

SECOND  
DECLARATION OF  
LOVELY WARREN

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

Defendants.

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

**Second Declaration of  
Mayor Lovely A. Warren,  
City of Rochester, New York**

Pursuant to 28 U.S.C. § 1746(2), I Lovely A. Warren, hereby declare as follows:

1. I am the Mayor of the City of Rochester, New York (the "City"), with offices at City Hall, 30 Church Street, Rochester, New York. I have been the City's Mayor since January 2014.
2. I make this declaration based in part on personal knowledge and in part on information City staff has collected from community organizations, colleges and universities in the Rochester area, and published reports. The City of Rochester Law Department has reviewed the Presidential Proclamation (the "Proclamation"), "Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry into the United States by Terrorists or other Public-Safety Threats," issued on September 24, 2017 and the predecessor Executive Orders, Executive Order 13780, "Protecting the Nation from Foreign Terrorist Entry into the United States," issued March 6, 2017, and, Executive

1 Order 13769, entitled “Protecting the Nation from Terrorist Entry into the United  
2 States,” issued January 27, 2017.

- 3 3. The City of Rochester, the home of Frederick Douglass and Susan B. Anthony, has a  
4 long tradition of support for equal rights for all people, including immigrants and  
5 refugees.
- 6 4. In 1986, Rochester City Council Resolution No. 86-29 recognized Rochester as a City  
7 of Sanctuaries.
- 8 5. On February 21, 2017, the Rochester City Council passed Resolution No. 2017-5  
9 reaffirming the City’s status as a Sanctuary City and adopting Sanctuary City policies.  
10 The resolution reiterated that the City is one community that is welcoming and inclusive  
11 of all, united and strengthened by its diversity, and committed to upholding and  
12 protecting the civil and human rights of all individuals that come within its borders,  
13 including immigrants and refugees.
- 14 6. The City of Rochester is the third largest city in New York State with a population of  
15 approximately 210,000 people.
- 16 7. Approximately 8.5% of the City’s residents were born outside the United States—more  
17 than 17,000 Rochesterians, according to 2015 data from the U.S. Census Bureau.
- 18 8. Immigrants in the City of Rochester—members of our community born outside the  
19 United States but who have made Rochester their home—contribute significantly to the  
20 City economically, socially, and culturally.<sup>1</sup>
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24 <sup>1</sup> See, e.g., Brief for Association of American Universities as Amicus Curiae in Support of Petitioners’  
25 Requested Relief at 28, *Darweesh v. Trump*, No. 17-cv-480 (E.D.N.Y. filed Feb. 16, 2017), ECF No. 139  
26 (discussion of Saudi Arabian hepatologist who had recently been hired by University of Rochester and the  
University of Rochester’s Division of Solid Organ Transplantation’s Chief, a Mexican national, who is a world-  
renowned liver-transplant surgeon and recruited an international team to join him in Rochester).

1 9. In the past decade, approximately 6,300 refugees have settled in Rochester, making  
2 Rochester one of the top three cities in refugee resettlement in New York State during  
3 that period, according to a published report.<sup>2</sup>

4 10. According to the Catholic Family Center, which handles refugee resettlement in the  
5 Rochester area, in 2016, a total of 1,194 refugees settled in Rochester, including 230  
6 from Somalia and 77 from Syria. In 2017 to date, 353 refugees have resettled in  
7 Rochester, including 22 from Somalia and 17 from Syria.

8 11. In 2015, 756 refugees resettled in Rochester according to a published report.<sup>3</sup>

9 12. The Rochester International Academy (“RIA”), a school in the Rochester City School  
10 District (“RCSD”) that helps newly arrived students learn English and become part of  
11 the community, and which most refugee children attend for some time after arriving in  
12 Rochester, experienced a significant increase in enrollment during the 2016–2017  
13 academic year, with 426 students enrolled, according to a published report.<sup>4</sup>

14 13. At the conclusion of the 2016–2017 academic year, RCSD had 2,223 students enrolled  
15 who immigrated to Rochester, representing 5.7% of the total student population,  
16 including: 222 students from Yemen, 193 students from Somalia, 38 students from  
17 Syria, and three students from Venezuela. Additionally, RCSD had 2,048 students who  
18 had citizenship from a country other than the United States, representing 5.3% of the  
19 total student population, including 301 students with Somali citizenship, 100 students  
20 with Yemeni citizenship, 37 students with Syrian citizenship, four students with  
21 Venezuelan citizenship and one student with Iranian citizenship.

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22 <sup>2</sup> See Joseph Spector, *Immigration order hits home across NY*, DEMOCRAT & CHRONICLE (Feb. 3, 2017),  
23 [http://www.democratandchronicle.com/story/news/politics/albany/2017/02/03/immigration-order-hits-home-  
across-ny/97303656](http://www.democratandchronicle.com/story/news/politics/albany/2017/02/03/immigration-order-hits-home-across-ny/97303656).

24 <sup>3</sup> See Justin Murphy, *Rochester's refugee population booms*, DEMOCRAT & CHRONICLE (Dec. 27, 2016),  
25 [http://www.democratandchronicle.com/story/news/2016/12/27/rochester-international-academy-refugees-  
enrollment/95713600](http://www.democratandchronicle.com/story/news/2016/12/27/rochester-international-academy-refugees-enrollment/95713600).

