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4 **IN THE UNITED STATES DISTRICT COURT**
5 **FOR THE WESTERN DISTRICT OF WASHINGTON**
6 **AT SEATTLE**

7 STATE OF WASHINGTON, et al.,

8 Plaintiffs,

9 v.

10 DONALD J. TRUMP, et al.,

11 Defendants.
12
13

Case No. C17-0141JLR

DECLARATION OF JANET BILLUPS

14 I, Janet Billups hereby declare and affirm as follows:

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

17 2. I am General Counsel and Senior Vice President of Oregon Health and Sciences
18 University, in Portland, Oregon.

19 3. Oregon Health & Sciences University is Oregon's public academic medical
20 center. It is comprised of the degree-granting schools of dentistry, medicine, nursing, public
21 health and pharmacy; multiple scientific research institutes; the OHSU Hospital and
22 Doernbecher Children's Hospital; and several pediatric and adult ambulatory care clinics in the
23 Portland area. As part of its statutory state-wide mission, as set by the legislature and governed
24 by a board appointed by the Governor of the State of Oregon, OHSU also provides patient care
25 services and educational and training programs for its students throughout Oregon.
26

1 4. OHSU's student body includes over 115 international students and trainees from
2 six continents and 34 countries. Its hospitals employ a diverse and international medical staff,
3 and its schools and research institutes employ a diverse and international faculty.

4 5. OHSU has at least 15 individuals from the countries subject to the Executive
5 Order: six students, two post-doctoral fellows, one Research Assistant Professor, and six Medical
6 Residents, including three green card holders. The school is expecting two more post-doctoral
7 fellows from Iran (one Iranian citizen, one Canadian citizen born in Iran) if the travel ban is
8 stayed.

9 6. As with any university, the loss of students and professors from the seven
10 countries included in the Executive Order would have a direct impact on the students, the
11 professors, and their colleagues and the advancement of science, which uniquely draws upon the
12 synergy of collaborations from scientists around the world

13 7. The delivery of medical care to Oregonians will also be severely compromised
14 should OHSU lose any of its medical residents (Residents). Residents are medical school
15 graduates receiving advanced training in the specialties of surgery, cardiology, and pathology.
16 Residents have an exceptionally important service function in the hospitals and outpatient clinics
17 where they train. For example, Residents in procedurally oriented disciplines such as surgery
18 serve as the first assistant in procedures, and losing them is analogous to flying a commercial
19 aircraft without a co-pilot. Emergency, middle-of-the-night medical care is delivered on the
20 front line by Residents who sleep in the hospital. Examining tissue and diagnostic test results for
21 disease diagnosis is a critical function performed by Residents.

22 8. Although all Residents work under the tutelage of their faculty instructors, they
23 perform a considerable amount of front-line and hands-on work as part of that proctored training.
24 Senior-level Residents in particular provide upper level, sophisticated patient care service.
25 OHSU will lack the necessary work force to adequately provide those services if these
26 Residents' visas are revoked or the Residents are banned from traveling back to the U.S. upon

1 necessary travel abroad. Replacing experienced, senior Residents is exceptionally difficult and
2 rare, particularly since this is not just employment, but an accredited higher education training
3 program.

4 9. The number of Resident slots is capped programmatically by the Accreditation
5 Counsel for Graduate Medical Education, so there is no ability for an academic medical center to
6 simply “staff up” their Resident corps in advance to ensure coverage in case a Resident is
7 abruptly removed from the program. Residency programs are thus tightly coupled and team-
8 based with each member of the residency team having a critical role. The loss of even one
9 Resident to a program carries a very high risk of adversely impacting OHSU’s capability to
10 deliver the patient care that the State of Oregon expects, and that Oregonians rely upon.

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

12
13 February 8, 2017
14 DATE

13 Janet Billups
14 Janet Billups