessments showed that the Obama administration should tighten the rules.

“These are investigations against completely innocent people that are now bound up within the F.B.I.’s intelligence system forever,” Mr. German said. “Is that the best way for the F.B.I. to use its resources?”

But Valerie E. Caproni, the bureau’s general counsel, said the numbers showed that agents were running down any hint of a potential problem — including vigilantly checking out potential leads that might have been ignored before the Sept. 11 attacks.

“Recognize that the F.B.I.’s policy — that I think the American people would support — is that any terrorism lead has to be followed up,” Ms. Caproni said. “That means, on a practical level, that things that 10 years ago might just have been ignored now have to be followed up.”

F.B.I. investigations are controlled by guidelines first put in place by Attorney General Edward H. Levi during the Ford administration, after the disclosure that the bureau had engaged in illegal domestic spying for decades. After the Sept. 11 attacks, those rules were loosened by Attorney General John Ashcroft and then again by Attorney General Michael B. Mukasey.

Some Democrats and civil liberties groups **protested** the Mukasey guidelines, **contending** that the new rules could open the door to racial or religious profiling and to fishing expeditions against Americans.

In 2006, The New York Times **reported** that the National Security Agency had each month been flooding the bureau with thousands of names, phone numbers and e-mail addresses. **Get up to 40% off The Times subscription of your choice** deemed

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ARTICLES REMAINING

suspicious. But frustrated agents found that virtually all of the tips led to dead ends or innocent Americans.

When the Mukasey guidelines went into effect in December 2008, they allowed the F.B.I. to use a new category of investigation called an “assessment.” It permits an agent, “proactively or based on investigative leads,” to scrutinize a person or a group for signs of a criminal or national security threat, according to the F.B.I. manual.

The manual also says agents need “no particular factual predication” about a target to open an assessment, although the basis “cannot be arbitrary or groundless speculation.” And in selecting subjects for such scrutiny, agents are allowed to use ethnicity, religion or speech protected by the First Amendment as a factor — as long as it is not the only one.

An assessment is less intensive than a more traditional “preliminary” inquiry or a “full” investigation, which requires greater reason to suspect wrongdoing but also allows agents to use more intrusive information-gathering techniques, like wiretapping.

Still, in conducting an assessment, agents are allowed to use other techniques — searching databases, interviewing the subjects or people who know them, sending confidential informers to infiltrate an organization, attending a public meeting like a political rally or a religious service, and following and photographing people in public places.

In March 2009, Russ Feingold, then a Democratic senator from Wisconsin, asked the F.B.I. how many assessments it had initiated under the new guidelines and how many regular investigations had been opened based on information developed by those assessments.

In November 2010, the Justice Department sent a classified letter to the Senate Judiciary Committee answering Mr. Feingold’s question. This month, it provided an uncensored copy of the same answer to The Times as a result of its Freedom of Information Act lawsuit.

F.B.I. officials said in an interview that the statistics represented a snapshot as of late March 2009, so the 11,667 assessment files were generated over a roughly four-month period. But they said they believed that agents had continued to open assessments at roughly the same pace since then.

Some aspects of the statistics are hazy, officials cautioned.

For example, even before the December 2008 changes, the bureau routinely followed up on low-grade tips and leads under different rules. But that activity was not formally tracked as an “assessment” that could be easily counted and compared.

F.B.I. officials also said about 30 percent of the 11,667 assessments were just vague tips — like a report of a suspicious car that included no license plate number. Such tips are entered into its computer system even if there is no way to follow up on them.

Finally, they said, it is impossible to know precisely how many assessments turned up suspicious facts. A single assessment may have spun off more than one higher investigation, and some agents may have neglected to record when such an investigation started as an assessment.

Ms. Caproni also said that even though the F.B.I. manual says agents can open assessments “proactively,” they still must always have a valid reason — like a tip that is not solid enough to justify a more intensive level of investigation but should still be checked out.

But Mr. German, of the A.C.L.U., said that allowing agents to initiate investigations without a factual basis “seems ripe for abuse.” He added, “What they should be doing is working within stricter guidelines that help them focus on real threats rather than spending time chasing shadows.”

A version of this article appears in print on March 27, 2011, on Page A19 of the New York edition with the headline: F.B.I. Casts Wide Net Under Relaxed Rules for Terror Inquiries, Data Show.

