

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

Pars Equality Center,)	
Iranian American Bar Association,)	
National Iranian American Council,)	
Public Affairs Alliance of Iranian Americans,)	
Inc. <i>et al</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	
v.)	Civil Action No. _____
)	
Donald J. Trump, President of the United States,)	
<i>et al.</i>)	
)	
)	
<i>Defendants.</i>)	

**DECLARATION OF THE NATIONAL IRANIAN AMERICAN COUNCIL
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Pursuant to Title 28 U.S.C. Section 1746, I, Trita Parsi, 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 co-Founder and President of the National Iranian American Council (NIAC).
NIAC is a nonpartisan, nonprofit organization operating under 26 U.S.C. § 501(c)(3). It is based in Washington, DC.
3. NIAC also has a sister organization, NIAC Action, which operates under 26 U.S.C. § 501(c)(4). The top officer of NIAC Action is Executive Director Jamal Abdi.
4. The goal of NIAC Action is to strengthen U.S. diplomacy with Iran to advance peace and human rights, promote greater openings between the American and the Iranian people,

protect civil rights and opportunities for Iranian Americans at home, and support candidates who represent the Iranian-American communities' values. To ensure its members have a powerful voice in the political process, NIAC Action provides its members with top caliber political resources, guidance, powerful advocacy tools and civic trainings, and grassroots leadership development.

5. I founded NIAC in 2002 to provide a non-partisan, non-profit organization through which Iranian-Americans could participate in American civic life. NIAC works to strengthen the voice of Iranian Americans by promoting greater understanding between the American and Iranian people. It also seeks to advance the interests of the Iranian-American community on civic, cultural and political issues. The Iranian-American community approaches one million people, largely U.S. citizens or permanent legal residents. As a recent immigrant group, the Iranian-American community has strong ties to family members in Iran.
6. NIAC supplies the resources, knowledge, and tools to enable civic participation and informed decision-making regarding issues facing the Iranian-American community, and provides the infrastructure for bridge-building across the network of Iranian-American organizations and the peoples of the United States and Iran. NIAC accomplishes its mission through expert research and analysis, civic and policy education, and community building.
7. NIAC has worked to fight discrimination against the Iranian-American community, including dual citizens, legal permanent residents, and Iranian visa-holders. For example,

NIAC fought discrimination at Monster.com in 2003, the world's largest online job search and career management company. Monster.com eliminated the word "Iran" from a section of its standard format resumes and dropped individuals and organizations from Iran from its website. After negotiations with NIAC, Monster.com agreed to change their policy of excluding educational experience in Iran from their standard resumes. NIAC has also petitioned for group inclusion to the U.S. Small Business Administration's program for disadvantaged minority groups, arguing that the Iranian-American community deserves government support to pursue business and financial endeavors in light of widespread discrimination in society as well as within the business world.

8. In addition, NIAC has successfully engaged U.S. financial institutions, such as Bank of Hawaii, who have adopted discriminatory policies towards Iranian persons, particularly students from Iran studying in the United States. NIAC has also successfully petitioned Apple and other U.S. retailers regarding discriminatory policies, such as one Apple store's refusal to sell Apple products to Iranian persons, including U.S. citizens and visa-holders. NIAC objected to the University of Massachusetts's discriminatory policy against Iranian students and elicited a reversal of the policy, as well as reversals at other universities. NIAC worked with Venmo to resolve payment difficulties, specifically with the use of specific keywords in the payment message – such as "Persian" and "Iran." NIAC led the campaign to fix the U.S.'s single-entry visa policy and to allow Iranian students to receive multiple entry visas. NIAC successfully opposed legislation in 2010 that would have barred every Iranian from entering the United States. Finally, NIAC

obtained an apology from Fox sportscasters for racially discriminatory remarks against Iranian NBA player Hamed Haddadi.

9. NIAC co-leads the largest coalition of advocacy groups in Washington, D.C. on U.S.-Iran related issues and regularly hosts briefings on Capitol Hill for congressional staffers on areas of interest to the Iranian-American community. Our past briefings have focused on Iran's parliamentary elections, Iran's nuclear program, Iran's role in Iraq, and more.
10. NIAC defends Iranian-American interests against corporate and media bias, discrimination, and government neglect; monitors, influences and shapes national legislation affecting Iranian Americans; and trains its constituents in successfully engaging in civic participation at dozens of workshops and functions across the United States.
11. NIAC's constituency numbers in the tens of thousands, comprised mostly of those of Iranian heritage. Iran is predominantly a Muslim country. A vast majority of NIAC's constituents have family members that enter the United States on tourist, occupational, immigrant, fiancé, or student visas from Iran and other countries listed in the January 27, 2016 Executive Order ("EO"). NIAC's constituency is comprised of United States citizens, Legal Permanent Residents, and immigrant and nonimmigrant visa holders.
12. I was born in Iran and moved with my family at the age of four to Sweden to escape political repression in Iran. My father was an outspoken academic and Zoroastrian who was jailed by the Shah and, subsequently, the Ayatollah. I moved to the United States to study foreign policy at Johns Hopkins' School of Advanced International Studies, where

I received my Ph.D and studied under Professor Francis Fukuyama and Dr. Zbigniew Brzezinski. I am fluent in Persian/Farsi, English, and Swedish.

