

EXHIBIT 70

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF I.V.

I, I.V., hereby declare as follows:

1. My name is I.V. I am 25 years old and currently live in Massachusetts.
2. I have personal knowledge of the matters set forth below.
3. I was born in the Dominican Republic and lived there until I was 8 years old. At that time, my parents, who were already living in the United States, arranged to bring me to the U.S. to live with them. I moved to Lawrence, Massachusetts.
4. I spent the rest of my childhood in Lawrence and attended both private and public schools. In 2014, I graduated with a degree in political science from a public university in Massachusetts.
5. I applied for DACA almost as soon as it was announced in 2012. Receiving DACA was a huge help to me. It allowed me to get a social security card and a driver's license. I was able to buy a car. Even though I had already been paying taxes for years, I was finally able to pay with a social security number, not just my temporary tax ID. I was also able to travel to the Dominican Republic to visit family members who I hadn't seen in over 15 years.
6. Having DACA status allowed me to get a job as a Resident Assistant at my university. After I graduated, I was able to get a job working for a local Massachusetts official doing constituent outreach. I then worked for two years in the office of a private attorney. After that I got a job working in Massachusetts state government, which I still have today. None of this would have been possible without the work permit that DACA made possible.
7. My long-term dream is to attend law school to become an immigration attorney. I want to help other people with immigration needs.

8. If DACA went away, I would lose my work permit, my driver's license, and my ability to support myself. I would certainly lose my current job. Even the prospect of losing DACA is deeply stressful to think about. I have had DACA for five years and have benefited enormously from the program. Losing it now would be a huge loss.
9. DACA is an incredibly important program. Lots of young people have been able to buy houses, start businesses, build wealth, and get good jobs. DACA has helped not just these individuals, but also their families and communities. Taking it away would not just hurt DACA recipients, it would also hurt their families and communities.

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

Executed this 5 day of September, 2017.

IV

I.V.

EXHIBIT 71

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
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CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF I.T.

I, I.T., declare as follows:

1. My name is I.T. I am 18 years old and a student at the Massachusetts Institute of Technology in Cambridge, Massachusetts.
2. I have personal knowledge of the matters set forth below.
3. I was born in Monterrey, Mexico, and was brought to the United States by my parents when I was 8 years old. I was too young to understand what was going on, but my parents tell me that they were really struggling financially in Mexico and came to the U.S. to try to make a better living. My father, for example, was making less than \$20 a week working in Mexico, and was having a very hard time supporting our family.
4. We lived in South Carolina for almost two years, and then moved to Houston, Texas, where I went to middle and high school.
5. I applied for and received DACA status at the beginning of 2017. I applied for DACA because I needed to get a job to help support my family.
6. Receiving DACA status has helped me enormously. I was able to get a social security number, which allowed me to get a paid internship at AT&T and a job as a cook in a restaurant. I was also able to get my driver's license, which allowed me to get to and from work.
7. I don't know if I would have been able to attend college without DACA. College is expensive, and working has allowed me to help pay for college and support my family.
8. I applied to MIT because I am passionate about engineering and making the world a better place. Someday I would like to work for NASA, Boeing, or perhaps the Air Force, inventing ways to make people's lives better through technology. I could also see myself founding my

own company and applying for patents. I am particularly interested in autonomous equipment and ways to help aircraft travel at the speed of sound without using so much fuel.

9. Losing DACA status would make my life extraordinarily difficult. I would lose my social security card and my driver's license, and therefore my ability to work and support myself and my family through school. I would also face the threat of deportation, which would destroy my future at MIT and send me back to a country that I left when I was a little boy.
10. DACA helps so many students. I know so many young people whose lives have been changed through the program. We are good people, with good intentions. We only want to make a better life for ourselves.

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

Executed this 4 day of September, 2017.

I. T.

I.T.