Exhibit N

The New York Times | <https://nyti.ms/2mpqNX1>

POLITICS

People From 7 Travel-Ban Nations Pose No Increased Terror Risk, Report Says

By RON NIXON FEB. 25, 2017

When President Trump signed an executive order last month temporarily barring visitors from seven mostly Muslim countries, he said he was moving to protect the United States from terrorist attacks. The Homeland Security secretary, John F. Kelly, echoed the president, saying the travel ban was necessary because vetting procedures “in those seven countries are suspect.”

But an internal report written by intelligence analysts at Mr. Kelly’s department appears to undercut the assessment that people from the seven countries — Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen — pose a heightened threat of terrorism. The three-page report found that “country of citizenship is unlikely to be a reliable indicator of potential terrorist activity.”

The report adds to the difficulties the Trump administration has faced in carrying out the travel ban. Federal judges have suspended the order, and the administration has said it will redo it to withstand legal scrutiny, but has not given a timetable.

The Department of Homeland Security assessment, first reported by The Associated Press, found that only a small number of people from the seven countries had been involved in terrorism-related activities in the United States since the Syrian civil war began in 2011. In addition, the report noted, while terrorist groups in Iraq, Syria and Yemen pose a threat to the United States, militant groups in the other four countries have a more regional focus.

The report also found that in the past six years, the terrorism threat reached much more widely than the seven countries listed — individuals from 26 countries had been “inspired” to carry out attacks in the United States.

Furthermore, few individuals from the seven countries affected by the ban have access to the United States, the report said, noting the small numbers of visas granted by the State Department to citizens of those nations.

The White House and the Department of Homeland Security sought to play down the significance of the report. The White House said that it was politically motivated and disregarded information that would have provided support for the travel ban. The Department of Homeland Security said the report was just a draft and “not a final comprehensive review of the government’s intelligence.”

Stephen Miller, a senior aide to Mr. Trump, told Fox News on Tuesday that the redrawn executive order would “have the same basic policy outcome.”

The Trump administration on Friday also took the first steps toward following through on the president’s plan to build a wall along the border with Mexico.

Customs and Border Protection, an agency within the Department of Homeland Security, announced that it would begin accepting design proposals for a wall. The agency said it would need the proposals by March 10. After it chooses a list of potential vendors, full proposals would be required a few weeks later.

The agency said it could make a final decision by the middle of April.

A version of this article appears in print on February 26, 2017, on Page A20 of the New York edition with the headline: Homeland Security Report Undercuts Travel-Ban Logic.

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Exhibit O



The Rachel Maddow Show / The MaddowBlog



Exclusive: DHS intel doc contradicts case for Trump's travel ban, 3/2/17, 9:02 PM ET

TRMS Exclusive: DHS document undermines Trump case for travel ban

03/02/17 09:15 PM – UPDATED 03/03/17 12:14 AM

The Rachel Maddow Show has obtained, exclusively, a Department of Homeland Security intelligence assessment document. The document, from the Office of Intelligence and Analysis, makes the case that most foreign-born, U.S.-based violent extremists are likely not radicalized when they come to the U.S., but rather become radicalized after living in the U.S. for a number of years.

The document follows [another piece of research](#) (pdf) from Homeland Security that undercut President Trump's rationale for a travel ban as a means of keeping violent extremists out. On Friday, [the Associated Press published](#) an analysis from Homeland

Security that said citizenship in any given country – including the seven countries listed in the executive order – is likely an unreliable indicator of whether someone poses a terrorist threat.

The new assessment, obtained by the Rachel Maddow Show and dated March 1, tracks 88 violent, foreign-born extremists in the United States. More than half of them had been in the U.S. more than 10 years before they were indicted or killed.

Homeland Security tonight has confirmed the authenticity of the document. The department says production of it began in August 2016, and that it likely would have reached the White House. We have asked the White House for comment tonight. They have not responded.

Read the document below:

([Scribd pdf link here](#))

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INTELLIGENCE ASSESSMENT



(U//FOUO) Most Foreign-born, US-based Violent Extremists Radicalized after Entering Homeland; Opportunities for Tailored CVE Programs Exist

1 March 2017



**Homeland
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Office of Intelligence and Analysis

IA-0091-17

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(U//FOUO) Most Foreign-born, US-based Violent Extremists Radicalized after Entering Homeland; Opportunities for Tailored CVE Programs Exist

(U//FOUO) Prepared by the Office of Intelligence and Analysis (I&A). Coordinated with CBP, the Department of State, ICE, NCTC, and USCIS.