26 <sup>4</sup> See *id.*

- 1 14. International students in New York’s 25th Congressional District, which encompasses  
2 the City of Rochester, have a major economic impact on the area, according to data from  
3 NAFSA, the Association of International Educators. During the 2015–2016 academic  
4 year, the presence of 7,138 international students in the district contributed \$253.3  
5 million to the economy and supported 3,613 jobs.<sup>5</sup>
- 6 15. Rochester Institute of Technology (“RIT”) employs approximately 3,900 faculty and  
7 staff. Of RIT’s more than 18,600 students, approximately 2,700 are international  
8 students, from more than 100 countries.<sup>6</sup>
- 9 16. During the 2015–2016 academic year, RIT’s international students were responsible for  
10 financial contributions of \$105.4 million in the 25th Congressional District, supporting  
11 1,567 jobs, according to NAFSA.<sup>7</sup>
- 12 17. RIT has three enrolled students from Syria who cannot travel outside of the United  
13 States because the Proclamation would prohibit them from returning to the United  
14 States after traveling abroad.
- 15 18. RIT anticipates that as a result of the Proclamation, between three and six accepted  
16 students, scientists, researchers and professionals annually will have to forgo  
17 opportunities to come to Rochester to advance their academic careers.
- 18 19. RIT has observed that the Proclamation has sent a chilling message to prospective  
19 students, scientists and researchers across the globe, and if American universities are  
20 forced to draw from an increasingly restricted talent pool, it will undermine the United  
21 States’ ability to compete with other nations.

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23 <sup>5</sup> NAFSA, New York *Congressional* District 25 Benefits from International Students,  
24 <http://istart.iu.edu/nafsa/reports/district.cfm?state=NY&year=2015&district=25> (last visited Oct. 12, 2017).

25 <sup>6</sup> Rochester Institute of *Technology*, RIT in Brief, <https://www.rit.edu/overview/rit-in-brief> (last visited  
26 Oct. 12, 2017); Rochester Institute of Technology, A message from RIT President Bill Destler regarding U.S.  
Presidential executive orders pertaining to immigration (Jan. 29, 2017), <http://www.rit.edu/immigration>.

<sup>7</sup> NAFSA, *supra* note 5.

1 20. Even before the announcement of the predecessor travel ban Executive Order 13780,  
2 RIT faced a 10% decrease in applicants from the Middle East and various  
3 predominantly Muslim countries around the world for the 2017–2018 school year,  
4 according to a published report. Applicants from the countries affected named in the  
5 original travel ban, Executive Order 13769, have expressed concerns about studying  
6 in the United States.<sup>8</sup>

7 21. The University of Rochester is Rochester’s largest employer, with more than 28,000  
8 employees.<sup>9</sup> Of those employees, more than 2,000 serve as faculty and instructional  
9 staff to approximately 11,300 students.<sup>10</sup>

10 22. The University of Rochester is critical to Rochester’s economy. Its operations produce  
11 an economic impact estimated at \$3.26 billion per year.<sup>11</sup>

12 23. During the 2015–2016 academic year, the University of Rochester’s international  
13 students were responsible for financial contributions of \$132.7 million in the 25th  
14 Congressional District, supporting 1,951 jobs, according to NAFSA.<sup>12</sup>

15 24. The University of Rochester has 32 students from Iran, four students from Somalia,  
16 three students from Syria, three students from Venezuela, and one student from Libya  
17 enrolled for the 2017–2018 academic year.

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20 <sup>8</sup> See James Goodman, *Fear and economic conditions account for RIT drop*, DEMOCRAT & CHRONICLE  
(Feb. 20, 2017), <http://www.democratandchronicle.com/story/news/2017/02/20/rit-finds-drop-applications-middle-east/98147154>.

21 <sup>9</sup> See Brian Sharp, *Study highlights UR’s economic impact*, DEMOCRAT & CHRONICLE (June 16, 2016),  
22 <http://www.democratandchronicle.com/story/news/2016/06/16/study-highlights-urs-economic-impact/85951436/>;  
23 *see also* University of Rochester, About Us, <http://www.rochester.edu/aboutus> (last visited Oct. 12, 2017);  
University of Rochester, Working Here <http://www.rochester.edu/working> (last visited Oct. 12, 2017).

24 <sup>10</sup> See University of Rochester, About Us, *supra* note 9.

25 <sup>11</sup> See KENT GARDNER, UNIVERSITY OF ROCHESTER & AFFILIATES 2015 NYS ECONOMIC IMPACT at ii  
(Center for Governmental Research 2016), <http://www.rochester.edu/newscenter/wp-content/uploads/2016/06/NYS-economic-impact-report-UR-affiliates-2015.pdf>.

26 <sup>12</sup> NAFSA, *supra* note 5.

1 25. Additionally, the University of Rochester currently has employees/visiting scholars  
2 from countries named in the Proclamation, including six from Iran, three from Syria,  
3 two from Somalia and one from Venezuela.

4 26. A University of Rochester sophomore from Somalia recently had several family  
5 members injured in a serious car accident in Somaliland. The student, however, opted  
6 not to fly home to Somalia to visit his injured family members, due in part to the risk of  
7 Somali nationals traveling as a result of the Proclamation and the predecessor Executive  
8 Orders, out of concern that he may not have been able to return to the United States to  
9 complete his studies after visiting home.

10 27. According to the Catholic Family Center, delays in refugee resettlement and reduction  
11 in the number of refugees allowed to resettle may also negatively affect employers in  
12 the City of Rochester that hire refugees, including Kraft, Wegmans Food Markets, and  
13 the University of Rochester.

14 28. The Proclamation will cause significant harm and upheaval in the City of Rochester,  
15 including in immigrant and refugee communities, and for organizations that serve them.

16 29. Thus, by impeding foreign-born visitors, workers, and students from entering the City  
17 or traveling freely, the Proclamation would negatively impact the City of Rochester as  
18 well as its residents, its economy, and educational institutions.

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

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21 Executed on this 12 day of October, 2017

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25 Mayor Lovely A. Warren  
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