

The Honorable James L. Robart

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 9

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

12 STATE OF WASHINGTON and  
 STATE OF MINNESOTA,

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

13 Plaintiffs,

14 v.

DECLARATION OF NOAH G.  
 PURCELL IN SUPPORT OF  
 RESPONSE TO DEFENDANTS’  
 NOTICE OF FILING OF  
 EXECUTIVE ORDER

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

20 Defendants.  
 21

22 Pursuant to 28 U.S.C. § 1746(2), I, Noah G. Purcell, hereby declare as follows:

- 23 1. I am over the age of eighteen and competent to testify.  
 24 2. I am the Solicitor General for the State of Washington. I make this declaration as a  
 25 representative of the State of Washington (“State”) in support of Response to Defendants’  
 26 Notice of Filing of Executive Order.

1 3. Attached hereto as **Purcell Declaration Exhibit A** is a true and correct copy of a  
2 transcript from the Republican primary debate held on January 14, 2016, printed from  
3 <http://www.presidency.ucsb.edu/ws/index.php?pid=111395>.

4 4. Attached hereto as **Purcell Declaration Exhibit B** is a true and correct copy of printout  
5 from the C-SPAN webpage containing a video of President Trump's remarks on  
6 December 21, 2016. The video is available at: [https://www.c-span.org/video/?420583-  
7 101/presidentelect-trump-speaks-reporters-palm-beach-florida](https://www.c-span.org/video/?420583-101/presidentelect-trump-speaks-reporters-palm-beach-florida).

8 5. Attached hereto as **Purcell Declaration Exhibit C** is a true and correct copy of a  
9 printout of a Washington Post news article dated February 16, 2017, titled "Donald Trump's  
10 combative, grievance-filled news conference, annotated," which includes a transcript of  
11 President Trump's February 16, 2017 press conference.

12 6. Attached hereto as **Purcell Declaration Exhibit D** is a true and correct copy of a  
13 transcript of a February 21, 2017, Fox News interview with President Trump's advisor,  
14 Stephen Miller, titled "Miller: New order will be responsive to the judicial ruling; Rep. Ron  
15 DeSantis: Congress has gotten off to a slow start," printed from  
16 [http://www.foxnews.com/transcript/2017/02/21/miller-new-order-will-be-responsive-to-  
17 judicial-ruling-rep-ron-desantis](http://www.foxnews.com/transcript/2017/02/21/miller-new-order-will-be-responsive-to-judicial-ruling-rep-ron-desantis).

18 7. Attached hereto as **Purcell Declaration Exhibit E** is a true and correct copy of a  
19 transcript of White House Press Secretary Sean Spicer's Press Gaggle held on  
20 March 6, 2017, printed from [https://www.whitehouse.gov/the-press-office/2017/03/06/press-  
21 gaggle-press-secretary-sean-spicer](https://www.whitehouse.gov/the-press-office/2017/03/06/press-gaggle-press-secretary-sean-spicer).

22 8. Attached hereto as **Purcell Declaration Exhibit F** is a true and correct copy of a  
23 transcript of White House Press Secretary Sean Spicer's Press Conference held on  
24 February 27, 2017, printed from [https://www.whitehouse.gov/the-press-office-  
25 2017/02/27/press-briefing-press-secretary-sean-spicer-2272017-17](https://www.whitehouse.gov/the-press-office-2017/02/27/press-briefing-press-secretary-sean-spicer-2272017-17).

1 9. Attached hereto as **Purcell Declaration Exhibit G** is a true and correct copy of a  
2 printout of a Washington Post news article dated March 6, 2017, titled “Revised executive  
3 order bans travelers from six Muslim-majority countries from getting new visas.”

4 10. Attached hereto as **Purcell Declaration Exhibit H** is a true and correct copy of a draft  
5 report linked to a Washington Post news article dated February 24, 2017, titled “DHS report  
6 casts doubt on need for Trump travel ban.” The draft report is available at  
7 [https://assets.documentcloud.org/documents/3474730/DHS-intelligence-document-on-](https://assets.documentcloud.org/documents/3474730/DHS-intelligence-document-on-President-Donald.pdf)  
8 [President-Donald.pdf](https://assets.documentcloud.org/documents/3474730/DHS-intelligence-document-on-President-Donald.pdf).

9 11. Attached hereto as **Purcell Declaration Exhibit I** is a true and correct copy of a final  
10 report published in an MSNBC news article dated March 3, 2017, titled “TRMS Exclusive:  
11 DHS document undermines Trump case for travel ban.” The final report, titled *Intelligence*  
12 *Assessment: Most Foreign-born, US-based Violent Extremists Radicalized after Entering the*  
13 *Homeland; Opportunities for Tailored CVE Programs Exist*, is available at  
14 <http://i2.cdn.turner.com/cnn/2017/images/03/03/dhs.intell.assessment.pdf>.

15 12. Attached hereto as **Purcell Declaration Exhibit J** is a true and correct copy of a  
16 printout of a Fox news article dated February 25, 2017, titled “Trump rejects DHS intelligence  
17 report on travel ban.”

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

19 Executed this 9th day of March, 2017

20  
21 s/ Noah G. Purcell  
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