

DECLARATION OF JUDITH WASSERHEIT

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

STATE OF WASHINGTON and
STATE OF MINNESOTA,

Plaintiff,

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; TOM SHANNON,
in his official capacity as Acting
Secretary of State; and the UNITED
STATES OF AMERICA,

Defendants.

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

DECLARATION OF JUDITH N.
WASSERHEIT

I, Judith N. Wasserheit, hereby declare and affirm:

1. I have personal knowledge of the facts set forth in this declaration and I am
competent to testify about them.

1 2. I am a Professor of Medicine and Global Health and the William H. Foege
2 Endowed Chair of the Department of Global Health at the University of Washington
3 ("University").

4 3. This past fall, the Department of Global Health ("Department") successfully
5 recruited Dr. Ala Alwan, MBChB, MRCP, FRCP, a prominent scholar from Iraq, to join our
6 faculty as a Visiting Professor. Dr. Alwan has been a senior official of the World Health
7 Organization (WHO) for 25 years. He has been a resident of Switzerland for more than 15 years.
8 Dr. Alwan recently completed a term as the WHO's Regional Director for the Eastern
9 Mediterranean. He was WHO's Assistant Director-General for Noncommunicable Diseases and
10 Mental Health from 2008 to 2012, and Assistant Director-General for Health Action in Crises
11 from 2005 to 2008, based at WHO headquarters in Geneva, Switzerland. Before joining the
12 WHO in 1992, Dr. Alwan was Professor and Dean of a Medical School in Baghdad. He also
13 served as Minister of Health and Minister of Education in Iraq from 2003 to 2005.

14 4. Dr. Alwan was recruited to help the Department in its efforts to expand its
15 educational and research programs aimed at addressing the burden of chronic, non-
16 communicable diseases around the world. This is an area of increased focus by the Department
17 in that recent research by the University's Institute for Health Metrics and Evaluation has
18 revealed that chronic diseases are now the leading cause of death and disability worldwide. The
19 Department invested a considerable amount of time and resources in recruiting Dr. Alwan, given
20 his worldwide reputation for his expertise in global health and non-communicable, chronic
21 diseases like heart disease, strokes, and cancer. The Department processed a DS-2019 form for
22 Dr. Alwan (which allowed him to successfully apply for a J-1 visa) through the University's
23 International Scholars Operations office. In addition to expending these human resources, the
24 Department also expended \$7,123.03 on airfare and lodging in addition to \$541.00 in visa related
25 fees.

1 5. Dr. Alwan is being appointed in a 24-month position as a Visiting Professor at the
2 University's Seattle campus to conduct research, work closely with the Department's Disease
3 Control Priorities research group, collaborate on other departmental research, interact with and
4 mentor students, speak at lectures and seminars, and potentially teach a course in his field of
5 expertise. He was expected to arrive at the University on February 1, 2017 in order to be able to
6 participate in a major global health symposium on February 8, 2017, but he was not able to
7 arrive on February 1, 2017 because of the Executive Order issued by President Trump on
8 January 27, 2017. He was only able to come to the U.S. on February 7, 2017 following the
9 issuance of the Temporary Restraining Order by the U.S. District Court on February 3, 2017.

10 6. Only due to the issuance of the Temporary Restraining Order was Dr. Alwan was
11 able to arrive on February 7, 2017 in time to participate as a panelist at the Department of Global
12 Health's 10th Anniversary Symposium (entitled "Next Decade, Next Generation") that was held
13 on the Seattle Campus on February 8, 2017. This was a long-planned event that was attended by
14 more than 600 members of the University and Washington State global health community and
15 was live-streamed around the world with 1,570 people participating remotely.

16 7. Dr. Alwan was obligated to leave the United States to attend to several remaining
17 commitments in Geneva at the World Health Organization, as well as to prepare several
18 meetings to be held in March 2017 between World Health Organization officials and Department
19 faculty for the Disease Control Priorities research project. He left the U.S. on February 11, 2017
20 and is scheduled to return to Seattle in early March 2017. If he is unable to return to the U.S.,
21 even temporarily,, the Department will lose some of the benefit of its investment of the time and
22 resources that were expended to bring him to the University. More importantly, the
23 Department's faculty will lose the opportunity to collaborate with and learn from him directly
24 and it will be more difficult for the Department to fully utilize Dr. Alwan's expertise for its
25 Disease Control Priorities research project. If his return is delayed for a significant amount of
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time, the Department would have to incur the significant additional costs of sending its faculty abroad to work with Dr. Alwan. Additionally, his research collaboration would be more limited, and University students would be forced to forego the benefit of his teaching and mentoring, which would be major setbacks in terms of the originally envisioned purpose of his appointment.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and complete to the best of my knowledge.

Dated this 13th day of February, 2017.


JUDITH N. WASSERHEIT