

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

PARS EQUALITY CENTER, IRANIAN
AMERICAN BAR ASSOCIATION, PUBLIC
AFFAIRS ALLIANCE OF IRANIAN
AMERICANS, INC., et al.,

Plaintiffs,

v.

DONALD J. TRUMP et al.,

Defendants.

Civil Action No. 1:17-cv-255

Hon. Tanya S. Chutkan

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs¹—individual Iranian nationals and three national Iranian-American organizations—hereby move for a preliminary injunction as set forth below and for the reasons set forth in the accompanying Memorandum of Law in Support of Plaintiffs' Motion for Preliminary Injunction ("Memorandum"). *See* Fed. R. Civ. P. 65(a). Plaintiffs seek to enjoin Defendants from enforcing or implementing certain provisions of President Donald J. Trump's September 24, 2017 Proclamation, entitled "Enhancing Vetting Capabilities and Processes for Detecting Attempted Entry into the United States By Terrorists or other Public-Safety Threats." Proclamation No. 9645, 82 Fed. Reg. 45,161 (Sept. 24, 2017). As demonstrated in the

¹ This Motion for a preliminary injunction is filed, by and through undersigned counsel, on behalf of organizational Plaintiffs Pars Equality Center, Iranian American Bar Association, and Public Affairs Alliance of Iranian Americans, Inc. as well as individual Plaintiffs Shiva Hissong, Montra Yazdani, Sepideh Ghajar, Mohammad Reza Shaeri, Mohammed Jahanfar, John Doe #1, John Doe #9, John Doe #10, Jane Doe #1, Jane Doe #4, Jane Doe #13, Jane Doe #14, and Jane Doe #15. The remaining individual Plaintiffs were harmed by Defendants' conduct and remain Plaintiffs in the above-captioned matter for purposes of seeking permanent relief.

Memorandum, the Proclamation and Defendants' enforcement of it violate the First and Fifth Amendments of the U.S. Constitution, the Immigration and Nationality Act and its implementing regulations, and the Administrative Procedure Act. Defendants should be enjoined from enforcing or implementing §§ 2 and 3(c) of the Proclamation.

Pursuant to Local Rule 7(m), counsel for Plaintiffs state that they have conferred with opposing counsel regarding the filing of this motion for preliminary injunction. Defendants oppose this relief.

For the foregoing reasons, Plaintiffs respectfully request that this Court grant their Motion for Preliminary Injunction.

A proposed Order is attached hereto.

Dated: October 12, 2017

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I, John A. Freedman, hereby certify that on October 12, 2017, the foregoing document was filed and served through the CM/ECF system.

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No. 17-cv-255 (TSC)

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Hon. Tanya S. Chutkan

**MEMORANDUM OF LAW IN SUPPORT OF
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INTRODUCTION

When President Trump's second travel ban was enjoined by multiple courts, he expressed his desire to seek "a much tougher version" than the "watered down, politically correct" version that was issued on March 6. SAC ¶ 92. On September 24 – precisely as he said he would -- the President announced a "much tougher," and much more discriminatory travel ban ("September 24 Proclamation").

Given President Trump's reaction to courts that have enjoined his Orders, and his continued vocal support for a Muslim ban despite those injunctions, there can be no doubt that the latest Proclamation was created with the same goal as his previous Executive Orders: to ban Muslims from entering the United States. This is confirmed by the Order itself which, among other things, *indefinitely* bans the issuance of *all immigrant* and almost *all* nonimmigrant visas to Iranians and bans the issuance of *all immigrant* visas to the nationals of five other majority-Muslim nations. On its face, the September 24 Proclamation requires the government to violate the anti-discrimination provisions of the Immigration and Nationality Act of 1965, and it continues the constitutional violations of its predecessors. In light of the President's statements and news reports about its politicized development, the purported national security rationale for the September 24 Proclamation are no less suspect than its predecessors.

On October 5, the government asked that the Supreme Court vacate the injunctions of the prior orders, which currently allow visas to be issued to individuals with "bona fide relationships with a person or entity in the United States." That means when the September 24 Proclamation takes effect, it will interfere with the fundamental rights of Plaintiffs and many other similarly situated individuals from marrying, from co-habiting with their spouses, from having cherished family members join their households, from having grandparents meet their grandchildren, from

travelling internationally, and from pursuing their chosen professions. The declarations submitted with this motion establish that when the September 24 Proclamation takes effect:

- Mohammed Jahanfar and Jane Doe #1 will be unable to get married to their visa-seeking fiancés and live with them in the United States. Ex. 7. ¶ 50; Ex. 12. ¶ 33.
- Jane Doe #13 and her fiancé will either have to postpone their wedding plans or get married without her parents present because they cannot get a tourist visa. Ex. 14. ¶¶ 25-27.
- Mohammad Reza Shaeri will be separated from his wife indefinitely. Ex. 8. ¶ 25.
- Montra Yazdani, Jane Doe #14, Jane Doe #15 will be separated from their parents for extended periods of time and unable to spend regular time with them, rely on their help in raising families, or care for them as they age. Ex. 5. ¶¶ 12, 28; Ex. 15. ¶¶ 20-21; Ex. 16. ¶ 7-8.
- Jane Doe #4 – an Iranian citizen who was granted asylum in the United States in 2016, who is unable to return to Iran due to feared religious persecution – will be unable to have her parents travel to the United States for a visit and she will be separated from them indefinitely. Ex. 13. ¶¶ 3, 17.
- Shiva Hisson, Sepideh Ghajar, John Doe #1, and John Doe #10's close family members will be unable to travel to the United States for a visit and they will be separated indefinitely. Ex. 4. ¶ 29; Ex. 6. ¶ 20; Ex. 9 ¶ 15; Ex. 11. ¶ 48.
- John Doe #1's wife will be unable to apply for a work authorization and they are unable to leave the country for fear their visas will not be renewed. Ex. 9. ¶¶ 15-19.
- John Doe #9 will be unable to accept his job offer and live out his dream of living in the United States and creating a better life for himself and his family in the United States. Ex. 10 ¶ 11.

All of these individuals and countless others (including those who are assisted by the organizational Plaintiffs) will suffer irreparable harm when the September 24 Proclamation takes effect. This Court should enjoin the administration's implementation of the September 24 Proclamation forthwith.

FACTUAL BACKGROUND

A. Critical Events Leading to the September 24 Proclamation

President Trump's promise to ban Muslims and individuals from majority-Muslim countries from entering the United States was a signature promise of his Presidential campaign and a centerpiece of his Administration's agenda. SAC. ¶¶ 56-57. President Trump's statements, which have been documented extensively in previous filings before this Court,¹ leave no doubt as to the unlawful and blatantly discriminatory purpose behind his administration's actions banning individuals from countries with predominantly Muslim populations from the United States. As Fourth Circuit concluded in upholding a nationwide injunction against the March 6 Executive Order: "Trump's campaign statements reveal that on numerous occasions, he expressed anti-Muslim sentiment, as well as his intent, if elected, to ban Muslims from the United States." *Int'l Refugee Assistance Project v. Trump*, 857 F.3d 554, 594 (4th Cir.), *cert. granted*, 137 S. Ct. 2080, 198 L. Ed. 2d 643 (2017) ("IRAP").

After mounting criticisms, then-candidate Trump changed the mechanics of his ban to focus on nationals from "certain areas of the world." He explained that he did so because "[p]eople were so upset when I used the word Muslim," and that he could not "use the word Muslim," so he was "looking now at territories. . . . I'm talking territory instead of Muslim." SAC. ¶ 61. In other words, President Trump admitted that he would use country of origin as a pretext for religious discrimination.

¹ Plaintiffs have listed illustrative statements made by Mr. Trump on banning Muslims from entering the country in several filings to this Court and a full account will not be repeated here. For a detailed description of such statements, see Compl. [D.I. # 3], ¶¶ 49-63; Mem. of Law in Support of Pl.'s First Mot. for a Preliminary Injunction [D.I. # 9], at 4-6, 14-15; First Am. Compl. [D.I. # 34], ¶¶ 54-110; Mem. of Law in Support of Pl.'s Second Mot. for a Preliminary Injunction [D.I. # 35-1], at 26-27.

Following the entry of injunctions of the January 27 Order by multiple courts, President Trump announced that he would revoke that order and issue a new one; senior White House officials assured the media and Trump's supporters that the revised executive order would have "mostly minor, technical differences," but "[f]undamentally" be the "same" and have the "the same, basic policy outcome for the country," meaning the policies from the January 27 Order "are still going to be in effect." SAC ¶ 77. The revised Order – issued March 6 – was in fact, fundamentally the same as the January 27 Order. Hours after signing the March 6 Order, President Trump emailed his supporters soliciting financial contributions and extolling the fact that the Order targeted nationals of "Islamic" countries. SAC ¶ 86.

Following the issuance of injunctions of the March 6 Order by two courts, in a March 16 speech in Nashville, the President admitted that the March 6 Order was "a watered down version of the first order" and that it targeted nationals of "Islamic" countries. SAC ¶ 88. He also said, in light of the Court injunctions, "I think we ought to go back to the first one and go all the way." *Id.* When the injunctions of the March 6 order were sustained by appellate courts, President Trump on June 5 again characterized the March 6 Executive Order as a "watered down, politically correct" version of the January 27 Executive Order. SAC ¶ 92. The President then tweeted that Department of Justice "should have stayed with the original Travel Ban" and he would seek "a much tougher version." *Id.*

In response to the government's request to stay the injunctions of the March 6 Order and petition for *certiorari*, on June 26, the Supreme Court granted *certiorari* and in a *per curiam* order, sustained the injunctions in material part – holding that the March 6 Orders could not be enforced to the extent they barred issuance of visas to individuals with a "credible claim of a

bona fide relationship with a person or entity in the United States.” *Trump v. IRAP*, 582 U.S. ___, 137 S. Ct. 2080, 2088 (2017).

B. The September 24 Proclamation is the “Much Tougher” Version of the Travel Ban the President Promised

President Trump’s third attempt at a Muslim Travel ban was issued on September 24, 2017. The differences between the latest ban and the partially-enjoined March 6 Executive Order demonstrate it is “much tougher” than its predecessors. While the September 24 Proclamation continues to target five of the six Muslim-majority countries targeted by the March 6 Order -- Somalia, Syria, Libya, Yemen, and Iran – it adds Chad, which is also a majority-Muslim country. Unlike its predecessors, the September 24 Proclamation restricts nationals from these countries from entry into the United States *indefinitely*.

With respect to Iran, the September 24 Proclamation indefinitely bans the issuance of all immigrant visas and all nonimmigrant visas to Iranian nationals other than student or exchange visas, and requires individuals traveling on student or exchange visas to undergo unspecified “enhanced screening and vetting requirements.” September 24 Proclamation § 2(b)(ii). The visa restrictions with regard to the five other majority Muslim countries are similar – issuance of immigrant visas are banned for all, while the range of nonimmigrant visas varies.² The September 24 Order exempts the same categories of individuals from the travel ban as the March 6 Order, *see id.* § 3(b)(i)-(vi). and contains a similar discretionary waiver provision for individuals who can demonstrate that denial of their entry will cause them “undue hardship,” that

² All classes of Somalian nonimmigrant visas may be issued subject to unspecified enhanced screening and vetting requirements. Nationals of Chad, Libya, and Yemen may not receive tourist or business visas. Syrian nationals may not receive nonimmigrant visas.

they pose no “threat to national security or public safety,” **and** that their entry would be “in the national interest.” *Id.* § 3(c)(i).

Like the March 6 Order, the September 24 Proclamation provides a short, two-sentence explanation for the exclusion of Iranian nationals:

Iran regularly fails to cooperate with the United States Government in identifying security risks, fails to satisfy at least one key risk criterion, is the source of significant terrorist threats, and fails to receive its nationals subject to final orders of removal from the United States. The Department of State has also designated Iran as a state sponsor of terrorism.

Id. § 2(b)(i). In addition to the six majority Muslim countries, the September 24 Proclamation also includes nationals of two states with whom the United States has very difficult relations – North Korea and Venezuela – that will impact a small number of individuals: the Venezuelan restrictions are limited to Venezuelan government officials who work for five ministries and their families, and very few North Koreans seek visas to enter the United States (in 2016, there were nine immigrant visas issued to North Koreans). In other words, the inclusion of these countries does not impact the fundamentally anti-Muslim nature of the September 24 Proclamation.

The September 24 Proclamation also explains the Administration’s “process” that identified the eight countries. According to the Order, the Department of Homeland Security and the Department of State assessed the performance of every foreign government against certain requirements to confirm the identity of foreign nationals seeking entry and determine whether they pose a security threat to the U.S. Section 1(c). According to the Order, the initial evaluation identified 16 countries as “inadequate” when compared to the baseline criteria and 31 countries at risk of becoming “inadequate.” *Id.* Sec. 1(e). After a 50-day engagement period with foreign governments to improve their performance, the Secretary of Homeland Security

submitted a report to the President on September 15, recommending that travel restrictions be imposed on nationals from seven countries. Sec. 1(h). Press reports indicate that this process was not neutral but was driven by political as opposed to security considerations, including the removal of countries from the list of 47 “inadequate” and “at risk” countries, and the addition of a country to the list of travel restrictions dictated by White House staff. SAC ¶¶ 105-106.

On October 5, the government filed a brief with the Supreme Court requesting that the injunctions regarding the prior Executive Orders be vacated. The September 24 Proclamation thus removes the ability of individuals from listed countries with “bona fide relationships with a person or entity in the United States” from receiving visas.

C. Effects of the September 24 Proclamation on Plaintiffs

The January 27 and March 6 Executive Orders have inflicted extraordinary harm on countless Iranian Americans and Iranian nationals. Of the countries singled out by the September 24 Proclamation, historically approximately 60 percent of the affected visas have been issued to Iranian nationals. SAC ¶ 98. As has been detailed in prior briefs, the government’s actions have separated fiancés and spouses, delayed or prevented weddings, separated parents from children, separated grandparents from grandchildren, and kept families apart for critical life events such as weddings or the birth of children. The government’s actions have also prevented students from pursuing their educations, young professionals from pursuing their careers, medical researchers from collaborating with colleagues to advance science, and many individuals from travelling internationally because they are afraid if they leave the United States they will not be allowed to reenter. SAC ¶¶ 129-29, 133, 139, & 143-44. While the existing injunctions have helped mitigate some individual situations, many individuals continue to have their lives fundamentally frustrated by the government’s action. Plaintiffs have identified numerous instances of visa

applications remaining in limbo for abnormally long periods of time without any final determination as to whether they should be granted or denied, with others denied outright on the basis of overt religious discrimination or other suspect circumstances.

If and when the existing injunctions are lifted and September 24 Proclamation takes effect, it will exacerbate these harms. *No immigrant visas will be issued to Iranians.* This impacts individuals who want to get married or want to reunify with their families, as well as people who were planning to immigrate pursuant to visa programs. For example, this is how the September 24 Proclamation will impact the lives of certain individual Plaintiffs who want to marry Iranian nationals or co-habitate with their Iranian national spouses:

- Plaintiff Jane Doe #1 is a dual citizen of the United States and Iran whose fiancé's visa was orally approved in October of 2016 but not issued before the January 27 Executive Order was signed. Jane Doe #1 and her fiancé have been unable to receive any information about the status of his visa. They fear that they will be unable to marry or live in the United States as they had planned. Ex. 12 ¶¶ 14, 16, 43, & 50.
- Mohammed Jahanfar is a U.S. citizen and U.S. military veteran whose fiancé's visa was approved in May 2017, after the January 27 Executive Order was signed. On September 11, 2017, he and his fiancé were turned away from their interview at a U.S. embassy without explanation. They have been unable to receive any information about the status of the visa. They fear that they will be unable to live their life together in this country as they intended. Ex. 7 ¶¶ 3, 15, 18, 23, 27, & 33.
- Mohammad Reza Shaeri, a lawful permanent resident with a Ph.D. in mechanical engineering, has been separated from his wife for months because she has not been granted a visa to enter the United States after completing her own Ph.D. studies in Australia. Mr. Shaeri applied for an immigrant visa on her behalf on June 6, 2017. He fears that the visa will not be issued because of the September 24 Executive Order. Ex. 8. ¶¶ 2, 15, 16, & 25.

This is how the September 24 Proclamation will impact the lives of certain of the individual Plaintiffs who will to reunify their families by having their parents immigrate to the United States:

- Montra Yazdani is a naturalized U.S. citizen who petitioned for her parents to emigrate to the United States to be closer to their children and grandchildren. Both visas have been orally

approved but not issued. Ms. Yazdani fears the September 24 Executive Order will block the issuance of her parents' visas. Ex. 5 ¶¶ 10, 12, & 16.

- Jane Doe #14 is dual citizen of the U.S. and Iran and is pregnant with her first child. Jane Doe #14's mother applied for an immigrant visa to move to the United States and help care for the baby. The visa remains in administrative processing and Jane Doe #14 has been unable to receive any information about the status of her mother's visa. Jane Doe #14 is afraid her mother will not be able to come to United States and help care for her grandchild. Ex. 15. ¶¶ 3, 15, & 18-21.
- Jane Doe #15 is dual citizen of the U.S. and Iran and has petitioned for immigrant visas on behalf of her aging parents so that they can come live with her in the United States. Anxious that she will be separated from her parents for extended periods of time after the September 24 Proclamation goes into effect, Jane Doe #15 has started looking for jobs in other countries and is considering living apart from her husband, who must stay in the United States for his job. Ex. 16. ¶¶ 2, 10, & 17-18.

This is how the September 24 Proclamation will impact the lives of certain of the other individual Plaintiffs who intend to immigrate to the United States.

- John Doe #9 was selected to receive a visa through the Diversity Immigrant Visa ("DV") program. After he completed his interview, however, he received an email informing him that, although administrative processing had been completed on his file, he would need to submit proof of a close familial relationship, current job, or job offer in the U.S. in order to be exempt from the March 6, 2017 Executive Order. He has a job offer in the United States and provided documentation of that to the government, but his passport was returned to him without a visa on September 4, 2017. John Doe #9 dreams of creating a better life for himself and his family in the United States. He fears the September 24 Proclamation will prevent him from moving to the United States. Ex. 10 ¶¶ 4, 9, & 11.

The September 24 Proclamation will also bar individuals who are seeking to travel to the United States on almost every form of nonimmigrant visa. This includes individuals who have "bona fide relationship with a person or entity in the United States," including parents or children, grandparents or grandchildren, and people who are trying to reunify with their families around critical life events. For example, this is how the September 24 Proclamation will impact the lives of some of the Individual Plaintiffs:

- Plaintiff Shiva Hisson, a lawful permanent resident who lives in the United States, was preparing to bring her very ill father and her mother from Iran to visit their new grandchild in

the United States. She now fears that the September 24 Proclamation will prevent her parents from ever being able to visit the United States to see their grandchild. Ex. 4 ¶¶ 3, 12, & 29.

- Plaintiff Jane Doe #4 is an asylee who is in the process of applying for a green card. She fled political persecution in Iran and cannot return there. She fears that the September 24 Proclamation will bar her family from ever visiting her in the United States. Ex. 13. ¶¶ 3 & 17.
- Plaintiff Jane Doe #13 is engaged to be married to a U.S. citizen and planning a wedding in the United States. If and when the September 24 Proclamation is enforced, Jane Doe #13's parents will be unable to apply for a tourist visa to attend the wedding. Jane Doe #13 will be forced to choose between getting married in the United States without her parents present, or asking her fiancé's family to travel out of the country. She is also distraught that the September 24 Proclamation will prevent her parents and other relatives from ever visiting her in the future. Ex. 14. ¶¶ 10 & 25-27.
- Plaintiff John Doe #1 is an Iranian citizen who entered the United States on an F-1 student visa and is currently residing in New York City. He is in his second year of a PhD program in finance and economics. His wife, who has a PhD in electrical engineering, had an F-2 visa for spouses of students. Both his and his wife's student visas are expired and they are fearful of leaving the United States because they are concerned the September 24 Proclamation will prevent their visas from being reissued and they will not be readmitted to the United States. Because of this face separation from their families in Iran. Ex. 9. ¶¶ 1, 5, & 15-16.
- Sepideh Ghajar is a U.S. Green Card holder and the founder of a Silicon Valley technology startup with a demanding work schedule. His mother applied for a visitor visa so that she could spend time with her son, but it remains in "processing." Mr. Ghajar cannot travel to Iran himself and he fears that, if the ban takes effect, he may not be able to see his mother for many years. Ex. 6. ¶¶ 3, 9, 16, & 20.
- John Doe #10 is a U.S. citizen and his wife is citizen of Iran and a lawful permanent resident of the United States. The couple has a four-month-old baby. It is not safe for the family to visit Iran because John Doe #10's wife converted to Christianity. John Doe #10's parents-in-law have been unable to visit the family—and their first grandchild—because of the Executive Orders. John Doe #10 fears that the September 24 Proclamation will prevent his wife's parents from ever being able to visit the U.S. and see their grandchild. Ex. 11. ¶¶ 3, 4, & 48.

By its own terms, when the September 24 Proclamation takes effect, the Defendants will ban issuance of all of these visas, many of which were very far along in the process, leaving all of these Plaintiffs separated from family members and/or their jobs. This is reminiscent of the

actions the administration took in the immediate wake of the January 27 Executive Order when it revoked over 60,000 visas issued to individuals from the listed nations. SAC ¶ 68.

This Court has already been presented with extensive testimony and evidence of how the January 27 and March 6 Orders have impacted the organizational plaintiffs. *See, e.g.*, Apr. 18, 2017 Hr'g Tr. at 14:17-36:8, 65:10-74:14; Pl.'s First Mot. for a Preliminary Injunction, Exs. 1-4 [ECF No. 9]; Pl.'s Second for Preliminary Injunction, Exs. 1-4 [ECF No. 35-2]. The announcement of the September 24 Proclamation has further harmed and undermined the missions of the organizational Plaintiffs, and these injuries will only be exacerbated if and when the September 24 Proclamation takes effect. The organizational Plaintiffs provide a critical perspective on how the individual plaintiff injuries are magnified and repeated across the whole Iranian-American community.

This discriminatory policy of exclusion has already and will continue to separate families, prevent weddings, exclude professionals from work opportunities and students from educational opportunities, and stigmatize a community that has made and continues to make enduring contributions to the United States. *See* Pars Decl. ¶¶ 21, 25, & 29-32; PAAIA Decl. ¶¶ 22-23, 30-31, 38; IABA Decl. ¶¶ 14-15, 31-32, & 35-36. Lawful permanent residents, current visa holders and even U.S. citizens lose the ability to maintain ties with family in Iran. Iranian Americans, mindful of how the government has treated them since January 27, fear that their ability to freely travel abroad and return to the U.S. can be revoked at any time without notice. *See* Pars Decl. ¶¶ 23 & 26-27; IABA Decl. ¶¶ 13, 20, 32 & 40.

The September 24 Proclamation has a greater impact on Iranian nationals and the families and opportunities they are connected to in the United States than on any other nationality impacted by the ban. Based on State Department visa statistics, visas issued to Iranian

nationals have historically represented over 60 percent of the immigrant and nonimmigrant visas affected by the September 24 Proclamation.³

The organizations continue to divert enormous resources to mitigate the adverse consequences of the Executive Actions and the September 24 Proclamation on the Iranian-American community. *See* Pars Decl. ¶¶ 33-40; IABA Decl. ¶¶ 39-52; PAAIA Decl. ¶¶ 33-43. The organizational Plaintiffs have received hundreds of reports from Iranian Americans about the catastrophic effects of the travel bans, and requests for assistance to address the September 24 Proclamation. *See* Pars Decl., Ex. 1, ¶¶ 21-25; IABA Decl., Ex. 2, ¶¶ 30-37; PAAIA Decl., Ex. 3, ¶¶ 21-23 & 28-32. They have put pre-existing plans on hold and been unable to perform the regular work that advances their missions, as their staff and leadership are overwhelmed by questions and requests for direct assistance. *See* Pars Decl. ¶¶ 33-40; IABA Decl. ¶¶ 30-32, 41, & 45-49; PAAIA Decl. ¶¶ 22-23, 28, 32-33, & 37. Since January 27, they have devoted hundreds of hours and diverted resources to assisting Iranian individuals and families whom the Executive Orders have left stranded and the September 24 Proclamation threatens to harm significantly. *See* Ex. 1. ¶¶ 24-25, 33-41; Ex. 2. ¶¶ 30-33, 39-52; Ex. 3. ¶¶ 32-43. And the travel bans represent a radical break with longstanding U.S. government policy encouraging greater ties between the people of Iran and the United States and providing refuge to people fleeing the Iranian government.

Like the prior Executive Orders, the September 24 Proclamation and its impending enforcement have also directly undermined these organizations' missions. The Proclamation conflicts with Pars' efforts to elevate individuals in the Iranian-American community to their

³ U.S. State Department, Immigrant Visas Issued at Foreign Service Posts (by Foreign State Chargeability) (All Categories) Fiscal Year 2007-2016; Nonimmigrant Visas Issued Fiscal Year 2007-2016.

highest career potential, and impedes Pars' ability to provide social services and classes to achieve this goal. Pars Decl. ¶¶ 10, 14, & 29-32. IABA, as an organization of lawyers, law students, and judges, supports the rule of law; its mission of supporting the rule of law is undermined by reports that the government is flouting valid orders issued by federal judges, that the State Department revoked visas in secret and without notice to affected individuals, and that Iranian Americans who properly followed all procedures necessary to obtain valid permission for family members to enter the United States face arbitrary, unjust, and discriminatory restrictions on their rights. IABA Decl. ¶¶ 17, 39, & 50-51. By implicitly labeling all Iranian nationals as security threats to the U.S. and indiscriminately targeting them for travel restrictions, the Proclamation has directly undermined PAAIA's mission to promote a positive image of Iranian-Americans and combat discrimination and harassing treatment towards the Iranian community. PAAIA Decl. ¶¶ 21, 32-33, 39-42.

Finally, from the perspective of the Iranian-American plaintiffs and organizations, this is not likely to simply be a temporary delay. The September 24 Proclamation provides for an *indefinite* travel ban. It is highly unlikely that the relationships between the Iranian and U.S. governments will materially change in the foreseeable future, and accordingly, according to the terms of the September 24 Proclamation, the ban will remain in effect.

ARGUMENT

To obtain a preliminary injunction, a party must show that (1) it is likely to succeed on the merits; (2) it is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of equities tips in its favor; and (4) the injunction is in the public interest. *Gordon v. Holder*, 632 F.3d 722, 724 (D.C. Cir. 2011). Plaintiffs satisfy each of these factors.

I. PLAINTIFFS ARE LIKELY TO SUCCEED ON THE MERITS

A. The Proclamation is “Contary to Law” Under the Administrative Procedure Act Because It Mandates Violation of the Anti-Discrimination Provisions of the Immigration and Nationalities Act

Plaintiffs are likely to prevail on their APA claim. In 1965, Congress enacted the Immigration and Nationalities Act to change longstanding immigration policies in this country that excluded immigrants who desired to come to this country based on their country of origin. Historically, the immigration authorities had used their discretionary authority to promote immigration from predominantly Protestant Northern European countries and to deter non-Protestant European immigrants, as well as all non-European immigrants by imposing bans on nationals of certain countries or strict admittance quotas.

The Immigration and Nationalities Act of 1965 fundamentally changed this approach to immigration. Congress passed the INA to eliminate the “national origins system as the basis for the selection of immigrants to the United States.” H.R. Rep. No. 89-745, at 8 (1965). Drafted in parallel with major civil rights legislation (including the Civil Rights Act of 1964 and the Voting Rights Act of 1965), the language of the INA echoes these key civil rights statutes when it declares that “no person shall . . . be discriminated against in the issuance of an immigrant visa because of the person’s race, sex, nationality, place of birth, or place of residence.” 8 U.S.C. § 1152(a)(1)(A).

On its face, the September 24 Proclamation violates this antidiscrimination provision. It states that immigrant visas cannot be issued to Iranians (or nationals of the other listed countries). This necessarily precludes issuance of visas to these individuals because of their “nationality,” “their place of birth,” and their “place of residence.” And the long list of statements by President Trump and his advisors leave no doubt that Iranians (and the nationals of

the majority Muslim countries) are being treated discriminatorily. *See* SAC ¶¶ 56-62, 86, 88, & 95.

The government's actions in promulgating the September 24 Proclamation, like the two prior executive orders, runs counter to five decades of consistent government practice. In that time, courts have consistently held that Congress made nationality an "impermissible basis" for admission and deportation decisions. *Chadha v. INS*, 634 F.2d 408, 429 (9th Cir. 1980), *aff'd*, 462 U.S. 919 (1983) (*quoting Wong Wing Hang v. INS*, 360 F.2d 715, 719 (2d Cir. 1966)); *Legal Assistance for Vietnamese Asylum Seekers v. Dep't of State*, 45 F.3d 469, 473 (D.C. Cir. 1995) ("LAVAS"), *vacated on other grounds*, 519 U.S. 1 (1996). *See also Haitian Refugee Ctr. v. Civiletti*, 503 F. Supp. 442, 453 (S.D. Fla. 1980). The "bold anti-discriminatory principles" that pervade the INA's legislative history, *Olsen v. Albright*, 990 F. Supp. 31, 37 (D.D.C. 1997), make clear that the government may not undertake invidious discrimination in refusing to issue immigrant visas. *Cf. LAVAS*, 45 F.3d at 473 (interpreting § 1152(a)(1)(A) and stating that "[h]ere, Congress has unambiguously directed that no nationality-based discrimination shall occur").

The September 24 Proclamation invokes the President's authority under § 212(f) of the INA to "suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants" if he determines that such entry would be "detrimental to the interests of the United States." 8 U.S.C. § 1182(f). But this provision cannot justify the September 24 Proclamation because the travel ban violates the INA's prohibition of discrimination on the basis of nationality. Whatever power the President has to suspend entry of classes of aliens under § 212(f)—and Defendants' ability to implement such a suspension—is limited by a separate, later-enacted congressionally

imposed limitation—8 U.S.C. § 1152(a)(1)(A)—that any such power may not be invoked in a discriminatory manner or in furtherance of discriminatory goals.

In requiring the government to act in a manner contrary to § 1152(a)(1)(A) – by prohibiting the issuance of immigrant visas on a single and impermissible basis— discrimination based on nationality – the September 24 Proclamation violates the Administrative Procedure Act. Under the APA, actions which are “not in accordance with the law” are unlawful and to be set aside. 5 U.S.C. § 706(2)(A). See, e.g., *American Bioscience, Inc. v. Thompson*, 269 F.3d 1077 (D.C. Cir. 2001); *Fox Television Stations, Inc. v. FCC*, 280 F.3d 1027 (D.C. Cir. 2002).

B. The Proclamation Violates Equal Protection

Plaintiffs are likely to prevail on their equal protection claim. The President’s authority under § 212(f) to “suspend the entry of . . . class[es] of aliens as immigrants or nonimmigrants” is subject to constitutional limitations. He is not free to act with impunity in defining such “classes.” Rather, the government must choose “a constitutionally permissible means of implementing [its] power.” *I.N.S. v. Chadha*, 462 U.S. 919, 941 (1983). At a bare minimum, the government’s interests must be “facially legitimate and bona fide,” *Kleindienst v. Mandel*, 408 U.S. 753, 770 (1972), and not mere “pretense” for invidious discrimination, *Harisiades v. Shaughnessy*, 342 U.S. 580, 590 (1952).

Here, the September 24 Proclamation violates the Equal Protection component of the Fifth Amendment for two reasons.⁴

First, if the government employs a suspect class or burdens the exercise of a constitutional right, then strict scrutiny applies, and the government must show that the law is

⁴ The Fifth Amendment has an “equal protection component,” *Harris v. McRae*, 448 U.S. 297, 321 (1980), which applies to citizens and non-citizens alike, see *Plyler v. Doe*, 457 U.S. 202, 210 (1982).

narrowly tailored to serve a compelling governmental interest. *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 357 (1978).

Here, the government’s use of national origin is discriminatory in its own right, and also because it serves as a pretext for the President’s well-documented effort to discriminate on the basis of religion. Such classifications are suspect and trigger strict scrutiny. *See Graham v. Richardson*, 403 U.S. 365, 371-72 (1971); *City of New Orleans v. Dukes*, 427 U.S. 297, 303 (1976); *Hernandez v. Texas*, 347 U.S. 345 (1954); *Oyama v. California*, 332 U.S. 633 (1948). The Ninth Circuit held as much when it examined evidence of “numerous statements by the President about his intent to implement a ‘Muslim ban’ as well as . . . sections 5(b) and 5(e) of the [first Executive] Order” favoring religious minorities in refugee admissions. *Washington v. Trump*, 847 F.3d 1151, 1167 (9th Cir.), *reconsideration en banc denied*, 853 F.3d 933 (9th Cir. 2017), and *reconsideration en banc denied*, 858 F.3d 1168 (9th Cir. 2017). The court upheld a national injunction that barred the enforcement of major parts of the first Executive Order and made sure to “note the serious nature of the allegations the States have raised with respect to their religious discrimination claims.” *Id.* at 1165. Similarly, in staying enforcement of key parts of the second Executive Order, the Fourth Circuit concluded that “there is a direct link between the President’s numerous campaign statements promising a Muslim ban that targets territories, the discrete action he took only one week into office executing that exact plan, and [the second Executive Order], the “watered down” version of that plan that “get[s] just about everything,” and “in some ways, more.” 857 F.3d at 599–600.

