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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

STATE OF WASHINGTON, and  
STATE OF MINNESOTA,

Plaintiffs,

v.

DONALD TRUMP, in his official  
capacity as President of the United  
States; U.S. DEPARTMENT OF  
HOMELAND SECURITY; JOHN F.  
KELLY, in his official capacity as  
Secretary of the Department of  
Homeland Security; REX W.  
TILLERSON, in his official capacity  
as Secretary of State; and the UNITED  
STATES OF AMERICA,

Defendants.

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

DECLARATION OF VIRAL P.  
SHAH

Pursuant to 28 U.S.C. § 1746(2), I, Viral P. Shah, hereby declare as follows:

1. I am over the age of eighteen and competent to testify herein.
2. I am a Trustee of United Automobile, Aerospace and Agricultural Implement Workers of America, Local 4121 (UAW 4121 or Union), which represents academic student employees (ASEs) at the University of Washington (UW). I work closely with the

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Union’s International Solidarity Working Group (comprised of members of UAW 4121), which has led the Union’s advocacy for international ASEs on the UW campus.

3. Approximately one-third of UAW 4121 members are international students, and many are nationals or citizens of one of the six countries named in the Executive Order issued on March 6, 2017 by Donald Trump, entitled “Protecting the Nation from Foreign Terrorist Entry Into the United States” (March 6 order), and are in the U.S. on valid visas.
4. UAW 4121 members have been adversely impacted by Executive Order 13769 issued by Donald Trump on January 27, 2017 (January 27 order). UAW 4121 (by its President, David Parsons) submitted a Declaration (dated February 2, 2017) in this case in support of the Washington State Labor Council’s February 2, 2017 amicus brief. That Declaration details some of the adverse impacts of the January 27 order on ASEs. The March 6 order also adversely impacts members of the Union, because Section 2(c) “direct[s] that the entry into the United States of nationals of those six countries [Iran, Libya, Somalia, Sudan, Syria, and Yemen] be suspended for 90 days from the effective date of this order, subject to the limitations, waivers, and exceptions set forth in sections 3 and 12 of this order.”
5. Since the March 6 order was signed, ASEs have expressed to UAW 4121 serious concerns about its impacts on their studies and work at and for UW. Those ASEs who are citizens or nationals of one of the six countries named in the March 6 order, whose visas are single-entry, risk being unable to obtain a new valid visa to return to the U.S. should they travel outside the U.S. while Section 2(c) of the March 6 order is in effect.

1 In addition, Section 2(c) of the March 6 order impairs the ability of ASEs' close family  
2 members who are citizens or nationals of the six countries to obtain valid visas in order  
3 to visit them in the U.S. I understand that a "waiver" is available under the March 6  
4 order, as was available under the January 27 order, but my understanding is that there is  
5 no guarantee that an impacted applicant would obtain a waiver. Section 2(c) of the  
6 March 6 order adversely impacts the research, teaching, course of study, professional  
7 and family lives of ASEs. Many impacted ASEs identify as Muslim, and are  
8 experiencing additional fear of participating in normal educational, social and  
9 community activities on account of their belief system.  
10

11 6. UAW 4121 is aware of at least one ASE single-entry visa holder who is a citizen or  
12 national of one of the six countries named in the March 6 order, and whose program of  
13 study expects travel to academic conferences which are held outside the U.S.; inability  
14 to travel to these conferences may impact their degree standing and future career.

15 UAW 4121 is aware of at least one ASE who is a citizen or national of one of the six  
16 countries named in the March 6 order, where the March 6 order potentially impacts  
17 their ability to defend their dissertation, and therefore timely complete their degree.

18 Additionally, we are aware of ASEs from one of the six countries named in the March  
19 6 order holding single entry visas who would essentially be unable to visit close family  
20 members or friends outside the U.S., and/or are significantly concerned family who are  
21 nationals of the six countries would not be able to obtain visas to visit them in the U.S.,  
22 which creates significant emotional hardships that impact their ability to work and  
23 study.  
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- 1 7. UAW 4121 is aware of one ASE from one of the six countries named in the March 6  
2 order, who was outside the U.S. awaiting visa issuance when the January 27 order was  
3 signed. This ASE studied at UW for years on a valid visa and faced the possibility of  
4 not being able to conduct research on vaccine trials and continue his/her course of study  
5 because of the January 27 order. This ASE incurred additional financial expenses and  
6 significantly increased stress because of the January 27 order. Due to the temporary  
7 restraining order issued in this case, this ASE was able to obtain a visa and enter the  
8 U.S. The visa is single entry; therefore if s/he departs the U.S. s/he risks not being able  
9 to re-enter and continue his/her course of study, while the March 6 order is in effect.  
10  
11 8. UAW Local 4121 on February 27, 2017 made the following joint statement along with  
12 other UAW Local Unions representing international students and scholars in California  
13 (UAW Locals 5810, 2865, and 4123), which was signed by thousands of UAW  
14 members:  
15

16 We call on our Federal and State representatives to reject any attempts to ban or  
17 limit opportunities for international students and scholars to work in the United  
18 States. Instead, we must preserve and expand important programs – including  
19 Optional Practical Training, J-1, H-1B, and the permanent residency process –  
that foster the inclusion of people who come to share their talent, ideas, and  
expertise from across the globe.

20 Innovation, discovery, and research do not stop at national borders. Neither can  
21 the rights and opportunities of students and scholars who make major  
22 contributions to world-class research and teaching at U.S. universities. Their  
23 work, before and after graduation, plays an essential role in driving leadership  
24 in innovative technology and scholarship, breakthrough cures to our most  
25 threatening diseases, and efforts to address urgent issues like climate change.  
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9. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on this 11th day of March, 2017



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Viral P. Shah