EXHIBIT 72

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
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CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
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and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF RENATA BORGES TEODORO

I, Renata Borges Teodoro, declare as follows:

1. My name is Renata Borges Teodoro. I am 29 years old and currently live in Dorchester, Massachusetts.
2. I have personal knowledge of the matters set forth below.
3. My parents are from Brazil. I was brought to the United States when I was six years old. Soon after we arrived, my family moved to Massachusetts to be near to the large Brazilian community here. I have lived in Massachusetts for more than 20 years.
4. The DACA program has changed my life. I applied for DACA the day it became available in 2012. My application was approved in March 2013, and since then I have been able to get a work permit, a social security number, a credit card, and in-state tuition at the University of Massachusetts-Boston. I was also able to receive health insurance through my work for the first time, which allowed me to obtain critical health services that I had been putting off because I didn't have insurance.
5. I graduated in May 2017 from UMass-Boston with a Bachelor's Degree in Philosophy and Public Policy. I likely would not have finished my degree without DACA, since it allowed me to pay a reduced tuition rate and also to get a job on campus, which allowed me to attend school full-time rather than working elsewhere.
6. I recently received a renewal of my DACA status until July 2019, and am currently looking for a job to put my degree to good use. I am passionate about immigrants' rights, community development, and higher education, and I hope someday to work for a foundation that funds community-based nonprofit work.

7. Obtaining DACA status also allowed me to travel outside the country for the first time since I was brought here as a child. My family now lives in Brazil, and for years I was unable to visit them. With DACA, however, I was able to apply for advanced parole and I have visited them four times since 2013. Those reunions have been unbelievably special to me.
8. If DACA status were taken away, life would become extraordinarily hard for me. I would lose my work permit, my social security number, and my ability to travel. I would probably not be able to find a decent job, since almost all jobs that require a college degree also require a work permit.
9. I would also face the prospect of imminent deportation. How can I build a life for myself if I am afraid of being deported?
10. I was brought to this country at age 6. The United States is really all I know. I have paid taxes for years. I have gone to school and earned my degree. I have strived to do everything right. DACA has provided me with an opportunity to build a life here. Rescinding it now would take all that away.

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

Executed this 1 day of September, 2017.



Renata Borges Teodoro

EXHIBIT 73

CAREER *Ready*



95%
Success

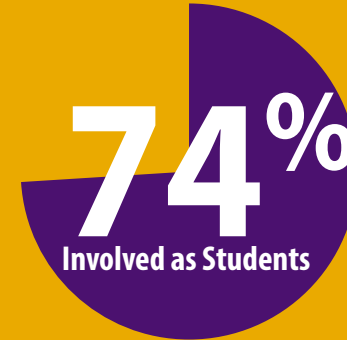
984 Unique Employers Hired UNI Grads
7047 Jobs Posted in 2015-2016
500+ Employers Visited UNI

UNI CAREER SERVICES 2016

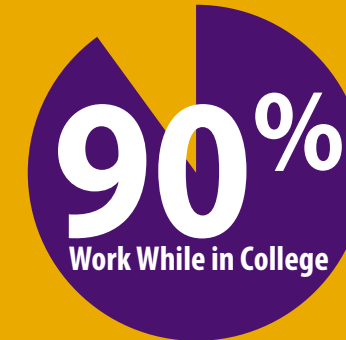
UNI EXPERIENCE



70% of UNI students graduate with related experience through internships, field experiences, and student teaching



74% were involved as students in student organizations and community service.