(U) Scope

(U//FOUO) This Assessment examines the immigration history and radicalization of 88 foreign-born, US-based persons who participated in a terrorism-related activity inspired by at least one named foreign terrorist organization (FTO).^{*} All examined individuals primarily resided in the United States either at the time of their involvement in a terrorism-related activity or prior to their travel to join an FTO. The list of individuals included in this study was derived from academic and government sources, including a Department of Justice (DOJ) list of unsealed international terrorism and terrorism-related cases. The terrorism-related activities these individuals engaged in were identified in US Government sources or reliable media reporting. These activities include conducting or attempting to conduct an attack in the United States, traveling or attempting to travel from the United States to join an FTO overseas, and providing funds, goods, or logistical assistance to support an FTO. All individuals examined in our study were indicted or killed between March 2011—the start of the Syrian conflict—and December 2016. Individuals who were minors at the time of their indictment or death were not included. Our review did not consider classified or non-disseminated investigative information.

(U//FOUO) This Assessment identifies several factors, some of which are constitutionally protected activity, which we assess contributed to the radicalization of foreign-born, US-based violent extremists mentioned in this report. None of these factors should be viewed as definitive indicators of radicalization to violence absent corroborative information revealing a link to violence or terrorism. This Assessment is intended to inform federal, state, local, tribal, and territorial counterterrorism, law enforcement, and countering violent extremism (CVE) officials, as well as immigrant screening and vetting officials on trends of foreign-born individuals engaged in terrorism activity in the Homeland. It also provides an overview of opportunities to prevent and detect future violent extremist radicalization. The information cutoff date is 31 December 2016.

(U) Key Judgments

(U//FOUO) We assess that most foreign-born, US-based violent extremists likely radicalized several years after their entry to the United States, limiting the ability of screening and vetting officials to prevent their entry because of national security concerns. We base this assessment on our findings that nearly half of the foreign-born, US-based violent extremists examined in our dataset were less than 16 years old when they entered the country and that the majority of foreign-born individuals resided in the United States for more than 10 years before their indictment or death. A separate DHS study that found recent foreign-born US violent extremists began radicalizing, on average, 13 years after their entry to the United States further supports our assessment.

(U//FOUO) We assess nearly all parents who entered the country with minor-age children likely did not espouse a violent extremist ideology at the time they entered or at any time since, suggesting these foreign-born individuals were likely not radicalized by their parents before or after their arrival in the Homeland. We base this judgment on their admissions to the United States by screening and vetting agencies who review all available derogatory information, our review of press interviews of parents after their child was arrested or killed, and the lack of arrests of the parents since their entry.

^{*} (U//FOUO) DHS defines radicalization as the process through which an individual changes from a nonviolent belief system to a belief system that includes the willingness to actively advocate, facilitate, or use unlawful violence as a method to effect societal or political change.

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material support to ISIS as a group, according to DOJ criminal complaints.^{9,10}

- » (U//FOUO) In 2012, two individuals born in Uzbekistan were arrested for providing material support to the Islamic Jihad Union, according to DOJ criminal complaints.^{11,12} Separately, four Uzbekistan-born individuals were arrested in 2015 for providing material support to ISIS, according to a DOJ criminal complaint and superseding indictment.^{13,14} These two groups comprised six of the nine individuals in our dataset who were born in Uzbekistan.
- » (U//FOUO) All seven individuals born in Bosnia were associates of each other. Six were arrested in 2015 for providing material support to ISIS and one died in 2014 after successfully joining ISIS in Syria, according to DOJ criminal complaints and a press report.^{15,16}
- » (U//FOUO) Two of the seven violent extremists in our dataset who were born in Pakistan were brothers who plotted together to provide material support to al-Qa'ida in the Arabian Peninsula (AQAP), according to a DOJ indictment.¹⁷

(U//FOUO) We assess nearly all parents who entered the country with minor-age children likely did not espouse a violent extremist ideology at the time they entered or at any time since, suggesting these foreign-born individuals were likely not radicalized by their parents before or after their arrival in the Homeland. We base this judgment on their admissions to the United States by screening and vetting agencies who review all available derogatory information, our review of press interviews of parents after their child was arrested or killed, and the lack of arrests of the parents since their entry.