When his prior orders were enjoined, the President promised to “go all the way” and seek “a much tougher version.” And he has. The history and structure of the September 24

Proclamation demonstrate that the purpose and effect of the September 24 Proclamation is to ban Muslims, *i.e.*, to discriminate on the basis of religion.

Against the backdrop of the President’s many statements that he would ban Muslims from entering the United States, and the admissions that he and his advisors made that they would use geographic criteria to achieve this impermissible goal, SAC ¶¶ 56-61, it is clear that is exactly what the September 24 Proclamation does. To the tens of thousands of individuals impacted by the designation of five majority Muslim countries on the March 6 list, the September 24 Proclamation add a sixth majority Muslim country (Chad). The imposition of additional restrictions – those that impact the exceedingly small number of North Koreans (9 of whom received immigrant visas in 2016) and Venezuelan government officials who work for one of five designated ministries – does nothing to change the fundamentally anti-Muslim focus of the September 24 Proclamation. Like its predecessors, the September 24 Proclamation is the Muslim ban the President promised to deliver; while the September 24 Proclamation, like its predecessors, employs discrimination on the basis of national origin as a pretext for discrimination against Muslims, it is still subject to strict scrutiny. *See Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266-67 (1977).

The Proclamation cannot withstand strict scrutiny. Its broadly stated rationale is to “address both terrorism-related and public-safety risks.” But the Proclamation is not narrowly tailored to achieve these goals. The Proclamation bans nearly every person from 7 of the specified countries and certain Venezuelan nationals without any evidence that any individual poses a threat to the United States. A study conducted by the CATO Institute that reviewed data from 1975-2015 found not one single case of an American being killed in a terrorist attack in this country by a person born in Iran or the other majority Muslim nations identified the

Proclamation.⁵ Moreover, the Proclamation's categorical ban on Iranians makes no sense when considered in light of:

- The February 2017 Department of Homeland Security intelligence assessment that concluded (i) citizenship was an “unlikely indicator” of terrorism threats against the United States, and (ii) that very few persons from the seven countries included in the January 27 Executive Order had carried out or attempted to carry out terrorism activities in the United States since 2011. SAC ¶ 78.
- The reasons cited exclusion of Iranians are all directed at grievances with the Iranian government and provide no support for a wholesale policy of excluding Iranian nationals. The Proclamation cites no acts of terror committed by Iranian nationals, nor does it cite any terrorist attacks perpetrated by Iran within the United States. In stating that Iran “is the source of significant terrorist threats: and is a “state sponsor of terrorism,” the U.S. government cited Iran's support for or engagement in activities with non-Iranian individuals, and for actions that have occurred in countries outside of Iran other than the United States. *Country Reports on Terrorism 2016* (June 2016), *supra*, at 300-01. SAC ¶¶ 100-101 & 103.
- The treatment of Iranian nationals is far harsher than the treatment of the only predominantly Christian nation on the list (Venezuela). The State Department classifies Venezuela, like Iran, as a “terrorist safe haven.”⁶ And the September 24 Proclamation notes that Venezuela, like Iran, is “uncooperative in verifying whether its citizens pose national security or public-safety threats,” and is “not fully cooperative with respect to receiving its nationals subject to final orders of removal from the United States.” Yet, the September 24 Proclamation restricts entry only of Venezuelan government officials who work for particular Venezuelan ministries, while the Iran ban extends to all Iranians. SAC ¶ 108.
- The September 24 Proclamation fails to address other countries the State Department classifies as “terrorist safe havens,” including predominantly Christian countries such as the Philippines and Colombia.
- The stated reason for barring Iranian nationals from receiving visas -- purportedly because the U.S. government cannot accurately vet applicants due to noncooperation from the Iranian government -- makes no sense. The government of Iran has not had any role in vetting Iranian nationals to obtain U.S. visas for over 40 years. Iran and the United States have no diplomatic relations. Iranian

⁵ Alex Nowrasteh, *Guide to Trump's Executive Order to Limit Migration for "National Security" Reasons*, Cato Institute (Jan. 26, 2017).

⁶ See U.S. Dep't of State, Bureau of Counterterrorism & Countering Violent Extremism, *Country Reports on Terrorism 2016* (June 2016), <https://www.state.gov/documents/organization/258249.pdf>.

nationals for decades have had to travel to U.S. consulates outside of Iran to apply for visas. The Iranian government provides no assistance in Iranian applicants for U.S. visas. Indeed, U.S. consultation with the Iranian government concerning visa applications from these individuals would potentially place these individuals in danger and will discourage Iranians from seeking visas. SAC ¶¶ 109 & 111.

- There are news reports that the designated countries were selected, in part, due to political considerations rather than national security considerations. SAC ¶¶ 105-106.
- The ban takes no account and makes no allowance for individuals with bona fide relationships with entities or individuals in the United States. SAC ¶ 97.

And even if a lesser level of scrutiny were to apply, Plaintiffs would prevail. Governmental action that is “inexplicable by anything but animus toward the class it affects . . . lacks a rational relationship to legitimate state interests.” *Romer v. Evans*, 517 U.S. 620, 632 (1996). A classification premised on discriminatory animus can never be legitimate or bona fide because the government has no legitimate interest in exploiting “mere negative attitudes, or fear” toward a disfavored minority. *City of Cleburne, Tex. v. Cleburne Living Ctr.*, 473 U.S. 432, 448 (1985). “The Constitution’s guarantee of equality ‘must at the very least mean that a bare . . . desire to harm a politically unpopular group cannot’ justify disparate treatment of that group.” *United States v. Windsor*, 133 S. Ct. 2675, 2693 (2013) (quoting *U.S. Dep’t of Agric. v. Moreno*, 413 U.S. 528, 534-35 (1973)). In short, “if the constitutional conception of ‘equal protection of the laws’ means anything, it must at the very least mean that a bare desire to harm a politically unpopular group cannot constitute a legitimate government interest.” *Romer*, 517 U.S. at 634.

As described above, the September 24 Proclamation is permeated by discriminatory animus. *See supra* at 14, 17. The government’s purported national-security justifications for the Executive Order ring hollow – this is evident in the nonsensical premise that the noncooperation of the Iranian government in visa issuance has any significance when the U.S. government has never consulted the Iranian government in issuing visas to Iranian nationals. It is also evident in

the nonsensical decision to punish all Iranian nationals for the conduct of their government, and the disparate decision regarding the only majority Christian country on the list (where grievances with the Venezuelan government are targeted to select Venezuelan government officials). As with the prior travel bans, the purported national security justification for the September 24 Proclamation “is not a ‘talismanic incantation’ that, once invoked, can support any and all exercise of executive power under” federal immigration law. *Hawaii v. Trump*, 859 F.3d 741 (9th Cir. 2017). The Proclamation’s blanket discrimination is invalid.

Most importantly, on its face, the September 24 Proclamation purports to bar entry to individuals who “who have a credible claim of a bona fide relationship with a person or entity in the United States” in contravention of the Supreme Court’s guidance in *Trump v. Int’l. Refugee Assistance Project*, 582 U.S. ____, 137 S. Ct. 2080 (2017) (per curiam). The Supreme Court specified that the prior travel bans could not be enforced against workers who accept offers of employment in the United States or lecturers who accept speaking invitations because they have “bona fide” relations with a U.S. entity, nor against individuals with “a close familial relationship” in the country. *Id.* The September 24 Proclamation provides no reasoning, nor could there be any, for excluding such individuals.

Nor does the availability of a waiver change this analysis. The September 24 waiver system is identical to the one presented by the March 6 Executive Order, which the Supreme Court found could not be enforced against individuals with a bona fide relationship with a person or entity in the United States. More importantly, the waiver system is a “separate” system predicated on discriminatory animus which imposes burdens on Iranians and nationals of the other designated countries and their U.S. sponsors far more onerous than those imposed on other

nationalities; as such, this “separate” system is “inherently unequal” and violates the Equal Protection Clause. *Cf. Brown v. Board of Educ. Of Topeka*, 347 U.S. 483 (1954).

In short, the Executive Order thus bears no “rational relationship to a legitimate governmental purpose,” *Romer*, 517 U.S. at 635, and instead reflects irrational, discriminatory fears.

C. The Proclamation Violates the Establishment Clause

Plaintiffs are likely to prevail on their Establishment Clause claim. Both the January 27 and March 6 Executive Orders were found to violate the Establishment Clause because they were motivated by a primarily religious purpose. Based on the evidence before it, the Fourth Circuit in *IRAP* determined that the government’s “stated national security interest” in the second Executive Order “was provided in bad faith.” 857 F.3d at 592. The court deemed it appropriate to apply longstanding Establishment Clause doctrine and “look behind” the Executive Order using the framework developed in *Lemon v. Kurtzman* to determine if it was motivated by a primarily religious purpose. *Id.* The Fourth Circuit determined that “[t]he reasonable observer could easily . . . understand that [the ban’s] primary purpose appears to be religious, rather than secular.” *Id.* at 595. The March 6 Executive Order, the court concluded, “cannot be divorced from the cohesive narrative linking it to the animus that inspired it.” The court ordered that the travel ban remain blocked as a violation of the Establishment Clause. *Id.* at 602.

The September 24 Proclamation continues to violate Establishment Clause. The test remains whether the order is “motivated by a primarily religious purpose.” The addition of a sixth majority-Muslim country (Chad) does not change the anti-Muslim purpose of the government’s action. And the inclusion of a non-majority Muslim state (North Korea) and government officials from five Venezuelan ministries does not change the fact that the

overwhelming majority of individuals affected by the September 24 Proclamation – over ninety-nine percent, are nationals of majority-Muslim countries. For example, in 2015, an estimated 70,000 visas were issued to nationals of the listed countries; of those 70,000 visas, nine were issued to nationals of North Korea. SAC ¶ 98.

Under the three-part test set out in *Lemon v. Kurtzman*, all government action must “(1) have a secular legislative purpose; (2) have a principal or primary effect that neither advances nor inhibits religion; and (3) not result in excessive entanglement with religion or religious institutions.” *Bonham v. D.C. Library Admin.*, 989 F.2d 1242, 1244 (D.C. Cir. 1993) (citing *Lemon*, 403 U.S. at 612-13). When the government professes a secular purpose for an allegedly sectarian practice, courts must ensure that the government’s stated purpose is “genuine, not a sham,” *McCreary, Cnty. v. ACLU of Ky.*, 545 U.S. 844, 864 (2005), taking into account the implementation of the policy, its evolution over time, and contemporaneous statements of relevant decision makers, *Bonham*, 989 F.2d at 1244-45. Thus, in *McCreary*, the Court considered the “evolution” of a Ten Commandments display as evidence that the government’s true purpose was sectarian. 545 U.S. at 850. And in *Church of Lukumi*, Justice Kennedy determined that a facially neutral set of ordinances were, in fact, a “religious gerrymander,” by examining “the historical background of the decision under challenge, the specific series of events leading to the enactment or official policy in question, and the legislative or administrative history, including contemporaneous statements made by members of the decision making body.” *Church of Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 540 (1993) (Kennedy, J., joined by Stevens, J.); *see also Bonham*, 989 F.2d at 1244-45. A sectarian purpose in itself violates the Establishment Clause. *See McCreary*, 545 U.S. at 881.

Here, the historical developments leading to the September 24 Proclamation's implementation leave no doubt that its purpose is to discriminate against Muslims. As in *McCreary*, the policy now expressed in the September 24 Proclamation underwent an "evolution," 545 U.S. at 850, in response to public criticism and successful legal challenges. The ban morphed from "a total and complete shutdown of Muslims entering the United States," SAC ¶ 56, to a 90-day bar on all nationals from seven Muslim-majority countries entering the United States and a plan to prioritize Christian refugees, SAC ¶¶ 62-63, to a 90-day bar on all nationals from six Muslim-majority countries entering the United States, SAC ¶ 81, to its current form: an indefinite ban on immigrant visas and most non-immigrant visas on nationals of six majority-Muslim countries, as well as a small handful of North Koreans and officials of five Venezuelan ministries.

President Trump's own words make it clear that this evolution marks a change only in style, not in substance. Even after his revised March 6 Executive Order was enjoined, President Trump committed target nationals of "Islamic" countries, and promised a "much tougher" ban. SAC ¶¶ 88, 92, & 95. The evidence of the President's purpose is overwhelming. It requires no "judicial psychoanalysis of [his] heart of hearts." *McCreary*, 545 U.S. at 862. It has been broadcast—on the campaign trail, on Twitter, in interviews, speeches, and debates—for months. The September 24 Proclamation is nothing more than the newest iteration of President Trump's campaign promise to keep Muslims out of this country, and it violates the Establishment Clause.

D. The Proclamation Violates Due Process

Plaintiffs are likely to prevail on their Due Process claim. The Due Process Clause of the Fifth Amendment requires that the government, at a minimum, provide fair notice and an

opportunity to be heard before denying constitutional and statutory rights. *See Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). In conjunction with the first travel ban, the Ninth Circuit correctly held that the January 27 Executive Order violated the due process rights of “lawful permanent residents[,] non-immigrant visaholders who have been in the United States but temporarily departed or wish to temporarily depart, refugees, and applicants who have a relationship with a U.S. resident or an institution that might have rights of its own to assert.” *Washington v. Trump*, 847 F.3d at 1166 (citations omitted). The September 24 Proclamation directly violates the rights of persons in the United States whose family members abroad are barred from entering this country.

The Due Process Clause bars any deprivation of life, liberty, or property without due process of law for “all ‘persons’ within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvyda v. Daviss*, 533 U.S. 678, 693 (2001); *see also Plyler*, 457 U.S. at 210. Many of the individual plaintiffs in the United States have applied for visas for family members to join them in this country. Exs. 4-8, 11-16. Decl. of Mohammed Reza Shaeri ¶¶ 14-18; Decl. of Mohammed Jahanfar ¶¶ 14-23; Decl. of Montra Yazdani ¶¶ 13-14; Decl. of Jane Doe #4 ¶¶ 5-11; Decl. of Jane Doe #13 ¶¶ 11-21 ; John Doe #10 ¶¶ 24-37; Decl. of Jane Doe #1 ¶¶ 11-18; Decl. of Jane Doe #14 ¶¶ 8-16; Decl. of Jane Doe #15 ¶¶ 13-14; Decl. of Shiva Hissong ¶¶ 12-13; Decl. of Sepideh Ghajar ¶¶ 11-24; The September 24 Proclamation deprives these Plaintiffs of a protected liberty interest in family integrity, “a right that ranks high among the interests of the individual.” *Landon v. Plascencia*, 459 U.S. 21, 34 (1982); *see Rosenbaum v. Washoe Cty.*, 663 F.3d 1071, 1079 (9th Cir. 2011) (“[D]ue process right to family integrity or to familial association is well established.”). In addition, several Plaintiffs -- Jane Doe #1, Mohammed Jahanfar, and Jane Doe #13 -- have

identified how the government has interfered with their ability to get married, and another plaintiff (Mohammed Reza Shaeri) has asserted that the September 24 Proclamation will keep him from co-habiting with his spouse; the September 24 Declaration thus interferes with his constitutional right to marriage. *See, e.g., Obergefell v. Hodges*, 135 S. Ct. 2584, 2605 (2015).

II. PLAINTIFFS WILL SUFFER IMMEDIATE, IRREPARABLE HARM ABSENT PRELIMINARY RELIEF

Without this Court’s intervention, Plaintiffs will suffer immediate and irreparable harm as a result of the enforcement of the September 24 Proclamation. Where, as here, plaintiffs allege deprivations of constitutional rights, irreparable harm for purposes of a preliminary injunction is presumed. *Statharos v. N.Y. Taxi & Limousine Comm’n*, 198 F.3d 317, 322-23 (2d Cir. 1999). The “loss of constitutional freedoms, ‘for even minimal periods of time, unquestionably constitutes irreparable injury.’” *Mills v. District of Columbia*, 571 F.3d 1304, 1312 (D.C. Cir. 2009) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976) (plurality)).

Moreover, “the inchoate, one-way nature of Establishment Clause violations” create immediate, irreparable injury. *Chaplaincy of Full Gospel Churches v. England*, 454 F.3d 290, 303 (D.C. Cir. 2006) *see also id.* (“[W]hen an Establishment Clause violation is alleged, infringement occurs the moment the government action takes place . . .”). Where, as here, Plaintiffs are likely to succeed on the merits of their Establishment Clause claim, the law “counsels in favor of finding that in the absence of an injunction, they will suffer irreparable harm.” *IRAP*, 857 F.3d at 602.

Plaintiffs here face actual irreparable harm. The organizational Plaintiffs have already been forced to divert significant portions of their limited resources to respond to the September 24 Proclamation, just as they did to respond to the January 27 and March 6 Executive Orders. They have had to indefinitely suspend or substantially reduce their regular activities—including

providing social and legal services, assisting new immigrants to the United States, and legislative and political outreach—while they sort through the implications of the Executive Orders and now the September 24 Proclamation. *See* Ex. 1. ¶¶ 27, 35-37, 39; Ex. 2. ¶¶ 40-42; Ex. 3. ¶¶ 32. 34-36 . Further, the Iranian American community for which the organizational Plaintiffs stand has experienced severe disruption to family ties, educational and business pursuits, and their efforts to contribute to U.S. civic society. *See* Ex. 1. ¶¶ 18-26; Ex. 2. ¶¶ 30-38; Ex. 3. 22-31. And the entire communication has been subject to the stigma associated with discriminatory animus directed by the most powerful officials of the United States government.

The individual plaintiffs have also suffered irreparable harm, as the travel ban separates their families, prevents them from marrying and cohabiting with their spouses, and limits their employment opportunities. The Ninth Circuit has identified these as “substantial injuries and even irreparable harms.” *Washington v. Trump*, 847 F.3d at 1169. The Supreme Court necessarily agreed in holding that §2(c) of the second Executive Order, which suspended entry of nationals from designated countries for 90 days, may not be enforced against foreign nationals who have a credible claim of a bona fide relationship with a person or entity in the United States. *Trump v. IRAP*, 582 U.S. ___, 137 S. Ct. 2080, 2088 (2017).

As detailed in the declarations and discussed elsewhere in this brief, the September 24 Proclamation threatens irreparable harm to the individual Plaintiffs, including barring the fiancés and spouses of plaintiffs Jahanfar, Shaeri and Jane Doe #1 from entering the United States, interfering with the wedding plans of plaintiffs Jahanfar, Jane Doe #1 and Jane Doe #13, barring the parents of plaintiffs Yazdani, Jane Doe #14, Jane Doe #15 from entering the United States to help raise their families or be cared for in their old age, barring the parents and family members of plaintiffs Hisson, Ghajar, Jane Doe #4, and John Doe #10 from visiting family in the United

States, barring John Doe #9 from accepting his job offer, and barring John Doe #1 from renewing his work authorization.

In sum, the September 24 Proclamation will perpetrate irreparable harm on people “who have a credible claim of a bona fide relationship with a person or entity in the United States” by categorically determining they may not receive a visa because of their nationality. *Trump v. Int’l. Refugee Assistance Project*, 582 U.S. ____, 137 S. Ct. 2080, 2088 (2017) (per curiam).

III. THE BALANCE OF EQUITIES AND THE PUBLIC INTEREST SUPPORT PRELIMINARY RELIEF

The balance of equities and the public interest also support preliminary relief. “These [two] factors merge when the Government is the opposing party.” *Nken v. Holder*, 556 U.S. 418, 435 (2009).

The government and the public have no legitimate interest in enforcing unconstitutional laws or actions. *See United States v. U.S. Coin & Currency*, 401 U.S. 715, 726 (1971); *KH Outdoor, LLC v. City of Trussville*, 458 F.3d 1261, 1272 (11th Cir. 2006). Any purported “national security” justification for enforcing the September 24 Proclamation is a blatant pretext for invidious discrimination and provides no basis for categorically excluding the individual Plaintiffs and others from the United States on the basis of their religion or national origin (as a proxy for religion). Although the September 24 Proclamation cites concerns about the Iranian government, the Proclamation is not based on any evidence, much less any reasoned determination by the Department of Homeland Security or otherwise, that Iranian nationals should be deemed presumptive terrorists.

Indeed, the September 24 Proclamation, like its predecessors, is contrary to longstanding U.S. policy and far more likely to harm than to advance interests of the United States. For decades, this nation has sought to promote democracy and religious freedom and to sanction

human rights abuses in Iran. Consistent with these principles, the United States has recognized that it is in the national interest to provide shelter and legal protection to individuals fleeing persecution from the Iranian government, including in particular those who have been victims of “systematic, ongoing, and egregious violations of religious freedom.” U.S. Comm’n on Int’l Religious Freedom, 2016 Annual Report 45 (Apr. 2016). Public opinion of the United States is higher in Iran than in any other country in the Middle East (other than Israel). C. Thornton, *The Iran We Don’t See: A Tour of the Country Where People Love Americans*, *The Atlantic* (June 6, 2012).

The U.S. Commission on International Religious Freedom has made clear that U.S. efforts with respect to Iran are about Iranian government policy and not the people of Iran: “[T]he United States continues to keep in place and enforce sanctions for Iran’s human rights violations, its support for terrorism, and its ballistic missile program. According to the State Department, these sanctions are intended to target the Iranian government, not the people of Iran.” U.S. Comm’n on Int’l Religious Freedom, 2016 Annual Report 48 (Apr. 2016).⁷ The State Department’s Human Rights Report on Iran criticizes the Iranian government because it “severely restricted freedom of speech and of the press and used the law to intimidate or prosecute persons who directly criticized the government or raised human rights problems.” U.S. Dep’t of State, Iran 2015 Human Rights Report 15, *in* Country Report on Human Rights Practices for 2015. Senator John McCain stated U.S. policy clearly in 2009: “The president and his administration should be at the forefront, calling on the Iranian regime to annul the fraudulent election, to restore the people's inalienable rights, and to allow peaceful protesters to voice their

⁷ The Commission also made clear that the importance of protecting the rights of Iranian citizens: The U.S. government should “continue to support an annual UN General Assembly resolution condemning severe violations of human rights, including freedom of religion or belief, in Iran and calling for officials responsible for such violations to be held accountable.” *Id.* at 49.

opinions. . . . [B]y standing with the Iranian people as they pursue their legitimate rights we will demonstrate to them—and to the world—that American is more than its might.” Sen. John McCain, *Speak Out for Iran and Its Democracy*, Arizona Republic, Feb. 5, 2017.

In the face of all this, and without any basis, the September 24 Proclamation stigmatizes all Iranians—Muslim or non-Muslim, religious or secular—as presumptively subscribing to “radical Islam” and harboring terrorist intentions against the United States. This baseless stereotyping is an affront to the Iranian American community, who represent and foster those elements of Iranian society that are most likely to cherish the values of freedom and tolerance that this country has long represented. Slamming the door on Iranian individuals, with no regard to their personal circumstances, plays into the hands of hard-liners in the Iranian government, who have long used the United States—“the Great Satan”—as a foil to justify their repressive policies. The September 24 Order leaves Iranians who stand up to the regime out in the cold, and will likely encourage anti-Americanism in the region. None of those results serves the American public’s interest or our national security.

On the other hand, Plaintiffs have a vital, pressing interest in securing preliminary relief and in enjoining enforcement of a policy that infringes their constitutional rights or their “bona fide relationships” with individuals or entities in the United States. “The public interest and the balance of the equities favor preventing the violation of a party’s constitutional rights.” *Arizona Dream Act Coalition v. Brewer*, 818 F.3d 901, 920 (9th Cir. 2015). There are no other adequate remedies.

CONCLUSION

For the foregoing reasons, Plaintiffs’ motion for a preliminary injunction should be granted. A proposed order is attached.

Dated: October 12, 2017

Respectfully submitted,

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EXHIBIT 1

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc. *et al*,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-255

**DECLARATION OF THE PARS EQUALITY CENTER IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Sarvenaz Fahimi, hereby declare and state as follows:

1. I am over the age of eighteen years. I have personal knowledge of the facts set forth herein, and am competent to testify thereto.
2. I am the Senior Director of the Legal Department at Pars Equality Center (Pars). In this capacity, I oversee the work of all of attorneys and Department of Justice, Office of Legal Access Programs (formerly BIA) accredited representatives.
3. The Pars Equality Center is a 501(c)(3) non-profit dedicated to helping all members of the Iranian-American community and other Persian-speaking countries realize their full potential as informed, self-reliant, and responsible members of American society. Pars believes that learning and teaching the rights and responsibilities of citizenship in a democracy as well as the rules and rewards of entrepreneurship are the necessary ingredients for our success as a community. Pars achieves its mission primarily by

providing extensive social and legal services out of community centers. The organization's Persian-speaking staff advocates for families and individuals in need with a strong focus on refugees, asylees, and those newcomers living in poverty. Pars is based in California.

4. While its focus is on the Iranian-American community, Pars does not close its doors to anyone seeking its services. Especially in its immigration services, Pars serves clients from various backgrounds and nationalities. In 2016, Pars provided 20,713 units of service¹ across all of its locations, with the majority of clients of Iranian descent.
5. Among other things, Pars provides mentorship and career development for Iranian-Americans. For example, Pars hosts a Silicon Valley career development techniques and best practices workshop, which covers resume writing, successful interviewing, information about the culture of the workforce in Silicon Valley, and how employees can make themselves an instant asset to potential employers. Pars also hosts a "Generation +" initiative that provides the younger generation of Iranians, both American-born and immigrants, with career mentors, peer mentors and career opportunities. Pars selects a broad array of mentors from the private, public, and art sectors, provides formal mentorship that connects younger Iranians with mentors that best fit that individual's needs, and organizes social events to allow members of the community to bring together the community and facilitate career connections. Through its work with Generation +, Pars acts as a catalyst for social, cultural and economic integration of Iranians speaking communities to achieve their highest potential.

¹ A "unit of service" measures one service – for example, one workshop, one immigration-related consultation, or one ESL class. One individual can receive multiple units of service from Pars.

6. Pars provides various other social services to Iranian Americans and Persian speakers of all ages. Pars provides, among other things, English as a Second Language (ESL), citizenship, and resume writing/interview skills classes; computer training and access to employment resources including job fairs; assistance navigating the social and medical systems; and other services to improve the quality of the family's life in our community. Through the Kordestani Family Fund, Pars also invests in the education of Iranian American youth by providing a grant each year to a student of Iranian descent graduating from high school in California with specific plans to continue their education in a College or University in California. Pars also has a Senior Program for Persian speaking immigrants over the age of 55 which includes interactive programs, tours and picnics to provide an uplifting and inspiring environment that these individuals can call home away from home.
7. The legal services provided by Pars give community members the resources to become productive citizens, by educating and advocating on behalf of individuals in the community, and by representing individuals at no or low cost in immigration matters. The legal staff members at Pars are either licensed attorneys or accredited Department of Justice representatives, and they guide individuals through the immigration process and provide extensive legal services, including: citizenship, green card renewals, domestic violence based petitions, family relative petitions, travel documents, issues arising in the refugee context, and counselor processing.
8. Pars works with other organizations, such as the Iranian American Bar Association and the Public Affairs Alliance of Iranian Americans, across the United States to educate the

community about relevant legal issues and advocate on behalf of Iranian Americans in the U.S.

Pars' Interest in and Concern About Enforcement of the Presidential Proclamation of September 24 and the January 27 and March 6 Executive Orders

9. Pars is vitally interested in and concerned about ongoing harm and impact resulting from a series of three linked Executive Actions restricting travel and immigration from Iran to the United States: (1) the original January 27, 2017, Executive Order, "Protecting the Nation from Foreign Terrorist Entry Into the United States" ("January 27 Executive Order") (2) the March 6, 2017, Executive Order of the same name ("March 6 Executive Order"); and (3) a proclamation issued on September 24, 2017, which partially went into effect on the same date, and is partially expected to go into effect as of October 18, 2017 ("September 24 Proclamation").
10. These Executive Actions have a highly negative impact on both the community that we serve as well as the mission and purpose of our organization. For the reasons discussed below, enforcement of the September 24 Proclamation will harm Pars' mission in multiple ways and has already forced Pars to scramble to address its effect, thus causing Pars to divert valuable resources away from its usual activities.
11. The September 24 Proclamation prohibits the issuance of visas to Iranian citizens indefinitely. The impact of this prohibition cannot be overstated. Based on my experience as Legal Director at Pars, I believe that the September 24 Proclamation will negatively impact visa holders residing in the United States who were planning to renew their visas; it will negatively impact Iranian Americans of all legal statuses who wish to host visitors, including family and friends, from Iran; it will negatively impact Iranian citizens,

including graduating students and professionals, who wish to come to the United States for the very first time; and it will expose many Iranian Americans, regardless of legal status, to discrimination.

12. The vetting process for Iranians seeking visas to enter the United States has long been robust because Iran has a very secure documentation system. At birth, each individual is issued a birth certificate with a birth certificate number, name, place and date of birth, gender, and information relating to the individual's parents, including their names and residences. In addition to a birth certificate, each permanent resident of Iran above the age of fifteen is issued a National Identity Card by the Iranian Ministry of the Interior. The secure documents that Iranians are able to provide with their visa applications facilitate the thorough and reliable vetting of Iranians seeking to enter the United States.
13. The September 24 Proclamation seems to require that, in contrast to the vetting process in place prior to the January 27 Executive Order, the Islamic Republic of Iran be involved in the vetting of visa applicants from Iran to the United States. Yet in my opinion, involving the Islamic Republic in U.S. vetting is a dangerous, irrational, and illogical proposition. Many individuals seeking to come to the United States have allegiance to the United States. Those who are already living here want their families to join them. Yet they are being harmed by the U.S. government – even those who are in opposition to the government of Iran.
14. As a result of this indefinite ban, our organization is unable on a very tangible level to provide competent services. The lives of people we are counseling are up in the air. Their families are being torn apart and there is tremendous uncertainty we are unable to address. For example, the standards given for seeking a waiver are vague. There is no

policy explaining how it works and no certainty about who will qualify, which means it will cause even more chaos. People I speak with feel this means that 99 percent of waiver requests will be denied. We have no confidence this process will really permit family members in Iran or other individuals coming here for work to obtain a visa.

15. Our community and the people we are serving feel marginalized and afraid. People look at us differently because of the stigma of these Executive Actions. And this ban is, in my opinion, all for nothing. It does nothing to address the security concerns or other reasons it is supposedly being put into place.
16. The sequence of the three Executive Actions has continued to increase the impact on the Iranian-American community. It feels like the marginalization is getting worse between January and now. There is lot of fear and frustration. Even U.S. citizens and lawful permanent residents who are aware of their rights are becoming more afraid. Even leaving the country on a business trip seems risky to them. I still have to reassure them that there is no formal restriction on their travel.
17. In law school, I read cases like *Korematsu v. United States* and now I have to look at those precedents and wonder what will happen to us. It seems like despite everything we have learned about how a policy based on fear and animus of people of a certain nationality was a mistake, we might do something like that again. As a lawyer and as an Iranian-American this is very troubling to me. I never imagined in law school that cases like *Korematsu* would be directly at issue and relevant to my future work.

Impact on Pars' Clients and the Broader Community of the Executive Actions

18. The psychological and emotional toll of the September 24 Proclamation has come into stark relief in conversations between Pars staff and Iranian Americans. Entire families are experiencing profound disruption.
19. Further, individuals now in Iran who have close ties to Iranian-Americans and other Americans in the United States (like fiancés or parents and their children) may be indefinitely separated from their loved ones. The September 24 Proclamation exacerbates the impact of the prior Executive Actions by turning the 120 day-ban on travel and immigration into an indefinite suspension, meaning anyone who was about to apply or in the visa application process may never be able to obtain permission to come to the United States. We have been counseling pregnant women with husbands still in Iran, and family members expecting to immigrate on Diversity Visas that have yet to be issued and now may never be issued.
20. In short, while Pars fights for families to establish themselves in their communities and for individuals to achieve their greatest career potential, the September 24 Proclamation is likely to cause long term family separation and a brain drain from the United States.
21. These impacts continued even after courts enjoined the January 27 Executive Order. Pars has been contacted by individuals who had completed consular interviews prior to the January 27 Executive Order but now find their applications languishing in Administrative Processing. Asylum applicants with pending asylum petitions contacted Pars because they are concerned about the status of their applications. Members of the community served by Pars who have submitted I-130 petitions for alien relatives (immigrant family visa petitions) have seen their cases placed into administrative processing in the wake of

the January 27 Executive Order. Despite numerous contacts to the relevant Embassies, these individuals are unable to move their petitions forward, get their cases released from administrative processing, or obtain any information about their cases. Similarly, United States citizens at various stages of obtaining K-1 fiance visas for their overseas fiancés have experienced longer than expected delays. Some cases that were progressing prior to the January 27 Executive Order have been placed in administrative processing and are still delayed.