13. As President of NIAC, my duties include fundraising, strategic relationship building, constant interfacing with our constituents, and identifying problems faced by our community, as well as solutions to those problems. President Trump's January 27 Executive Order is the most vague, encompassing, and severe challenge faced by the Iranian-American community that I have witnessed in the past 15 years.
14. Outside of my work at NIAC, I have followed Middle East politics through work in the field and extensive experience on Capitol Hill and at the United Nations. I have served as a foreign policy advisor to a Republican lawmaker. I have worked for the Swedish Permanent Mission to the UN, where I served in the Security Council, handling the affairs of Afghanistan, Iraq, Tajikistan, and Western Sahara, and in the General Assembly's Third Committee, addressing human rights in Iran, Afghanistan, Myanmar, and Iraq. I have also served as an adjunct professor of International Relations at Johns Hopkins University SAIS, an adjunct scholar at the Middle East Institute, and a Policy Fellow at the Woodrow Wilson International Center for Scholars in Washington, DC. I am also an adjunct professor at Georgetown University. I have written three books on US foreign policy in the Middle East (the third one will be released later this year), and I have received several awards for these books, including the 2010 Grawemeyer Award for Ideas Improving World Order, and the 2008 Arthur Ross Book Award. My articles have been published in the *Wall Street Journal*, *New York Times*, *Washington Post*, *Los*

Angeles Times, Foreign Affairs, Financial Times, Jane's Intelligence Review, the Nation, The American Conservative, the Jerusalem Post, and The Forward, among others. In addition, I am a frequent guest on CNN, *PBS Newshour*, NPR, and the BBC.

NIAC's interest in and concern about enforcement of the January 27, 2017 Executive Order

15. NIAC is vitally interested in and concerned about the EO because it will adversely affect our constituents, as well as the mission and purpose of our organization. As described in further detail below, the Cato Institute has documented that Iranian Americans have killed no Americans on U.S. soil. Despite this, the EO has a disproportionate effect on Iranians — for example, of 90,000 visa holders potentially impacted from the seven countries targeted by the EO, almost half are from Iran alone.
16. Further, enforcement of the EO has already caused NIAC to divert its substantial resources to combating the EO's pernicious effects on Iranians and Iranian Americans and will continue to do so.
17. In this statement, I first explain why enforcement of the EO against the Iranian-American community, which NIAC represents, is unfair and arbitrary. I then explain the harm that enforcement of the EO would cause to our organization's mission and resources in particular.

Inclusion of Iran as one of the seven countries in the EO

18. Enforcement of the EO would not achieve its stated goals of "protecting the nation from foreign terrorist entry." This is because facts show that a target of the EO — Iranians

seeking entry into the United States — are not the “would-be terrorists” the EO claims it seeks to deter. Despite this fact, Iranians are disproportionately affected by the EO given that, as explained below, almost half of the visa holders potentially impacted are Iranian.

19. The community of Iranians and Iranian-Americans in the United States is a robust, thriving one, which makes great contributions to American society and the economy. On the whole, Iranians are far more educated than the average American. According to a study based on the 2000 census completed by the Iranian Studies Group at MIT, the percent of Iranians over 25 years old who obtained a bachelor’s degree or higher was 57%, in comparison to 24% for the rest of the population.¹ Iranian-Americans also hold five times the number of doctorates than the national average. The per capita income for Iranian-Americans is 50% higher than that of the nation, while the family income average is 38% higher. Iranian-Americans are highly represented in the tech industry, having founded or held top positions at Twitter, Dropbox, Oracle, Expedia, and eBay.² Iranian-Americans are also top venture capitalists and invest in technology startups.
20. The Iranian-American community tends to have close-knit family ties with both nuclear and extended families. The study completed by the Iranian Studies Group at MIT found that only 3% of Iranian-Americans live in unmarried households, compared to 7% nationally.³ It is typical for individuals to live with or have very close ties to their extended family.