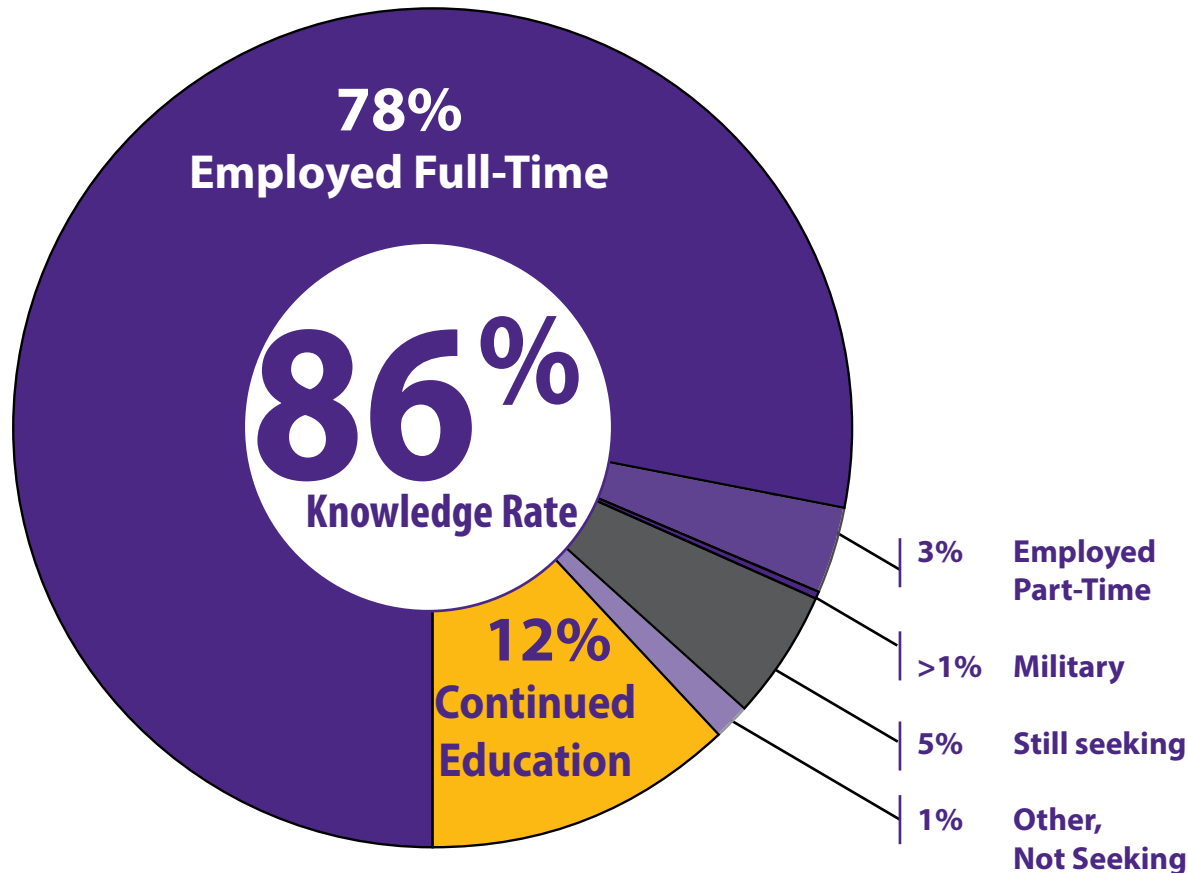


90% worked at least part-time with most working between 16-20 hours/week

95%
SUCCESS

95% of UNI graduates were successful in their First Destination Goal within 6 months of graduation

EXECUTIVE OVERVIEW



READY TO LEAD

In UNI's Office of Career Services, our research and practice has allowed us to develop a roadmap for success. While each student's path is unique, our research has found that students who maintain a 3+2+2 ratio across the areas of academics, professional experiences and leadership are, in fact, career ready.



The skills, as identified by the National Association of Colleges and Employers, include:

- Critical Thinking/Problem Solving
- Oral/Written Communication
- Teamwork/Collaboration
- IT Application
- Leadership
- Professionalism/Work Ethic
- Career Management

UNI students can check on their preparation by using the UNI Professional Development Assessment, a tool created at UNI to provide a check-up on progress toward a career goal at uni.edu/careerservices/trends

IOWA FOCUSED

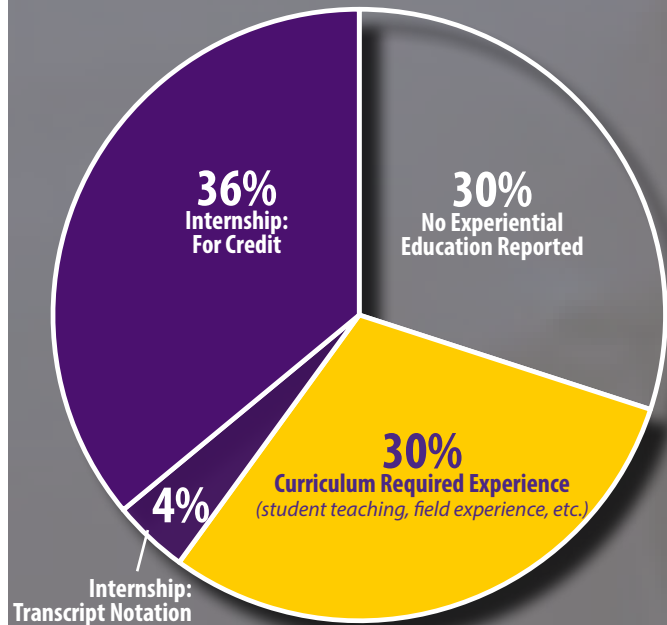
92% of students from Iowa stayed in Iowa (4/5 total). The grads who left Iowa landed in 46 different states.

