

DECLARATION OF ABDO ELFGEEH

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

STATE OF WASHINGTON and
STATE OF MINNESOTA,

Plaintiffs,

v.

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

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 Acting Secretary of State; and the
UNITED STATES OF AMERICA,

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I Abdo Elfgeeh, hereby declare as follows:

1. I am a resident of Mohegan Lake, in Westchester County, New York State. I am a United States (“U.S.”) citizen, and a Yemeni-American.
2. I came to the U.S. in 2001, as a legal permanent resident. My father came in the first wave of Yemeni immigrants to the U.S. in 1966, and became a U.S. citizen in 1972. When I came to the U.S., I joined my siblings and many of my cousins who reside in New York State, and who are also business owners.
3. I studied and graduated from Empire State College and obtained a Bachelor of Science degree in Business Administration in 2004. I am forty-two years old, and am currently employed as an Automated Teller Machine (“ATM”) sales representative.

1 4. The Executive Order issued on January 27, 2017, entitled “Protecting the Nation from
2 Foreign Terrorist Entry into the United States,” has left me fearful and uncertain about whether
3 I can re-unite with my wife and four children, who are stranded in Sana’a, Yemen. The new
4 Order issued on March 6, 2017, did not change any of this uncertainty.

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6 5. Respectively, my children are, 19 years old, 17 years old, 16 years old, and 9 years
7 old. They are all currently living in Sana’a, until they hear about the status of visa applications.

8 6. My wife and first three children are waiting for their I-130 (Petition for Alien Relative) visa
9 applications to be approved so that our family can be re-united, and everyone can be safe. My
10 wife and the 16-year old’s applications were submitted in June 2014, while the 17 and 19 year
11 olds’ applications were submitted in April 2016. The 9-year-old is a U.S. citizen, because she
12 was born in 2008, after I became a U.S. citizen.

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14 7. My wife and the 16-year old’s visas were partially processed since they were submitted in
15 2014. I attended an interview with United States Citizenship and Immigration Services
16 (“USCIS”), as part of the processing of their applications – and was told that their applications
17 would not be approved until the applications for my other two children were approved.

18 8. Since the passage of the Orders I have been trying to contact appropriate agencies to
19 get information on the status of my family’s visa applications. I have not been able to get in
20 contact with anyone. The 90-day ban on Yemeni-nationals entering the U.S., which is in both
21 Executive Orders, has left me with no guarantee that my family’s visa applications will even
22 continue to be processed.
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9. The separation of my family is heartbreaking. Beyond the fact that we are physically separated, and this is not the way any family should live – I am worried about my family’s safety, and what growing up in war will do to them – especially to my children.

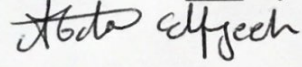
10. My eldest child should be going to college and the next in line should be finishing high school, but when they go to school often times teachers are not able to teach because of the uncertainty and danger related to the war.

11. All I want is to re-unite my family, and I am fearful that even under the new version of the Executive Order, the 90-day ban imposed on Yemenis entering the United States – means that the default rule is that their applications will not be processed for the sole reason that they are from Yemen, a country in the midst of war, which happens to be predominantly Muslim.

12. I am a proud citizen of the United States, and I want to live in peace with my family in this country.

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

Executed on this 10 day of March, 2017



ABDO Y ELFGEEH

[Typed Name Below Signature]