¹<http://www.isgmit.org/projects-storage/census/socioeconomic.pdf>

²<https://www.theatlantic.com/technology/archive/2017/02/how-trumps-immigration-rules-will-hurt-the-us-tech-sector/515202/>

³<http://www.isgmit.org/projects-storage/census/socioeconomic.pdf>

21. According to a study conducted by the CATO Institute, from 1975 to 2015, there were zero reported incidents of a foreign-born citizen of Iran or any of the other seven countries listed in the EO killing Americans on U.S. soil.⁴ In contrast, 162 Americans were killed by citizens of Egypt, 159 killed by citizens of Lebanon, 2,369 killed by citizens of Saudi Arabia, and 314 killed by citizens of the United Arab Emirates, none of which are included in the EO.
22. None of the individuals involved in the September 11, 2001 terrorist attack were from Iran.⁵ Fifteen of the 19 terrorists were citizens of Saudi Arabia, while the others were citizens of the United Arab Emirates, Egypt, and Lebanon.
23. No Iranians have been involved in terrorist attacks committed on U.S. soil since September 11, 2001. The 2013 Boston Marathon bombing was carried out by two non-Iranians: brothers from Chechnya.⁶ Chechnya is omitted from the EO. Further, the husband and wife who perpetrated the terrorist attack in San Bernardino, California, on December 2, 2015 were of Pakistani descent, another country not listed on the EO. The wife was a permanent resident, and her husband was a U.S. citizen at the time of the attack.⁷ On June 12, 2016, Orlando, Florida was the location of the worst mass shooting by a single shooter in American history. The terrorist in that case was a U.S.-born citizen of Afghan descent. The EO does not ban the issuance of visas to immigrants from

⁴<https://www.cato.org/blog/guide-trumps-executive-order-limit-migration-national-security-reasons>

⁵<http://www.cnn.com/2013/07/27/us/september-11th-hijackers-fast-facts/>

⁶<http://www.newsweek.com/brothers-who-became-boston-marathon-bombers-319822>

⁷<http://www.cnn.com/2015/12/03/us/syed-farook-tashfeen-malik-mass-shooting-profile/>

Afghanistan.⁸

24. Despite the lack of correlation between Iranians and terrorist activity explained above, the EO has a disproportionate effect on Iranians. Of 90,000 visa holders potentially impacted from the seven countries singled out by the EO, almost half (42,542) are from Iran alone.⁹ Further, the burden of the EO will fall heavily on the shoulders of Iranian college students and will have a negative impact on the U.S. economy as a result. Of the seven countries referenced in the EO, Iran sends the largest number of students to the U.S. — 12,269 in the last academic year — and 11th-most of any country in the world.¹⁰ Finally, citizens of Iran and Iraq well outnumber those from the other five countries among green card and visa holders,¹¹ meaning that Iranians who are blocked from entry to the United States or are denied entry if they are in the United States and choose to travel abroad are largely those who are already legal U.S. residents.

25. In my opinion, enforcement of the EO will jeopardize relations between Iran and the United States. The historic nuclear accord reached in 2015 between the two countries demonstrated the power of diplomacy to resolve seemingly intractable problems. In the wake of the agreement, NIAC has advocated for the U.S. and Iran to expand bilateral and multilateral engagement beyond the nuclear issue with the aim of resolving all outstanding issues, as well as exploring areas of mutual interest. I fear that the EO will

⁸<http://abcnews.go.com/US/omar-mateen-suspected-orlando-night-club-shooter/story?id=39790797>

⁹https://www.washingtonpost.com/news/fact-checker/wp/2017/01/30/the-number-of-people-affected-by-trumps-travel-ban-about-90000/?utm_term=.bc6ffb54fef9

¹⁰<https://fivethirtyeight.com/features/trumps-immigration-order-could-affect-thousands-of-college-students/>

¹¹<https://www.propublica.org/article/trump-executive-order-could-block-legal-residents-from-returning-to-america>

make such engagement difficult, if not impossible, and will seriously undermine the good that the nuclear accord achieved.

26. Further, I agree with the many national security experts and policymakers who have spoken out in the wake of the EO and said that its enforcement is likely to increase, not decrease, terrorism. The order will encourage the resentments and anxieties that, in some rare cases, support the ideology of the Islamic State or Al-Qaeda.¹²

Harm to NIAC

27. There is a direct conflict between enforcement of the EO, which imposes a blanket ban on visa-issuance to immigrants from majority-Muslim countries, including Iran, and NIAC's mission of defending Iranian-American interests against corporate and media bias, discrimination, and government neglect, and monitoring, influencing and shaping national legislation affecting Iranian Americans.