22. While administrative processing is typical in some cases, the volume of cases that Pars staff have seen placed into administrative processing since January 27 is unusual, and, in the opinion of Pars immigration attorneys, likely due to the Executive Actions and despite judicial intervention. It seems like many more cases are being put into administrative processing than was the norm before January 27. In the past, we would see at least one visa for our cases issued every single week. My staff has informed me that since January 27, we have only seen one immigrant visa issued, and as far as I know, no one seeking a B2 visa who has contacted us at Pars has successfully obtained one.
23. Current visa holders have expressed to Pars staff that they have a serious fear of traveling due to the uncertainty of their ability to return to the United States. Some of these individuals are choosing not to travel even in emergency situations. They are concerned that the rules may change again without warning.
24. Legal team members at Pars continued to field many questions from individuals who are concerned about the effect of the prior Executive Actions on their lives even after courts have enjoined them. The individuals who reach out to Pars are worried, scared, and

confused. In many instances, Pars has not been able to provide concrete answers or reassurance to them.

25. The Executive Actions have already had an immediate impact on the clients of Pars. Here are just some of the stories of our clients:

- A young married couple in their 20s cannot return to Iran due to persecution. The husband is Christian and an asylee. The wife was interviewed in July 2016 and her application remains pending in administrative processing. We are not aware of any reason her background would have triggered a hold. Despite Congressional requests to expedite a determination on her application due to the fragile mental condition of her husband, she has been unable to obtain a visa.
- We are representing U.S. citizens who are separated from their parents with severe medical conditions who have pending visa applications and are now facing significant uncertainty.
- One client is a refugee who cannot bring her husband to the United States because they cannot prove a bona fide relationship. They were both refugees in Turkey who lived there for 12 years. Due to Turkish law they were not able to get married, and the birth of their child was not properly recorded. Now the child faces major emotional issues over being separated from her father.
- Individuals who have experienced major life changes have missed saying goodbye to loved ones or hello to newborn family members.

26. The Executive Actions have made it difficult, if not impossible, for many individuals to plan their future lives in the United States. For visa holders as well as dual citizens and permanent residents, the September 24 Proclamation means that they may not be able to

have their family members join them in the United States as planned. The vast uncertainty, confusion, and deep fear caused by the January 27 Executive Order and perpetuated by the March 6 Executive Order has already manifested itself in great harm to the communities that Pars serves as well as the organization's mission. That harm will only continue to deepen if and when the September 24 Proclamation is enforced.

Frustration of Mission Resulting from the Executive Actions

27. The goal of the day-to-day legal services that Pars typically provides — to effectively use the immigration laws to advocate on behalf of immigrants, including immigrants from Iran, and to guide individuals through immigration processes — has been crippled over the last nine months, starting with the January 27 Executive Order and continuing to today. While Pars attorneys seek to provide concrete answers, it is very difficult to give competent legal advice because there is so much uncertainty. It is impossible for these attorneys to inform those who seek their services what to expect with their or their family members' pending visa applications, whether they should submit future petitions, whether current visa-holders with single-entry visas should travel outside of the United States for work or pleasure, and whether current visa-holders will be able to renew their visas to continue the lives they had planned in the United States. Even our very experienced immigration attorneys do not know how the new September 24 Proclamation will work. The assistance that Pars typically provides to individuals with their visa applications is severely hampered.
28. And there is absolutely no guidance regarding the waiver process, so the attorneys do not have any way to assist people. We do not know how the waivers will work in practice, including what documentation individuals will need to provide, when they should raise

the issue or what standard will apply to the decision. Without this information Pars cannot properly advise individuals about even whether a waiver is a meaningful option for them.

29. Pars seeks to facilitate the social, cultural and economic integration of Iranian-Americans to achieve their highest potential while also staying connected to their Iranian heritage. However, the September 24 Proclamation, like the Executive Orders before it, falsely singles out Iranians in the United States and those seeking to enter as a terrorist threat. Such a negative label on the Iranian-American community has already sown fear and anxiety in the community we serve. The stigma and discrimination that is caused by the Executive Actions exacerbates the challenges that immigrant groups, especially immigrants from primarily Muslim countries like Iran, already face in the United States.
30. Pars also seeks to elevate Iranians and Persian speakers to achieve their highest career potential in the United States. However, the September 24 Proclamation blocks the entry of, or forces the departure of, many Iranians who would otherwise have contributed to the vibrant and creative economy of the United States. For example, based on Pars' programs relating to mentorship and career development, Generation +, and educational programming, I believe it is likely that the September 24 Proclamation will affect the decisions of employers, who may prefer not to hire or sponsor Iranian visa holders, or even legal permanent residents and dual citizens. In addition, the September 24 Proclamation will cause individuals with high levels of educational attainment – Master's and PhD degree holders who are applying for H1B, or other work-related visas – to be denied visas or for their visas not to be renewed. Some of these educated individuals may also choose to leave the United States, even if it means leaving behind promising careers

or degree programs, in order to be reunited with family members who are not able to enter the United States.

31. The purposes of Pars' citizenship classes will also be undermined by the September 24 Proclamation, just as they were undermined by the prior Executive Actions. Pars teaches Iranian immigrants about the U.S. democratic system, and the rights and privileges that it bestows. The content of these classes is being undermined as teachings on the Constitution, fundamental rights and the democratic process are in conflict with what students see happening around them.
32. All of these Executive Actions share the same pernicious effects: they stigmatize and alienate the Iranian-American community and make many of its members feel as though the country they consider home is treating them like second-class citizens.

Diversion of Resources Resulting from the Executive Actions

33. Our organization suffered economic harm directly as a result of the January 27 Executive Order and has been continuing to experience that harm for the last nine months. Upon signing of the January 27 Executive Order, our legal services staff received twice the typical volume of calls, emails, in-person questions and other inquiries. Individuals of all legal statuses — dual citizens, green card holders, visa holders, those seeking protected status (VAWA, U Visa, 10751 with waiver), refugees and refugee applicants, and asylees and asylum applicants, and others — called with fearful questions about themselves or their loved ones. Instead of our usual legal services, we focused almost completely on addressing unanswerable queries about the January 27 Executive Order. Our legal services team was inundated with constant telephone calls, emails, and messages.

34. That impact has been renewed with each new issuance of an Executive Action restricting travel and immigration for Iranian nationals. For example, when the September 24 Proclamation was announced, we immediately got new inquiries over the phone and through our immigration lawyers. We rapidly put together an event that was also live-streamed online to try to answer questions.
35. In the week following the signature of the January 27 Executive Order, I was forced to devote dozens of hours of my time solely to dealing with Order-related issues. Pars resources have been diverted from our typical programming. We have spent significant time organizing with other groups and entering into coalitions to share information and be able to adequately inform the community about its effects.
36. As an example, one attorney at Pars has frequently been pulled away from the cases to which she was assigned in order to respond to the Executive Actions. After making one presentation on the earlier Executive Order she had to seek out the assistance of a psychologist who would counsel distraught individuals.
37. Another attorney had to devote significant time responding to queries received by Pars, instead of performing her regular job functions. Other staff members, particularly within Pars' legal services branch, have spent their time educating themselves about the Executive Actions and regularly posting online about it for the benefit of the impacted community. Pars also is spending time and resources updating the website and providing information through Facebook and other social media platforms.
38. Pars staff members continue to spend time organizing and coordinating panels regarding the Executive Order generally, as well as "know your rights" talks related to the

Executive Order. Pars staff is continuously in touch with the co-speakers and co-sponsoring organizations involved in these events.

39. The Executive Actions have affected our ability to provide even a basic level of service to individuals on the day to day immigration filings we normally process. We have seen a steep dropoff in individuals seeking consultation and those who do face new restrictions and barriers in addition to the attorney time being diverted to respond to the Executive Actions. This reduction in core services will negatively impact our grant funding, some of which depends on meeting certain targets for counseling and filing.
40. We continue to expend a significant percentage of our resources responding to the Executive Actions, and we do not know when we will be able to return to our regular activities.
41. In summary: in the last nine months, the Executive Orders have caused, and continue to cause, profound psychological and emotional harms to the Iranian-American community. The fear and anxiety created by the January 27 Executive Order has now been increased by the indefinite ban of the September 24 Proclamation. These policies have or will separate and unmoor families. They have also put into jeopardy the economic security of the Iranian American community and the September 24 Proclamation is sure to cause a brain drain from the United States as many Iranian immigrants, refugees and Iranian Americans are forced to, or choose to, leave the country in search of more stable employment, reunification with their families, or both. The Executive Actions, including the September 24 Proclamation if and when it is enforced, have and will cripple core aspects of Pars' mission and wreak havoc on the organization's ability to continue with its usual programming, social, educational, and legal services.

I, Sarvenaz Fahimi, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day of October, 2017, in San Jose, California.



Sarvenaz Fahimi

EXHIBIT 2

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc. *et al*,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

No. 15-cv- 255 (TSC)

**DECLARATION OF IRANIAN AMERICAN BAR ASSOCIATION IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Babak Yousefzadeh, hereby declare and state as follows:

1. I am over the age of eighteen years. I have personal knowledge of the facts set forth here or believe them to be true based on my experience or upon information provided to me by others, and I am competent to testify to them.
2. My name is Babak Yousefzadeh. I am the President of the Iranian American Bar Association (IABA). I have personal knowledge of the facts set forth in this declaration, or I believe them to be true based on my experience at IABA, information provided to me by others, or review of information and documents available to me in the course and scope of my position with the IABA.
3. The IABA is an all-volunteer non-profit, independent, and apolitical professional association operating under section 501(c)(6) of the Internal Revenue Code. It seeks to

educate the Iranian-American community in the United States about legal issues of interest, advance legal rights of the community, and ensure that government officials and the public at large are fully and accurately informed on legal matters of concern to the Iranian-American community. The IABA also seeks to foster and promote the development and achievements of Iranian-American legal professionals, and encourage civic participation by such professionals in the United States.

4. Founded in 2000 with a single Washington, DC chapter and four members, the IABA now has additional chapters in Dallas, Los Angeles, New York, Northern California, Orange County, Phoenix, and San Diego. Currently, we have over 1500 members, including attorneys, judges and law students, and consist of the only national network of Iranian-American lawyers in the U.S. The IABA provides a formal mentorship program to law students and new lawyers, jobs board, and continuing education programs including a national conference. The IABA is involved in vetting potential candidates for the judiciary. The affiliated IABA Foundation has granted over two dozen scholarships to law students since it was established in 2013.
5. The members of the IABA Board of Directors are distinguished members of the Iranian-American legal community. There is one board member for each local chapter, multiple at large members (depending on annual needs) and one student representative.
6. I am currently in my third term as President, and I am also a member of the Board of Directors, representing the Northern California Chapter. I have been a member of IABA for about nine years. I am also a Partner with the national law firm Sheppard, Mullin, Richter & Hampton, LLP, in their labor and employment practice group. In addition to my role in helping to lead the labor and employment group in the San Francisco office, I

am also in charge of recruiting new associates for the San Francisco office, and in charge of running the associate training program for the labor and employment associates firm-wide. I have also received the Diversity Leadership Award from the Bay Area Minority Bar Association.

7. In addition to my role at IABA, I have a personal stake in ensuring the United States applies its immigration practices fairly to Iranian nationals and provides asylum to those legitimately fleeing persecution. My family had to leave Iran for Switzerland in 1984 when I was only seven years old, sought asylum in Germany and ultimately sought and obtained political asylum in the United States after a two-year process.
8. My family was forced to leave Iran because of my father's opposition to the then-newly-formed government of the Islamic Republic of Iran. My father opposed the Shah's regime and supported democratic change. However, based on what I have learned, in the unrest following the revolution, there was a suppression of those who sought a democratically elected civil government and additional liberties, including by means of imprisonment and extra judicial executions. At the time, my father was politically active. His political circle was under a severe threat, and people he knew and associated with had been imprisoned and executed. Even though they did not want to leave their country, my parents decided the risk of staying was too great. My mother, who was a school teacher, my 13-year sister and I left immediately. My father was only able to follow with a great deal of difficulty several months later. If we were not able to leave the country, I fear my father would have perished.
9. I came to the United States in 1986 and was a permanent resident until 2001, when I became a naturalized citizen. As a child and young adult, I did not perceive much

difference between being a permanent resident and a citizen – as far as I was concerned my family and I were like other Americans.

10. Unfortunately, my family's story of emigration from Iran is not unique. In meeting and talking with Iranians of my generation who now live in the United States, I found that after the revolution, a lot of us came here by seeking asylum, and often going through countries like Germany that opened their borders to us.

IABA's interest in and concern about enforcement of the Presidential Proclamation of September 24 and the January 27 and March 6 Executive Orders

11. The IABA is vitally interested in and concerned about ongoing harm and impact resulting from a series of three linked Executive Actions restricting travel and immigration of Iranian nationals to the United States, consisting of: (1) the original January 27, 2017, Executive Order, "Protecting the Nation from Foreign Terrorist Entry Into the United States" ("January 27 Executive Order") (2) the March 6, 2017, Executive Order of the same name ("March 6 Executive Order"); and (3) a proclamation issued on September 24, 2017, which partially went into effect on the same date, and is partially expected to go into effect as of October 18, 2017 ("September 24 Proclamation"). As President of IABA I have worked with our chapter presidents to coordinate our national emergency response, including sending teams of IABA lawyers to airports around the country when the January 27 Executive Order was first announced, and providing legal services to individuals in distress from the Executive Actions throughout this time period. Few people in the country have learned about the harsh consequences of the Executive Actions as I have in my capacity as IABA President.

12. The purpose and effect of these Executive Actions is to bar individuals from temporary or permanent entry into the United States from majority-Muslim countries, specifically Iran, for no other reason than their identity as nationals of majority-Muslim countries and nationals of Iran. The discriminatory policy of exclusion carried out under these Executive Actions has prevented numerous Iranian nationals wishing to relocate to or visit the United States for work, travel or study to do so, and is causing individuals now in Iran and other places outside the U.S. (like Europe or Canada) to question whether they should even attempt to pursue opportunities to come here or take their talents and contributions elsewhere.
13. This policy, including the chaotic implementation of the January 27 Executive Order, has sent a chilling message to Iranian Americans (including permanent residents or current visa holders already in the United States) that their ability to freely travel abroad and return to the U.S. can be revoked on a whim. Even those members of the Iranian-American community who are U.S. citizens feel targeted by the American government.
14. Now that the September 24 Proclamation indefinitely suspends virtually all travel and immigration to the United States by Iranian nationals except for certain student visa holders, members of the Iranian-American community here in the United States face long-term separation from their family members, and an increasing sense that these Executive Orders are expressly targeting Iranians and Iranian nationals. The animus of the original policy and its subsequent iterations has continued to send the message that Iranian-Americans and Iranian nationals are potential criminals or terrorists merely by virtue of their nationality despite any legitimate evidence that we are (or have historically been) a threat. This final determination, to permanently exclude the tens of thousands of

Iranian nationals who come here every year to visit family, travel, and work, despite our positive impacts on American society and the American economy, makes the members of our community now living in the United States feel like second-class citizens.

15. In addition to the Executive Actions themselves, associated actions of the U.S. State Department and the Department of Homeland Security Office of Customs and Border Patrol (“CPB”) have harmed and unfairly restricted Iranian Americans. For example, the State Department “provisionally revoked” any immigrant and nonimmigrant visas held by any national of Iran or the other countries covered by the January 27 Executive Order without disclosing the action or providing notice. The U.S. government also communicated directly with international airlines instructing them not to board passengers holding these visas without communicating with travelers or the public. And individuals currently navigating the visa application process, which is supposed to be proceeding normally under existing court orders for many affected individuals, have nonetheless received conflicting information, experienced significant delays, and faced questions about religious beliefs and other inappropriate barriers to obtaining visas. Applications remain in Administrative Processing for extended and indefinite periods without a final determination.
16. The IABA is vitally interested in and concerned about the illegal and discriminatory policy of the September 24 Proclamation, arising out of the January 27 Executive Order and continuing through the March 6 Executive Order and the present. It subjects our members, and their families, friends and fellow members of the Iranian community in the United States and abroad to direct and indirect restrictions on their ability to work, travel, study, live, and unite with family members in the United States.

17. This policy of total exclusion continues to adversely affect our members as well as the mission and purpose of our organization. It has already forced IABA to divert substantial resources to combating the pernicious effects of the policy.
18. In this statement, I first explain why enforcement of these Executive Orders against the Iranian community and IABA's members is improper and arbitrary. I provide a summary of the hundreds of reports we have taken from individuals denied entry to the United States, subjected to additional delay, experiencing confusion and concern about their status, or otherwise impacted by the Executive Orders. I then explain the economic harm that enforcement of the Executive Orders has caused, and will continue to cause, to our organization.

Impact of the Indefinite Ban on Travel and Immigration by Iranian Nationals on the Iranian-American Community

19. Based on the many individuals who have contacted the IABA since January 27, it is clear that the September 24 Proclamation, the two Executive Orders, and the broader policy of exclusion are sowing fear and confusion in the Iranian-American community. This policy has unfairly singled out Iranian Americans, despite their deep ties to this country. And as the policy has progressed through its various phases, the impact on Iranian Americans and Iranian nationals has only increased. The Iranian-American community is by far the largest community harmed by the September 24 Proclamation of all the listed countries.
20. The policy has separated families and created significant uncertainty about the ability of Iranian-Americans to maintain family ties. It has prevented U.S. citizens who are married or engaged to Iranian nationals from feeling secure about maintaining a normal family life together. It has left people who sold their homes and possessions in preparation to immigrate in limbo. Families have been separated and Iranian Americans living in the

United States are now concerned about their ability to visit or help family members in Iran, or to have their family members travel here to support them with new births and other family responsibilities.

21. The Executive Orders treat the Iranian-American community, estimated to approach 1 million people, as less than fully American – despite the many U.S. citizens and lawful permanent residents who have made significant contributions to the United States through their work, study and participation in community life for decades. Iranian Americans have contributed to many aspects of American society including public and military service. Without any basis or justification, the exclusionary policy paints all with the same brush. It effectively categorizes everyone of Iranian descent as a potential terrorist and therefore inherently dangerous. But according to a study conducted by the CATO Institute that reviewed data from 1975-2015, there was not a single case of an American being killed in a terrorist attack in this country by a person born in Iran -- or any of the other countries specified any of these three Executive Actions restricting travel and immigration. Indeed, there is no relationship between the nationality of individuals who did commit fatal terror attacks in the United States and the countries subject to travel and immigration restrictions.
22. Further, the stated justification contained in the September 24 Proclamation and the March 6 Executive Order, that Iran is a state sponsor of terrorism, makes little sense. All of the examples of Iran's support for terrorism that the U.S. government has identified in making this designation involve support for or engagement in activities with individuals

who are non-Iranian in countries outside of Iran other than the U.S.¹ Banning all entry of Iranian nationals into the United States would have zero impact on the cited activities of the Iranian government and does nothing to protect anyone in the United States. Further, it is counterproductive since it undermines those striving for increased democracy in Iran. The September 24 Proclamation adds a new rationale, stating that “Iran regularly fails to cooperate with the United States Government in identifying security risks, fails to satisfy at least one key risk criterion, is the source of significant terrorist threats, and fails to receive its nationals subject to final orders of removal from the United States.” However, this rationale does not explain why – or how – that requires an indefinite bar on any travel or immigration by Iranian nationals, especially given that those factors have all been true for the many years that Iranian nationals have been traveling to the United States without raising national security concerns.

23. Comparing the treatment of Iran to that of Venezuela in the September 24 Proclamation shows there is a less discriminatory alternative to address these security concerns. The September 24 Proclamation cites very similar security concerns – failure to cooperate in identifying security risks or in receiving nationals subject to final orders of removal, and “failure to satisfy at least one key risk criterion,” with respect to Venezuela. However, in that case, the September 24 Proclamation only suspends travel or immigration of government officials who are derelict in cooperating, not the regular citizens seeking to visit or relocate to the United States, while stating that “nationals of Venezuela who are

¹ U.S. Department of State, Bureau of Counterterrorism and Countering Violent Extremism, *Country Reports on Terrorism 2016* (June 2016), available at <https://www.state.gov/documents/organization/258249.pdf>.

visa holders should be subject to appropriate additional measures to ensure traveler information remains current.”

24. Iran has a stable government with no active conflict zones and a robust state bureaucracy that can issue verified birth certificates and other certified identity documents. For four decades, individuals seeking immigrant and nonimmigrant U.S. visas, who have the burden to establish their identity to consular officials, have been able to provide this documentation without apparent incident. To the extent they cannot provide appropriate documentation to the satisfaction of consular officials, visas can be (and are) denied. No blanket prohibition of all visas is justified. Further, to the extent there are in fact bona fide national security concerns about any individual Iranian nationals, why would that require a complete and indefinite suspension of all visas for all Iranian nationals, rather than a targeted approach plus additional measures, such as those applied to Venezuela?
25. I have heard the numerous statements from President Trump about wanting to exclude Muslims from entry into the United States. I see that he has done so by naming everyone from specific majority-Muslim countries, regardless of the diversity of people and circumstances of those people. This is inconsistent with America’s long-standing policy to strengthen democratic institutions; and its stated support for Iranian dissidents and religious minorities, and reflects in my mind that these Executive Actions are not meant to address a meaningful threat from Iranian citizens but simply to go after Muslims or those perceived Muslims as a group and Iranians as a nationality.
26. The specific and increasing targeting of Iranian nationals, combined with illogical reasons provided for them and the shifting rationales for the policy from the campaign statements, to the January 27 Executive Order, to the March 3 Executive Order, and now

to the September 24 Proclamation are all evidence of pretext for discriminatory intent. The altering reasons for enforcement of a policy on the basis of national origin can be, and often is, circumstantial evidence of discriminatory intent. Particularly given the weak and conflicting rationales offered for including Iran in this policy, I believe there is something at work other than national security interests, and that the offered (illogical and shifting) reasons are merely a pretext hiding the real, discriminatory reason for the policy of exclusion – a reason President Trump has previously stated publicly. The September 24 Proclamation includes Venezuela and North Korea, in an apparent attempt to provide cover for the anti-Muslim and anti-Iranian animus of the underlying policy. However, the inclusion of these two countries is essentially a pretext, given how few individuals from those countries would actually be impacted.

27. Finally, with respect to Iran, this policy is an indefinite and total ban. There are no diplomatic relations between the United States and Iran. Absent regime change, the government of Iran will never satisfy the stated requirements for cooperation. As a consequence, families will not be able to maintain ties, and the United States will lose the benefit of the lawyers, doctors, business investors and numerous others excluded by this discriminatory policy.
28. Although the September 24 Proclamation promises that the State Department will establish a waiver process, the presence of this separate and unequal waiver provision does not address the discriminatory impact of the indefinite and total ban. The default assumption is no visa should be issued, with a case by case exception based on three criteria that are hard to reconcile. For example, the requirement of showing an “undue hardship” will be extremely difficult to meet, and will effectively assure the denial of

work visas and travel to connect with family in almost all circumstances. And I do not understand how anyone is supposed to show that their entry into the United States (e.g., to visit family or start a job work) would be in the national interests of the United States – another required criterion.

29. There are no apparent guidelines for applying for or obtaining a waiver, and even attempting this process will impose an unknown period of delay and additional costs with no guarantee of success. Iranian Americans and Iranian nationals seeking to use this procedure do not know how to apply for an exception or what documentation to provide. I am concerned that many people who are denied under the policy of exclusion will not have the information or resources to pursue case by case waivers. Indeed, currently, even under the existing court injunctions, Iranian visa applicants are facing significant delays and confusing instructions, providing little comfort that the waiver process will ameliorate the irreparable harms of this policy.

Reports to IABA on Individual Impacts of the Indefinite Ban on Travel and Immigration from Iran

30. Since January 27 and continuing to today, our chapters have been on the front lines at airports and responding to emails, calls and social media postings from Iranian Americans and Iranian nationals affected by the three Executive Actions. We have invited individuals to file reports with us, and have received over 600 individual reports, although not all are complete.
31. We have received over 100 new inquiries since the September 24 Proclamation was announced from individuals concerned about pending visa applications and the Proclamation's impact on fiancé visas for planned weddings, family support needed for

impending births, future job prospects, and other close ties with people or entities in the United States.

32. Throughout this entire period and continuing until today, we are receiving inquiries from individuals in the U.S. – current visa holders but also lawful permanent residents and even U.S. citizens – who are concerned about the stability of the lives they have been building here in America. These government restrictions continue to have a chilling effect on Iranian Americans who are U.S. residents and citizens and who need to be able to freely leave and return to the United States. We continue to hear from individuals who are cancelling or delaying travel outside the country – travel that is important or necessary to their jobs and maintaining ties with older or ill family members. Even though the policy does not formally apply to them, they are increasingly concerned about leaving the country and not having certainty they will be able to freely return.
33. The earliest reports show the chaos and confusion of the disastrous implementation of the January 27 Executive Order. We were contacted by individuals denied entry to the United States under the January 27 Executive Order, including persons who were not permitted to board flights at all despite having valid visas or other authorization to enter the United States – and dual citizens and green card holders who arrived at U.S. airports and were turned back and put on flights out of the country. Green card holders and visa holders reported delays, more intrusive questioning or other hurdles upon arrival, including reports filed after multiple courts had enjoined the provisions of the January 27 Executive Order. Individuals directly impacted by the State Department's secret order revoking visas and instructing airlines not to board any Iranian visa holders on flights to

the United States contacted us – including a group of 110 visa holders being denied boarding to the United States.

34. And even as courts began to limit the impact of the January 27 Executive Order, and blocked much of the March 6 Executive Order from going into effect, we continued to receive reports showing that for many Iranian nationals and members of the Iranian-American community, there was already a de facto ban on their ability to obtain immigrant and non-immigrant visas.
35. We have heard from individuals or their attorneys regarding visa applications that were accepted but that appear to be on hold without any progress for months. We have heard from numerous individuals that the final “Administrative Processing” step, which is supposed to be completed within 60 days, has been effectively turned into an indefinite hold on any final determination about the approval or denial of a visa.² Failing to move forward with the normal process is impacting not only foreign nationals seeking to travel to the United States for work, school or family reasons, but also the U.S. businesses, schools, residents and citizens who are depending on their ability to do so. Given the existing judicial orders there is simply no reason the State Department and other U.S. government entities should be slow-walking any visa applications. Some individuals who had visa applications progressing after courts lifted the current restrictions imposed by the January 27 Executive Order have still not received visas despite the court orders enjoining the March 6 Executive Order.
36. We have also learned that U.S. Consulates where people of Iranian descent often obtain visas to the United States such as Dubai have had extensive delays in granting visa

² <https://travel.state.gov/content/visas/en/general/administrative-processing-information.html>

interviews. We have further learned that visa applicants are improperly being asked about their religious beliefs and are receiving conflicting and confusing information about their status, necessary documentation and how to proceed with their applications. We received reports from individuals still in Iran who had interview dates cancelled by the January 27 Executive Order without being given an opportunity to reschedule. Others have received interviews, but were immediately told their visas were not going to be approved, without further explanation. These include individuals with close ties to the United States who should be subject to the same guidelines as non-Iranian visa applicants.

37. This policy has a particularly harmful impact on refugees seeking a safe haven from violence and persecution. One IABA staff member who made contact with an Iranian family learned they had fled to Turkey to escape reported political persecution in Iran. The family members had been accepted as refugees under the U.S. Government's Refugee Assistance Program and were awaiting safe passage to the United States. As a result of the January 27 Executive Order, the family had been stranded in Turkey without proper accommodation. Within a few hours, the IABA staff member used IABA funds to pay for their stay at an Istanbul hotel and arranged for them to travel by bus to Istanbul. She also purchased them a plane ticket to the United States after a United States federal court temporarily restrained enforcement of the EO. We have heard from refugees who are in difficult and dangerous situations but remain in limbo unable to proceed with their applications or obtain approval to travel to the United States.

38. News reports and the reports from many individuals who have contacted us since President Trump signed the January 27 Executive Order make clear how the arbitrary and

inconsistent actions of the CBP's enforcement have harmed Iranian nationals. News accounts from Iranians with otherwise valid immigrant and nonimmigrant visas or green cards include being denied entry and forced to board flights out of the country, being detained for extremely long periods of time, and attempting to coerce permanent residents into signing away green cards.³

Harm to IABA and Its Mission

39. These Executive Actions are having a severely negative impact on the mission of our organization. As an organization that supports the rule of law and whose members are practicing attorneys and judges, the IABA is particularly distressed about reports that the government is flouting valid orders issued by federal judges, that the State Department revoked visas in secret and without notice to affected individuals, and that Iranian Americans who properly followed all procedures necessary to obtain valid permission to enter the United States have faced arbitrary, unjust and discriminatory restrictions on their rights.

40. Further, because we are an association of lawyers specifically, we have dropped everything to focus on providing legal assistance and support to the Iranian-American community and Iranian nationals. The vagueness and ambiguity of these policies, and the continually shifting rationales and unclear requirements, frustrate these efforts and prevent our attorneys from informing those who seek their services what to expect with

³Natasha Bertrand, *Lawsuit: Dozens of Immigrants Trying to Enter the U.S. Coerced Into Giving Up Visas and Green Cards After Trump Travel Ban*, Business Insider (Feb. 3, 2017), available at <http://www.businessinsider.com/trump-immigration-ban-travel-ban-2017-1>, Brenda Gazzar and Cynthia Washicko, *Thousands Protest Trump's Immigration Order at LAX*, Los Angeles Daily News (Jan. 29, 2017), available at <http://www.dailynews.com/general-news/20170129/thousands-protest-trumps-immigration-order-at-lax>, *Lives Rewritten With the Stroke of a Pen*, New York Times (Jan. 29, 2017), available at https://www.nytimes.com/interactive/2017/01/29/nyregion/detainees-trump-travel-ban.html?_r=0.

their or their family members' travel plans and pending visa and green card applications. The Executive Actions and the associated actions of the State Department and CBP have created incredible chaos and many potential legal challenges as well as the need to answer hundreds of inquiries about whether individuals can legally travel to or outside the United States.

41. The continuing efforts to ban travel and immigration for Iranian nationals to the United States has completely overwhelmed our limited resources for the last nine months and continues to do so today. In the wake of the September 24 Proclamation we are spending 30-40% of our organization's resources to respond to this attack on our mission and support our members and the broader community.
42. In early January, our organization set its goals – such as improving our infrastructure (including our website), updating our bylaws, increasing our social media presence and improving our services for members. We had specific plans to increase our membership and engage in fundraising. Just a couple of weeks later we found that all our resources had been diverted to combat the initial impact of the January 27 Executive Order and all our plans had been placed on hold. Many of those plans remain on hold to this day, or have been severely delayed.
43. I have personally devoted extensive time to respond. In the initial weeks, when the chaos at the airports started on the morning of January 28, I was spending 6-10 hours per day. While the specific demands have ebbed and flowed depending on the status of the policy and the legal challenges, it has continued to impact my time and our organization continuously since that day. Over the weekend of September 25-26, as the new policy was announced, I and the other leadership of the IABA again sprung into immediate and

intensive action to respond and at the moment I am spending 3-6 hours per day on a voluntary basis at the expense of my job and my other IABA commitments.

44. I am personally reviewing each new policy, including the most recent September 24 Proclamation, and each new court decision, and trying to coordinate responses by the IABA National, local chapters, and coalition partners. I am coordinating our response across multiple cities. I am coordinating with organizations like the American Civil Liberties Union, the American Immigration Law Association, the National South Asian Bar Association, the Asian Law Caucus, and other bar associations, as well as Iranian American advocacy and community groups. I am also communicating with our chapters who are impacted, and dealing with significant media inquiries. I am also personally responding to many calls and emails from people impacted by the EO and drafting statements and other information to help them.
45. Our entire Board and many of our members are also devoting significant time on a voluntary basis to trying to reach people and represent them, answering questions from travelers and their loved ones, and particularly in the early days, trying to follow up on reports of people being transferred or detained. We are doing legal research on cases and responding to individuals outside the US. Our organization has also devoted significant resources to drafting materials to inform the community, including FAQs, and developing forms and databases to track people who are impacted. Local chapters have been spending time posting information on social media, particularly Facebook, and handling responses. Due the vague language in all of the Executive Actions, the chaos and confusion around implementation of the January 27 Executive Order, and the unclear

impact of the subsequent Executive Actions, it has been extremely challenging to provide appropriate counseling and advice to individuals in need.

