

SECOND
DECLARATION OF
ROVY BRANON

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

STATE OF WASHINGTON and
STATE OF MINNESOTA

Plaintiffs,

v.

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

Defendants.

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

SECOND DECLARATION OF ROVY
BRANON

I, Rovy Branon, hereby declare and affirm as follows:

1. I am over the age of 18 and am competent to testify herein.
2. I am providing this declaration to supplement my first declaration dated February 9, 2017.
3. I am the Vice Provost for the Continuum College, a self-sustaining unit of the University of Washington (UW). Continuum College operates a broad range of fee-based

1 programs for the UW, including a large International English Language Program (IELP) that
2 attracts students from around the world.

3 4. I understand that on March 6, 2017 the President of the United States issued a
4 Revised Executive Order on immigration, which is to take effect on March 16, 2017, and that
5 this Revised Order is intended to replace the Original Executive Order on immigration issued
6 on January 27, 2017.

7 5. I understand that, among other things, the Revised Executive Order generally
8 imposes a 90-day ban on the entry into the U.S. by persons from the countries of Iran, Libya,
9 Somalia, Sudan, Syria, and Yemen, subject to certain exceptions.

10 6. Continuum College's IELP has routinely enrolled students from these countries.
11 The students who come to the UW for the IELP pay a program fee of \$3,680 per quarter and a
12 registration fee of \$45.00 per quarter. The IELP offers entry to students at the beginning of
13 each quarter during the academic year (fall, winter, spring and summer academic quarters).

14 7. In my First Declaration, I indicated that four students (three from Libya and one
15 from Yemen) had been accepted into the IELP for Spring Quarter (which begins on March 22,
16 2017) and had been issued F-1 visas. I have since clarified that the students had not been
17 issued F-1 visas. Instead, they had been issued by the University of Washington a Form I-20,
18 "Certificate of Eligibility for Nonimmigrant Student Status," which each student would use to
19 apply for or obtain a visa to enter the U.S. in time to start the IELP. I have also clarified that
20 the student from Yemen, who had been accepted into the IELP for Spring Quarter, asked after
21 the issuance of the initial Executive Order to defer his start date to Summer Quarter 2017.

22 8. In my First Declaration, I also indicated that there was one student from Iran
23 who had been accepted into the IELP for Summer Quarter 2017 and that she had been issued
24 an F-1 visa. I have since clarified that she had been issued a Form I-20 by the University and
25 had not been issued an F-1 visa. She had initially applied for and had been accepted for Spring
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1 Quarter 2017, but requested to defer her start to Summer Quarter 2017. (This request was
2 made before the issuance of the initial Executive Order.)

3 9. The three accepted students from Libya for Spring Quarter have not responded
4 to Continuum College's communications sent since the issuance of the January 27, 2017 Order
5 and have not confirmed their intention to enroll in the IELP. According to my staff, none of
6 them have been issued a visa to enter the U.S. I presume that they have chosen not to pursue
7 studies at the University of Washington. If so, the University will lose the fees that each
8 student would have paid to participate in the IELP.

9 10. The accepted student from Yemen and the accepted student from Iran, who are
10 scheduled to start the IELP in Summer Quarter 2017, have not yet been granted visas to enter
11 the U.S. With the issuance of the Revised Order, it is unclear that these students will be
12 granted visas in order to enter the U.S. in time for the start of Summer Quarter, which starts on
13 June 13, 2017. These student will likely need to defer again, or will choose not to pursue
14 studies at the University of Washington. Should they not enroll, the University will lose the
15 fees that each student would have paid to participate in the IELP.

16 11. I am aware of one currently enrolled IELP student from one of the six countries
17 specified in the Revised Executive Order. This student has a single entry visa (which enabled
18 her to enter the U.S.) and now cannot leave the U.S. while a ban is in place without running the
19 risk that she will not be able to obtain another visa in order to return to the U.S. to complete her
20 studies.

21 12. In my First Declaration, I stated that Continuum College had sponsored a
22 professional instructor from Waseda University in Japan, who is a citizen of Iran, to participate
23 in a regular short term faculty training program offered through Continuum College under an
24 agreement with Waseda and that it was unknown whether this instructor would be able to
25 commence the training program on February 27, 2017. This instructor was able to enter the
26 U.S. and complete the University's faculty training program because of the Temporary

1 Restraining Order issued by the U.S. District Court in Western Washington and the
2 Preliminary Injunction issued by the Ninth Circuit of the Court of Appeals. Had these not been
3 in place, the University would have lost the fee charged for the faculty training program. If a
4 ban remains in place, other similarly situated participants (from the six countries) for the
5 faculty training program may not be able to participate.

6 13. I have reviewed the February 9, 2017 Declaration of Judith Wood, Senior
7 Manager of Program Operations of Continuum College, whose responsibilities include
8 overseeing the Visiting International Student Internship and Training (VISIT) program. I have
9 since verified that the two VISIT interns described in Ms. Wood's declaration are each citizens
10 of one of the six countries specified in the Revised Executive Order.

11 14. Since the issuance of the First Executive Order, Continuum College has not
12 received any applications from any of the six countries named in the Revised Executive Order,
13 which is unusual, especially from Libya, Iran, and Yemen. (In 2016, the IELP enrolled seven
14 students from Libya, two from Iran, and one from Yemen.) Students from the six countries
15 provide an important element of diversity to the IELP and to the University.

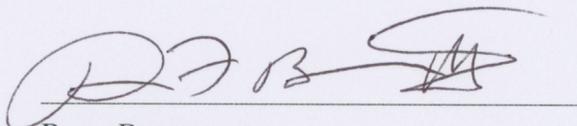
16 15. My staff has also observed that the total number of applications to the IELP
17 (this includes countries outside of the specified six) has decreased at least 24% from this time
18 last year. While I cannot say this is solely due to the issuance of the two Executive Orders, I
19 do have concerns about the longer term effects on the IELP if students cannot come to the U.S.
20 and/or choose not to study English in the U.S. given the perception that foreign nationals are
21 not welcome here. This would not only have a financial impact on the University, but also an
22 impact on the University's status as a diverse and global institution of higher education.

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

Executed on this 12th day of March, 2017.



Rovy Branon