

# **EXHIBIT 9**

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

STATE OF CALIFORNIA, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

No. 4:19-cv-00872-HSG

SIERRA CLUB, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

No. 4:19-cv-00892-HSG

**THIRD DECLARATION OF MILLARD F. LEMASTER**

I, Millard F. LeMaster, declare as follows:

1. I am the Deputy Chief, United States Border Patrol Strategic Planning and Analysis Directorate (SPAD), U.S. Customs and Border Protection (CBP), an agency of the

Department of Homeland Security. I have held this position since February 2018. Over the course of my career I have served in multiple roles within the United States Border Patrol (USBP). I entered on duty with USBP in 2000. In that time I have served as a frontline Border Patrol Agent for five years, a Supervisory Border Patrol Agent for two different USBP Stations over the course of four years, and a second line supervisor in the field (Field Operations Supervisor, Watch Commander, and Deputy Patrol Agent In Charge) for two years until promotion to USBP Headquarters. Over the course of more than five years at the headquarters level I have served as an Assistant Chief, Associate Chief, and finally as the Deputy Chief for SPAD.

2. In my current position I am personally aware of the apprehension statistics and drug seizure statistics for the USBP, including apprehensions and drug seizures within the USBP's Yuma, San Diego, El Paso, El Centro, and Laredo Sectors.
3. The statements in this declaration are based on my personal knowledge and information that I have received in my official capacity.
4. Between October 1, 2018 and August 31, 2019, the USBP apprehended over 67,000 people attempting to enter the United States between border crossings in the Yuma Sector. In that same time period, there were over 800 drug events between border crossings in the Yuma Sector, through which the USBP seized over 3,000 pounds of marijuana, over 30 pounds of heroin, over 980 pounds of methamphetamine, and over 43 pounds of fentanyl.
5. Between October 1, 2018 and August 31, 2019, the USBP apprehended over 54,000 people attempting to enter the United States between border crossings in the San Diego Sector. In that same time period, there were over 380 drug events between border

crossings in the San Diego Sector, through which the USBP seized over 2,500 pounds of marijuana, over 1,200 pounds of cocaine, over 250 pounds of heroin, over 3,500 pounds of methamphetamine, and over 100 pounds of fentanyl.

6. Between October 1, 2018 and August 31, 2019, the USBP apprehended over 175,000 people attempting to enter the United States between border crossings in the El Paso Sector. In that same time period, there were over 440 drug events between border crossings in the El Paso Sector, through which the USBP seized over 10,000 pounds of marijuana, over 120 pounds of cocaine, over 25 pounds of heroin, over 300 pounds of methamphetamine, and approximately two pounds of fentanyl.
7. Between October 1, 2018 and August 31, 2019, the USBP apprehended over 32,000 people attempting to enter the United States between border crossings in the El Centro Sector. In that same time period, there were over 195 drug events between border crossings in the El Centro Sector, through which the USBP seized over 190 pounds of marijuana, over 60 pounds of cocaine, over 100 pounds of heroin, over 2,500 pounds of methamphetamine, and over 39 pounds of fentanyl.
8. Between October 1, 2018 and August 31, 2019, the USBP apprehended over 35,000 people attempting to enter the United States between border crossings in the Laredo Sector. In that same time period, there were over 300 drug events between border crossings in the Laredo Sector, through which the USBP seized over 34,000 pounds of marijuana, over 520 pounds of cocaine, over 25 pounds of heroin, and over 530 pounds of methamphetamine.
9. This declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct to the best of my current knowledge.

Executed on this 23rd day of October, 2019.

A handwritten signature in black ink, appearing to be 'M. LeMaster', written in a cursive style.

Millard F. LeMaster  
Deputy Chief  
Strategic Planning and Analysis Directorate  
United States Border Patrol