

**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 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 herein or believe them to be true based on my experience or upon information provided to me by others, and am competent to testify thereto.

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. If asked to do so, I could testify truthfully about the matters contained in this declaration.

3. The IABA is a 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 achievements of Iranian American lawyers and other legal professionals.
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 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 eight years. I am also a Partner with the national law firm Sheppard, Mullin, Richter & Hampton, LLP, in their labor and employment practice group.

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 political 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 opposed the regime and did not want to leave their country, my parents decided the risk of staying was too great. My mother, my 13-year sister and I left immediately, and 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. My story is not unique. In meeting and talking with Iranians of my generation who now live in the United States, I found that a lot of us came here by seeking political asylum, and often going through countries like Germany that opened their borders to us.

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

11. The IABA is vitally interested in and concerned about the January 27, 2017, Executive Order, "Protecting the Nation from Foreign Terrorist Entry Into the United States" (the "EO") and the associated State Department Memorandum of the same date ("DOS Memorandum"). This EO imposes a blanket bar to immigrants and other individuals traveling to the United States from majority-Muslim countries, including Iran, who have followed valid procedures to obtain lawful visas or other authorization. It has prevented numerous Iranian nationals wishing to relocate to or visit the United States for work, travel or study to do so. It has made it difficult or in some cases impossible for even permanent residents or current visa holders already in the United States to freely travel abroad and return to the U.S.

12. In addition to the EO itself, 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. The secret DOS Memorandum implementing the EO "provisionally revokes" any current immigrant or nonimmigrant visa held by any national of Iran or the other countries covered by the EO. According to press reports and information surfaced through legal challenges to the EO, the State Department secretly revoked these documents without providing any notice to affected individuals. The U.S. government has communicated directly with international airlines

instructing them not to board passengers holding these visas without communicating with travelers or the public. As a result, any current visa holder residing in the United States cannot travel outside the U.S. because they no longer have a lawful authorization to re-enter the country.

13. The IABA is vitally interested in and concerned about the EO because 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 and live in the United States.

14. The EO will adversely affect our members as well as mission and purpose of our organization. It has already forced IABA to divert substantial resources to combating the EO's pernicious effects.

15. In this statement I first explain why enforcement of the EO 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 or otherwise impacted by the EO. I then explain the economic harm that enforcement of the EO has caused, and would cause, to our organization in particular.

Impact of the EO on the Iranian American Community

16. Based on the many individuals who have contacted the IABA since January 27, it is clear that the EO is sowing fear and confusion in the Iranian American community. It has unfairly singled out Iranian Americans, despite their deep ties to this country. It has separated families and limited the ability of Iranian Americans living in the United States to visit or help family members in Iran. It has prevented U.S. citizens who are married to

Iranian nationals from maintaining a normal family life together. It has left people who sold their homes and possessions in preparation to immigrate in limbo.

17. The EO treats the Iranian-American community, estimated to approach 1 million people, that has 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, as less than fully American. Iranian Americans have contributed to many aspects of American society including public and military service. Without any basis or justification, the EO 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 six countries specified in the Executive Order.
18. 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 seven majority Muslim countries, regardless of the diversity of people and circumstances of those people. This is inconsistent with U.S.' stated support for decades for Iranian dissidents and Iranian religious minorities and reflects in my mind that the Executive Order was not meant to address a threat from Iranian citizens but simply to go after Muslims or perceived Muslims as a group.
19. News reports and the reports from many individuals who have contacted us since the EO was signed make clear how the arbitrary and inconsistent actions of the CBP's enforcement have harmed Iranians. 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.¹

20. We have received similar reports through our direct contacts with Iranians. Some have sold their possessions and made all their preparations to relocate, only to languish at arrival terminals or be summarily returned to Iran. Families are left wondering what happened to relatives who never arrived, or are forced to separate. Families have been separated and Iranian Americans living in the United States may now be unable to visit or help family members in Iran. We have several accounts of U.S. citizens who are married to Iranian nationals now unable to maintain a normal family life together. Individuals who had legal permission to work or study in the United States, and who happened to be out of the country for work, conferences, family visits or other reasons, found they were unable to return to their homes, classes and jobs.
21. Since January 27, 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 EO. We have invited individuals to file reports with us, and have received at least 350 reports, although not all are complete. Of those, over 150 reports involve individuals denied entry to the United States, including persons who were not permitted to board flights at all despite having valid visas or other authorization to enter the United States -- and persons who arrived at U.S. airports and were turned back and put on flights

¹Natasha 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.

out of the country. Almost 50 others who were green card holders or had visas reported delays, more intrusive questioning or other hurdles upon arrival. Several dual citizens were denied entry and at least 10 lawful permanent residents holding green cards reported being refused entry into the United States altogether.

22. In one instance, an IABA staff member made contact with an Iranian family who reported they had fled to Turkey to escape 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 EO, 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.

23. I have also received reports of 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. I received an email from an individual who, at the time of the call, had a group of 110 visa holders in Iran who were not being allowed to board planes. We have reports that the airlines have denied boarding because they believed that CPB will turn the passengers back on arrival at U.S. airports and that this will subject the airlines to financial penalties. We also have reports that individuals provided the court orders to the airlines that should permit them to travel to the United States and that they were still told they are not permitted to travel because of the instructions of the U.S. government.

Harm to IABA

24. The EO will have 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 face arbitrary, unjust and discriminatory restrictions on their rights.
25. 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 EO's vagueness and ambiguity frustrates these efforts and prevents our attorneys from informing those who seek their services what to expect with their or their family members' travel plans and pending visa and green card applications. The EO 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. This has completely overwhelmed our limited resources.
26. 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 find that all of our resources have been diverted to combat the EO and all of our plans are on hold.

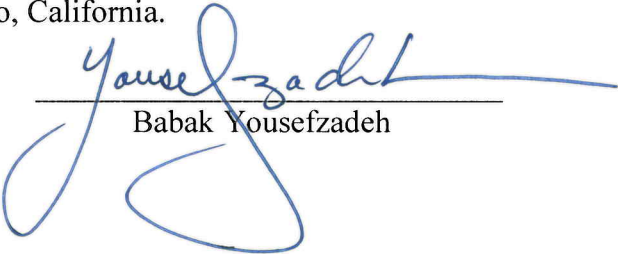
27. I have personally devoted 6-10 hours a day since the chaos at the airports started on the morning of January 28 just to our response to the EO. I am personally responding to the calls and emails of people impacted by the EO and trying to coordinate responses. Since this is a voluntary endeavor it means I cannot devote normal attention to my job or other commitments. I am coordinating our response across multiple cities, including with our members who are at airports. 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. I am also communicating with our chapters who are impacted, and dealing with significant media inquiries.

28. 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, trying to get individuals released, answering questions from travelers and their loved ones, and trying to follow up on reports of people being transferred. 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 the EO and the chaos that followed, it has been extremely challenging to provide appropriate counseling and advice to individuals in need.

29. We are spending money to update our website in order to get information out, and have had to defer our plans to conduct fundraising in January.
30. At our chapters, at least half of the members of our local Boards are dedicating multiple hours every day to responding to the EO. The seven members of our Board who represent local chapters are all currently working on this issue, 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.
31. 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 7th day of February, 2017, in San Francisco, California.


Babak Yousefzadeh