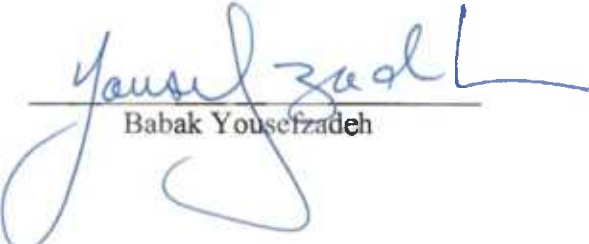
46. Despite the court orders enjoining the January 27 Executive Order and preventing the March 6 Executive Order from going into effect, we have continued to respond to questions from individuals and family members who are affected, continuing to maintain our database of reports, and staging outreach events and “Know Your Rights” presentations to help keep our community informed in collaboration with other minority bar associations. We reissued our reporting form when the September 24 Proclamation was announced and have been inundated with new inquiries and questions.
47. At our chapters, members of our local Boards are also devoting time to respond to the Executive Order. The seven members of our Board who represent local chapters have all been working on this issue over the last nine months, putting in significant time both on the national level and in local coordination. The remaining other five Board representatives are all helping in some capacity to support this work.
48. We are spending a fair amount of money and resources on our continued efforts to respond to the Executive Actions, including updating our website in order to get information out, and have had to defer our plans to conduct fundraising. IABA has continued to devote resources to digital tools and online information, including setting up a You Tube channel and making short videos to answer questions. We are continuing to write new scripts and “know your rights” memos. We have translated our online FAQs into Farsi and continue to update the website.
49. Finally, we have been devoting resources for some time to adapt to the constant prospect of changing rules. We have set up protocols and put a structure in place to try to avoid the

chaos. We have created lists of people available to go to airports, serve as a liaison with Customs and Border Patrol, and serve as translators. We are also working with minority bar associations and our members to ensure there are lawyers available to represent people with specific legal needs. We have created a universal intake list and an online form to securely track issues in constant preparation for potential new issues arising under the sequence of Executive Actions.

50. When the September 24 Proclamation takes effect, it will maintain a ban on Iranian nationals and Iranian Americans. The discrimination and animus based on religion and national origin under this policy will continue to demean and stigmatize the Iranian-American community. This new Executive Action still fails to explain why people of Iranian descent pose a greater risk to Americans than individuals from other nations not targeted by this ban. The continuation of this policy of exclusion will continue to adversely impact U.S. businesses and U.S. based families.
51. The discriminatory restrictions embedded within both Executive Orders are continuing and will continue to interfere with our mission to uphold the legal rights of Iranian Americans and support the many important contributions of Iranian-American lawyers and legal professionals to American society.
52. At this time, we do not expect this pressure to lift and we do not know when we can return to the regular work of our association and our normal services we provide to our members.

I, Babak Yousefzadeh, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day of October, 2017, in San Francisco, California.



Babak Yousefzadeh

EXHIBIT 3

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,)
Iranian American Bar Association,)
Public Affairs Alliance of Iranian Americans,)
Inc. *et al*,)

Plaintiffs,)

v.)

No. 15-cv- 255 (TSC)

Donald J. Trump, President of the United States,)
et al.)

Defendants.)

**DECLARATION OF THE PUBLIC AFFAIRS ALLIANCE OF IRANIAN AMERICANS
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Leila Golestaneh Austin, hereby declare and state as follows:

1. I am over the age of eighteen years. I have personal knowledge of the facts set forth here or believe them to be true based on my experience or upon information provided to me by others, and I am competent to testify to them.

I. Background Information on the Public Affairs Alliance of Iranian Americans (PAAIA)

2. I am the Executive Director of the Public Affairs Alliance of Iranian Americans (PAAIA). PAAIA, Inc. is a 501(c)(4) nonprofit, bipartisan, non-sectarian, national membership organization with an affiliated 501(c)(3), IA-100, Inc. I have been the Executive Director at PAAIA since February 1, 2015.

3. Because of my position as Executive Director, I know about the history and background of PAAIA as well as the organization's mission and purposes. I am also involved in the day to day operations of PAAIA, and thus am very familiar with our current expenses and resources. I oversee the programs and activities sponsored by PAAIA and am either involved directly or indirectly with the publications PAAIA releases or otherwise contributes to.

4. The 501(c)(3) of PAAIA has an exclusive membership comprised entirely of Iranian Americans. All of the approximately 50 members of the PAAIA 501(c)(3) are either U.S. citizens or legal permanent residents and almost all reside in the United States. Membership in the 501(c)(3) is by invitation and invitees are individuals who have demonstrated leadership in their respective fields, are active in the Iranian-American community, and are willing to commit their resources in the promotion of PAAIA's goals and programs.

5. The 501(c)(4) of PAAIA also has members who register online with the organization. Members can elect online to register for either the free membership, the \$100 Supporters members, the \$1,000 Ambassador's Circle, the \$2,500 Congressional Club membership, or the \$5,000 National Leadership Circle membership. In addition, PAAIA has 18,645 individuals on our mailing list who receive our communications, 8,452 of whom have signed up under the free membership program and have the option to donate to certain programs.

6. As explained in more detail below, PAAIA engages in many programs and activities which are developed and implemented by a staff located in Washington, D.C. Currently there are three full time PAAIA staff members, including myself, and two part-time university students working as staff members.

II. Mission & Purpose of PAAIA

7. PAAIA was founded to represent and advance the interests of the Iranian-American community, which is estimated to be a population approaching one million people, a large portion of which are citizens or permanent legal residents. Iranian Americans are patriotic and have served in all branches of the military and many have dedicated their lives to public service. Working in tandem with the community at large and with other organizations, PAAIA has effectively promoted the role of Iranian Americans in the social, cultural, and economic tapestry of the United States. Serving the interests of Iranian Americans and representing the community before U.S. policymakers and the American public at large, it works to foster greater understanding between the people of Iran and the United States, expand opportunities for the active participation of Iranian Americans in the democratic process at all levels of government and in the public debate, and provide opportunities for advancement for our next generation.

8. Since its inception in 2008, PAAIA continues to carry out its mission by engaging in programs and activities throughout the United States to benefit Iranian Americans and promote a positive image of Iranian Americans. For example, PAAIA has implemented programs such as Passing the Torch of Success, the Nowruz Project, Nowruz on Capitol Hill, Cyrus Cylinder Tour at the Asian Art Museum in San Francisco, and A Thousand Years of the Persian Book at the Library of Congress in Washington, D.C., all of which portray a more accurate image of the Iranian-American community to the general public, policymakers, and lawmakers.

9. PAAIA also fights discriminatory and harassing treatment towards Iranian Americans and stands up for the rights of Iranian Americans by working on issues such as addressing inflammatory remarks about Iranians made by a retired Stanford faculty member;

ensuring that the professional networking website, LinkedIn placed Iran back on their education drop-down menu from where it had been removed; and working with the American Values Network (AVN) to have them drop an anti-oil ad campaign that targeted Iran in favor of a new concept that promotes clean energy but shields innocent Iranians and Iranian Americans from a bad image. In more recent years, PAAIA has written to Chancellor Kumble R. Subbaswamy, of the University of Massachusetts, Amherst, expressing disapproval of the University's new policy which banned Iranians from enrolling in graduate engineering programs and sponsored a letter signed by 37 prominent Iranian Americans urging the 2016 presidential candidates to refrain from broad generalizations about the Iranian people when discussing the prospective nuclear agreement taking shape between the P5+1 and Iran. In 2015, PAAIA launched a National Communications Campaign to inform the general public as well as U.S. lawmakers about the Iranian-American community's broad support for the Iran Nuclear agreement.

10. PAAIA also continues to educate the general public, lawmakers, and policymakers about the Iranian-American community. For example, in May 2014, PAAIA released a report, "Iranian Americans: Immigration and Assimilation," available through PAAIA's website at <http://paaia.org/wp-content/uploads/2017/04/iranian-americans-immigration-and-assimilation.pdf> (copy supplied as Attachment 1). This report is the first in a series of three reports providing more in-depth information about Iranian Americans, which discussed among other things the three major waves of Iranian immigration to the United States, self-identification of the Iranian American community, and typical benchmarks of assimilation. As another example, in June 2015, PAAIA released its 2015 Survey of Iranian Americans, which was presented in a congressional briefing and released to the public at large in connection with a panel discussion hosted by PAAIA on the Iran nuclear negotiations. PAAIA conducts this

survey annually, and the 2017 Survey of Iranian Americans is available at <http://paaia.org/wp-content/uploads/2017/07/2017-PAAIA-Survey-of-Iranian-Americans.pdf>. These are just a few examples of the numerous publications about and on issues concerning Iranian Americans that are released by PAAIA every year.

11. Because one of PAAIA's key initiatives is leadership-building, PAAIA operates a number of youth programs to encourage future Iranian American leaders. PAAIA's youth programs include sponsoring public service fellowships for Iranian Americans throughout the United States and helping young Iranian Americans obtain internships with legislative offices in Washington D.C.

12. PAAIA has been featured in national and international print and online news media. The organization writes news articles and monitors the media reports on Iranian Americans. PAAIA is also viewed by Iranian Americans as a source of information about issues impacting the community.

III. PAAIA's Promotion of the Iranian American Community

13. According to PAAIA's 2014 report on Iranian Americans: Immigration and Assimilation, while the first known Iranian American, Mirza Mohammed Ali (better known as Hajj Sayyah, "The Traveler") arrived in the United States in approximately 1867, the first wave of Iranian immigration to the United States did not occur until the 1950s. PAAIA's report explained that most Iranian Americans arrived in the United States during the second wave of migration from 1979 to 2001 and were fleeing oppression in Iran. The report went on to describe how these second-wave Iranians, as opposed to earlier immigrants, were more likely to identify themselves as exiles or political refugees.

14. PAAIA has also published reports documenting how upon arriving in the United States Iranians quickly assimilated into and thrived in American culture. PAAIA provides some of this information on the Demographics & Statistics page of its website, <http://paaia.org/iranian-americans/demographics-statistics>. As PAAIA details online, Iranian Americans have educational attainments that greatly surpass the national average. According to Ronald H. Bayer's *Multicultural America: An Encyclopedia of the Newest Americans*, about 50 percent of all working Iranian Americans are in professional and managerial occupations, greater than any other group in the United States at the time the survey was conducted.

15. While assimilating into American society, Iranian Americans maintain close ties to their family in Iran. According to the 2017 Survey, 88% of respondents have family in Iran and more than half are in contact with their family or friends in Iran at least several times per month. About one quarter of 2017 respondents traveled to Iran once every two or three years, a lower level than in previous years.

16. Both as individuals and as a community Iranian Americans have actively participated in and enriched all levels of American culture and society, and have contributed to economic growth in America. Iranian Americans have made important contributions to the public sector, technology, business and the arts. PAAIA has profiled or made public information about many prominent Iranian Americans, including Cyrus Habib, Lieutenant Governor of Washington; Hadi Partovi, CEO of education non-profit Code.org; and Firouz Naderi, the former associate director of NASA's Jet Propulsion Laboratory. Iranian Americans have also founded some of the most innovative companies in the last twenty years and have been on the forefront of innovations in the technology sector. To provide just a few examples of prominent Iranian Americans who I am aware of, an Iranian American, Pierre Omidyar, founded eBay; an Iranian

American, Omid Kordestani, serves as the Executive Chairman of Twitter; Farzad Nazem, was the chief technology officer at Yahoo; an Iranian American, Salar Kamangar, is a senior Executive at Google and the former CEO of Google's YouTube platform; Iranian American Omid Kordestani is Twitter's Executive Chairman.

17. Iranian Americans have also made significant contributions to the arts, such as Shoreh Aghdashloo, an Iranian American actress whose work has been recognized by the Emmys and the Oscars, and Nasser Ovissi, an internationally acclaimed artist.

18. I am also aware of Iranian Americans who have made important contributions in public service, serving in both national and state offices, such as Cyrus Amir-Mokri, who served as the Assistant Secretary for Financial Institutions at the United States Treasury; Faryar Shirzad, who served on the staff of the National Security Council; Goli Ameri, say Assistant Secretary of State of the Bureau of Educational and Cultural Affairs under the George W. Bush administration the current President and CEO of the Center for Global Engagement; and Azita Raji, who was nominated by President Obama to serve as United States Ambassador to the Sweden.

19. And, while the Iranian-American community has been smeared as terrorists by the policy we are challenging in this case, the initial first responder on the scene at the San Bernardino terrorist attack was an Iranian-American medic. One of the victims of that atrocious act was also an Iranian American.

IV. PAAIA's Interest in and Concern About Enforcement of the Presidential Proclamation of September 24 and the January 27 and March 6 Executive Order

20. PAAIA is vitally interested in and concerned about ongoing harm and impact resulting from a series of three linked Executive Actions restricting travel and immigration from Iran to the United States: (1) the original January 27, 2017, Executive Order, "Protecting the

Nation from Foreign Terrorist Entry Into the United States” (“January 27 Executive Order”) (2) the March 6, 2017, Executive Order of the same name (“March 6 Executive Order”); and (3) a proclamation issued on September 24, 2017, which partially went into effect on the same date, and is partially expected to go into effect as of October 18, 2017 (“September 24 Proclamation”).

21. The Executive Actions have disrupted PAAIA’s mission of encouraging constructive relations and enhancing mutual understanding between the peoples of the United States and Iran. We have received inquiries from our membership as to whether the enforcement of this exclusionary policy will also strain relations between the United States and Iran, thereby debilitating PAAIA’s mission of promoting greater understanding between the Iranian and American people. Members are concerned that the Executive Actions create a negative stigma on Iranian Americans, directly conflicting with the missions and purposes of PAAIA, which stands for the positive impact of Iranian Americans.

22. PAAIA’s members have been adversely affected by Executive Actions, and this latest decision to indefinitely ban travel and immigration has galvanized the community because of the effects on families. PAAIA members with family in Iran are concerned about the likelihood that their family will no longer be able to come to the United States, including Iranian-Americans expecting new babies who need their parents to come and help, or those who have medical issues and need their family members here with them. Some of our members are very concerned as they have parents who are in the process of getting immigration visas and do not know what will happen to those applications now.

23. We have also received messages from an Iranian lecturer at the University of New Hampshire expressing concern over the travel ban on behalf of Iranian students and faculty. Many Iranian students are offered employment opportunities in the United States after they

graduate This includes Iranian students in science and engineering fields who can perform technical skilled work and may no longer be available to help the economy due to the travel order.

24. With each new iteration of this discriminatory and illegal policy, a larger proportion of those impacted are Iranians. The Iranian-American community is by far the largest community harmed by the September 24 Proclamation of all the listed countries. It feels like it has become not just a Muslim ban, but even more explicitly an Iranian ban.

25. The impact on the community is severe because this is now an indefinite ban, not a temporary one. It makes any relaxation of the ban depend on cooperation from the Iranian government. Because the United States does not have any diplomatic relations with Iran, it would seem to be impossible for the ban to ever be lifted, based on the criteria in the Proclamation.

26. It is also concerning that the Proclamation contemplates having the American government share information with the Iranian government about their citizens who are seeking to come to the United States. This could be very harmful to these individuals. And Iranian nationals not living in Iran who want to travel to the United States may not want the Iranian government to know their status or location.

27. The way the Proclamation treats Iran compared with Venezuela is also very troubling. If the national security problem is with the Iranian government and not with the Iranian people, why penalize individuals seeking visas instead of penalizing government officials as the Proclamation does with Venezuela?

28. PAAIA continues to receive requests for assistance from individuals concerned about the Executive Actions and uncertain about their impact on their personal lives. Many

individuals continue to express concern about ongoing effects of the two previous Executive Orders, despite the court rulings enjoining them. Because PAAIA does not provide legal services, I refer most of these individuals to Iranian-American organizations that provide legal assistance.

29. In our 2017 survey, 78 percent of respondents reported being concerned about “new policies that may deter travel between the U.S and Iran” with half being “very concerned.” Fifty-six percent report personally experiencing discrimination, while 63% report that they know of other Iranian Americans who have personally experienced discrimination. This is up from 48% in 2016. Eighty-two percent reported they were concerned the rhetoric and policies of the current administration would increase the chances of discrimination against Iranian-Americans in the future – 65% being “very concerned.” And in our 2016 survey of Iranian Americans 68% reported concern that “rhetoric used by Presidential candidates” would lead to discrimination against Iranian-Americans, compared with 39% in 2015.

30. PAAIA has been in contact with members of the medical community regarding the consequences of the Executive Actions on new physician training through residency programs at U.S. hospitals. Every year, graduating medical students apply to the National Resident Matching Program (known as “the match”), where they can obtain essential required additional medical training as residents. Approximately 1/5 of match participants are non U.S. citizens, including graduates of foreign medical programs seeking to train in the United States. The match program assigns individuals to specific slots through a highly competitive interview and application process, taking into account both applicant and program preference.

31. The Executive Orders have disrupted this process by creating disincentives for U.S. medical programs to rank individuals from the affected countries highly. A residency

program may not want to risk a slot on an individual who may not be able to obtain a visa to work in the United States. This means that U.S. hospitals may lose out on their top ranked choices or be forced to incorporate considerations other than merit in finding the best match. And any limitation on merit and quality in competing for positions in residency programs has even larger implications for U.S. medical care. Iranian doctors and medical students have spoken out forcefully about the problems the Executive Orders are creating in the match program this year and in other aspects of medical education and the profession.¹

V. Harm to PAAIA and Its Mission

32. The Executive Actions have caused PAAIA to divert substantial resources to combating their discriminatory effects. Since the January 27 Executive Order was signed, PAAIA has had to divert a substantial part of its resources to responding to media inquiries and requests about the impact of the policy on Iranian Americans and their families, providing guidance and educating the public on the impact of the series of Executive Actions and their status, and developing a strategy for how to respond in the face of significant uncertainty. PAAIA has seen a spike in inquiries and in the demand for its resources each time there is a new Executive Action, and this occurred again in the wake of the September 24 Proclamation.

33. PAAIA has held emergency phone calls on this subject, including an emergency telephone conference for concerned Iranian Americans with immigration and civil rights lawyers to provide its members and other Iranian Americans information about the policy and how it might impact their lives. PAAIA has also prepared press releases and informational memoranda

¹Ahmad Masri, M.D. and Mourad H. Senussi, M.D., *Trump's Executive Order on Immigration: Detrimental Effects on Medical Training and Healthcare*, New England Journal of Medicine (Feb. 1, 2017), <http://www.nejm.org/doi/pdf/10.1056/NEJMp1701251>; Andrew Joseph and Eric Boodman, *Trump's Immigration Order "Causing Havoc" for Medical Students Awaiting Match Day*, STAT (Feb. 2, 2017) <https://www.statnews.com/2017/02/02/match-day-trump-medical-students/>.

for its members concerned about the Executive Actions. On January 29, 2017, I wrote an op-ed piece for the Huffington Post detailing how the Executive Order punished Iranian Americans who had proven every day that they were patriotic and fully supportive of national security concerns. As I explained in this article, the United States should not “turn a blind eye to the fact that the people of Iran have consistently demonstrated their affinity for the core values of our American democracy including liberty, freedom, and the rule of law. . . . [B]y using a broad brush to label all Muslims as enemies of America, the order ignores the fact that there has never been a single act of terror committed by anyone of Iranian descent in the United States.” This article was published online at http://www.huffingtonpost.com/entry/punishing-the-innocent-in-the-name-of-national-security_us_588d7674e4b017637794e356?u4ajuw4rcyvr96bt9.

34. The day to day activities of PAAIA have shifted away from its regular programs and activities towards combating the negative and wrongful effects of the Executive Actions on PAAIA’s members and other Iranian Americans, and that impact has continued to this day. For example, PAAIA has been planning to launch a new fellowship program for Iranian American youth, and had to delay the launch for a number of months. Similarly, the Executive Actions forced PAAIA to postpone an event that was going to be hosted on behalf of an Iranian American running for local office. PAAIA has also been unable to devote adequate staff time to activities such as planning for the organization’s upcoming annual event on Capitol Hill, fundraising for the organization, informational and networking events for members, and electioneering activities for the organization.

35. The cumulative impact of these Executive Actions and the shifting legal environment continues to frustrate the mission of PAAIA, requiring constant vigilance and adjustment. PAAIA has been forced to re-strategize its efforts for 2017 and 2018 to deal with the

Travel Ban. PAAIA only has three full-time staff members serving PAAIA members and the Iranian-American community throughout the United States. All three of us have been devoting time and resources to activities and issues related to the Executive Actions.

36. Advocating on behalf of the Iranian-American community against the Executive Actions and coordinating advocacy efforts throughout the United States has taken a substantial amount of PAAIA's resources. Staff members from PAAIA are working with Congressional staff regarding a legislative response that is currently taking up a significant level of our resources. PAAIA is supporting legislation that would rescind the travel ban and is encouraging members of Congress to co-sponsor the legislation. PAAIA provides resources for how to contact senators and representatives and has been encouraging Iranian Americans to speak out against the Executive Actions. PAAIA has been preparing members for meetings with their members of Congress. On February 15th, PAAIA reported on an open letter to President Trump signed by 80 prominent industry professionals urging him to reconsider the January 26 Executive Order.

37. PAAIA also continues to devote resources to providing information about the Executive Actions to its members and the Iranian-American community. PAAIA, for example, has issued a series of alerts to community members to take action and information to educate them on the potential impact in response to the earlier Executive Orders, and again in response to the Proclamation. PAAIA has organized panel discussions and briefings in response as well.

38. As a result of the increasing climate of fear and animus stemming from the Executive Actions, PAAIA has become concerned about hate crime incidents in 2017 targeting Americans of Iranian descent, and organized the release of a statement. The statement condemns the rise of hate crimes directed at immigrants as a result of the rise of anti-immigrant rhetoric,

including rhetoric leading up to the “Muslim Ban.” <http://paaia.org/CMS/iranian-american-orgs-rise-hate-crimes-time-leaders-condemn-incidents.aspx>.

39. PAAIA is devoting resources to addressing the negative portrayals of Iranian Americans engendered by the Executive Action, including expending funds and time in support of a digital campaign about the Iranian people that launched in August in response to the prior Executive Actions and in anticipation of a final determination about the policy. The goal of the campaign is to counter the stigma and “reintroduce” ourselves and our community to the American people and to educate policymakers and the public about who we are as a community and what we give back.

40. The September 24 Proclamation will continue to force PAAIA to divert time and resources. In addition to having to closely monitor the impact of shifting rules and procedures on its members and other Iranian Americans, including U.S. citizens and their family members, PAAIA will have to continuously research and analyze legal actions, monitor announcements and activity from the Department of Homeland Security, the State Department and other agencies, respond to and act upon concerns from Iranian Americans about the Executive Order, and rally the community to direct their concerns to their Congressional representatives. PAAIA is currently experiencing a significant impact from the current Proclamation.

41. When the September 24 Proclamation takes effect it will carry forward the ban on Iranian nationals and Iranian Americans of the earlier Executive Orders indefinitely. The discrimination and animus based on religion and national origin under this policy will continue to demean and stigmatize the Iranian-American community. This new Executive Action still fails to explain why people of Iranian descent pose a greater risk to Americans than individuals from

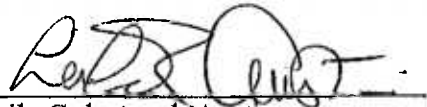
other nations not targeted by this ban. The continuation of this policy of exclusion will continue to adversely impact U.S. businesses and U.S. based families.

42. The discriminatory restrictions embedded within these Executive Actions are continuing and will continue to interfere with our mission to promote a positive image of Iranian Americans, support the interests of the Iranian-American community and to support the many important contributions of Iranian-Americans to American society.

43. At this time, we do not expect this pressure to lift and we do not know when we can return to the regular work of our association and our normal services we provide to our members, our community and the public.

I, Leila Golestaneh Austin, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 9th day of October, 2017, in Washington, DC.



Leila Golestaneh Austin
*Executive Director, Public Affairs
Alliance of Iranian Americans*

ATTACHMENT 1

Iranian Americans

Immigration and Assimilation



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April 2014

This report was compiled with the assistance of Jessica Emami.



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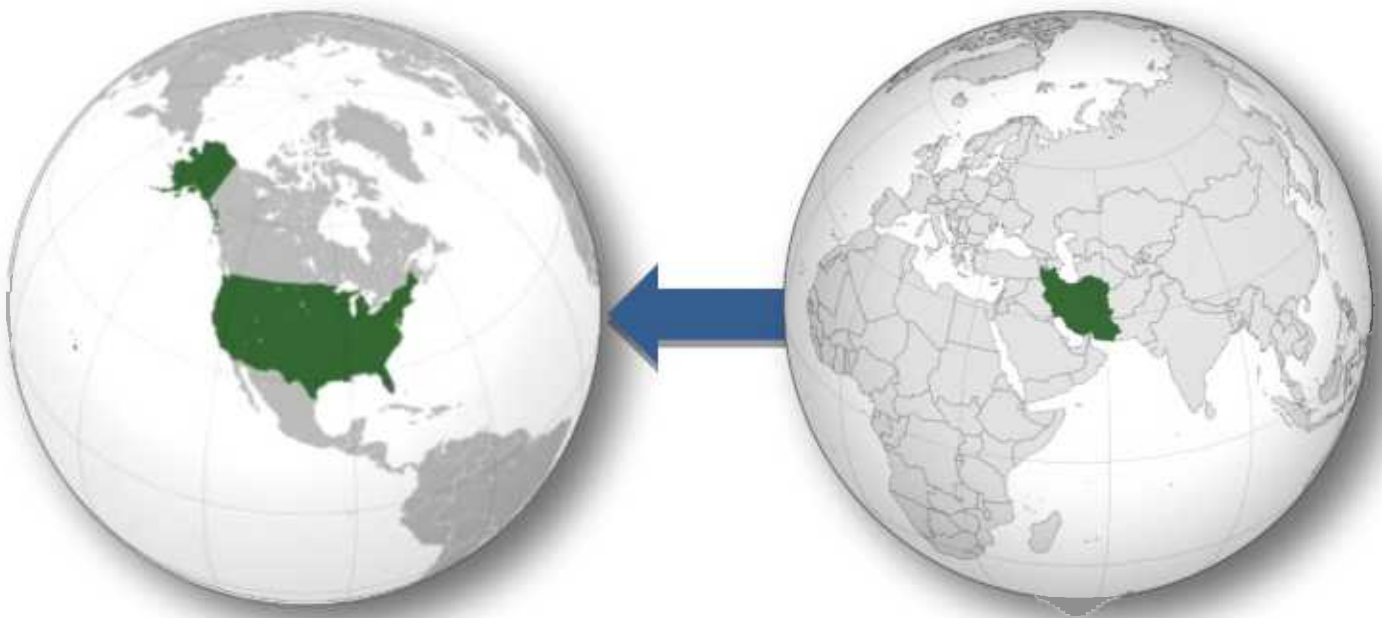
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INTRODUCTION

For nearly two centuries, since the first Iranian immigrated to the United States, the history of Iranian Americans has been evolving. It is a history of a people immigrating to a new country in search of opportunities for advancement and freedom. It is the story of individuals and families putting down roots in an unknown land and successfully melding their ancient heritage with the culture of their new home.

Though the Iranian American assimilation process has been similar to that of other immigrant communities in the United States, it has faced unique challenges, primarily, the result of ongoing tensions between the United States and Iran. As a matter of fact, the legacy of Iranian American immigration is intimately tied to the pre- and post-revolutionary political relationship between the governments of the two countries, with key events in Iranian history impacting both the numbers and profiles of Iranian immigrants admitted to the United States, as well as their ability to assimilate.

Yet, with perseverance and hard work, the Iranian American community has effectively addressed these issues and continues to prosper and grow.



WAVES OF IMMIGRATION

The first known Iranian American is Mirza Mohammad Ali, better known as Hajj Sayyah, “The Traveler.”¹

Born around 1836 in Mahallat, a small town in Iran, Hajj Sayyah embarked, at the age of 23, on a journey around the world that lasted 18 years. Beginning in Central Asia and progressing through Europe, he arrived in New York around 1867. For the next ten years, he traveled throughout the United States, absorbing the country’s culture and methods of governing. He met with President Ulysses S. Grant and, on May 26, 1875, became an American citizen, the first known Iranian in history to do so. After his return to Iran in 1877, he became one of the first Iranians to urge that democratic reforms be instituted by the Iranian government. For the remainder of his life, Hajj Sayyah actively participated in Iranian politics, campaigned passionately for improved living conditions in Iran, and went on to play a major role in the Iranian Constitutional Revolution of 1906. He died in 1925.



Since then and as noted in the table on the following page, hundreds of thousands of Iranians have followed in Hajj Sayyah’s footsteps. Available data shows three major waves of Iranian immigration to the United States. The first occurred between 1950 and 1979, the second, from 1979 to 2001, and the last wave from 2001 until the present day. **Figure 1** on the following page provides details on the number of Iranian Americans who were admitted each year between 1960 and 2012 and the total number of Iranian American immigrants in the US during that year.

THE FIRST WAVE: 1950 - 1979

From Hajj Sayyah’s time through the mid-twentieth century, Iranian immigration to the United States remained a very small-scale phenomenon. Only 130 Iranians are known to have immigrated between 1842 and 1903.² From 1904 to 1924, the number was insignificant, so much so that Iranians were not even recorded as a separate category of immigrants in United States immigration statistics.³ Within the next quarter century from 1925 – 1950, existing records show that nearly 2,000 Iranians were admitted to the United States as immigrants.⁴ However, it was not until 1950 that the first major wave of Iranian immigration to the United States began.

¹ Ali Ferdowsi, “Hajj Sayyah,” *Encyclopædia Iranica*, XI/5, pp. 556-60, and XI/6, pp.561; available online at <http://www.iranicaonline.org/articles/hajj-sayyah> (accessed online at 26 June 2013).

² Bozorgmehr, Mehdi and Douglas, Daniel (2011) ‘Success(ion):Second Generation Iranian Americans’, *Iranian Studies*, 44: 1, 3-24, p.10.

³ *Handbook of Research on Ethnic Minority Entrepreneurship: A Co-evolutionary View on Resource Management*, edited by Leo Paul Dana. Northampton, Edward Elgar Publishing, 2001, 246.

⁴ Bozorgmehr and Douglas, “Success(ion),” 10.

IRANIAN AMERICANS
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Figure 1 –Iranian American Immigration (1960 – 2012)

Year	Iranian Immigrants admitted that year	Total Iranian Immigrants in U.S.	Year	Iranian Immigrants admitted that year	Total Iranian Immigrants in U.S.
1960	429	3459	1987	14426	152993
1961	471	3630	1988	15246	168239
1962	601	4231	1989	21243	189482
1963	705	4936	1990	24977	214459
1964	754	5690	1991	19659	234118
1965	804	6494	1992	13233	247351
1966	1085	7579	1993	14841	262192
1967	1414	8993	1994	11422	273614
1968	1280	10273	1995	9201	282815
1969	1352	11625	1996	11084	293899
1969	1352	11625	1997	9642	303541
1970	1825	13450	1998	7883	311424
1971	2411	15861	1999	7203	318627
1972	3059	18920	2000	8519	327146
1973	2998	21918	2001	10497	337643
1974	2608	24526	2002	13029	350672
1975	2337	26863	2003	7,251	357923
1976	3731	30594	2003	7,251	357923
1977	4261	34855	2004	10,434	368357
1978	5861	40716	2005	13,887	382244
1979	8476	49192	2006	13,947	396191
1980	10410	59602	2007	10,460	406651
1981	11105	70707	2008	13,852	420503
1982	10314	81021	2009	18,553	439056
1983	11163	92184	2010	14,182	453238
1984	13807	105991	2011	14,822	468060
1985	16071	122062	2012	12,916	480976
1986	16505	138567			

Source: U.S. Department of Homeland Security, Statistical Yearbook of the Immigration and Naturalization Service,

IRANIAN AMERICANS
IMMIGRATION AND ASSIMILATION

Between 1954 and 1960, Iran, benefiting from increasing oil revenues and economic and military support from the United States, underwent a period of economic, social, administrative, and agricultural reforms that were aimed at modernizing the country. These revenues and the accompanying reforms and economic growth, however, resulted in inflation, a foreign trade deficit, and a decrease in the value of the *rial* (the Iranian currency). To combat these problems, the Iranian government launched massive industrialization campaigns that changed the role of the private sector in the country's ongoing economic development. Banks, both public and private, began providing reliable sources of credit, allowing for the establishment of large-scale private manufacturing enterprises. The government made significant investments in building and repairing roads, bridges, seaports, highways, and dams. New agricultural operations, particularly in the meat, fruit, and dairy sectors, were established. Between 1968 and 1978, the country attracted foreign investment and imports, resulting in an increase of nearly 500 percent in Iran's construction, gas, and oil industries.⁵

These increases in public spending, oil revenues, and domestic and foreign investments resulted in the rapid growth of the middle class in Tehran and other large cities throughout the country. Young people and those in the early stages of their careers began focusing on attaining higher levels of education and training to meet the demands brought on by the economic changes in the country. The inability of Iran's academic institutions to meet the unexpected demand for higher education and the lack of courses and training on the most advanced industrial methods and technologies prompted many young people to seek education outside of Iran.⁶ In the meantime, realizing that a small investment in education could easily translate to significant future economic value for the country, the Iranian government readily supported foreign education by providing financial support for many of these students- most of whom hailed from the growing middle class.

