

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

STATE OF HAWAII and ISMAIL  
ELSHIKH,

Plaintiffs,

v.

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

Defendants.

Civil Action No. 1:17-cv-00050-  
DKW-KJM

**DECLARATION OF ISMAIL ELSHIKH, PhD**

**EXHIBIT A**

## **DECLARATION OF ISMAIL ELSHIKH, PhD**

I, Ismail Elshikh, PhD declare the following:

1. I am an American citizen of Egyptian descent, and a resident of Hawai'i.

I have been a resident of Hawai'i for over a decade. My wife, Dana, who is of Syrian descent, and my five children are also American citizens and residents of Hawai'i. I am proud to be an American citizen, and consider the United States to be my home country. Because of my allegiance to America, and my deep belief in the American ideals of democracy and equality, I am deeply saddened by the passage of the Executive Order barring nationals from now-six Muslim majority countries from entering the United States.

2. I am the Imam of the Muslim Association of Hawai'i. As Imam, I am a leader within the local Hawai'i Islamic community. I believe strongly in the First Amendment, religious equality, and that individuals of different faiths should be allowed to exercise their religious beliefs, free from government suppression, and in a way that does not harm others. The members of my Mosque consider Hawai'i to be home. They are integrated into local society and culture. They have friends and family within and outside of the local Islamic community.

3. My five children are 12, 10, 8, 5 and almost 2 years of age. They have all been United States citizens, and Hawai'i residents, since birth. All of my children were born at Kaiser Hospital in Honolulu, Hawai'i. My older children attend school in Honolulu, and they have many friends from all walks of life. They are aware of both President Trump's initial travel ban and of his modified travel ban

issued Monday, March 6 and are deeply saddened by the message that both convey — that a broad travel-ban is “needed” to prevent people from certain Muslim countries from entering the United States. They are deeply affected by the knowledge that the United States — their own country — would discriminate against individuals who are of the same ethnicity as them, including members of their own family, and who hold the same religious beliefs. They do not fully understand why this is happening, but they feel hurt, confused, and sad. When my children go to school and see other kids with their grandparents, they ask me: “Dad, how come we can’t have our grandmother like our friends; is it because we are Muslims?”

4. The revised travel ban will have a direct personal effect on me, my wife, and my children because it creates an obstacle to the ability of my mother-in-law (and my children’s grandmother) to visit them in Hawai‘i. My wife’s mother is a Syrian national, living in Syria, with a Syrian travel document. She has been making concrete plans to visit my family for many years. It is not easy for Syrian citizens or residents, like my wife’s mother, to obtain visitor travel documentation from the American government permitting entry into the United States. My wife filed an I-130 Petition for Alien Relative, on behalf of her mother, with the United States government in September 2015. The Petition was approved in February 2016, and my wife’s mother was eagerly anticipating the completion of the rest of her visa application process. On January 31, 2017—days after President Trump

signed the first Executive Order putting in place the original travel ban—I called the National Visa Center to inquire as to whether the Executive Order would impact my mother-in-law’s visa application. I was told that it would; namely that as a result of the Executive Order, her application for an immigrant visa was now on hold and would not proceed to the next stage in the process. On February 3, 2017, the District Court for the District of Washington temporarily enjoined the enforcement of the travel ban, and the Ninth Circuit denied the Government’s application for a stay. On March 2, 2017, we received an email from the National Visa Center informing us that my mother-in-law’s visa application was now in fact proceeding to the next stage of the process, and her interview would be scheduled at an embassy overseas. No date was set, but the letter stated that most interviews are set within three months. On March 6, 2017, the President signed the new travel ban. From what I understand, this will put us exactly back in the position we were in on January 31—her application will now be put on hold, indefinitely.

5. My mother-in-law has been looking forward to visiting my family for years. She last visited Hawai‘i in 2005, when she stayed for one month. She has not yet met two of my five children. Only my oldest child remembers meeting her grandmother.

6. President Trump’s issuance of the new Executive Order banning Syrian nationals from entering the United States has directly impacted my family by

complicating, once again, my mother-in-law's ability to visit Hawai'i to see, spend time with, and get to know her grandchildren. This is devastating to me, my wife and children. I believe that it is also devastating to my mother-in-law.

7. As an Imam, I work with many members of the Hawai'i Islamic community. Many members of my Mosque are upset about the revised travel ban, and some are very fearful. All feel that the travel ban targets Muslim citizens because of their religious views and national origin. The travel ban has a very real and direct impact upon their lives. Although many members of my Mosque consider Hawai'i to be home, many have family and friends still living in the countries affected by the revised travel ban. While the travel ban remains in effect, these individuals live in forced separation from those family members and friends.

8. I personally know of more than 20 individuals who are members of my community and mosque, who have immediate relatives in the six designated countries under the new Executive Order. These persons will now be unable to receive visits from their relatives—including spouses, parents, and children.

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

Dated: Honolulu, Hawai'i, March 8, 2017.



ISMAIL ELSHIKH, PhD