- » (U//FOUO) Two months before Somali immigrant Abdirizak Warsame^{USPER} was arrested for conspiring to provide material support to ISIS, his mother lectured other parents about the importance of talking with their children about risks stemming from adhering to a violent extremist ideology and the need to work with the FBI, according to press reporting.¹⁸ Warsame was sentenced to 30 months in prison in November 2016 because of his attempt to travel to Syria to join ISIS, according to a press report.¹⁹
- » (U//FOUO) Harlem Suarez's^{USPER} family was surprised by his arrest for plotting an attack in support of ISIS in 2015, according to a press report.²⁰ The family described Suarez, who was born in Cuba, as curious and unable to hurt anything, according to the same report.²¹ Suarez is currently awaiting trial, according to another press report.²²
- » (U//FOUO) Jose Pimentel's^{USPER} mother publicly apologized to the City of New York after his arrest in 2011, saying she was disappointed with her son's actions, according to multiple press reports.^{23,24,25} Pimentel—who immigrated from the Dominican Republic with his family when he was five—was sentenced to 16 years in prison after pleading guilty in February 2014 to terrorism charges related to plotting to conduct an attack in the Homeland, according to a separate press report.²⁶

(U//FOUO) Similar Radicalization Factors among Native- and Foreign-born US Violent Extremists

(U//FOUO) Our review of 116 native-born US violent extremists, who were publicly identified as having been arrested or killed between March 2011 and December 2016, showed that many had similar experiences and grievances to the 88 foreign-born violent extremists we examined. We assess that these experiences and grievances probably in part contributed to the radicalization of some native- and foreign-born, US-based violent extremists and included perceived injustices against Muslims in the Homeland and abroad because of US policies, feelings of anger and isolation, and witnessing violence as a child. The lack of extensive open source information detailing some of these US violent extremists' radicalization histories prevented us from identifying motivating factors for all individuals examined in our dataset.

- » (U//FOUO) Native-born brothers Nader Saadeh^{USPER} and Alaa Saadeh^{USPER}—who both pleaded guilty after their arrest in 2015 for providing material support to ISIS—believed the United States oppressed its own people and failed to protect Muslims, according to DOJ criminal complaints.^{27,28} Similarly, Ibrahim Mohammad^{USPER}, born in the UAE and arrested in 2015 for providing material support to AQAP, believed the United States was actively at war with Islam, according another DOJ criminal complaint.²⁹
- » (U//FOUO) Native-born Josh Van Haften^{USPER}, who is awaiting his trial for attempting to travel overseas to join ISIS, became isolated from his peers after a sexual assault required him to register as a sex offender, according to press reporting.³⁰ He was told to leave his housing because he was a sex offender, and he was never able to have a romantic relationship, according to a press interview with Van Haften's mother and her partner.³¹ The FBI assesses isolation to be one of many factors in Van Haften's radicalization, but not the primary one. Similarly, the now-deceased foreign-born former editor of AQAP's Inspire magazine, Samir Khan, and now-deceased ISIS foreign fighter Abdullah Ramo Pazara felt isolated or different from their communities and peers, according to multiple press reports.^{32,33,34}
- » (U//FOUO) At least five foreign-born US violent extremists were exposed to violence or substance abuse as children, according to a review of available press reporting.^{35–39} We judge, however, there are likely additional individuals included in our dataset who were also exposed to violence during their childhood, based on our finding that 41 foreign-born US violent extremists in our dataset entered the United States as a refugee, asylee, or child of a refugee or asylee.

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(U//FOUO) CVE Opportunities to Prevent Radicalization of Foreign-born, US-based Individuals

(U//FOUO) We assess that the integration and mentoring services provided by federal, state, and private sector entities to refugees and asylees offer an opportunity to help foreign-born US residents adjust to their new communities and raise their awareness of and resistance to violent extremist narratives and recruiters, and likely increase their resistance to radicalization. Immigrants not entering the United States as refugees or asylees must prove their ability to provide basic needs for themselves before arriving in the United States, and thus they would not be eligible to receive many of these healthcare, housing, employment, and education services; however, there are many programs available to all immigrants to assist with integration into US society.