During this period, American universities offered some of the best programs in engineering and other technical fields and were anxious to attract students from foreign countries. Iranian students, most of whom had learned English as a second language in Iran, were highly desirable as new students in United States colleges and universities. By the mid-1970s, nearly half of all Iranian students who studied abroad did so in the United States. By 1975, the Institute of International Education's annual foreign student census figures listed Iranian students as the largest group of foreign students in the United States (9 percent).⁷ During the next three years alone, the United States saw a near-doubling of the number of Iranian students, from 7,795 in 1975 and 13,928 in 1976, to 25,086 by 1977.

In the meantime, increased foreign investment and liberal foreign exchange rules enabled many Iranians, many of them friends and family members of Iranian students, to travel abroad freely. Consequently, the number of Iranian visitors to the United States also increased considerably, from 35,088 in 1975 to 98,018 in 1977. Altogether, between 1970 and 1977, a total of 316,665 non-immigrant visitors and 57,202 students from Iran entered the United States. By 1979, 51,310 Iranian students were studying in the United States.⁸ These visitors and students unintentionally became the basis for the cultural, economic and social networks that would enable large-scale immigration in the years that followed.^{9,10} In relation, the number of Iranians entering the United States as immigrants increased moderately during the same time period totaling 25,960 immigrants, of whom 6,040 were naturalized.¹¹

It should be noted that most of the non-immigrant visitors and students who were in the United States fully intended to return to Iran once their education or visit had been completed. However, the

⁵ *Ibid.*, p. 147.

⁶ Hakimzadeh, Shirin (2006). "Iran: A Vast Diaspora Abroad and Millions of Refugees at Home." Migration Policy Institute; available online at <http://www.migrationinformation.org/feature/display.cfm?ID=424>

⁷ Bozorgmehr and Sabagh, 10.

⁸ *Ibid.*, p. 8

⁹ Ali Modarres, "Settlement Patterns of Iranians in the United States," *Iranian Studies* 31, no. 1 (January 1, 1998): 48, doi:10.2307/4311117.

¹⁰ Bozorgmehr, Mehdi, "Diaspora," *Encyclopædia Iranica*, Vol. VII, Fasc. 4, pp. 370-387; available online at <http://www.iranicaonline.org/articles/diaspora>.

¹¹ Analysis of Bozorgmehr and Sabagh, 8

Iranian Revolution of 1979 and the events that followed effectively curtailed their ability to do so. Their continued stay and the second wave of immigration that occurred following 1979 is now considered the first “brain drain” from Iran.¹²

THE SECOND WAVE: 1979 - 2001

The second wave of Iranian immigration to the United States began shortly before the Iranian Revolution of 1979 and remained relatively unchanged until 2001.¹³

During the 1970s, due to the increasing restrictions on citizens’ political participation, many Iranians had become disillusioned with the rule of Shah Mohammad Reza Pahlavi. Starting in late 1978, street protests led to increasing demands for a change of government, culminating in the 1979 revolution and establishment of the Islamic Republic of Iran by Ayatollah Ruhollah Khomeini. The revolution and the events that followed, including the establishment of an Islamic government following Sharia law and the eight year war between Iran and Iraq, served as catalysts for a mass exodus of much of Iran’s established middle class.¹⁴ By 1988, the World Refugee Survey reported Iran to be tenth among countries with the highest source of refugees.¹⁵

Iranians who immigrated to the United States after the revolution were different from those who had done so in the preceding 25 years. The new immigrants were no longer principally individual students and professionals, but middle and upper class families, most of whom were political refugees and exiles.¹⁶ They were diverse in their religious, political, and ethnic background and their reasons for leaving Iran varied. They included families associated with the previous regime as members of the government, military, and owners of large businesses.¹⁷ This second wave also included a disproportionately high number of ethnic and religious minorities such as Sunni Muslims, Christians, Jews, Baha’is, and Zoroastrians, all of whom left in fear of religious persecution. The new immigrants also included political dissidents, as well as displaced cultural workers such as writers, journalists, artists, and musicians. During this revolutionary period, about 57 percent of the immigrants to the U.S. from Iran were men.¹⁸

The new Iranian immigrants were also more economically diverse than their professional and university student predecessors. Although Bozorgmehr and Sabagh (1998) found that some of these new arrivals came from lower educational and occupational backgrounds, when compared to other refugee groups in the United States (except for Cuban and Vietnamese immigrants), the overall socioeconomic background of these immigrants was quite high.

Most of those who travelled to the United States immediately following the Iranian revolution sought ways to become permanent residents. These included Iranians who had saved foreign funds in anticipation of an emergency as well as those who had made a hasty exit with nothing more than a suitcase. Almost all came to the United States with the hope of rebuilding their lives. Those who were political refugees (i.e. held high positions under the Shah) initially expected no more than a sojourn in the United States, believing that political conditions in Iran would soon change and they would be able to return home. Eventually, they realized that the situation in Iran would not revert to its previous state, and they gradually began to live as permanent immigrants in the United States.

A methodical survey of Iranians in Los Angeles by Bozorgmehr revealed that Iranians who arrived prior to the Iranian revolution of 1979 (57 percent) classified themselves as immigrants, while

¹² Ansari, “Iranian Immigrants,” 1076.

¹³ Analysis of Bozorgmehr and Bakaliah, “Backlash 9/11”.

¹⁴ Hakimzadeh, “Iran: A Vast Diaspora”

¹⁵ Bozorgmehr, Mehdi, “Diaspora,” *Encyclopædia Iranica*, Vol. VII, Fasc. 4, pp. 370-387; available online at <http://www.iranicaonline.org/articles/diaspora>.

¹⁶ Bozorgmehr, 1998, 5.

¹⁷ Hakimzadeh, “Iran: A Vast Diaspora”

¹⁸ Mobasher, “Iranians and Iranian Americans, 1940–Present,” in *Immigrants in American History: Arrival, Adaptation, and Integration.*, 2013, 1000,

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those who arrived after the revolution classified themselves as exiles or political refugees (43 percent). Due to the considerable number of Iranians present in the United States prior to the Iranian revolution, Iranian Americans today as a whole should not be considered primarily as refugees or exiles. There were, however, differences between the settlement patterns and characteristics of Iranians who settled in the United States before and after the revolution. Numerically, the largest influx of Iranians who came to the United States took place just after the revolutionary period, 1979-1982. The post-revolutionary immigrants included a higher proportion of religion minorities and were much more evenly distributed in terms of age and gender distribution than the Iranians that immigrated to the United States prior to 1979. In addition, post-revolutionary immigrants, of who most were exiles, had somewhat lower socioeconomic occupational status than their pre-revolutionary cohorts. This may have been not only due to their origins, but also due to their forced downward mobility after leaving Iran as exiles or refugees.¹⁹

The immigration and naturalization trend for Iranians, however, was significantly impacted by the hostage crisis in 1980 and the resulting extreme political tension between the governments of Iran and the United States. In response to the hostage crisis, the United States government revoked the visas of all Iranian non-immigrant visitors and suspended all new visas to Iranian citizens. A number of Iranians were deported from the United States and those who were immigrants were required to report to their local Immigration and Naturalization Services (INS) office for extensive interviews.²⁰ During this period, 56,700 Iranian students reported to the INS and almost 7,000 were found to be in violation of their visas, of whom a number were deported, while most applied for political asylum, fearing that return to Iran would result in their persecution.²¹ The discrimination and difficulties that Iranians experienced throughout this time increased their motivation to blend into and comport themselves as productive members of United States.

Following the outbreak of the Iran-Iraq war in September 1980, an exodus of young men eligible for military service and middle class professionals ensued in Iran, and is reflected in the INS records depicting the relatively high number of men entering the United States.²² Between 1981 and 1990, 116,172 Iranians immigrated to the United States.²³ Young men who were at risk of being drafted to fight in the Iran-Iraq War (1980 – 1988) became the beneficiaries of United States political asylum laws.²⁴ Between October 1981 and February 1985, more Iranians were granted asylum — 11,055 in total — than any other nationality. Thousands of other Iranians, however, remained in the United States illegally, working odd jobs, living with relatives and family, and making every effort to pass detection by INS agents and deportation back to Iran.

The Immigration Reform and Control Act (IRCA), passed in 1986, allowed thousands of Iranians who had been living illegally in the country to become legal permanent residents. This act not only increased the number of Iranians with permanent residency status, but the Act's family-sponsored preference category resulted in a surge in immigration by relatives of Iranians already in the United States.

The adjustment of status for Iranians under IRCA precipitated naturalization to U.S. citizenship of a large number of Iranians who were then able to sponsor their families. The predominantly male Iranian immigrant population was joined by their wives and children. Consequently, in 1992, for the first time in the history of Iranian immigration to the U.S., the number of Iranian women admitted as

¹⁹ Georges Sabagh and Mehdi Bozorgmehr, "Are the Characteristics of Exiles Different from Immigrants? The Case of Iranians in Los Angeles," *Institute for Social Science Research*, May 1, 1986.

²⁰ Sabagh and Bozorgmehr, "Survey Research among Middle Eastern Immigrants in the United States: Iranians in Los Angeles," *Middle East Studies Association Bulletin* 23 (1987): 77-84.

²¹ Mobasher, "Iranians and Iranian Americans, 1940–Present," 1002.

²² *Ibid.*, 1000.

²³ U.S. Department of Homeland Security, Fiscal Year 2001 Statistical Yearbook, Immigration by Region and Selected Country of Last Residence Table, pages 6 – 8.

²⁴ Ansari, "Iranian Immigrants," 1077.

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immigrants to the U.S. surpassed the number of men.²⁵ From 1985 to 1989 46,418 Iranian men and 37,071 women were admitted to the United States, compared to 41,977 men and 42,041 women who were admitted from 1990-1994.²⁶ The number of older Iranian immigrants also greatly increased during this time.²⁷

THE THIRD WAVE: 2001 - PRESENT

The catastrophic terrorist attacks of September 11, 2001 significantly impacted Iranian immigration to the United States.

Even though Iranians did not have a part in the terrorist attacks on the United States, in his State of the Union address in January 2002, President George Bush labeled Iran, Iraq, and Korea as part of the “axis of evil” countries that were sponsoring terrorism and seeking weapons of mass destruction. Soon thereafter, the Enhanced Border Security and Visa Reform Act of 2002 was created and signed into law by President Bush in 2002.²⁸ Section 306 of the law forbade the issuance of nonimmigrant visas to any alien who was from a country considered a “state sponsor of terrorism” by the U.S. Department of State, unless the Secretary of State decided that the alien in question posed no danger to U.S. national security.²⁹

In September 2002, the U.S. Department of Justice (DOJ) instituted a policy known as the Domestic Call in Registration Program, also known as NSEERS. Under this program, non-immigrant male nationals from twenty-five countries, including Iran, were required to report to their local INS office and be fingerprinted, questioned, and photographed.³⁰ The events which followed the December 16th registration program were particularly disturbing to Iranian Americans. Due to procedural infractions, hundreds of male Iranians, including those who were waiting for the adjudication of their legal claims to become permanent residents, were arrested, detained, and harshly treated. Over 1,000 Iranians were arrested and detained by INS and many others were deported because of visa infractions. In response to the detention of Iranians, large protests took place in Los Angeles.³¹

The number of immigrant and refugee visas that were issued to Iranians during this time decreased significantly, from 13,887 Iranian immigrants and 2,971 refugees admitted to the United States in 2002 to 7,251 immigrants and 1,878 refugees in 2003. As noted in the figure on the following page, it would take a couple of years before the numbers rebounded again.

The Enhanced Border Security and Visa Reform Act, NSEERS, and the backlash that occurred against Iranians as a result prompted the community to re-evaluate its standing in the United States and what it needed to do to protect its individual and communal rights. Numerous Iranian American organizations were formed in the aftermath of 9/11 focused primarily on addressing the domestic interests of and protecting the rights of Iranian Americans. Communities gathered to protest against acts of discrimination as well as the negative image that the media had built of the community. There was a marked interest and active participation in civic activities, including identifying and electing Iranian Americans or those who were supportive of the community to elected office. The Iranian American

²⁵ Mohsen M. Mobasher, *Iranians in Texas: Migration, Politics, and Ethnic Identity* (University of Texas Press, 2012), 43.

²⁶ *Ibid*, 1001

²⁷ Mobasher, *Iranians in Texas*, University of Texas Press (2012), 2.

²⁸ F. Sensenbrenner, “H.R.3525 - 107th Congress (2001-2002): Enhanced Border Security and Visa Entry Reform Act of 2002,” legislation, May 14, 2002, <http://beta.congress.gov/bill/107th-congress/house-bill/3525>.

²⁹ H.R.3525 *Enhanced Border Security and Visa Entry Reform Act of 2002*, n.d.,

³⁰ IAPAC. “INS Special Registration Program Shifts Gears – IAPAC Brief.” July 2, 2003. Accessed November 6, 2013.

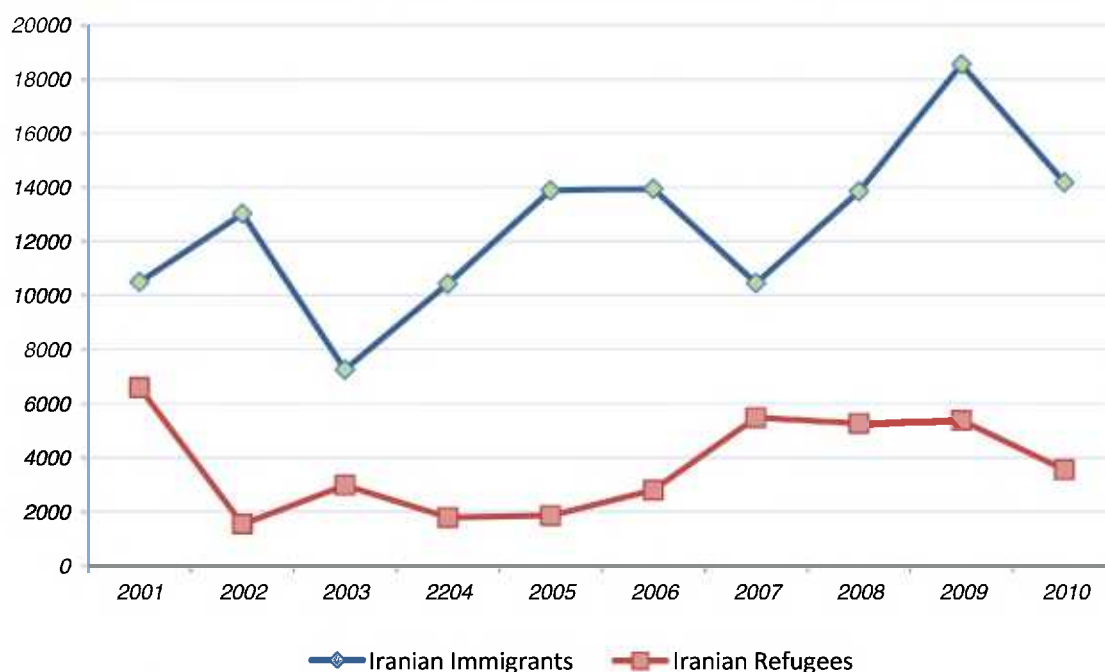
³¹ Anny P. Bakalian and Mehdi Bozorgmehr, *Backlash 9/11: Middle Eastern and Muslim Americans Respond* (University of California Press, 2009), 293.

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Political Action Committee (IAPAC) was established in 2003 to promote the election of candidates that support the advancement of Iranian American issues.³²

Iranian Americans also began to take a more active role in the politics of Iran. The alleged irregularities of the 2009 presidential election in Iran, in which Iranian President Mahmoud Ahmadinejad was reelected to a second term, triggered massive protests both in Iran and throughout the world. These protests, widely known as the “Green Movement,” were brutally suppressed by the Iranian police and military. The election results and the treatment of their fellow countrymen were a catalyst for increased political action among the community. As noted in Figure 2, there was a 25 percent decrease in the number of immigrant visas issued in 2010 (from 18,552 in 2009 to 14,182 in 2010) and 30 percent drop in the number of Iranian refugees admitted to the United States (from 5,381 in 2009 to 3,543 in 2010). The reason for this change is unclear, though most researchers contribute it to challenges that Iranians faced in traveling abroad for visas following the events in Iran.³³

Figure 2 – Iranian American Immigrant and Refugee Admission (2001 – 2010)



Source: U.S. Department of Homeland Security, *Statistical Yearbook of the Immigration and Naturalization Service, 1986-2005* – U.S. Immigration and Naturalization Service, *Annual Reports, 1960 -1977 and Statistical Yearbook, 1978 - 1986*

ASSIMILATION: PATTERNS AND CHALLENGES

When discussing immigrant groups, the term “first generation” can refer to both those who have emigrated from another country and to their children who arrived before age thirteen. Within the context of this report, however, first-generation Iranian Americans refers to those individuals who immigrated to the United States from Iran. Their children are referred to as second-generation Iranian Americans.

³² Mehdi Bozorgmehr, “Iran,” in *The New Americans: A Guide to Immigration Since 1965*, First (Cambridge, MA.: Harvard University Press, 2007), 469–78.

³³ U.S. Department of Homeland Security, *Statistical Yearbook of the Immigration and Naturalization Service, 1986-2005* – U.S. Immigration and Naturalization Service, *Annual Reports, 1960 -1977 and Statistical Yearbook, 1978 - 1986*

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Richard Alba and Victor Nee define assimilation as “the decline, and at its endpoint, the disappearance of an ethnic/racial distinction and the cultural and social differences that express it.”³⁴ Within this definition, assimilation is not simply the substitution of one cultural expression for another, but the ability of minority ethnic cultures to absorb or incorporate elements of the dominant culture to create a hybrid cultural mix. This definition avoids assimilation’s past normative or ideological applications and incorporates the belief that the host country’s culture also assimilates and changes as the result of the immigrant experience.

Assimilation is a process that occurs gradually, beginning from the moment an immigrant sets foot into the country. The process of assimilation is impacted by daily interactions and experiences. Though individuals assimilate into a new culture, society, and economy at different paces, the assimilation process of an entire group into a new country occurs over decades and generations. The Iranian American assimilation process is no different in this regard.

Thirty-five years after the largest wave of Iranian immigration to the United States, there continues to be significant diversity among individual Iranian Americans and their assimilation into the overall population of the United States. There are many who have fully absorbed American culture — assuming westernized names, speaking only English, and embracing American ways in every aspect of their lives. At the other extreme are those who have steadfastly maintained their Iranian heritage and emphatically refuse to accept any part of the new culture in which they live. The majority of Iranian Americans, however, fall somewhere between these two extremes, combining the Iranian and American cultures and attempting to live a life that honors both cultures, if not equally, at least effectively.

A systematic measurement of the Iranian American assimilation process is difficult. There is limited data available about most recently established national ethnic groups. Though there have been few surveys that have collected accurate and up-to-date information about the Iranian American community, most of the information continues to be gleaned from a scientific poll conducted in 2005-2006 in California, from the Census Bureau’s every-decade survey of the population and more recent American Community Surveys, as well as the national surveys of Iranian Americans commissioned by the Public Affairs Alliance of Iranian Americans (PAAIA). The latter, begun in 2008, have been conducted annually with the exception of 2010. As a result, much of the information available on the Iranian American community is based on approximations and conclusions drawn from these sources.

SELF-IDENTIFICATION

There are a number of factors that have influenced Iranian Americans’ sense of identity and their overall assimilation into the culture of the United States. The relationship between the United States and Iran and the effects of this relationship on how Iranian Americans are perceived has been one of the main challenges faced by the Iranian American community. International events unrelated to United States–Iran relations have also impacted perceptions of the community.³⁵

As PAAIA’s 2008 National Public Opinion Survey of American Perception of Iranian Americans revealed, “American perceptions of Iran, Iranians and Iranian Americans are mostly formed by media reports on Iran that are for the most part focused on the political situation there and the state of relations between the two countries.” However, most Americans surveyed stated that they believed Iranian Americans generally share the same values as Americans as a whole, while a near-equal number also believed that the current government of Iran does not represent the values and views of a majority of

³⁴ Alba, Richard and Nee, Victor. “Rethinking Assimilation For a New Era of Immigration.” *International Migration Review* 31 (4): 863.

³⁵ Mobasher, *Iranians in Texas*.

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Iranian Americans.³⁶ Thus, while United States–Iran relations impact the perceptions that Americans as a whole have of this community, they do not completely define American perceptions.

There is no question, however, that escalating hostilities between the United States and Iran have adversely affected both first- and second-generation Iranian Americans. For the former, the deterioration of relations between the two governments has been a significant factor in their assimilation process. The initial backlash against Iranian Americans began following the Iranian Revolution of 1979. Until then, the United States and Iran had enjoyed strong and collaborative relations. The revolution, however, began a period of accelerated decline in United States–Iran relations. With the 1979 hostage crisis, in which 52 Americans were seized and held for 444 days, the United States and Iranian governments changed from being allies to becoming *de facto* adversaries. Students and families who had studied, worked, and lived freely and comfortably in the United States were suddenly faced with acts of discrimination and overzealous investigation by the United States government. Students were required to register with the INS, have a valid visa, and provide proof of being enrolled in school full-time. Those who did not have legal status were scheduled for deportation.³⁷ Though a number of Iranian students sued the United States government to have the decree revoked, claiming they were being unfairly targeted, 20 students were deported and 823 voluntarily agreed to leave the United States during that time.³⁸ This change in the treatment of Iranian Americans was one of the first significant challenges that the community encountered, effectively interrupting an otherwise steady and seamless path to assimilation.

During this period, Iranian Americans were also the recipients of a backlash of prejudice, discrimination, and sometimes violence from individuals displacing their anger at the actions of the Iranian government. Verbal and physical attacks on Iranian American students on college campuses, boycotts of Iranian businesses, and even incidents of arson occurred.³⁹ A number of colleges and universities, particularly in the South, instituted discriminatory policies against Iranian students.⁴⁰ For example, the Mississippi legislature passed a bill which doubled the tuition rate of all Iranians attending public universities in the state.⁴¹ Iranians were also often portrayed negatively in the media. As a result, according to former Iranian Prime Minister Shahpour Bakhtiar, “the process of assimilation was increasingly more difficult during those times. Iranians were often lumped together by the press and public.”⁴² These experiences prompted many Iranian Americans to distance themselves from their heritage. Many began referring to their origin as “Persian” rather than “Iranian.” Others changed their last names, Americanizing them to conceal their heritage. Many banded together in mutual support and began avoiding the general American public to decrease possible incidents of abuse and discrimination. According to Bakhtiar, “many Iranians shopped at night and otherwise avoided people to reduce the threat of physical attack.”

United States–Iran relations, as well as reports of Iranian involvement in various international incidents, also influenced the identity of second-generation Iranian Americans. In 2009, Golnaz Komaie published a doctoral dissertation, entitled “The Persian Veil,” in which she conducted 51 interviews of generation 1.5 (those who came to the United States under the age of 13) and the second generation (those born in the United States to at least one immigrant parent) of Iranian Americans in southern California. She found a correlation between the troubled relations of the two nations and self-identification by Iranian

³⁶ “Public Opinion Survey of American Perception of Iranian Americans.” Commissioned by the Public Affairs Alliance of Iranian Americans (PAAIA) and conducted by Zogby International. December 2008. Available online at <http://www.paaia.org/CMS/Data/Sites/1/PDFs/finalreport-surveyofamericanperceptions.pdf>. Citation on page 2.

³⁷ Bozorgmehr, “Iran,” 475.

³⁸ McCann, Joseph T. *Terrorism on American Soil: A Concise History of Plots and Perpetrators from the Famous to the Forgotten*. Boulder, Sentient Publications, 2006, 141.

³⁹ Mills, Gregory J., “Beyond the Backlash: Muslim and Middle Eastern Immigrants’ Experiences in America, Ten Years Post-9/11” (2012). *Graduate School Theses and Dissertations*.

⁴⁰ “The Hostage Crisis and Integration of Iranians in the United States.” *Immigrants in American History: Arrival, Adaptation, and Integration*. Ed. Elliott Robert Barkan. Vol. 3. Santa Barbara, CA: ABC-CLIO, 2013. 1002. *Gale Virtual Reference Library*. Web. 18 May 2013.

⁴¹ E.R. Barkan, *Immigrants in American History: Arrival, Adaptation, and Integration* (ABC-CLIO, 2012), 1002,

⁴² Bozorgmehr and Douglas, “Success(ion),” 7-8.

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Americans. Her findings indicated that the second generation was more likely to self-identify as “Persian” and to downplay their ties to Iran after the September 11, 2001 terrorist attacks in New York City, even though none of the perpetrators of the attacks were of Iranian origin.

There has, however, been a definite change in how Iranian Americans have self-identified over the past decade. During this time, the percentage of Iranian Americans born in the United States has increased steadily. In 1990, only 20 percent of Iranian Americans were native born; by 2000, however, the percentage had increased to 32 percent, and 35 percent by 2010. In a survey conducted nationally, approximately half of the 1.5 and second generations identified themselves as Iranian American, one-third as Iranian, and 10 percent as American. As expected, in areas where there was a higher concentration of Iranian Americans, such as California, the proportion of those identifying themselves as Iranian was higher.

In another survey, conducted in New Jersey in 2005, Iranian Americans were asked: “How do you think of yourself?” A large majority (70 percent) said that they were Iranian American, while 10 percent and 20 percent, respectively, said they considered themselves American and either Iranian or Persian.⁴³ This was a significant change from a similar survey conducted in 1988, when only 30 percent of those surveyed identified themselves as Iranian American. In the 2005 survey, most respondents said that their attitudes toward their Iranian ancestry began to change around the age of 13, primarily because of their association with other Iranian children as friends or going to Persian classes. Studies have suggested that college has also been an important time for many Iranian Americans as they rediscover their heritage.

Generally speaking, Iranian Americans’ self-identity is symbolic in nature and related to cultural observances, customs, and recreational activities. The first generation is more reluctant to assimilate completely because of their deep attachments to, and preoccupation with, events in the homeland. The second generation sees themselves more American, and lack the attachment to the Iranian homeland that their parents hold. They are more likely to be politically and socially engaged with their American side,⁴⁴ and although they are interested in visiting Iran, they would not consider living there.⁴⁵ Iranians are now at a point in their immigrant journey where they selectively choose elements of their Iranian and American identities, developing a unique “diasporic” identity that is quite different from native Iranians.⁴⁶ Moreover, Iranians stay connected to one another despite their differences through strong memories and attachments to their homeland⁴⁷.

Iranians pick and choose elements of their home culture to forge a chosen identity abroad that is not necessarily directly related to their homeland as constituted today. This diasporic identity arose as a result of the large, heterogeneous group of Iranians who forcibly left Iran *en masse* after the Iranian Revolution of 1979. The Iranian diasporic community may view its national, American identity as being related to political and civic, and national responsibilities, while at the same time incorporating elements of Iranian cultural and ethnic practices, and a strong sense of family ties, especially within the private domain.⁴⁸

CULTURAL OBSERVANCES

Related to self-identification, and arguably an important component of it, are cultural observances. Iranian Americans have retained a wide variety of traditional Iranian celebrations and customs as part of their “Iranianness.” In a survey published in the article “Iranian American Identity”

⁴³ Ansari, “Iranian Immigrants,” 1093

⁴⁴ Bozorgmehr, “Iran,” 477.

⁴⁵ Nilou Mostofi, “Who We Are: The Perplexity of Iranian-American Identity,” *The Sociological Quarterly* 44, no. 4 (October 1, 2003): 686, doi:10.2307/4120728.

⁴⁶ *Ibid.*, 682.

⁴⁷ *Ibid.*, 687.

⁴⁸ *Ibid.*, 682.

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(*Iran Times*), Iranian Americans were asked: “What qualities are important in the Iranian part of your identity?” Most cited their family, language, Nowruz (Persian New Year), Persian food, hospitality, politeness, courtesy, and respect for elders. The latter four are staples of Iranian values.

Prior to the large-scale immigration triggered by the Iranian Revolution of 1979, Iranian Americans had few cultural institutions. However, over the past thirty years, this has changed dramatically. Today, there are over a hundred Iranian American cultural, regional, religious, and professional organizations and foundations throughout the United States.⁴⁹ These include cultural centers for art and performance, Persian schools, chapters of national organizations, and organizations dedicated to academic and other pursuits. These organizations offer a wide variety of activities and programs, ranging from traditional festivals, Iranian musical performances, and Persian language lessons, to making and promoting traditional Iranian food.

Cultural centers were the earliest community-based organizations for Iranian Americans. It would not be an exaggeration to assume that there is at least one, if not more than one, Iranian American cultural organization in every state in the United States – including those with smaller concentrations of Iranian Americans. They exist in almost every major American city and include both local organizations and chapters of national organizations. The primary aim of these groups is to perform and promote activities through which Iranian Americans can remain connected to their heritage but also educate those not of Iranian descent about Iranian culture.

Since ancient times, Iranians have celebrated three national festivals: Nowruz, Mehregan, and Sadeh. The largest, and perhaps most important, is Nowruz, the Persian New Year. Nowruz, which is more than 2,000 years old and is celebrated by more than 300 million people around the world falls on the first day of the spring equinox (usually March 21st), and the celebration traditionally lasts more than 13 days. The celebration includes the arrangement of the *sofreh haftsin*, a table decorated with flowers and seven items that begin with the letter “s” in Persian, symbolizing different wishes for the New Year, such as health and patience. Nowruz is accompanied by the holiday *Charshanbeh Souri*, celebrated before the New Year, during which individuals jump over a bonfire to rid themselves of the past year’s sickness and problems. *Sizdahbedar* is celebrated 13 days after the New Year by spending the day at a picnic outdoors with one’s family. It is considered good luck and a blessing to leave the house with one’s family on that day.

Beginning in the 1980s, Nowruz has been increasingly celebrated in public settings such as museums and city halls with many non-Iranians, including prominent public figures, in attendance. In recent years, Nowruz celebrations have been held, among other places, at the Smithsonian Institution, the residence of New York City Mayor Michael Bloomberg, on Capitol Hill, and at the White House. In 2009, President Obama released a message to the people of Iran, declaring Iranians a “great civilization” and stating: “Here in the United States, our own communities have been enhanced by the contributions of Iranian Americans.” In 2010, both chambers of the United States Congress passed resolutions which recognized the cultural and historical significance of Nowruz, expressed appreciation to Iranian Americans for their contributions to society and wished Iranian Americans and the people of Iran a prosperous new year. The Nowruz resolutions was part of PAAIA’s broader efforts to foster greater understanding of Iranian culture and heritage as well as to project an accurate and positive image of the Iranian American community on Capitol Hill.

Like other ethnic groups, Iranian Americans are enthusiastic and willing to celebrate their culture with non-Iranians. Since 2004, for example, an annual Persian parade has been held in New York City, along fifteen blocks of Madison Avenue. Iranian Americans of all backgrounds participate, walking or riding on floats and wearing costumes from their ancestral home. This parade is currently one of the

⁴⁹ Ansari, “Iranian Immigrants,” 1093.

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largest publicly visible Iranian American ceremonies and plays an important role in bolstering a sense of cultural pride, particularly among members of the second generation.⁵⁰

Another important way Iranian Americans express their cultural heritage is through the use of mass media. In Los Angeles, over the last thirty-five years, a veritable Iranian cultural industry has developed and matured as the professional artists, singers, musicians, filmmakers, and poets who left Iran due to restrictions on their artistic products made a new home for themselves in the U.S. Currently, there are five radio and thirty television stations which broadcast in Persian by satellite to all parts of the world, including Iran. This cultural programming helps Iranian Americans remain in contact with their culture and also provides additional cultural programming for many Iranians inside Iran. In areas where they are present in large numbers, Iranian Americans also publish numerous local and national publications that contain commercial, cultural, and occasionally, political information,

Iranian music is rich and diverse. In the aftermath¹² of the Iranian Revolution of 1979, however, the Iranian government banned music for a period of time, considering it reflective of Western moral decay. To this day, only certain forms of music are permitted in Iran. As a result, many Iranian singers, musicians, and performers were forced to leave the country and settle in the United States, where they have contributed to a rich cultural industry in Iranian music and drama. Over the past few years, with the increasing use of the internet, a number of Internet-based Iranian radio stations have been launched that have become a popular venue for listening to both old and recent musical performances. These stations target both the younger generation of Iranian Americans (e.g., Radio Javan) and the more traditional, first-generation Iranians (e.g., Radio Darvish). Traditional Persian music has always played an important role in fostering a sense of ethnic identity among Iranian Americans. Today, there are several centers in the United States dedicated to its performance.