28. The EO casts a negative pall on the Iranian-American community as a whole, singling out Iran as a source of "foreign terrorists," when in fact, according to a Cato Institute study which examined the years 1975 to 2015, no Iranian citizens have carried out a fatal terrorist attack on U.S. soil. In its blanket condemnation of Iranians who immigrate to and visit the United States, the EO itself discriminates against Iranian Americans while also inviting significant discrimination and bias against Iranian Americans by the media, corporations, and the public writ large. The EO's lack of basis in the facts, which show

¹²See, e.g., <https://www.nytimes.com/2017/01/28/us/politics/a-sweeping-order-unlikely-to-reduce-terrorist-threat.html>; <https://www.brookings.edu/blog/markaz/2017/01/30/why-trumps-policies-will-increase-terrorism-and-why-trump-might-benefit-as-a-result/>; <http://www.independent.co.uk/voices/trump-muslim-ban-terrorism-isis-only-make-it-worse-a7552776.html>.

that Iranian-Americans are not a serious terrorist risk, undermines NIAC's goal of enabling informed, fact-based decision-making regarding issues facing the Iranian American community. Enforcement of the EO will also strain relations between the United States and Iran, thereby debilitating NIAC's mission of promoting greater understanding between the Iranian and American people. In short, the EO stands against everything that NIAC stands for.

29. The EO has harmed many individuals who have reached out to NIAC for assistance and guidance. U.S. legal permanent residents of Iranian heritage have been denied entry into the United States on the basis of the EO and are unable to leave the United States absent confidence that they will be permitted re-entry; immigrant and non-immigrant visa-holders of Iranian heritage, including, but not limited to, Iranian students studying and residing in the United States, have been unable to return to the United States, despite the fact that they are resident in the United States; and Iranians abroad have been unable to procure visas for travel to the United States. Even U.S. citizens of Iranian heritage, who are not targeted under the precise terms of the EO, have been negatively affected, as family in Iran has been unable to visit. In addition, they too face its resulting stigma.
30. Since Defendant's executive order was signed, NIAC has had to expend a significant amount of resources to respond to media inquiries and requests about the impact of the executive order on Iranian Americans and their families. NIAC has also spent a substantial number of hours providing guidance and educating the public and its members of the immediate impacts of Defendant's executive order on immigrants, green card

holders, permanent residents, and U.S. citizens with non-citizen Iranian family members. Several members of NIAC's staff and board of directors have been interviewed repeatedly and quoted in media reports discussing Defendant's executive order and have spent several hours on phone calls and meetings with constituents and others. NIAC will have to continue expending time and resources to media requests and inquiries.

31. Prior to Defendant Trump's January 27 EO, NIAC would dedicate a majority of its time and resources to public-education activities consistent with its mission. However, due to the large volume of media inquiries following Defendant's executive order, as well as the substantial concerns of its membership and others in the Iranian and Iranian-American community, NIAC's ability to continue public education activities is severely constrained due to its limited resources.
32. Due to the EO, NIAC has been flooded with calls and online inquiries directly related to the EO. In just the first week after it was issued, NIAC received approximately 230 calls. 200 of those calls were from constituents directly affected by the EO seeking assistance; 30 calls were related to the EO in other ways; only five calls were unrelated to the EO.
33. During the same time period, a total of approximately 11 NIAC staff members were diverted, with over 647 hours spent on tasks directly related to the Trump EO. These tasks included, but are not limited to: responding to media inquiries; preparing action alerts and social media postings; collecting stories and launching a webpage to share the stories of constituents impacted by the EO; creating "know your rights" graphics; updating petitions; media appearances and interviews; fielding emails and phone calls

from concerned and impacted constituents; organizing a “virtual protest;” organizing and managing grassroots volunteers; holding strategic meetings centered around the EO; contacting legislators and government agencies seeking clarification on behalf of constituents; issuing press releases, and; drafting memorandums internally and to various legislators.

34. To respond to the numerous media inquiries and inquiries from policymakers and members of the public, NIAC has expended significant resources to conduct the legal research pertaining to the history of the First Amendment and Establishment Clause, as well as various statutes including the Religious Freedom Restoration Act, the Administrative Procedure Act, and the Immigration and Nationality Act.
35. This drain on time and resources directly related to the enforcement of the EO is certain to continue. In addition to having to closely monitor the impact of the EO on U.S. citizens and their family members, NIAC will have to continuously research and analyze potential legal actions, analyze data from the State Department and other agencies, draft and file related complaints, request information under the Freedom of Information Act (FOIA), and potentially litigate FOIA-related requests.
36. The expenditure of time and resources by NIAC used to counteract the negative effects of the EO, were and will continue to be, diverted from other projects and activities that NIAC would have otherwise been engaged in consistent with its mission.
37. In summary, the EO targets Iranians without any rational basis yet just in its first week of existence, the EO has already severely disrupted the Iranian American community. It has

sown confusion and anxiety as many worry about their now-uncertain legal status, whether they will be reconnected with family members, whether they will be able to live the lives that they have planned in the United States, or what the future holds for relations between the two countries.

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

Executed this 8 day of February, 2017, in Washington DC



Trita Parsi