- » (U) There are a variety of federal, state, local, and nongovernmental programs aimed at helping refugees and asylees integrate into US society by addressing their basic healthcare, housing, employment, and education needs.⁴⁰ Additionally, USCIS, through its Citizenship and Integration Grant Program, as of September 2016 awarded \$63 million through 308 competitive grants in 37 states to help immigrants prepare and apply for US citizenship, according to USCIS.⁴¹
- » (U) Many nonprofit organizations engage with immigrant communities, including a Georgia-based nonprofit that serves the cultural, psychological, and social-economic needs of refugees and immigrants in Atlanta, according to their website.⁴²

(U//FOUO) The experiences and grievances we assessed as common within these individuals present opportunities for CVE programs focused on integration and mentorship. Such programs could address adolescent immigrants' feelings of isolation, anger, and depression caused by immigration experiences—which could in turn reduce the ability of FTOs to exploit these feelings for recruitment. Program administrators would be positioned to assist adolescents if the administrators are made aware of common radicalization vulnerabilities and behavioral indicators, as well as effective counter-narratives to challenge FTO messaging.

- » (U//FOUO) Guled Omar^{USPER}, who was sentenced in 2016 for attempting travel overseas to join ISIS, claimed in a December 2016 press interview that after his older brother traveled to Somalia in 2007 to join al-Shabaab, he was shunned and isolated from the Somali-American community in Minneapolis, which led to his depression, drug use, and taunting by peers.⁴³
- » (U) Successful programs for adolescent immigrants could include convening youth from varying cultural backgrounds to promote cultural understanding and providing opportunities to counter anti-immigrant attitudes in mainstream culture, according to research published by a State University of New York at Albany^{USPER} program called Voices for Change: Immigrant Women and State Policy.⁴⁴ Separately, the Department of Health and Human Services' Child Welfare Information Gateway offers online resources for immigrant youth, including a guide on living in America, educational and safety resources for parents, and a handbook for raising children in a new country.⁴⁵

(U//FOUO) We also judge that open discussions with community and religious centers about overseas conflicts and ways that violent extremists may use religion to justify their actions would likely help dissuade some foreign-born, US-based individuals who are seeking answers to their questions from relying exclusively on research conducted online, which is often dominated by FTO messaging that offers only a violent extremist perspective.

- » (U//FOUO) Some individuals in our dataset who became interested in conflict zones or their religion sought to educate themselves on the Internet—where they encountered videos and literature espousing violent extremist ideology—rather than their local religious or community leaders, according to press reporting.^{46,47} Somali-Americans Abdi Nur^{USPER} and Guled Omar—who have since been indicted for attempting to provide material support to ISIS—were asked to leave their respective mosques because of their expressions of violent extremist beliefs, which, in effect, pushed their research underground, where they turned to the Internet and had their nascent violent extremist views reinforced, according to a press report.⁴⁸ Abdi Nur was indicted on conspiracy charges for providing material support to ISIS in 2014, according to a DOJ press release.⁴⁹
- » (U//FOUO) Abdizirak Warsame stated in his court appearance that he was always listening to one side, referring to the "radical" messages he saw online, according to a press report. Warsame claimed that at the time he did not realize innocent people were being killed, according to the same report, which was likely a reference to terrorists' targeting of civilians.⁵⁰

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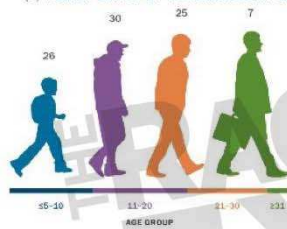
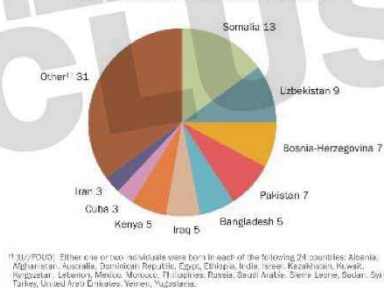
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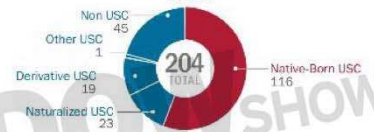
INTELLIGENCE ASSESSMENT
01 March 2017**(U//FOUO) Most Foreign-born, US-based Violent Extremists Probably Radicalize After Entering the Homeland**

(U//FOUO) I&A examined the immigration history and radicalization activities of 88 foreign-born, US-based violent extremists who were indicted or killed as a result of their participation in a terrorism-related activity inspired by at least one foreign terrorist organization between March 2011 and December 2016. We based this study primarily on DHS immigration records, publicly available court documents and reliable press reporting. Nearly half of the foreign-born violent extremists in our dataset entered the United States when they were under the age of 16 and a majority remained in the United States for over ten years before their indictment or death, suggesting most foreign-born, US-based violent extremists likely radicalized after entering the Homeland.