Hand in hand with music, poetry has also long occupied a very important position in Iranian culture. In the United States, it has been an important means by which Iranian Americans remain connected to their heritage. One of the most popular activities at cultural centers through the country is the *Shab-I-Shehr* (poetry reading night), where interested individuals gather to read and discuss the poetry of Iranian poetic masters. Interestingly enough, the works of Iranian poets, such as Hafez and Rumi, known for the depth of their poetic message, have become well-known to the general United States population, adding to the pride that the Iranian American community feels towards its ancient heritage.

Finally, food is another important means of cultural preservation in the Iranian American community. Dishes like *chelo kabab*, *fesenjan*, and *khoreshht ghormeh sabzi*, remain staples for many, particularly for the first generation. Iranian food has also become popular among non-Iranian Americans, an indicator of ethnic influence on mainstream American culture. Iranian grocery stores have proliferated, particularly in Los Angeles, and the number of Iranian restaurants and fast-food vendors in the United States has doubled over the past ten years.

ETHNIC DIVERSITY

Iranian American immigrants are, in large part, a reflection of the ethnic diversity that exists in Iran. The people of Iran have many religious and ethnic minorities. Because members of some of these groups fled Iran after the Iranian Revolution of 1979, there is a disproportionately high number of Iranian ethnic minorities in the United States.⁵¹ These include Armenians, who are Orthodox Christians, Assyrians, who are also Christian, Kurds, who are Sunni, and Turkish-speaking Iranians of Azeri origin.

⁵⁰ "Welcome to the Annual Persian Parade," *New York Persian Parade*, n.d.

⁵¹ Sabagh and Bozorgmehr, "Are the Characteristics of Exiles Different from Immigrants?"

Many of these sub-ethnic groups identify as Iranians but also strongly identify with their sub-ethnicity, and assimilate more slowly than their Iranian majority counterparts.⁵²

BENCHMARKS OF ASSIMILATION

The second generation of Iranian American has retained a sense of being Iranian in part by speaking Farsi, in addition to celebrating traditions and customs and passing these to their children. They have also picked up American customs and values and incorporated them into their day-to-day lives. Many second generation Iranian Americans are active “soccer moms and dads” during the weekends, celebrate Thanksgiving and Christmas, and ensure that their children are fully involved in school events and activities. In the meantime, many insist on serving Persian food at home, celebrating Persian holidays, and enrolling their children in Persian language classes on the weekends. Their Iranian and American identities are integrated, and both are core components of who they are.

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Iranian American members of the 1.5 generation, those who were adolescents when they immigrated, were both too young to have lived independently in Iran and, upon arriving in the United States, too old to feel completely American. Like members of other immigrant groups, they have often experienced a feeling of “dual marginality,” of not completely belonging to either their country of origin or their adopted land. For many of these people, there has been a continued struggle as they attempt to define their identity within the confines of both cultures. Ultimately, however, the fact that many Iranians have U.S.-born children who feel culturally more Americans, or intermarry, causes most Iranians to choose to accept a hyphenated (Iranian-American) identity.

Four benchmarks are generally used traditionally to measure assimilation: language proficiency, intermarriage, spatial concentration, and socio-economic status. Using these criteria, one can determine with a significant degree of confidence that the Iranian American community has made significant strides in successfully assimilating to a new culture and way of living.

LANGUAGE PROFICIENCY

As the assimilation process has taken place over the generations, there has been a noticeable change in what, to many Iranian Americans, constitutes being “Iranian.” To the first generation, the use of the Persian language was and continues to be central to their identity.⁵³ Generally, knowledge of the mother tongue rapidly declines with each generation among United States immigrant groups: the first generation principally speaks their native language, the second generation is fluent in both their parents’ native language and English, and the third generation typically speaks only English, while maintaining knowledge of some isolated words and phrases from their ancestral tongue. Iranian Americans have followed this pattern. One respondent from the 2005 New Jersey study previously cited said: “For us, the Persian language, while very important, does not occupy the same place as it does for our parents.”⁵⁴

Although first-generation Iranian Americans speak mostly Persian at home, due to their high levels of education prior to immigration, they have also been far more proficient in English than first-generation immigrants from many other groups. Whereas it is typical for most members of the initial generation to have limited English proficiency, in the *American Community Survey 2009 - 2011*, taken from the United States Census Bureau, 57 percent of foreign-born Iranians in the United States stated they

⁵² Mehdi Bozorgmehr, “Internal Ethnicity: Iranians in Los Angeles,” *Sociological Perspectives* 40, no. 3 (January 1, 1997): 387–408, doi:10.2307/1389449.

⁵³ Ansari, “Iranian Immigrants,” 1087.

⁵⁴ Ansari, “Iranian Immigrants,” 1087.

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spoke English “very well.”⁵⁵ For being a relatively new group of immigrants from a non-English-speaking country, this is a remarkably high figure. As noted by Mehdi Bozorgmehr, this unusually high level of English proficiency is partly due to the fact that many were educated in the United States. According to the same survey, the naturalization rate of first-generation Iranian Americans was an exceptional 71 percent, significantly higher than the figure for foreign-born Americans as a whole.

INTERMARRIAGE

An additional measure of how well an immigrant group assimilates into the host society is the extent to which its members intermarry with and have friends and acquaintances among the general population. In these respects, Iranian Americans appear to have integrated quite well. According to a survey commissioned by PAAIA in 2008, only 21 percent of Iranian Americans surveyed reported interacting mostly with other Iranian Americans outside of their workplace, demonstrating that most have successfully integrated into United States society.⁵⁶

Intermarriage rate is very high among Iranian Americans. It has been estimated that nearly 50 percent of Iranian Americans who married between 1995 and 2007 married non-Iranian Americans.⁵⁷ Research has indicated that Iranian Americans who are Muslim are more open to intermarry than those who are members of religious or ethnic minorities,¹⁴ as Jews and Armenians.⁵⁸ Additionally, women are less likely to intermarry than men, likely because as a group, they are more likely to adhere to traditional Iranian values, including marriages that are approved by their families and within Iranian cultural norms. Some studies have revealed a relatively high level of intermarriage among Iranian men.⁵⁹

SPATIAL CONCENTRATION

Spatial concentration has also often been an important indicator of an immigrant community’s assimilation process. The spatial-residential model essentially states that increasing socioeconomic attainment, longer residence in the United States, and higher generational status (second generation is “higher” than first, third is higher than second, etc.) leads to decreasing spatial concentration for an ethnic group. Most newly arrived immigrants, including most Iranian immigrants, are concentrated in a handful of states and metropolitan areas.

It is interesting to note that, while Iranian Americans have achieved high socioeconomic levels, they have not yet residentially integrated with the majority population in large numbers. However, the pattern of settlement of Iranians has not resulted in a geographically segregated ethnic neighborhood, defined by a dense area in which local ethnic businesses cater mostly to other co-ethnics, and co-ethnics live close together in residentially segregated areas (such as for example, Chinatown). Although Iranians have a preference for living in particular states and regions due to pre-existing family and business ties, their geographic patterns have not resulted in one central community in any particular metropolitan area. This is because immigrant groups with high levels of income and high socioeconomic status, such as Iranians, do not rely on co-ethnic ties as much as immigrants with low income.⁶⁰ The 2005-2007 American Community Survey found that 37 percent of Iranian Americans lived in California, with Los Angeles being home to the largest community in that state. There are also large concentrations of Iranian Americans in New York, Texas, Maryland, Virginia, Georgia, Florida, and Washington, D.C. This spatial concentration may be due to the relatively short time period during which Iranian Americans have existed

⁵⁵ U.S. Census Bureau; (08 April 2014

⁵⁶ “Public Opinion Survey of Iranian Americans,” Commissioned by the Public Affairs Alliance of Iranian Americans (PAAIA), and conducted by Zogby International, 2008.

⁵⁷ Ansari, “Iranian Immigrants,” 1091

⁵⁸ Bozorgmehr and Douglas, ‘Success(ion)’, 8.

⁵⁹ Shideh Hanassab and Romeria Tidwell, “Intrammarriage and Intermarriage: Young Iranians in Los Angeles,” *International Journal of Intercultural Relations* 22, no. 4 (November 1, 1998): 395–408, doi:10.1016/S0147-1767(98)00015-7.

⁶⁰ Alejandro Portes, *Immigrant America: A Portrait*, 2nd ed (Berkeley: University of California Press, 1996).

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in large numbers, compared to many other immigrant communities, as well as to economic and educational opportunities and the presence of local support networks in these states. For example, places such as Houston, Texas, which have a relatively low per capita cost of living and more non-technical jobs, are now home to an increasing number of Iranian Americans, especially those for whom economic concerns are of paramount importance.

SOCIOECONOMIC STATUS

The fourth benchmark that is traditionally used to measure assimilation is socioeconomic status, defined by educational attainment, occupation, and income. By measuring socioeconomic status, researchers can determine if immigrants eventually catch up to native-born citizens in terms of their professional and employment characteristics and, in turn, the extent to which they contribute to the decline of ethnic boundaries. Moreover, entry into the occupational and economic mainstream also leads to increased social assimilation, as there is increased contact on equal terms across ethnic lines in both the workplace and neighborhood.

Measured by socioeconomic criteria, the Iranian American community began their immigrant journey with exceptional educational attainment, and currently has integrated very well with the majority population. An overview of socioeconomic characteristics of the Iranian American community based on the 2000 United States census, completed by the Iranian Studies Group at the Massachusetts Institute of Technology (MIT) in 2005, suggests that the educational level of Iranian Americans is well above the national average.⁶¹ The second generation of Iranian Americans is still in the process of completing their education, and it is thus too early to assess their attainment, but the overall trajectory of educational attainment is extremely positive, especially among women and girls.⁶² Iranian Americans have an overall extremely high level of educational attainment, above the aggregate level for all native-born and all foreign-born persons in the United States.

In the United States Census Bureau's 2011 American Community Survey (ACS) 1-Year Estimates, fifty-eight percent of Iranian Americans age 25 or over were said to have received at least a B.A.⁶³ In comparison, the percentage of Americans as a whole (also 25 or over) receiving a B.A. or a higher degree only surpassed thirty percent for the first time in the 2011 census. With more than 27 percent of Iranian Americans over the age of 25 having a graduate degree or above, Iranian Americans are among the most highly-educated ethnic groups in the United States.

Iranian Americans' economic achievements are equally impressive. The MIT study analyzed data from the 2000 census and concluded that the per capita average income for Iranian Americans was 50 percent higher than that of the nation as a whole, while average family income was 38 percent higher. According to Ronald H. Bayer's *Multicultural America: An Encyclopedia of the Newest Americans*, about 50 percent of all working Iranian Americans are in professional and managerial occupations, far surpassing any other group in the United States today.⁶⁴

In the 2013 National Public Opinion Survey of Iranian Americans commissioned by PAAIA, a majority—54 percent—stated that their annual income was \$60,000 or more, a figure similar to previous surveys.⁶⁵ According to Census Bureau data for 2011, the last year currently available, only 42 percent of

⁶¹ [Iranian Studies Group at MIT, Iranian American Community Survey Results, 2005](#). Web.mit.edu. Retrieved November 28, 2011.

⁶² Mehdi Bozorgmehr and Daniel Douglas, "Success(ion): Second-Generation Iranian Americans.," *Iranian Studies* 44, no. 1 (January 2011): 3–24.

⁶³ United States Census Bureau; American Community Survey, 2011 American Community Survey 1-Year Estimates, Table S0201; generated by Morad Ghorban; using American FactFinder ; (24 April 2013).

⁶⁴ Ansari, "Iranian Immigrants," 1081.

⁶⁵ "2013 National Public Opinion Survey of Iranian Americans." Commissioned by the Public Affairs Alliance of Iranian Americans (PAAIA), and conducted by George Mason University Center for Social Science Research. Citation on page 23.

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Americans as a whole earned at the same rate.⁶⁶ The 2009-2011 American Community Survey listed the median household income of Iranian Americans at \$61,463, far above the median income for all foreign-born persons in the United States, \$47,275, and above the household income for native-born persons, \$52,065. In addition, the per-capita income of Iranian Americans in the 2009-2011 American Community Survey is 1.7 times greater than the native-born population.⁶⁷ Thirty-two percent of Iranian Americans in the 2013 survey reported a household income of \$100,000 or more, whereas the 2011 Census Bureau figures showed only 21 percent of Americans as a whole earning that much.⁶⁸

WHAT DOES THE FUTURE HOLD?

As stated in the beginning of this report, there are many impediments to conducting a thorough analysis of the assimilation process of Iranian Americans within the larger American society. In addition to lack of self-identification among many Iranian Americans on demographic surveys, the Iranian American community is also one of the newer immigrant communities in the United States. It is widely accepted that the immigrant generation changes as it accommodates itself to life in a new society, but that these changes are usually quite limited for individuals who have come to the United States as adults. Thus, it is only with the passage of at least three generations that it is possible to assess the assimilation process of the Iranian American community. Because many of second-generation Iranian Americans are still young, studies on Iranian American assimilation are, therefore, currently limited in their scope.

Given these constraints, this report aims to assess assimilation among Iranian Americans as fairly as possible. What was found is that while Iranian Americans have a high level of English proficiency, a high intermarriage rate, and, as a group, a relatively high socioeconomic status, they are still spatially concentrated in a handful of areas. The report does not aim to make any claims about which of these four benchmarks, traditionally used to measure assimilation, is most important, but to use the benchmarks to describe the evolution of the Iranian American community in these areas. However, though the first three measures point to a steady movement towards assimilation, the latter is a sign that an immigrant community is in the early stages of the assimilation process.

As the first generation slowly gives way to the second generation of Iranian Americans, the assimilation process will further evolve. Many first-generation Iranian American immigrants feel a deep responsibility to ensure that their culture and heritage is celebrated by future generations. It is of particular importance to this generation, many of whose members grew up in Iran and still consider it to be “home,” to ensure that the Iranian culture remains alive and is celebrated fully in the years and decades to come. As a result, many first-generation Iranian Americans have been significant contributors to the founding of a number of local and national organizations that maintain, enrich, and celebrate Iranian culture and presence.

This passion to preserve their culture has paid off. During the last 15 years, the community has undergone a process of “reverse assimilation,” in which younger Iranian Americans have re-embraced their heritage and developed stronger bonds with Iranian American communities throughout the United States. This process has taken many forms, from visiting Iran, taking Persian language classes in college, writing memoirs of their experiences (such as Firoozeh Dumas’s *Funny in Farsi: A Memoir of Growing Up Iranian in America*, among many others), the establishment of Persian music bands, and the creation of websites about Iran and its culture. Reverse assimilation has also included the creation of national organizations aimed at providing a variety of cultural, civic, educational and humanitarian programs for the community (such as PAAIA, Pars Equality Foundation and Iranian Alliances Across Borders),

⁶⁶ [Table H-9 Race of Head of Household by Median and Mean Income, US Census Bureau](#), retrieved 2013-05-29.

⁶⁷ American Community Survey Factfinder

⁶⁸ IBID

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professional associations (such as the Iranian American Bar Association and the Iranian American Medical Association, to count only two) summer camps, conferences by different Iranian organizations (such as PAAIA, IAAB, and the National Iranian American Council), and participation in Persian parades and celebrations.

The first generation of Iranian Americans is not the only group focused on the evolution of the Iranian American community; the second generation is also keenly interested. Today, many of the community's members are actively involved in civic activities, political campaigns, days of service, and similar programs. The coming of age of the second generation of Iranians in the post-9/11 era has also given them a renewed sense of ethnic solidarity and pride in asserting their civil rights as Iranian Americans and increasing their political and civic engagement in the American democratic process.⁶⁹

According to PAAIA's 2013 National Public Opinion Survey of Iranian Americans, 19 percent stated that they have volunteered for a political candidate or campaign, while 29 percent have written a letter or called on a public official and 30 percent have donated to a political candidate or campaign.⁷⁰ In November 2012, Cyrus Habib of Washington shattered a political glass ceiling by becoming the first Iranian American elected to a state legislature.⁷¹ His campaign received support from Iranian Americans throughout the country. Many others are bound to follow in his footsteps, adding to the amazing story of Iranian American assimilation.

There is much that the Iranian American community has to accomplish over the next few decades. As a well-educated and highly accomplished immigrant community, Iranian Americans have much to contribute to the economic, social, and cultural fabric of America. As they do so, they will certainly continue to ensure that their rich heritage, values for peace and progress, and their desire to be productive members of their new country are pursued. This renewed vigor also provides hope for closer transnational ties between the people of Iran and those in the U.S. and a more open and positive relationship between the two countries. The United States, Iran, and the world will be much more successful as a result.

⁶⁹ Bakalian and Bozorgmehr, *Backlash 9/11*.

⁷⁰ "2013 National Public Opinion Survey," 11.

⁷¹ "Candidate Makes History, Becoming First Iranian American Elected to a State Legislature." PAAIA website. Available at <http://www.paaia.org/CMS/candidate-makes-history-becoming-first-Iranian-American-elected-to-a-state-legislature.aspx>

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EXHIBIT 4

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,)
Iranian American Bar Association,)
Public Affairs Alliance of Iranian Americans,)
Inc.)
et al,)

Plaintiffs,

v.

Civil Action No. 17-255

Donald J. Trump, President of the United States,)
et al.)

Defendants.

**DECLARATION OF SHIVA HISSONG IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Shiva Hissong, hereby declare and state as follows:

1. My name is Shiva Hissong. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I reside in Spokane, Washington. In November 2016 I received authorization to work in the United States but am currently a stay-at-home mother. My husband works as an architect in Spokane, and owns an architecture firm and an advertising agency.

3. I am a citizen of Iran and a Green Card holder (legal permanent resident) of the United States.

4. I am a Muslim and adhere to the religion of Islam.

5. I was a student in Italy from August 2012 until March 2016. I was there on a student visa and earned credits toward my Bachelor's Degree in fashion. While studying in Italy, I met my husband in Rome.

6. After my future husband and I got engaged, I applied for and received a K-1 visa.

7. I entered the United States on this K-1 visa on March 3, 2016.

8. My husband and I were married on April 17, 2016 and hosted a wedding ceremony on August 28, 2016 in Spokane, Washington.

9. My parents reside in Tehran, Iran. My father has been ill with Parkinson's disease for the past ten years, and his condition has significantly deteriorated in the last three to four years.

10. My parents were unable to obtain visas to attend my wedding due to a lack of visa appointments at the United States Embassies in the United Arab Emirates, Armenia, or Turkey.

11. Subsequently, my parents decided that they would try to visit the United States for the birth of their grandson.

12. My parents applied for a tourist visa to come visit me and, in October 2016, had an interview at the United States Embassy in Yerevan, Armenia. At the conclusion of the interview the consular official informed my parents that their applications were being referred for administrative processing. He explained that administrative processing was akin to a security or background check.

13. The consular official never told my parents, either during or after their interview, that their visa was either approved or refused. To date, neither they nor I have received any correspondence indicating that their visa has been either refused or approved.

14. I very frequently check the website of the U.S. Embassy in Armenia for any updates on my parents' visa applications.

15. My son was born on November 28, 2016. My parents were not present for his birth pending their visa applications and administrative process.

16. In light of my father's illness and the extended application process for my parents to obtain a visa to visit the United States, my parents and I made plans to meet in Dubai, United Arab Emirates in March 2017 so that my parents could meet their grandson.

II. Harm From January 27, 2017 Executive Order:

17. I understand that President Donald Trump signed an Executive Order on January 27, 2017 (January 27 Executive Order) immediately prohibiting the issuance of visas to Iranian citizens, and preventing the entry of Iranian citizens into the United States.

18. The morning after the January 27 Executive Order was signed, the immigration attorney that I had retained advised me that I should not leave the United States due to the January 27 Executive Order.

19. As a result of the January 27 Executive Order, I became very concerned about my ability to exit and reenter the United States, and decided to cancel my family's visit to the United Arab Emirates in March 2017. My parents were not able to meet their grandson as originally planned.

20. In addition, prior to the signing of the Executive Order, my husband and I had purchased plane tickets to visit Amsterdam, the Netherlands. Following the signing of the

Executive Order, I became concerned about my ability to exit and reenter the United States and subsequently decided not to visit the Netherlands as originally planned.

III. Harm From March 6, 2017 Executive Order

21. I understand that President Trump issued an Executive Order on March 6, 2017 (March 6 Executive Order) prohibiting the issuance of visas to Iranian citizens.

22. On March 29, 2017, I checked the website for updates about my parents' visa. The website indicated that my parents' case had been created on October 12, 2016. The website also displayed the following message: "Your visa case is currently undergoing necessary administrative processing. This processing can take several weeks. Please follow any instructions provided by the Consular Officer at the time of your interview. If further information is needed, you will be contacted. If your visa application is approved, it will be processed and mailed/available within two business days. For more information, please visit U.S. Embassy Yerevan."

23. On May 21st, we travelled to Bodrum, Turkey so that my parents could finally meet their grandson. When we were boarding the leg of our return flight from Paris, France to the United States on July 2, we were pulled out of the boarding line at the departure gate by security. Security searched all of my hand luggage, including our baby's diaper bag. We were told it was a "random" search, but I knew it was not random because I clearly saw my name on a list held by security.

IV. Harm From September 24, 2017 Executive Order

24. I understand that President Trump issued an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

25. I understand that the September 24 Executive Order will block the issuance of my parents' tourist visas.

26. I have checked the online status of my parents' tourist visas. As of the date of this declaration, my parents' visa application remains in "administrative processing."

27. I have received no guidance, information, clarity, instruction, or correspondence from the United States government concerning the issuance of visas and/or whether my parents' visas will be issued in course or whether it will not be issued under the terms of the September 24 Executive Order.

28. As a result of the confusion and uncertainty surrounding my parents' visa applications under the terms of the Executive Order, my family and I have been greatly emotionally distressed about whether my family and I will be able to host my parents in our home here in the United States.

29. Given my father's illness, I am concerned about whether he and my mother will continue to be able to meet us in third countries to see one another in the future. Doing so will likely become more difficult for them in the future, and doing so puts a strain on all of us.

30. The three Executive Orders — including the September 24 Executive Order — have made me feel as though I can never be "at home" here in the United States. I have a family here, I have worked here, and my baby was born here, but I feel like I am just waiting for the other shoe to drop. Sometimes I even worry that I might get deported even though I am a lawful permanent resident. The Executive Orders have caused me to feel that, no matter what my visa status is, I will always be a foreigner or stranger in this country.

I, Shiva Hissong, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2 day of October, 2017, in Spokane, Washington.

/s/ Shiva Hissong
Shiva Hissong

Exhibit to Declaration of Shiva Hisson

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Secure | https://ceac.state.gov/CEACStatTracker/Status.aspx?eQs=WwjQOlbeFYzCYubaSQI+RA==

Thursday, September 28, 2016 9:08 AM

View as Analog
✓ View as Digital
Open Date & Time Preferences...

U.S. Department of State NONIMMIGRANT VISA APPLICATION

Administrative Processing

Application ID or Case Number: [REDACTED]
Case Created: 12-Oct-2016
Case Last Updated: 12-Oct-2016

Your visa case is currently undergoing necessary administrative processing. This processing can take several weeks. Please follow any instructions provided by the Consular Officer at the time of your interview. If further information is needed, you will be contacted. If your visa application is approved, it will be processed and mailed/available within two business days.
For more information, please visit [U.S. Embassy Yerevan](#).

Visa Status Check

Welcome! On this website, you can check your U.S. visa application.

Visa Application Type
NONIMMIGRANT VISA (NIV)

Please select a location and enter your Application ID or Case Number.

Select a location
ARMENIA, YEREVAN

Application ID or Case Number
[REDACTED]
(e.g., ARMBQAAA 2017 123456789)

Enter the code as shown
US985

Submit

This site is managed by the Bureau of Consular Affairs, U.S. Department of State. External links to other Internet sites should not be construed as an endorsement of the views contained therein.

Chrome File Edit View History Bookmarks People Window Help

Nonimmigrant Visa [U.S. En. x] https://ale.usvisa-info.com/en x CEAC
 Secure https://ceac.state.gov/CEACStatTracker/Status.aspx?eQs=WwjQOIbaRYzCYubaSQL+RA==

Thursday, September 28, 2017
 View as Analog
 ✓ View as Digital
 Open Date & Time Preferences...



Visa Status Check

Welcome! On this website, you can check your U.S. visa application

Visa Application Type

NONIMMIGRANT VISA (NIV)

Please select a location and enter your Application ID or Case Number.

Select a location

ARMENIA, YEREVAN

Application ID or Case Number

[Redacted]

12-10-2016 12:00:00

Enter the code as shown

DSH00K



Submit

U.S. Department of State NONIMMIGRANT VISA APPLICATION

Administrative Processing

Application ID or Case Number: [Redacted]

Case Created: 12-Oct-2016

Case Last Updated: 12-Oct-2016

Your visa case is currently undergoing necessary administrative processing. This processing can take several weeks. Please follow any instructions provided by the Consular Officer at the time of your interview. If further information is needed, you will be contacted. If your visa application is approved, it will be processed and mailed/available within two business days. For more information, please visit [U.S. Embassy Yerevan](#).

Close

This site is managed by the Bureau of Consular Affairs, U.S. Department of State. External links to other internet sites should be used as an endorsement of the views contained therein.

EXHIBIT 5

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,)
Iranian American Bar Association,)
Public Affairs Alliance of Iranian Americans,)
Inc.)
et al,)

Plaintiffs,

v.

Civil Action No. 17-255

Donald J. Trump, President of the United States,)
et al.)

Defendants.

**DECLARATION OF MONTRA YAZDANI IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Montra Yazdani, hereby declare and state as follows:

1. My name is Montra Yazdani. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I reside in Washington, DC. I was born in Iran.

3. I first came to the United States with my parents and brother in October 2001 because my father was invited to pursue research at the Cleveland Clinic. My father is an ophthalmologist in Iran. He was invited by the director of the Center for Genetic Eye Diseases at

the Cleveland Clinic's Cole Eye Institute to collaborate on an ongoing research relating to a genetic mutation causing congenital fibrosis of extraocular muscles of the eye, which is a type of disease.

4. The Cleveland Clinic arranged and helped us apply for J visas. My family and I entered the United States on J1 and J2 visas.

5. My father's research was completed in 2002. It was a great success as they were able to discover the specific gene mutation which caused the eye disease at issue. The findings of the research, authored by my father, were published in the American Journal of Ophthalmology.

6. My parents returned to Iran in 2002. At that time, my brother had already begun school at Cleveland State University. He applied for and received an F1 visa. I had also enrolled in a private high school in Cleveland and received an F1 visa. One year later, we both attended the Miami University of Ohio. My brother went on to medical school in St. Louis, Missouri while I attended law school in San Francisco. After receiving my J.D., I pursued a Master of Laws (LLM) degree in Intellectual Property (IP) law in Washington, DC.

7. For fifteen years, my brother and I never went back to Iran because our visas were single entry and would expire upon our departure from the United States

8. During this time, my parents visited us in the United States roughly every two years. They were able to apply for and receive tourist visas to visit us. Since their departure in 2002, they visited the United States on tourist visas a total of seven times.

9. I met and married my husband, who is a U.S.- born citizen, in the United States. My brother, who is now a neuro-radiologist, met and married his wife, who is a U.S.- born citizen, here. My brother and his wife have two children and live in Charleston, SC. His daughter is three years old and his son is almost one year old.

10. I am now a practicing attorney in Washington, DC. I work at a boutique intellectual property law firm practicing patent and trademark prosecution. I am a board member of the Iranian American Bar Association (IABA). I became a naturalized United States citizen on August 11, 2015.

11. My brother is a lawful permanent resident of the United States. He has applied for his citizenship.

12. Given the fact that my brother and I have settled down with our new families in the United States, and because of our increased desire to spend more time with our parents as they are aging, I petitioned for my parents to receive their green card in early 2016. Our parents have a mutually strong desire to move to the United States to spend the rest of their lives with their children and now grandchildren.

13. Once my parent's green card petition was approved, it was forwarded for consular processing in Abu Dhabi. Upon completing and submitting all the required documents, performing their fingerprinting and medical examination, my parents were scheduled for a visa interview in Abu Dhabi in July 2017. Their immigrant visas were both approved at the interview. The consular official told my mother that my mother's visa could be issued immediately, but that my father's visa had to go through additional administrative processing. My mother chose not to receive her visa at that moment and instead wanted to wait for my father's visa to be processed, so that their visas could be issued at the same time.

14. Immediately after their interview, we received a secondary 'supplemental questions for visa applicants' questionnaire for my father's application via e-mail. We submitted the responses to this extensively detailed questionnaire on August 5, 2017. We have not been able to confirm the status of my father's visa through the link provided to us in the supplemental

questionnaire email. We were nearing the end of the process and my brother and I were very excited that my parents would soon be joining us in the United States.

IV. Harm From September 24, 2017 Executive Order

15. I understand that President Trump issued an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

16. I understand that the September 24 Executive Order will block the issuance of my parents' immigrant visas; or, at minimum, it will block the issuance of my father's visa, and my mother will not immigrate to the United States without my father.

17. I have checked the online status of my parents' visas. Both my mother and father's online visa status on the U.S. Department of State's website indicates that their visa is undergoing administrative processing.

18. My father's visa status on the Abu Dhabi embassy's website says "no information has been found about the case number you entered."

19. We have been unable to find out any further information regarding the impact of the September 24 Executive Order on my parents' visas.

20. My brother and I are deeply saddened by the fact that this travel ban will prevent us from having our parents visit us at our home and spend time with them in our home country. I have now lived more than half of my adult life here in the United States and feel more American than an Iranian. As an American citizen, I have contributed greatly to U.S. society for the past sixteen years of my life and yet now I am being banned from bringing my parents here because of the country in which I was born.

21. In an ideal world, my parents would come to visit me at my house. But now, the best case scenario for us is to meet in Europe. That is also difficult for me because I have to take

time off work — ideally two weeks at a time — and then spend a lot of money to travel to Europe to see them; if my husband would like to join me to visit his in-laws, it is even more difficult for both of us to take time off work and spend even more money on flights and hotels. It is a great burden on both of us to keep traveling to see one another.

22. I am not able to go to Iran to visit my parents. I went back to Iran for the first time in 15 years in the summer of 2016. When I landed at the airport in Iran, I was taken to a special room and interrogated. The Iranian government officials asked me why I was traveling to Iran and demanded detailed information such as the addresses, phone numbers, emails, job titles, etc. of me, my husband, my brother and parents. They further interrogated me as to what type of work I do in the U.S. and why I was visiting Iran after 15 years.

23. I have recently noticed that multiple individuals who work for the national Iranian Radio and Television have viewed my LinkedIn profile.

24. As a result, I feel like the Iranian Government is researching and monitoring me. They may have started surveilling me because I am an Iranian-American attorney working in Washington, DC and have close connections and pictures linking me with many high profile individuals and organizations to which the Iranian government is opposed.

25. I would not feel safe traveling to Iran right now.

26. As a result of feeling unsafe traveling to Iran, neither me nor my parents can visit each other in our homes. The forced separation from my parents is making it more frustrating and difficult for me to live in and be a citizen of the United States and make my contribution here. I can't help but think that, if my parents weren't from one of the countries listed in the September 24 Executive Order, I would not be banned from seeing them. It's unfair.

27. My brother would like my parents to spend time with his young children and would like for his children to have the added value of growing up with grandparents. It would be tragic if my parents were not able to come here to see their grandchildren grow up.

