

Supplemental
Brief
Exhibit E

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

STATE OF WASHINGTON

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.

DECLARATION OF DAVID SCHUMACHER

I, David Schumacher, hereby declare and affirm:

1. I am the Director of the Washington State Office of Financial Management (“OFM”). The State Human Resources Division is a division of OFM. I have personal knowledge of the facts set forth in this declaration, and I am competent to testify about them.

2. I was appointed Director of OFM by Governor Jay Inslee in January 2013. I have nearly 25 years of experience in budgeting and policy development. I began my state

1 career in 1990, working as an economic analyst for the state Department of Revenue for three
2 years. I then worked for two years as a revenue analyst in OFM's Forecasting Division. I served
3 as a budget analyst for the Senate Ways & Means Committee for eight years before being named
4 staff director in 2003. In 2008 I worked as northwest government affairs director for The Boeing
5 Company for two years. I returned to the Senate Ways & Means Committee as staff director in
6 late 2010 before my appointment as Director of OFM. I have bachelor's and master's degrees in
7 economics from the University of Washington.

8 3. As Director of OFM, I oversee statewide human resources functions, including
9 recruitment and diversity efforts, within Washington State government agencies and public
10 institutions of higher education.

11 4. Washington State employs approximately 148,000 employees. Of these, 62,500
12 work for state government agencies, and 85,500 work for higher education institutions, including
13 23,000 student employees.

14 5. I have reviewed the Executive Order entitled "Protecting the Nation from Foreign
15 Terrorist Entry Into the United States," and I am aware that the Order purports to temporarily bar
16 entry into this country any person who is a citizen of any one of seven countries – Syria, Iraq,
17 Iran, Somalia, Sudan, Libya and Yemen – regardless of whether there is any evidence that the
18 individual in question had any connection with any terrorist organization or activity.

19 6. The University of Washington and Washington State University are public
20 institutions of higher education and subdivisions of state government and their employees are
21 state government employees. As detailed in Mr. Riedinger and Mr. Chaudhry's declarations,
22 because of the Executive Order their institutions would suffer from the immediate impact on
23 faculty and students from the seven listed countries. *See* Decl. of J. Riedinger ¶¶ 6-8, ECF No. 9;
24 Decl. of A. Chaudhry ¶¶ 6-10, ECF. No. 5.

1 7. In addition to the employees at the institution of higher education, state
2 government agencies utilize the H1B visa program to employ workers who have specialized
3 skills that we are unable to recruit within our state workforce. These jobs include, but are not
4 limited to: Information Technology Specialists, Data Architects, Librarians, Transportation
5 Planning Specialists, and Research Associates. State government agencies currently have
6 approximately 22 employees who have H1B visas. Although state government agencies
7 currently do not have any employees working under an H1B visa from the seven listed countries
8 in the Executive Order, they have employed citizens from these countries in the past and it is
9 probable that they will do so in the future.

10 8. As an employer, Washington State remains in critical need of talented individuals
11 in a highly competitive environment. Critical to our growth and success, we rely heavily on our
12 efforts to recruit from a global marketplace to meet our needs as an employer of choice. Without
13 the ability to recruit broadly, we are unable to fill roles within government in a challenging
14 hiring environment. Having welcoming and inclusive communities for the families of both
15 current and future employees is also critical to our efforts for recruiting, successfully hiring, and
16 retaining a talented workforce. Any action that is detrimental to those efforts creates harm to our
17 operations, success, and progress.

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

20 Dated this 1 day of February 2017.

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23 

24 David Schumacher