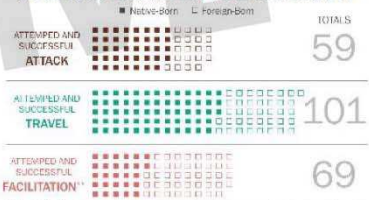
^(U//FOUO) DHS defines radicalization as the process through which an individual changes from a non-violent belief system to a belief system that includes the willingness to advocate, facilitate, or use unlawful violence as a method to effect social or political change.

(U) AGE OF ENTRY OF FOREIGN-BORN VIOLENT EXTREMISTS**(U) LENGTH OF TIME IN US OF FOREIGN-BORN VIOLENT EXTREMISTS****(U) COUNTRIES OF BIRTH OF FOREIGN-BORN VIOLENT EXTREMISTS**

^(U//FOUO) Either one or two individuals were born in each of the following 24 countries: Albania, Afghanistan, Australia, Dominican Republic, Egypt, Ethiopia, India, Israel, Jordan, Kazakhstan, Kuwait, Lebanon, Mexico, Morocco, Thailand, Tunisia, Turkey, United Arab Emirates, Yemen, Yugoslavia.

(U) NATIVE- AND FOREIGN-BORN VIOLENT EXTREMISTS US CITIZENSHIP (USC) STATUS AT TIME OF INDICTMENT OR DEATH²

^(U//FOUO) Native-Born includes legal permanent residents (LPRs), permanent visa holders, refugees, and individuals with no status.

(U) TERRORISM-RELATED ACTIVITIES OF NATIVE- AND FOREIGN-BORN VIOLENT EXTREMISTS³

^(U//FOUO) Numbers include individuals who participated or were interested in more than one activity.

^(U//FOUO) Facilitation activities include financial or logistical support, and terrorist recruitment.

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(U) Source Summary Statement

^(U//FOUO) This Assessment is based primarily on I&A's review of DHS immigration and travel records and publicly available court documents as well as relevant reliable press reporting. The scope of our study did not include consideration of non-disseminated investigative information.

^(U//FOUO) I&A has **moderate confidence** that most foreign-born US violent extremists likely radicalize several years after their entry to the United States, based on a review of court documents and press reporting from which we determined the first known sign of radicalization to violence among recent US violent extremists and a body of USCIS data from which we determined the length of time the individuals examined in our current dataset spent in the United States before their indictment or death. We note that there are challenges in determining the exact date that radicalization began, which is often a personal and individualized process that is difficult to observe. Additional reporting on the online activities of the US violent extremists, as well as information from the US violent extremists themselves or their family and friends about possible indicators of their loved ones' radicalization would further strengthen our confidence in this assessment. Our assessment is further supported by our finding that nearly half of the foreign-born individuals in our dataset entered the United States when they were younger than 16 years old, an age group that is typically younger than the age most violent extremists begin radicalizing.

^(U//FOUO) We have **moderate confidence** in our assessment that nearly all parents who entered the country with these foreign-born, US-based violent extremists likely did not espouse a violent extremist ideology or exhibit any violent radicalization or mobilization indicators at the time they entered or since. Our assessment is based on a qualitative review of reliable press reporting describing the family life and parents of the individuals in our dataset. Additional information about the parents of these individuals—which is likely contained in immigration screening and vetting interview transcripts related to these individuals and their parents, which we lacked access to—would strengthen our confidence in this assessment.

^(U//FOUO) We have **moderate confidence** that provision of services to refugees and asylees and programs tailored to adolescents offer opportunities to provide CVE programs to address radicalization factors possibly relevant to foreign-born US residents. Our assessment is based on a review of services provided to refugees and asylum seekers and current programs focused on immigrant youth, which, collectively, can address many

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Justice Dept. lawyer says 100,000 visas revoked under travel ban; State Dept. says about 60,000
The revelation, disputed by another agency, came in a court case
involving Yemeni brothers turned away from Dulles Airport in Virginia.

Justin Jouvenal;Rachel Weiner;Ann E. Marimow

More than 100,000 visas have been revoked as a result of President Trump's ban on travel from seven predominantly Muslim countries, an attorney for the government asserted Friday in federal court in Alexandria, Va.