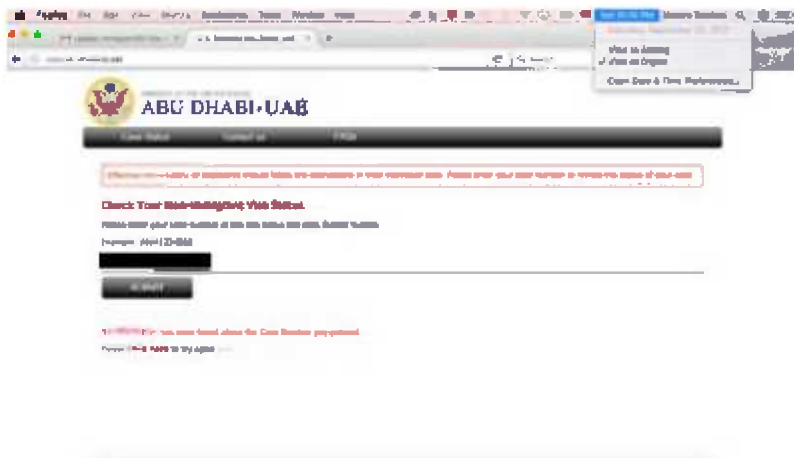
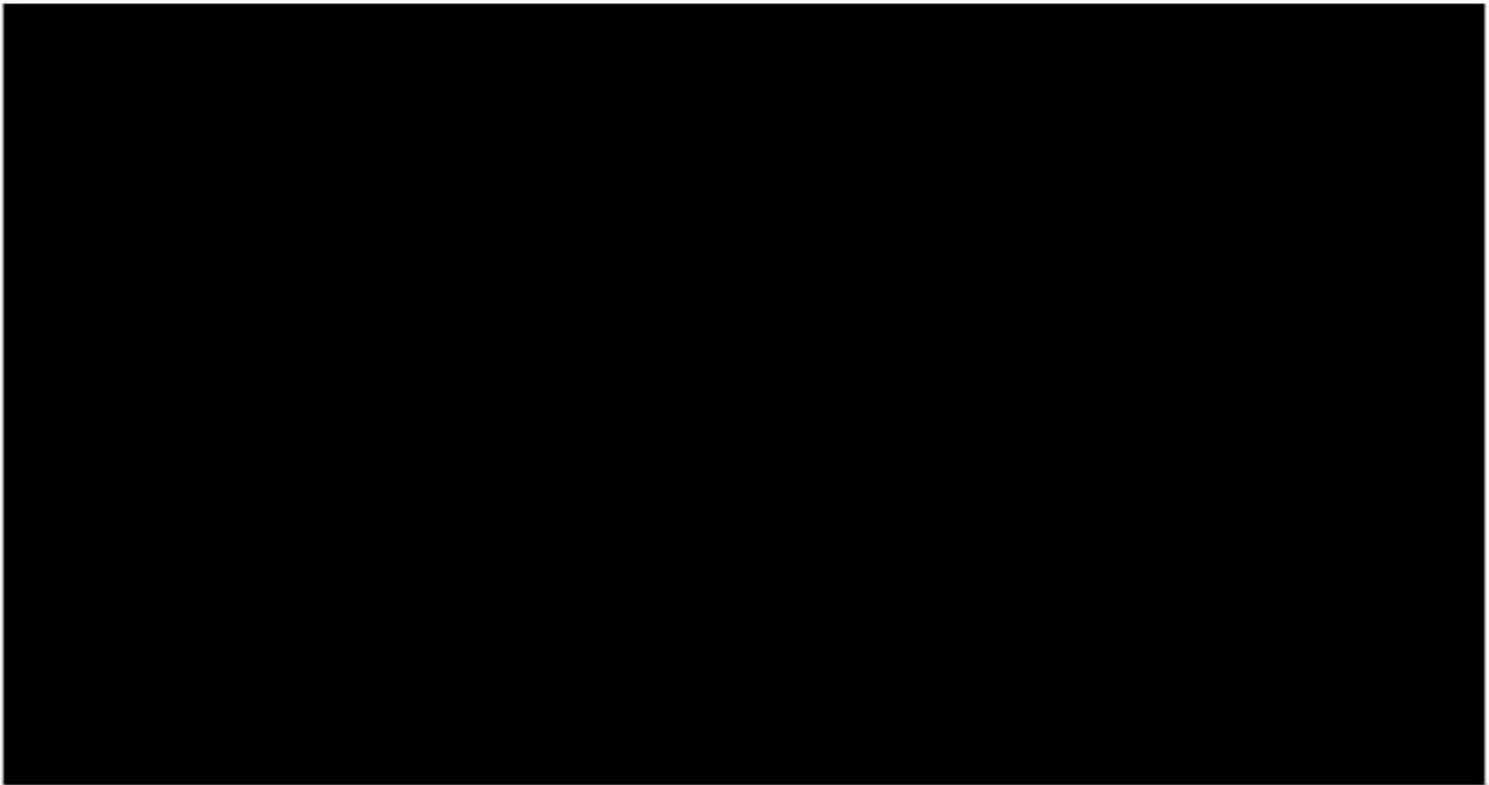
28. In thinking about having children of my own, I know that I would like to have my mother by my side to help me. I had always planned that my mother would be able to get a green card and be here by 2019, which is when my husband and I were hoping to have a baby. I cannot imagine raising a child without my mother to help me. This travel ban has made me re-consider having children until my mom is able to move and live in the United States.

I, Montra Yazdani, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 1 day of October, 2017, in Alexandria, Virginia.

/s/ Montra Yazdani
Montra Yazdani

Exhibit to Declaration of Montra Yazdani



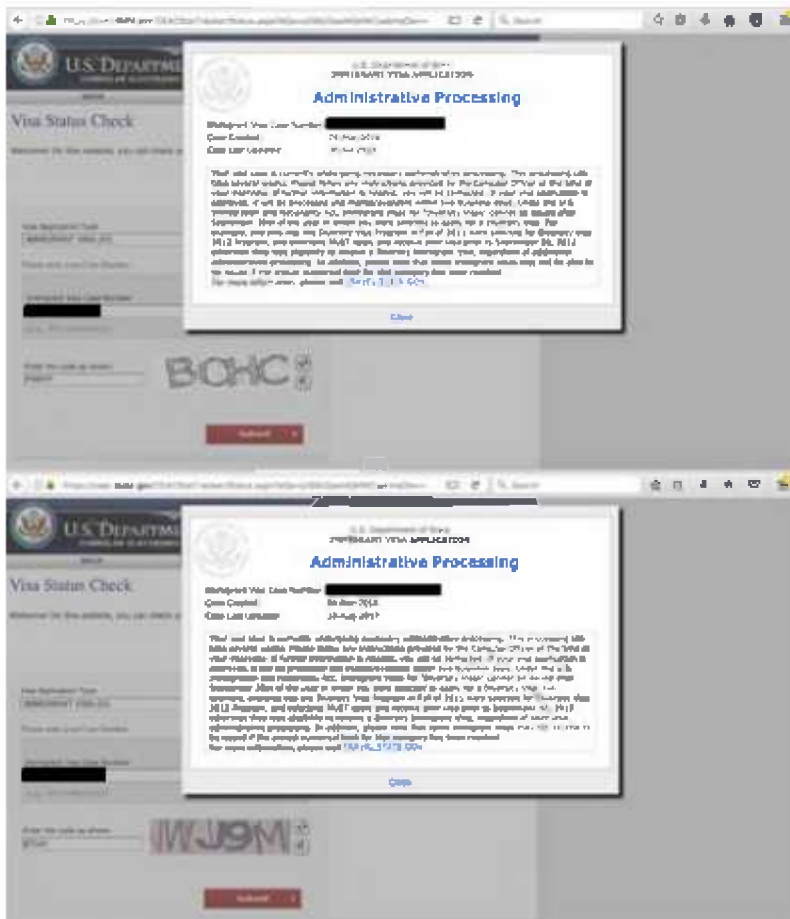


EXHIBIT 6

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF SEPIDEH GHAJAR IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Sepideh Ghajar, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am 36 years old and currently reside in Mountain View, California. I am the co-founder and chief executive officer of Taygo, located in Palo Alto and San Carlos, California. I have a bachelor's degree in software engineering from the University of Tehran.

3. I am an Australian Citizen and a U.S. Green Card holder. I was born in Iran and am also an Iranian citizen.

4. After graduating from the University of Tehran, I was selected for a highly competitive internship program at IBM. This internship soon turned into a full-time position. My experience at IBM deepened the passion I had had from a very young age for technology.

5. In 2005, at the age of 24, I moved from Iran to Australia under the skilled visa program in order to build my technical skills and ultimately pursue my dream of starting my own company. I lived in Melbourne, Australia for approximately seven years. During that time, I became an Australian citizen and worked as a software engineer, web application architect, and freelance Microsoft consultant.

6. After discussing my goals with several mentors who had started businesses in Australia, I began to realize that conditions in the United States were much more favorable for entrepreneurs.

7. In 2012, I left Australia and moved to New York City. While in New York, I co-invented a new technology platform to innovate digital workspace interaction experiences, known today as LiveTiles. LiveTiles became a success soon after it was released and turned into an acquisition before its one-year anniversary.

8. In 2015, I moved to Silicon Valley in order to finally start own venture. The company I founded, Taygo, was officially registered last year, and we have thus far hired ten people, all but one of whom are American citizens.

9. Since founding Taygo, my workload has been extremely demanding. I have been almost solely responsible for building a professional network, attracting investors, finding customers, and recruiting talent. Because I do not have a partner or any family in California, this process has been very emotionally difficult and isolating for me.

10. In order to help me get through this challenging period, I asked my mother, Masoumeh Jamei, to come stay with me. My mother is 60 years old and an Iranian citizen.

11. My mother agreed and immediately applied for a B-1/B-2 visa. She travelled to American Embassy in Dubai for her visa interview approximately one and a half years ago, and was told she would be notified once a decision was reached on her application. However, she heard nothing from the Embassy after that, despite checking multiple email accounts and the Embassy website daily.

12. To this day, when we check the website of the American Embassy in Dubai, it says the status of my mother's application is "processing."

13. My mother was told by a friend that her first visa application was likely a lost cause, and she should submit a second application. She did so, and again travelled to Dubai in June 2017. When she arrived, Embassy officials told her that her second application could not be processed because her first application had in fact been approved several months earlier. When she explained that she had not received any notification of this approval, Embassy officials told her that the status listed on the Embassy website was inaccurate and could not be relied upon. Nevertheless, because she had never shown up to retrieve the visa, her application would have to be renewed.

14. My mother was told that the renewal process should take approximately three to four weeks. However, after several months, we still have not heard anything from the Embassy.

II. Harm Caused by the September 24, 2017 Executive Order:

15. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

16. I have checked the online status of my mother's visa. As of the date that I signed this declaration, the status says, "processing."

17. To date, I have received no guidance or clarity from the Embassy or any other government entity about the impact of the September 24, 2017 Executive Order on my mother's visa application.

18. The Executive Order and related guidance have caused me and my mother great inconvenience, confusion, and pain.

19. I cannot travel to Iran to see my mother because I am nervous that I may be detained there as a result of my last name, which is associated with monarchy in Iran and has made me the subject of harassment in the past. Additionally, all my employees, investors, and customers are relying on me to make the company a success, and I cannot afford to take time off to travel internationally. In fact, I have not taken time off in the past three years.

20. I am worried that, if the ban takes effect, I may not be able to see my mother for many years. We are very close, and being separated from her for so long, especially during such a stressful time, has been extremely difficult.

21. I feel that the September 24 Executive Order is unfairly discriminating against good, hardworking people who are making important contributions to American society. It seems very unfair that, despite the fact that I have created jobs in this country, I myself have have had to suffer being separated from my family because of the Executive Order.

22. As a result of everything that has happened, I no longer feel at home in this country as I once did. I feel like my contributions are not valued, and that I am seen as a threat by the government.

I, Sepideh Ghajar, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2 day of Oct, 2017, in San Carlos CA

A handwritten signature in black ink, appearing to read 'Sepideh', written over a horizontal line.

Sepideh Ghajar

EXHIBIT 7

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF MOHAMMED JAHANFAR IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Mohammed Jahanfar, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am 39 years old and currently reside in Tarzana, California. I am employed with AAA as an insurance sales agent.

3. I am a United States citizen of Iranian origin.

4. I am a Muslim, although I am not a practicing Muslim.

5. I immigrated to the United States on July 11, 1987. I was nine years old.

6. In 1996, two weeks after I graduated from high school, I enlisted in the United States Navy. I served in the U.S. Navy until 1999, when I was honorably discharged as an E-3. The country of Iran has refused to renew my Iranian passport since the time I served in the U.S. Navy.

7. I became a United States citizen in 2003.

8. My mother, stepfather, aunt, several cousins, and mother's uncle all live in the United States.

9. My fiancéé currently lives in Tehran. She is Iranian and identifies as a Muslim, although she is not a practicing Muslim.

10. My fiancéé is currently pursuing a Master's degree in international studies, English translation, and English studies. Prior to seeking her Master's degree, she worked as a brand manager in a department store. Now she is focusing on her studies and writing her thesis.

11. I have known my fiancéé since childhood. When I was five and she was eight, we were playmates.

12. We reconnected a year and a half ago through social media. We began talking and met up in Dubai, United Arab Emirates (UAE). I knew that I wanted to spend the rest of my life with her, so I proposed to her, and she accepted.

13. I visited my fiancée in Istanbul in February of 2017, and in June and September I travelled to visit her in Abu Dhabi. It's taxing to travel thirteen and seventeen hours nonstop. I have suffered from deep vein thrombosis and pulmonary embolism, and I've had multiple back surgeries in the past, so flying is uncomfortable. But I'm willing to endure the long flights so I can be with the woman I love.

14. After becoming engaged, my fiancée and I engaged the services of an immigration attorney to assist us with the visa process for my fiancée to move to the United States.

15. The petition for my fiancée's K-1 visa was submitted on January 13, 2017. The petition was approved, and it was sent to the U.S. embassy in Abu Dhabi on May 23, 2017.

16. Both my fiancée and I have undergone background checks as part of the visa application process.

17. On August 15, 2017, U.S. State Department website showing the status of my fiancée's case was updated to inform us that the case was ready for an interview.

18. On September 11, 2017, my fiancée and I traveled to Abu Dhabi for the immigrant visa interview. While in Abu Dhabi, my fiancée completed her medical exam. However, when we went to the embassy for the interview, the embassy turned us away, saying that we should wait for an email from the embassy.

19. My fiancée returned to Tehran, and I returned to California.

20. Since that date, neither of us, nor our immigration attorney, has received any updates, notification, or information from the embassy.

21. I have called the embassy in Abu Dhabi multiple times seeking information about my fiancée's visa, but when I call, they will not transfer me to the consular section or provide any updates. They tell me I have to send an email.

22. I have sent multiple emails to the embassy in Abu Dhabi to check the status of my fiancée's visa, but I haven't received any responses.

23. I frequently check the U.S. State Department website for updates on her visa, but online case status has not been updated since our September 11, 2017 trip to Abu Dhabi. It still says that the case is ready for an interview.

24. I paid approximately \$4,600 in travel expenses to Abu Dhabi for my fiancé's immigrant visa interview, which ultimately did not take place. I have also paid \$2,500 in legal fees.

II. Harm From September 24, 2017 Executive Order

25. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

26. I have checked the online status of my fiancé's visa. As of the date that I signed this declaration, the status says that the case is ready for an interview.

27. To date, I have received no guidance or clarity from the Embassy or any other government entity about the impact of the September 24, 2017 Executive Order on my fiancé's visa application.

28. The Executive Orders and related guidance have caused me and my fiancé great pain.

29. I feel discriminated against. I feel that we are non-existent in this country, and treated as third-class citizens.

30. It feels like we have no rights. We are not allowed to see our loved ones, our grandparents, uncles, aunts, nieces, or nephews. The U.S. Government is separating me from my loved ones because we are from Iran.

31. I believe that in the United States we have freedom of speech, but now it feels like the Government is trying to silence us.

32. I served in the U.S. Navy because I wanted to give back to this country for allowing me to become a citizen, for allowing me to live here, and for allowing me to flee persecution and dictatorship. But now, the Government wants to stop me from bringing my fiancée here. When I signed up to serve in the Navy, I never imagined that the Government would prohibit U.S. citizens from bringing their loved ones to America. It feels like a terrible betrayal.

33. I want to build a life with my fiancée in the United States, and I am scared that, due to the September 24 Executive Order, my fiancée will be unable to receive her visa and immigrate to the United States. We will be unable to get married here and begin our life together here.

I, Mohammed Jahanfar, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2 day of ~~OCTOBER~~ 2017, in LOS ANGELES

A handwritten signature in black ink, appearing to be 'MJ' or similar, written over a horizontal line.

Mohammed Jahanfar

EXHIBIT 8

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF MOHAMMAD REZA SHAERI IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Mohammad Reza Shaeri, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am 36 years old and currently reside in Lancaster, Pennsylvania. I am employed as a full-time engineer by Advanced Cooling Technologies, Inc., also in Lancaster. I have a master's degree and Ph.D. in mechanical engineering from the University of Wisconsin-Milwaukee.

3. I am an Iranian citizen and a permanent resident of the United States.

4. I am a Muslim and adhere to the religion of Islam.

5. In January 2010, I left my home and family behind and came to the United States on an F-1 visa in order to pursue my education.

6. In March 2014, I received my Green Card through the National Interest Waiver program. In order to qualify for a National Interest Waiver, I had to prove that I had an advanced degree and that my research had substantial merit and importance to the national interests of the United States.

7. I have continued to live in the United States since 2010, and am a taxpayer.

8. I anticipate becoming a U.S. citizen by approximately June or July 2019.

9. In my current position at Advanced Cooling Technologies, Inc., I have successfully led several projects supported by the Navy, the Department of Energy, and other U.S. government entities.

10. I met my wife, Arezoo, in 2016 through a friend of the family. Arezoo is an Iranian Citizen, and currently studies at Massey University in Palmerston North, New Zealand. She is the recipient of a three-year Ph.D. scholarship, and plans to complete her Ph.D. in marketing and advertising by 2019.

11. In late October 2016, Arezoo visited the United States on a B-1/B-2 visa to participate in a conference related to her research. Though the trip was a brief one, we were eager to spend the rest of our lives together, so I proposed and we got married in November 2016, and we announced our marriage to our family and friends.

12. Though Arezoo's visa allowed her to remain in the U.S. for six months, she returned to New Zealand after five weeks in order to complete her studies.

13. Because I anticipated gaining U.S. citizenship at approximately the same time that Arezoo was due to complete her Ph.D. program, I did not apply for a Green Card on her behalf right away. I knew that the process would be much easier once I became a citizen, so I planned to wait until 2019 to file an application.

14. Arezoo has applied for a visa twice since the March 6 Executive Order was issued, once in April 2017 and a second time in May 2017. Each time, Arezoo paid approximately \$500 in processing fees and travel and hotel costs, as the U.S. Consulate is located in Auckland, New Zealand, hundreds of miles from where she lives.

15. Arezoo was issued a 214(b) rejection letter both times, despite the fact that she had a clean travel history and ample evidence proving her ties to New Zealand. Additionally, she had been required to submit a full background check to the government of New Zealand in order to travel there for her studies.

16. The U.S. Consulate official who issued the denials of Arezoo's most recent visa application was the same officer who had approved her visa application in 2016.

17. In an effort to expedite the processing of my wife's May 2017 visitor visa application, I reached out to my Congressman, Lloyd Smucker, with the help of my company's president, and explained that I was a job creator in his district who was being negatively impacted by the Executive Order. However, when Arezoo approached the Consular officials in New Zealand with this letter, they did not act on it in any way.

18. Given the difficulty my wife was having in getting her visa applications approved, I applied for an immigrant visa on her behalf on June 6, 2017. I have not received any communication as to how this application will be affected by the September 24 Executive Order.

II. Harm Caused by the September 24, 2017 Executive Order:

1. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of immigrant and visitor visas to Iranian citizens.

2. To date, I have received no guidance or clarity from any government entity about the impact of the September 24, 2017 Executive Order on my wife's visa application.

3. The Executive Order and related guidance have caused me and my wife great stress, confusion, and pain.

4. As a result of everything that has happened, I no longer feel at home in this country. I feel like all the years of hard work I have invested into becoming an American and contributing to this country's growth and success have been for nothing, and that the U.S. government does not value the efforts of people like me. I have trouble understanding why, even though I was awarded a Green Card specifically so that I could serve the national interests of the U.S., and have been doing so for eight years, the U.S. still views me as a threat. It is hard not to see the last eight years as having been wasted.

5. Likewise, my wife has been a law-abiding, hard-working person through her entire life, and could contribute so much to this country if she was given a chance. I wish the U.S. government would see that.

6. I feel that the recent Executive Order is telling people like me that we are not allowed to love who we want to love. We can only love people from certain countries.


7. My wife and I have not been able to see each other for many months, and the separation has been very painful for both of us. I am very worried that my wife will not be able to join me in the United States, and that I will have to leave behind everything I have worked so

hard for in order to be with her. Starting over again in another country will be extremely difficult at this point in my life.

8. The Executive Order has also made me feel isolated from my community, because I fear that other Americans see me the same way the government does, as a threat. I worry about harassment from people who have been influenced by the rhetoric surrounding the Executive Orders as well as by the Orders themselves.

I, Mohammad Reza Shaeri, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 5th day of October, 2017, in Lancaster, PA.



Mohammad Reza Shaeri

EXHIBIT 9

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,)
Iranian American Bar Association,)
Public Affairs Alliance of Iranian Americans,)
Inc.)
et al,)

Plaintiffs,

v.

Civil Action No. 17-255

Donald J. Trump, President of the United States,)
et al.)

Defendants.

**DECLARATION OF JOHN DOE #1 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, John Doe #1, hereby declare and state as follows:

1. I am over the age of eighteen years. I have personal knowledge of the facts set forth herein and am competent to testify thereto.
- I. Background:**
2. I am an Iranian citizen. I first arrived in the United States on an F-1 student visa in 2015. My visa expired on June 7, 2017. My wife accompanied me on an F-2 visa for spouses of students. Her visa expired on July 30, 2017. Both of our visas were multiple- entry visas.
3. I have a valid Form I-20 that expires in 2020. It allows me to stay in the United States and study. However, if my wife or I leave the United States, we will need to apply for new visas in order to re-enter the country.

4. I do not have any family in the United States. My entire family, as well as my wife's family, lives in Iran.
5. In September 2015, I started a PhD program in Finance and Economics at Columbia University in New York, NY. While the program is formally five years long, most candidates typically take six years to complete their PhDs. I am currently in the third year of my PhD program.
6. My wife has a PhD in electrical engineering from the University of British Columbia in Vancouver, Canada. She has completed research on the newest generation of wireless communication systems and on energy harvesting and working toward more sustainable energy systems. She is a published author in the journal of the Institute of Electrical and Electronics Engineers (IEEE), the most prominent journal in the field of electrical engineering.
7. When we moved, my wife was planning to apply for a green card so that she could secure employment in her field in the United States. We paid \$2,000.00 to retain an immigration attorney for the first phase of her green card application.

II. Harm From the January 27, 2017 Executive Order:

8. On or about December 24, 2016, my wife and I flew to Iran to visit our families.
9. On or about January 22, 2017, I flew back to the United States. My wife was planning to join me later that week and had purchased a ticket for a January 28, 2017 Turkish Airlines flight from Esfahan, Iran to New York, NY.
10. On January 27, 2017, President Trump signed an Executive Order (January 27 Executive Order) preventing the entry of Iranian visa holders as well as others into the United States.

11. My wife attempted to board her flight on January 28, but was prevented from boarding by Turkish Airlines, citing the January 27 Executive Order.
12. On or about January 30, 2017, my wife attempted to board a flight from Tehran, Iran to the United States, but was again turned away by the airline and not permitted to board.
13. My wife was unable to successfully board a flight and enter the United States until February 4, 2017.

III. Harm From September 24, 2017 Executive Order:

14. I am aware that President Donald Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.
15. The visas upon which my wife and I entered the United States expired this past summer. I am concerned that, if and when the September 24 Executive Order is enforced, it will make it difficult for my wife and I to re-apply for F-1 and F-2 visas.
16. As a result of this difficulty, my wife and I are currently separated indefinitely from our families in Iran. We are not making any plans to leave the United States for fear that we would not be able to renew our visas.
17. If I am forced to return to Iran for a family emergency or due to other circumstances while the September 24 Executive Order is enforced, and if any new visa application I submit is denied, I will be forced to drop out of my U.S. PhD program.
18. If I am forced to return to Iran permanently I will likely be unable to complete my PhD studies and it will be very difficult for me to find employment. I protested against the Iranian government during the Green Movement after the 2009 Iranian presidential election. I was detained for thirty days while I was an undergraduate student. As a result

of my political activity, I was permanently enjoined from studying in Iran by the Iranian government.

19. Further, my wife is currently unable to seek employment in the United States. No one will give her an interview because she does not have work authorization. We are concerned that the September 24 Executive Order prevents her from seeking work authorization or legal permanent resident status. My wife has a PhD in her field and it is a shame for her not to be able to put her degree to good use.
20. In my opinion, it is very unlikely that the ban on entry will be lifted as to individuals from Iran. The September 24 Executive Order considers Iran to have “inadequate” protocols for information-sharing and other issues. It is very unlikely that Iran and the United States will reach agreement regarding the information that needs to be provided. Thus, I believe that the prohibition on entry of Iranian nationals into the United States is in effect permanent.
21. As a result of the travel bans, my wife and I have recently begun considering leaving the United States altogether.
22. If we leave the United States, we would have to abandon the life we have started here. However, if my wife is unable to work and we are unable to travel outside of the country to see our families, we may prefer to live permanently in another country.
23. I am joining this lawsuit as an anonymous plaintiff because various government agencies are named as Defendants, and I am scared of retaliation and consequences against me and my wife if I reveal my identity.

Executed this 3 day of October, 2017, in New York, New York.

/s/ John Doe #1

John Doe #1

EXHIBIT 10

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF JOHN DOE #9 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, John Doe #9, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I currently reside in Iran and am an Iranian citizen.
3. For many years, it has been my dream to go to American and create a better life for myself and my family.
4. This past year, I was finally selected to receive a visa through the Diversity Immigrant Visa ("DV") program. The DV program makes up a small number of visas available

annually, drawn from random selection among all entries to individuals from countries with low rates of immigration to the United States.

5. The number of applicants to the DV program is extremely high. In 2015, the U.S. Department of State received approximately 14,418,063 online entries for approximately 50,000 available visas.

6. I was understandably overjoyed to have been selected despite such low odds, and immediately made plans to travel to Abu Dhabi, United Arab Emirates for my visa interview. My interview took place on June 7, 2017.

7. After my interview, I began to make arrangements to move. I informed my employer that I would probably be leaving very soon, and began to sell my belongings in order to help cover my travel expenses.

8. On August 13, 2017, I received an email informing me that, although administrative processing had been completed on my file, I would need to submit proof of a close familial relationship, current job, or job offer in the U.S. in order to be exempt from the March 6, 2017 Executive Order.

9. I scrambled to find a job so that I would not miss this once-in-a-lifetime opportunity to move to the United States. After two weeks of contacting everyone I could think of, I finally managed to secure a position with a car dealership in Los Angeles. I submitted proof of this job offer along with my passport to the Embassy in Abu Dhabi on August 29, 2017.

10. I was extremely surprised when, despite all my efforts to do what the Embassy asked of me in such a short period of time, my passport was returned to me with no visa inside on September 4, 2017.

11. I found out on September 8, 2017 that the State Department had hit its 50,000 visa quota. A few weeks later, on September 24, 2017, I learned that President Trump had issued another Executive Order with different requirements than the March 6 Order. I do not know what this means for my case, and fear that I have lost my chance to immigrate to the United States forever, even though I followed all the rules and did everything I was supposed to do.

12. I am aware of approximately 189 other Iranian DV lottery winners who have also cleared administrative processing, but have been prevented from receiving visas because of the Executive Orders.

II. Harm Caused by the September 24, 2017 Executive Order:

13. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

14. The Executive Order and related guidance have caused me confusion, stress, and financial damage.

15. To date, I have received no guidance or clarity from the Embassy or any other government entity about the impact of the September 24, 2017 Executive Order on my visa application.

16. I fear that all of my hard work in putting together an application, travelling to Abu Dhabi, and making arrangements to move have been wasted. I feel like every time I do what the rules require of me, the rules change.

17. I love America and it has always been a great desire of mine to go there, but this process has been extremely painful for me, and I am beginning to feel as though the government of the United States does not care about people like me.

18. I have joined this lawsuit as an anonymous Plaintiff because I am afraid that the State Department, USCIS, the NCV, and/or the government agencies listed as Defendants will take retaliatory action against me for participating in this action.

I, John Doe, declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 1 day of October, 2017, in Arak, Iran.

/s/ John Doe #9

John Doe #9

EXHIBIT 11

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF JOHN DOE #10 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, John Doe #10, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am 35 years old and currently reside in the United States. I received my Ph.D. in 2010 from a public university in the United States, and I currently work as an Assistant Professor at a different American public university.

3. I am a U.S. citizen by birth.

4. I am married. My wife is a citizen of Iran and a lawful permanent resident of the United States. She received her Ph.D. from an American public university in 2016. She is

employed as an Assistant Professor at the same American public university where I am employed.

5. We have one daughter. She was born in June, 2017 and is a U.S. citizen.

6. My wife came to the United States in 2011 on an F-1 visa to get her Ph.D. She has not returned to Iran since 2011.

7. I met my wife in October 2012. In fall 2013, I became an employee at the university where she was studying.

8. We were married in June 2014, and my wife filed for change of status to permanent resident shortly afterwards and received her green card in March 2015.

9. In 2016, she filed for the removal of condition from her green card. The application is still pending. She plans to apply for U.S. citizenship as soon as she is eligible to do so.

10. After my wife and I got married, we went to the Interests Section of the Islamic Republic of Iran at the Embassy of Pakistan in Washington, D.C. so that she could record our marriage in her Persian documents with the government of Iran.

11. However, we were told that in order to formally record our marriage in Iran, I would be required to convert to Islam.

12. We refused. Because I was not willing to convert to Islam, Iran does not recognize our marriage.

13. My wife is considered a single woman under Iran's law, and our child is considered born out of wedlock.

14. Because of this, my wife does not feel safe returning to Iran. Even if she returned to Iran, she could not bring our baby or me with her, because our marriage is seen as illegitimate.

15. Last year, my wife began attending church. On Easter, she was baptized at an Episcopal church and converted to Christianity. I was her witness at the ceremony.

16. If she discloses to the Iranian government that she has converted to Christianity, they can recognize her marriage to me, another Christian. However, she will be guilty of converting from Islam to Christianity, which will make it very dangerous for her to return to Iran.

17. My wife and I feel that there is no safe way for my wife and my daughter to visit Iran. Thus, the only feasible way for my wife to see her parents and my daughter to meet her grandparents is for them to visit the United States.

18. My parents-in-law have visited the United States once before, in 2015.

19. In fact, my parents-in-law frequently travel outside Iran, and have made many trips to Europe. They never have problems getting visas to travel because my mother-in-law has a good job, my father-in-law has a good retirement pension, and they own a lot of property in Iran.

20. The purpose of my parents-in-law's 2015 visit was to celebrate our marriage and attend their daughter's wedding ceremony.

21. My wife and I got married at the justice of the peace office in June 2014. We delayed having a formal wedding celebration because we wanted to be sure my parents-in-law would be able to attend.

22. For that trip, my parents-in-law had an interview in February 2015, and they received their tourist visas in May 2015. They arrived in June 2015, two weeks before our wedding and left 5 days after the wedding.

23. My wife and I are hoping my parents-in-law can visit again to see us and meet their first and only grandchild, my daughter. We were originally hoping they would be able to be here for her birth.

24. We filed a DS-160 application in November 2016 so that my parents-in-law could visit the United States on a tourist visa. The first available visa appointment at the U.S. consulate in Dubai was in late April, 2017.

25. On January 27, 2017, we learned that President Trump signed an Executive Order (January 27 Executive Order) immediately prohibiting the issuance of visas to Iranian citizens, and preventing the entry of Iranian citizens into the United States.

26. Because of the January 27 Executive Order, the U.S. consulate in Dubai canceled my parents-in-law's visa appointment.

27. My wife had an emotional meltdown, not knowing what would happen or whether she would be allowed to see her parents. I was also scared, hurt, and afraid of what could happen because I did not know whether I would be allowed to see my parents-in-law and be with my wife's family again. It was devastating to me, my wife, and my family, because my wife was 19 weeks pregnant and the stress could hurt her and harm the baby.

28. After the January 27 Executive Order was enjoined by the courts, the consulate rescheduled the appointment.

29. My parents-in-law had their visa interview at the U.S. consulate in Dubai in April 2017. They told the consular officer that they were hoping to be in the United States for the birth of their grandchild. The officer gave them a "purple slip" that, according to the officer, meant the administrative processing phase would take only two-to-ten weeks. Although she said she

couldn't promise anything, she told them that because she wrote in their file that they were hoping to be here for the birth of their grandchild, their application might be expedited.

30. Since then, my parents-in-law have not received any updates about the status of their visa application.

31. When my daughter was born in June 2017, my parents-in-law were unable to be there for the birth because they had not received their visas.

32. It has been really hard not having my parents-in-law here since my daughter was born. Because neither my wife nor I had been employed by our current employer for a full year before my daughter's birth, neither of us were eligible for parental leave. If my parents-in-law had been here, they could have helped us care for the baby after she was born.