The number came out during a hearing in a lawsuit by two Yemeni brothers who arrived at Dulles International Airport last Saturday and were quickly put on a return flight to Ethiopia because of the new restrictions. While the government is working to resolve that case and return the brothers to the United States, lawyers at the hearing addressed the broader impact of the ban.

The 100,000 figure was immediately disputed by the State Department, which said the number of visas revoked was roughly 60,000. A spokeswoman said the revocations have no impact on the legal status of people already in the United States. If those people leave the United States, though, their visas will no longer be valid.

Immigrant advocates, attorneys and the media have been pushing the Trump administration to offer an accounting of how many people were affected by the controversial executive order.

In response to a question from a judge, Erez Reuveni, of the Justice Department's Office of Immigration Litigation, told the U.S. District Court that there were tens of thousands abroad holding visas when Trump signed his order a week ago.

"Over 100,000 visas were revoked on Friday at 6:30 p.m.," Reuveni told the court, speaking of Jan. 27.

Reuveni offered no other details about the group of people. He said that he did not know how many people had been detained at the nation's airports because of the order but that it could be 100 to 200. It was not immediately clear how the Justice Department and State Department arrived at such different tallies for the broader number of people affected.

"The number 100,000 sucked the air out of my lungs," said Simon Sandoval-Moshenberg of the Legal Aid Justice Center, who represents the Yemeni brothers.

During the hearing, U.S. District Court Judge Leonie M. Brinkema said she was heartened to see that the government was working to return the brothers, Tareq and Ammar Aqel Mohammed Aziz, to the United States and reinstate their visas in exchange for dropping their case. The government appears to be attempting similar case-by-case reprieves across the nation.

But Brinkema offered a stern rebuke to the Trump administration in its overall handling of the travel ban. Brinkema said the case had drawn an even larger public outpouring than another high profile one she handled: the trial of 9/11 conspirator Zacarias Moussaoui.

"This order was issued quite quickly. It's quite clear that not all the thought went into it that should have gone into it," Brinkema said. "It was chaos."

She said people had relied on their visas as valid and families had expected to be reunited with loved ones. Brinkema said there was no evidence that the travel restrictions were necessary.

She urged the government to work "globally" to resolve all the cases of those affected by the travel ban. Lawsuits have been playing out over individual cases in at least 10 courts across the country.

The Trump administration has argued that the travel ban is necessary to keep Americans safe from terrorism as it institutes more restrictive vetting of visitors and refugees, but it has drawn protests at airport's nationwide and condemnation from Democrats, many of whom call the executive action a "Muslim ban."

Brinkema on Friday extended a temporary restraining order she had issued blocking the removal of any green-card holders being detained at Dulles and requiring that people held there because of the ban have access to lawyers.

The judge also allowed the state of Virginia to join the lawsuit. State officials argued in court that more than 350 students from a handful of state universities had been affected by the travel ban, along with professors and other workers.

The officials said they include a Libyan woman from George Mason University who was stuck in Turkey and an Iranian doctoral student who is unable to travel to the United States to defend his dissertation. In addition, Brinkema ordered the government to turn over a list of the state's lawful permanent residents and visa holders who were affected by the ban.

Outside the courthouse, Virginia Attorney General Mark R. Herring (D) said he was "really pleased the judge recognized real harm is happening in Virginia."

Herring's office had also been seeking to hold government officials in contempt for the way they handled travelers from the seven countries over the weekend, but Brinkema declined, saying she did not know enough Friday to make that determination.

Virginia officials had cited news reports and affidavits from lawmakers saying that, contrary to the order Brinkema issued last weekend, Customs and Border Patrol officers had denied immigrants access to lawyers.

"There were so many lawyers there willing to help, and not a single one got access," Virginia Solicitor General Stuart A. Raphael said during the hearing.

Reuveni said that security at Dulles bars lawyers from anything but telephone access to people who are in screening. Separately, affiliates of the American Civil Liberties Union in all 50 states have filed freedom-of-information requests to gain a greater understanding of how customs officials are implementing Trump's order.

Brinkema also allowed a Sudanese woman to join the lawsuit. Sahar Kamal Ahmed Fadul was traveling on the same flight as the Aziz brothers and was sent on a return flight to Ethiopia by customs officials. She had plans to meet her fiancé in Colorado and get married.

"Too suddenly, at the stroke of a pen, that dream was dashed," said her attorney, Timothy Heaphy. "It's tremendously traumatic."

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---- Index References ----

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