33. None of my wife's other close relatives live in the United States. My parents both live and work in another state across the country. My mother was able to visit briefly, but we needed my wife's parents here to help her recover from the childbirth and take care of the newborn.

34. My parents-in-law Skype with my daughter every morning. We want them to be able to meet and hold her. She is their only grandchild.

35. I contacted the offices of the U.S. Senators from our state, as well as my congressional representative. I never heard back from the U.S. Senators. The representative's staff told me that they could not help with a visa application that is in administrative processing.

36. My wife has emailed the U.S. consulate in Dubai every month since April. She always receives the same automatic reply. The automatic reply informs us that the application is in administrative processing and that the embassy will contact us if they need any information. At first, her emails were very detailed; I used to edit all her emails to the embassy, so I have the

complete knowledge of the contents. No matter how detailed her emails, she never received a response from a human; only an automatic reply.

37. We have also called the U.S. consulate in Dubai. We were only able to reach a helpline that gave us the address of their website and how to email the consulate. We were not able to get any information about the status of the visa application.

II. Harm From September 24, 2017 Executive Order

38. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

39. I have checked the online status of my parents-in-law's visa application. As of the date that I signed this declaration, the status says, "administrative processing."

40. To date, we have received no guidance or clarity from the Embassy or any other government entity about the impact of the September 24, 2017 Executive Order on my parents-in-law's visa application.

41. The Executive Order has caused me and my family great emotional distress and heartache.

42. My daughter is now four months old. She has not met her grandparents. Whenever my wife remembers the fact that her parents have not been allowed to meet or hold our daughter, she feels completely heartbroken, and I feel completely helpless. I feel that there is nothing I can do to ease her pain, which is heartbreaking for me.

43. I feel discriminated against. I feel like my family has fewer rights than other families. My daughter is a U.S. citizen and should have the right to see her grandparents. I am a U.S. citizen and should have the right to marry whomever I want, regardless of their country of origin, and have a normal life, with all the rights other American families have.

44. I feel hurt and betrayed. My wife loves the United States. She always attends my family's elaborate 4th-of-July celebration in Massachusetts and proudly sings the national anthem as we raise the American flag in celebration of Independence Day. This country gave my wife her education, her husband, and her daughter. This country offers security and freedom for our child. I was born in the United States; my ancestors came to this country on the Mayflower. I can't believe that the country that I love would keep my wife and I from her parents and prevent my daughter from meeting her grandparents. I can't believe that my country would unfairly cause my family so much distress and pain.

45. Going back to Iran is not viable for my family. It is not safe for my wife, or me, or my child. Consequently, if my parents-in-law cannot come to the United States, it may not be possible for my wife to see them. This is emotionally devastating for my entire family.

46. I feel like my wife, and by extension our family, is being profiled. The Government assumes that because my wife is from Iran, she is a Muslim terrorist, and that because I married a woman born in Iran, I should undergo hardship and distress. It feels like the Government is punishing my family because of its assumptions. They are wrong. We are Christians, and we are not dangerous.

47. My wife and I are good people. We are educators, teaching children in college. We have always abided by the law. My wife is respectful of all U.S. law and norms. She has never even had a speeding ticket. It feels like the only thing I've done wrong is to marry a person born in the wrong country, and the only thing my wife did wrong was to be born in the wrong place. I feel like the government is victimizing me and my family because of something my wife had no control over.

48. Every time we think or talk about the Executive Order we become emotional. My life has become difficult because sometimes my wife can't stop crying. This is severely affecting our family. Stress affects my wife's milk supply and is affecting my daughter's well-being. I am scared about what will happen to my wife, my family, and my in-laws in the future. I fear that my parents-in-law will never be able to visit us in the United States or meet my daughter.

49. I have joined this lawsuit as an anonymous Plaintiff because I am afraid that the State Department, USCIS, the NCV, and/or the government agencies listed as Defendants will take retaliatory action against me or my parents-in-law for participating in this action.

I, John Doe, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2 day of October, 2017, in United States of America.

/s/ John Doe #10

John Doe #10

EXHIBIT 12

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF JANE DOE #1 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Jane Doe #1, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am 29 years old and currently reside in San Diego, California. I am employed with the County of San Diego. I have my Master's Degree in city planning from San Diego State University.

3. I am a dual citizen of the United States and Iran.

4. I am a Muslim and adhere to the religion of Islam.

5. My family sold all of their belongings and assets in Iran and immigrated to the United States in 2001. I was 11 years old at the time and moved with my mother, father, and sister.

6. It took approximately twelve (12) years for my family to be approved to become Green Card holders (legal permanent residents). My family has continued to live in the United States since 2001 and I, my mother, my father, and my sister are all United States citizens.

7. Both of my parents are small business owners in the United States.

8. In 2013, I met my fiancé in San Diego while he was visiting the United States on a tourist visa. He is 29 years old and has a Master's Degree in engineering from Sharif University of Technology in Tehran, Iran.

9. After traveling to Iran several times to visit my fiancé, we got engaged to be married in October of 2015. Thereafter, we immediately engaged the services of a Los Angeles, California immigration attorney in December of 2015 to assist us with the visa process for my fiancé's to move to the United States.

10. My fiancé has a sister who lives in Boston, Massachusetts. His sister originally came to the United States on an F-1 visa and earned her PhD. She is currently working in Boston and has Optional Practical Training (OPT) work authorization.

11. I began to work on my fiancé's petition for a K-1 visa in December 2015. The petition for his K-1 visa was submitted in February 2016 and was approved in April 2016. The case was created in May 2016.

12. We did not include documentation about my fiancé's sister in his K-1 visa application. We included only the required information, which was documentation about my fiancé and about me.

13. In October 2016, my fiancé and I traveled to Abu Dhabi for the immigrant visa interview. During the interview, the consular official asked my fiancé whether he had any family in the United States. My fiancé replied that he had one sister, and showed the consular official her photograph.

14. At the conclusion of the visa interview, the consular official told us, “congratulations! Your case has been approved.”

15. The consular official then notified us that my fiancé’s visa needed to undergo administrative processing, which he described as “routine.” He advised that administrative processing could take up to six months.

16. Based on the consular official’s verbal assurance, my fiancé and I both believed that his visa had been adjudicated and approved, and would be issued pending the routine completion of administrative processing.

17. I paid approximately \$5,000.00 in travel expenses to Abu Dhabi for my fiancé’s immigrant visa interview. I also paid approximately \$3,500.00 in legal fees for his visa application.

18. I have personally checked the U.S. State Department website every day since October 2016 for status updates on my fiancé’s visa.

II. Harm Caused by the January 27, 2017 Executive Order:

19. I learned that President Trump signed an Executive Order on January 27, 2017 (January 27 Executive Order) immediately prohibiting the issuance of visas to Iranian citizens, and preventing the entry of Iranian citizens into the United States.

20. After the January 27 Executive Order took effect, I received no guidance, information, clarity, instruction, or correspondence from the United States government or my

attorney concerning the issuance of visas and/or whether my fiancé's approved visa would be issued in course or whether it would not be issued under the terms of the January 27 Executive Order.

21. In the weeks that followed the issuance of the January 27 Executive Order, I checked various internet websites and blogs every day in an attempt to gather further information about the issuance of visas.

22. I called the U.S. Embassy in Abu Dhabi. However, they did not provide me with any information on my fiancé's visa.

23. I called U.S. Senator Kamala Harris in hopes that her staff could help move my fiancé's case along, or at least provide me with information on its status. However, her staff was unable to help me.

24. After the January 27 Executive Order, I was extremely anxious, stressed, unable to sleep and eat, and nervous because it was unclear whether I would be able to be reunited with my fiancé and get married.

III. Harm From March 6, 2017 Executive Order:

25. I understand that President Trump signed an Executive Order on March 6, 2017 (March 6 Executive Order) prohibiting the issuance of visas to Iranian citizens.

26. At that time, the online status of my fiancé's visa application stated that the visa was in "administrative processing."

27. I reached out again to Senator Kamala Harris's office for her help. On March 10, 2017, the Senator's staff made an inquiry to the U.S. Embassy in Abu Dhabi on my behalf. Senator Kamala Harris's staff asked whether my fiancé could apply for any type of expedited

processing, or whether any other avenues were available to him. The Embassy said that no such options were available.

28. On March 12, the automated date stamp in the online system tracking my fiancé's visa application was updated. I believe that this indicated that someone reviewed my case on March 12th. However, its status remained in "administrative processing."

29. Senator Kamala Harris's office assured me that they would reach out again to the Embassy on my behalf in June 2017, ninety days after their first inquiry to the Embassy.

30. In order to be eligible to travel to the United States, my fiancé had to undergo a medical exam. His medical exam expired on April 21, 2017, while we waited for his visa to be issued. He will need to undergo a new medical exam in order to enter the United States.

31. Prior to the January 27 and March 6 Executive Orders, my fiancé and I had been planning an extravagant wedding ceremony in the United States that was scheduled for 2018.

32. I had spent hundreds of hours planning my wedding and I executed contracts and paid \$2,500.00 as a down payment to secure a wedding venue.

33. In May 2017, an additional \$2,500.00 down payment was due to our chosen wedding venue. By that time, seven months after his visa interview, my fiancé's visa was still stuck in "administrative processing." The wedding venue would not allow us to change the date of our wedding, so I was forced to forfeit the deposit I had made, as well as my reservation of the wedding venue.

34. I had to notify my friends and family that my wedding was cancelled.

35. I was extremely distraught about everything that was happening with my fiancé's visa process. I was not able to make any life plans while we both wait, in limbo, for his visa to be

issued. I did not know when, if ever, we would be able to be married. My fiancé and I were desperate to begin our life together.

36. I later learned that the March 6 Executive Order was enjoined by a federal court. My fiancé and I had been saving money, and we began the process of looking for a house that we could purchase in the United States. We hope to live in that house when he arrives here.

37. On June 26, 2017 I learned that, as a result of a decision by the United States Supreme Court, the March 6 Executive Order could be enforced against individuals who seek entry to the United States and who do not have a “bona fide relationship” with a person or entity in the United States

38. Early on June 29, 2017, I learned from news reports that the U.S. Department of State issued guidance that defined “close family” to exclude fiancés. I was beside myself with grief and didn’t know what to do. Only later that day did I learn that the U.S. government had abruptly changed course and issued new guidance defining “close family” to include fiancés.

39. I received no guidance or clarity from the Embassy or any other government entity about the impact of the Supreme Court order or guidance on my fiancé’s visa application.

40. I checked the online status of my fiancé’s visa on the morning of June 29, 2017. The status said, “administrative processing.”

IV. Harm From September 24, 2017 Executive Order

41. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

42. I have checked the online status of my fiancé’s visa. As of the date that I signed this declaration, the status says, “administrative processing.”

43. To date, I have received no guidance or clarity from the Embassy or any other government entity about the impact of the September 24, 2017 Executive Order on my fiancé's visa application.

44. The Executive Orders and related guidance have caused me and my fiancé great pain.

45. I feel violated. During the seventeen years that I have lived in this country, I have always tried to be a law-abiding person. I have always followed all rules and policies and never done anything wrong, never gotten into trouble. I've always tried to be a helpful person, regardless of who I am helping.

46. It feels like the U.S. Government is profiling me. The Government assumes that, because my family is Persian, and from Iran, that we are Muslim, and so we must be dangerous. My fiancé and I are Muslim, but we are anything but dangerous.

47. In fact, I have worked for the city and state government in California for years. I have passed background checks and been fingerprinted a number of times. There is nothing suspicious or dangerous on my record.

48. The Government's actions make me feel that, despite my service and work in this country, I don't count for anything. They make me feel like I don't have a voice.

49. I am very scared about what will happen in the future. I have no faith that the government of Iran will cooperate with the United States to provide more information. And if that occurs, what will happen to people like me and my fiancé?

50. I fear that, due to the September 24 Executive Order, my fiancé will be unable to receive his visa and immigrate to the United States, and that we will be unable to get married and

begin our life here. We opened escrow on our house in September 2017. I fear that our savings and plans to purchase a family home will come to nothing.

51. You only get one life in this world. I feel like mine is crashing down around me.

52. I have joined this lawsuit as an anonymous Plaintiff because I am afraid that the State Department, USCIS, the NCV, and/or the government agencies listed as Defendants will take retaliatory action against me or my fiancé for participating in this action.

I, Jane Doe #1, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 27 day of September, 2017, in San Diego, California.

/s/ Jane Doe #1

Jane Doe #1

Exhibit to Declaration of Jane Doe #1

From: [REDACTED]
Sent: Wednesday, September 27, 2017 2:36 PM
To: Joanna Wasik
Subject: [REDACTED]

Hi Joanna,



Screen shot of the CEAC website:

EXHIBIT 13

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,)
Iranian American Bar Association,)
Public Affairs Alliance of Iranian Americans,)
Inc.)
et al,)

Plaintiffs,

v.

Civil Action No. 17-255

Donald J. Trump, President of the United States,)
et al.)

Defendants.

**DECLARATION OF JANE DOE #4 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Jane Doe #4, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I currently reside in San Francisco, California. I am employed full time with an architectural firm.

3. I am an Iranian citizen and was granted asylum in the United States in June 2016. I am currently in the process of obtaining my Green Card. I am a member of the Erfran-e-

Halgheh, also referred to as the Circle of Mysticism. I originally entered the United States with a student visa. I applied for asylum in the United States approximately three and a half years ago because I feared religious persecution in Iran. Members of my spiritual group have recently been killed by Iranian officials and I am unable to return to Iran.

4. I have lived in the United States since fleeing Iran in 2013. My parents still live in Iran and were planning to visit me this year, in 2017.

5. My parents applied for tourist visas at the U.S. Embassy in Istanbul, Turkey in November 2016.

II. Harm Suffered Post January 27, 2017 Executive Order:

6. On January 27, 2017, President Trump issued an Executive Order (January 27 Executive Order) restricting the issuance of visas to Iranian citizens, and preventing Iranian immigrants and nonimmigrants from entering the United States.

7. I was instructed by my immigration attorney not to travel outside of the United States because of the January 27 Executive Order. I had been planning to travel this year to Amsterdam to visit some friends who are currently living in Europe. My friends will be returning to Iran later this year, and when that happens I will be unable to see them because I cannot return to Iran.

8. The Executive Order also put into jeopardy the plans of my parents to visit me in the United States.

III. Harm from March 6, 2017 Executive Order

9. I understand that President Donald Trump signed an Executive Order on March 6, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

10. The terms of the March 6 Executive Order prohibited the approval and issuance of my parents' tourist visas. I was concerned that if and when the March 6 Executive Order went into effect, my parents' tourist visas would be denied and they would be unable to travel to the United States.

11. My parents called the U.S. Embassy in Ankara but were not able to receive any information about their tourist visa. We also checked the status of their visa application online but there were no updates — the visas remained in “administrative processing.”

IV. Harm From September 24, 2017 Executive Order

12. I understand that President Trump issued an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

13. I checked the online status of my parents' visa. As of the date of this declaration, the status is “administrative processing.”

14. I have not seen my parents since I left Iran in August 2013.

15. I do not have any family in the United States; all of my family is in Iran. I am close to my family and the physical separation is very emotionally and mentally difficult for me. I am unable to visit my parents in Iran because it is unsafe for me to return there. If and when the September 24 Executive Order is enforced, I will face indefinite separation from my parents and the rest of my family.

16. I feel like I am in prison.

17. I am extremely worried that I will not be able to see my parents. I constantly reconsider my decision to flee persecution in Iran and settle in the United States. At times, I am critical of the choice I have made. I have actually thought about going back to Iran — and risking my life — so that I can see my parents. The Executive Orders have forced me to re-

evaluate my priorities constantly; is it more important for me to be near my parents? Or is it more important for me to live in the United States and be physically safe?

18. I have been incredibly sad recently.

19. I am afraid that the State Department or other branches of the federal government will take retaliatory action against me for being a party to this action. I am especially concerned about retaliatory actions impacting my immigration status as I am still in the process for applying for my Green Card, and about retaliatory actions affecting my parents' visa application.

I, Jane Doe #4, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2 day of October, 2017, in San Francisco, California.

/s/ Jane Doe #4

Jane Doe #4

Exhibit to Declaration of Jane Doe #4

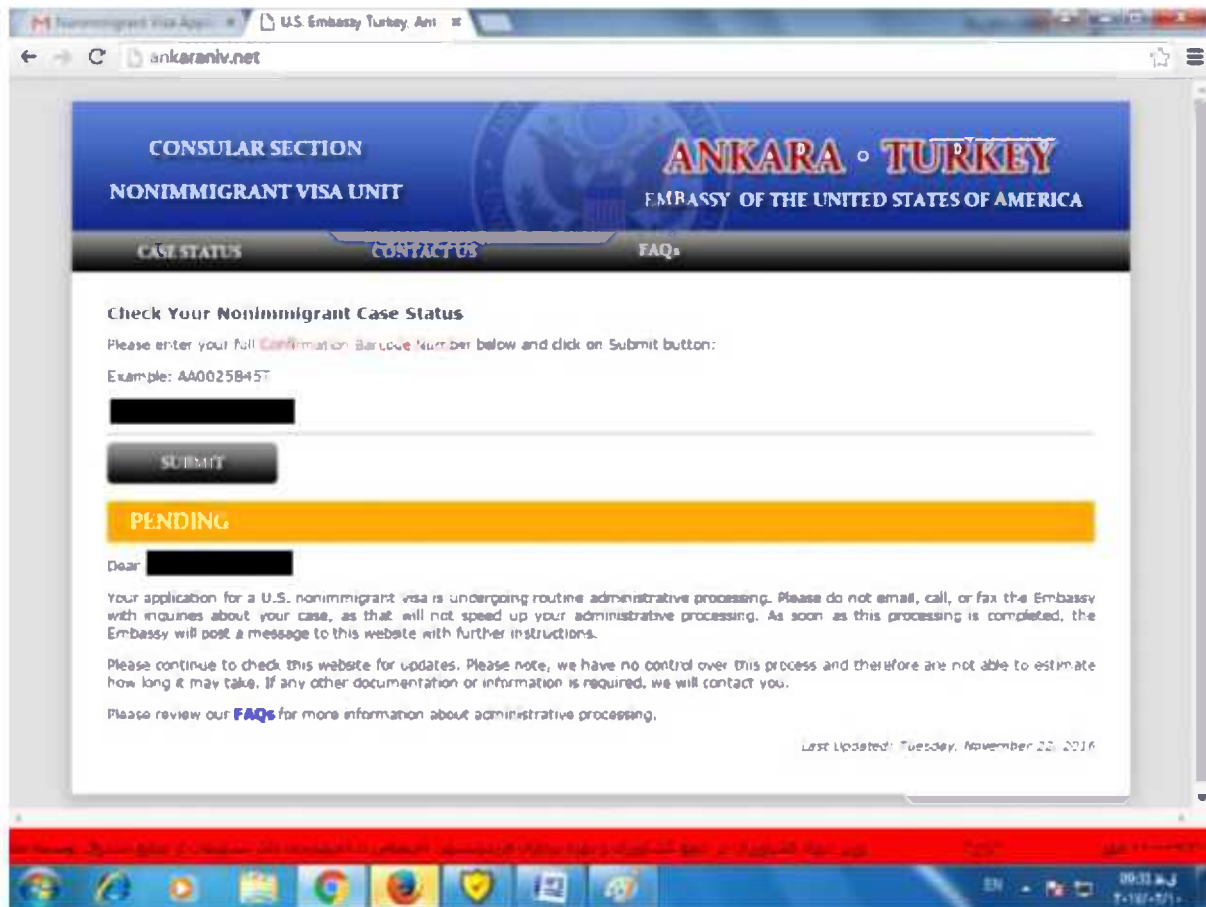


EXHIBIT 14

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,)
Iranian American Bar Association,)
Public Affairs Alliance of Iranian Americans,)
Inc.)
et al,)

Plaintiffs,

v.

Civil Action No. 17-255

Donald J. Trump, President of the United States,)
et al.)

Defendants.

**DECLARATION OF JANE DOE #13 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Jane Doe #13, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am an Iranian citizen and lawful permanent resident of the United States. My parents and sister are also Iranian citizens and live in Iran.

3. I am a Muslim. My parents and sister are also Muslim.

4. I grew up in Iran and completed my undergraduate education there. I was a political activist during the Green Movement in Iran.

5. I first arrived in the United States in 2010 on an F-1 student visa in order to enroll in a graduate degree program. While working toward my graduate degree, I learned that the government of Iran had tried and convicted me in absentia on the basis of my previous political actions. As a result, I am unable to ever return to Iran.

6. I received asylum in the United States in December 2011. I am presently eligible to seek U.S. citizenship.

7. My parents have visited me in the United States twice in the past seven years. My mother and father both visited me in 2011, and my mother visited me in 2014 as well.

8. Each time my parents intended to visit the United States, I provided them with, among other things, documentation of my legal status as an asylee as well as a letter of invitation. They submitted these documents along with their visa application. My parents successfully applied for and received tourist visas from the U.S. Consulate in Dubai in 2011 and my mom successfully applied for and received a tourist visa from the U.S. Consulate in Dubai in 2014.

9. The officials at the U.S. Consulate in Dubai did not ask my parents any questions about my religion or their religion in either 2011 or 2014.

10. After I became engaged to be married to a U.S. citizen, my parents planned to come to the United States for my wedding. I greatly looked forward to seeing them and began making plans for my wedding ceremony. I expected that they would be able to obtain tourist visas as they had done in the past.

11. My parents applied for a tourist visa. This time, I provided them with far more supporting documentation than I had provided for their visa applications in either 2011 or 2014. My fiancé's parents, who are U.S. citizens by birth and not of Iranian descent, provided my parents with letters of invitation, as did my fiancé. I provided them with a letter of invitation, documents showing my finances, and documents evidencing my legal status as an asylee and lawful permanent resident, among other things. My parents received an appointment date for their visa interview.

II. Harm Suffered Under January 27, 2017 Executive Order

12. I am aware that on January 27, 2017, President Trump signed an Executive Order (January 27 Executive Order) immediately restricting entry into the United States for citizens from certain countries, including Iran.

13. My parents received an email stating that their visa appointment had been cancelled. After a federal court preliminarily enjoined the January 27 Executive Order, my parents' appointment was rescheduled.

14. After the federal court's preliminary injunction of the January 27 Executive Order but before President Donald Trump signed a new Executive Order on March 6, 2017 (March 6 Executive Order), my parents traveled to Dubai for their appointment and interview.

15. In response to the questions of the consular officials, my parents said that they were traveling to visit me for my wedding, and that I was an asylee and lawful permanent resident of the United States.

16. My parents reported to me that the consular officials became visibly upset when they heard that I was an asylee. They then asked my parents if they intended to apply for asylum. My parents assured the consular officials that they did not intend to apply for asylum; that they

had successfully obtained tourist visas in the past; that they had returned to Iran each time after visiting me in 2011 and 2015; that they had every intention of returning to Iran after my wedding; that they were happy with their life in Iran; and that their other daughter, my sister, lived in Iran.

17. The consular officials stated that they did not understand how I had entered the United States and that I was not “in the system.”

18. The consular officials then asked, “what is your daughter’s religion?”

19. My parents were surprised because they had never before been asked a question about religion during a tourist visa interview. They replied that I was a Muslim.

20. At the conclusion of the interview, my parents’ application for a tourist visa was denied. The consular officials gave no basis for the denial.

21. My mother informed me that a couple who were in a substantially similar position— also applying for a tourist visa to a visit a relative and asylee in the United States — were approved for a tourist visa on the same day that my parents’ tourist visa was denied. The other couple was being interviewed next to my parents. Their interview, like that of my parents, was conducted in Farsi and my mother was able to overhear the couple’s responses to the interviewer’s questions. My mother gleaned from their conversation that there was one significant difference between their application and hers: the other couple were Armenian Christians, while my parents are Muslim.

III. Harm from March 6, 2017 Executive Order

22. I am aware that President Donald Trump signed an Executive Order on March 6, 2017 prohibiting the issuance of visas to Iranian citizens.

23. In the wake of the March 6 Executive Order, I lost hope that my parents would be able to reapply for a tourist visa to travel to the United States for my wedding. My fiancé and I were forced to postpone our wedding plans and contemplate significant changes to the ceremony.

IV. Harm from September 24, 2017 Executive Order

24. I am aware that President Donald Trump signed an Executive Order on September 26, 2017 prohibiting the issuance of visas to Iranian citizens (September 24 Executive Order).

25. If and when the September 24 Executive Order is enforced, my parents will be unable to re-apply for and receive a tourist visa.

26. It is not possible for me and my fiancé to get married in Iran because it is not safe for me to return to Iran. We are unable to host our wedding in the United States because my parents will be unable to attend. As a result of the March 6 and September 24 Executive Orders, my fiancé and I have been forced to reschedule our wedding and look for a wedding venue in Europe. This venue change will require both my family and my fiancé's family to travel abroad to be with us on our wedding day.

27. I am also very worried about the future. The thought that I will be unable to host my parents in my home in the future is crushing. My parents are getting older, and I would like to be able to live physically close to take care of them. Until now, I had hoped that they would be able to apply for immigrant visas and live with me in the United States. In the future, my parents will be too old to travel to a third country, in Europe or elsewhere, to meet me.

28. Based on the way that the iterations of the travel ban have evolved, I feel like it is a policy that has been developed to intentionally target Iranians and individuals of other nationalities. Over the past months, I have begun to wonder whether I will ever be allowed to feel at home in the United States.

29. If I am forced to choose between living close to my parents and living in the United States, I may well choose to leave the United States. I am starting to think that, if it means indefinite separation from my family, living in the United States is just not worth it.

30. I fear that the U.S. government will retaliate against me and my family because of my involvement in this lawsuit. I am especially concerned that my involvement will impact any future visa applications by my family or my imminent naturalization proceedings.

I, Jane Doe #13, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 3 day of October, 2017, in Washington, District of Columbia.

/s/ Jane Doe #13

Jane Doe #13

EXHIBIT 15

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF JANE DOE #14 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Jane Doe #14, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I am 34 years old and currently reside in New York City. I play the viola professionally as a classical musician, and I am working on my Ph.D. in performing arts at Stoney Brook University.

3. I am a United States citizen and a citizen of Iran.

4. I am a Muslim, although I am non-practicing.

5. I came to the United States in 2011 and became a citizen in April 2016.

6. I am married. My husband is an Iranian citizen and a lawful permanent resident of the United States.

7. I am pregnant with our first child. The baby is due in November 2017.

8. My mother lives in Iran. She is applying for an immigrant visa to move to the United States.

9. I first submitted the petition for her visa in November 2016.

10. In late May or early June 2017, I sent a letter to the U.S. embassy in Abu Dhabi advising them that I was pregnant and requesting that they expedite the date of her interview.

11. On August 28, 2017, my mother had her immigrant visa interview at the U.S. embassy in Abu Dhabi.

12. After the interview, we were advised that the visa needed to undergo administrative processing. I have heard that administrative processing can take several months.

13. I have personally checked the U.S. State Department website for status updates on my mother's visa.

II. Harm From September 24, 2017 Executive Order

14. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens.

15. I have checked the online status of my mother's immigrant visa. As of the date that I signed this declaration, the status says, "administrative processing."

16. To date, I have received no guidance or clarity from the Embassy or any other government entity about the impact of the September 24, 2017 Executive Order on my mother's visa application.

17. The announcement about the Executive Order has caused me terrible emotional distress.

18. When I found out about the Executive Order, I was so, so depressed. I don't know what to do. I am going to have a baby in a few months, and I need my mother.

19. My husband works full time and has to be at work every day. He won't be able to stay home with me and the new baby. None of my other close relatives live in the United States, and I don't have any other family close by that can help with the newborn.

20. I need my mother here so she can support me and help me care for the baby.

21. Before learning about the Executive Order, I was so hopeful that my mother would be able to come to the U.S. and meet her grandchild. I want my mother to see the life I've built here with my husband. Now I'm afraid that won't be able to happen.

22. This feels like the most horrible thing that could happen to a person. I can't believe the Government is saying I don't have the right to be with my family. Even though I am a United States citizen, it feels like I don't have any rights at all.

23. I have joined this lawsuit as an anonymous Plaintiff because I am afraid that the State Department, USCIS, the NCV, and/or the government agencies listed as Defendants will take retaliatory action against me or my mother for participating in this action.

I, Jane Doe #14, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2 day of October, 2017, in New York, New York.

/s/ Jane Doe #14

Jane Doe #14

EXHIBIT 16

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Pars Equality Center,
Iranian American Bar Association,
Public Affairs Alliance of Iranian Americans,
Inc.
et al,

Plaintiffs,

v.

Donald J. Trump, President of the United States,
et al.

Defendants.

Civil Action No. 17-cv-255

**DECLARATION OF JANE DOE #15 IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Jane Doe #15, hereby declare and state as follows:

1. I am over the age of eighteen years, and I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon information provided to me by others. If asked to do so, I could testify truthfully about the matters contained herein.

I. Background:

2. I was born in Iran. I am a dual citizen of Iran and the United States.

3. I received a bachelor's degree and a Master's degree from the best university in Iran. I received another Master's degree from an institution in Europe. At each university which I attended, I have been one of only a few individuals admitted to my program of study.

4. I first came to the United States in 2009. When I completed my second Master's degree in 2012, I moved to the United States to live here with my husband.

5. I work in the biotech field. I hold a top position in an elite company.

6. My job is very fast-paced. Although I receive vacation time, I am rarely able to take vacation because my job is so demanding.

7. Since moving to the United States, I have traveled to Iran to visit my parents approximately every 1.5 years. It is not easy for me to do so — I save up most of my vacation time and, as a result, end up not taking many vacations with my husband. Iran is far away and it is not worthwhile to visit for only a short period of time, such as one week. I have seen my parents for approximately three months total over the past seven years; this is not enough time.

8. My parents are ageing. My father is over seventy years old and my mother is in her sixties. My greatest fear is that one day I will receive a phone call saying that something has happened to them, and I will not be by their side.

9. In 2015, I became a U.S. citizen. I was tremendously excited on that day.

10. I knew that, because I was a U.S. citizen, I could now submit a petition for an immigrant visa on behalf of my parents. I was ecstatic at the thought. I applied for an immigrant visa, which would allow my parents to receive a green card, in May 2016.

11. My husband and I shortened our lease to move out of our one-bedroom apartment and into a two-bedroom apartment in anticipation of my parents' arrival.

12. Then the January 27, 2017 and March 6, 2017 Executive Orders were signed. I was devastated because I knew it meant that my parents would not be coming to the United States.

13. After the March 6 Executive Order was enjoined by a federal court, my parents' visa appointment was scheduled. They completed their visa interview in August 2017 at a U.S. Embassy in a Middle Eastern country. I started again to get excited for their arrival. I thought of

all of the food I would serve them when they came, and which bottles of wine we would open to celebrate. I began to plan which restaurants I would take them to.

II. Harm From September 24, 2017 Executive Order

14. I understand that President Trump signed an Executive Order on September 24, 2017 (September 24 Executive Order) prohibiting the issuance of visas to Iranian citizens. I understand that, if and when it is enforced, the September 24 Executive Order would block issuance of my parents' immigrant visas.

15. I haven't seen my parents for over a year. I have been planning for them to come live with me in the United States for much longer than that.

16. The January 27, March 6, and September 24 Executive Orders have made me completely depressed. Each time my husband and I get ready for my parents to come here, another hurdle is thrown in our way. When someone at work asks me where my "home" is, I feel completely confused. Even though I am a U.S. citizen, that fact makes no difference. I'm not sure which country is mine. It feels like no one wants me here.

17. I've started going to therapy to deal with anxiety stemming from the separation from my parents as well as the wholly unpredictable nature of the Executive Orders. It seems that something new happens every two to three months. My husband and I shortened our lease so that we could move to a two-bedroom apartment when my parents arrived. However, when the January 27, March 6, and now September 24 Executive Orders were signed, we again extended our original lease on our one-bedroom apartment. Each time we extend the lease, we end up paying a higher rent due to market increases. Out of self-preservation, I've had to tell myself not to get excited for my parents' arrival, not to make any plans for it, and to just let it go.

18. I've started to look for jobs in other countries. However, my husband has to stay in the United States for his job. My husband and I are seriously considering living separately — he in the United States and me in another country — so that I am able to see my parents on a regular basis. My husband has been incredibly supportive of me throughout this process, but I worry about the strain on our marriage that any separation from him could cause.

19. I have joined this lawsuit as an anonymous Plaintiff because I am afraid that the government agencies listed as Defendants will take retaliatory action against me or my parents for participating in this action.

I, Jane Doe #15, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 2 day of October, 2017, in San Francisco, California.

/s/ Jane Doe #15

Jane Doe #15