\$42^K AVG. WAGE

\$42k average wage
\$40k median wage
(self-reported)



EXPERIENTIAL EDUCATION AT UNI



79%
PAID INTERNSHIPS

\$13.80
AVERAGE WAGE

25 hr/wk
AVERAGE HOURS

UNI STUDENT EMPLOYMENT

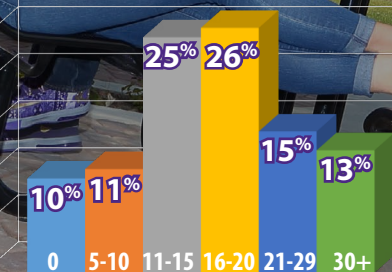
5406
STUDENTS EMPLOYED

UNI students make up the largest employment group at UNI providing the campus with 45k+ Labor hours.

\$8.16
AVERAGE WAGE

8.8
AVG. HOURS/WEEK
Hours range from 4 - 20

UNI GRAD AH/W*



* Average Hours/Week (AH/W) Self-Reported, includes both campus jobs and off-campus employment

TOP LISTS

Destination of UNI Grads

1. Des Moines Area (16%)
2. Cedar Falls/Waterloo (15%)
3. Cedar Rapids Area (6%)
4. Dubuque Area (3%)
5. Minneapolis, MN (2%)
 - Denver, CO (2%)
 - Chicago, IL (2%)
 - Quad Cities (2%)

Continuing Ed Program Types

1. Masters Program (55%)
2. Professional/Doctoral (26%)
3. Associates/Certificate (11%)
4. 2nd Bachelors (6%)
5. Other Education Training (2%)

Continuing Ed Destination

- (Alphabetical, top 10)
- Allen College
 - Arizona State University
 - Creighton University
 - Des Moines University
 - Iowa State University
 - Minnesota State University
 - Palmer College of Chiropractic
 - University of Iowa
 - University of Northern Iowa
 - University of Wisconsin

Most Hires in 2016

UNI students were hired by **984 unique employers**. Below is the list of employers who hired multiple graduates.

(Alphabetical, top 25)

- AEA 267
- AEA Grant Wood
- AmeriCorps
- Ankeny Comm. Schools
- Banno by JHA
- Cedar Rapids Comm Schools
- Council Bluffs Comm Schools
- Davenport Comm Schools
- Deloitte
- Des Moines Public Schools
- Ernst & Young
- Hy-Vee
- Iowa City Comm Schools
- John Deere
- Lutheran Services in Iowa
- Mason City Schools
- Mercy Medical Centers
- PwC
- Principal Financial Group
- RSM
- Target Corporation
- Transamerica
- Veridian Comm Credit Union
- Waterloo Comm Schools
- Wells Fargo

UNI'S LARGEST RECRUITMENT EVENTS



1. **Fall 2015 Job & Internship Fair**
1249 Candidates | 189 Employers
2. **Spring 2016 Job & Internship Fair**
1033 Candidates | 146 Employers
3. **UNI Overseas Teacher Fair**
501 Candidates | 141 Schools
4. **UNI Teaching Fair**
267 Candidates | 66 Schools

Community Focused

[C] 60% of UNI Grads | \$38,270

- C1 Education: Teaching**
32% of UNI Grads | \$37,565
- C2 Education: Services & Admin**
9% of UNI Grads | \$44,046
- C3 Health & Wellness**
9% of UNI Grads | \$43,293
- C4 Non-Profit & Social Services**
8% of UNI Grads | \$28,099
- C5 Community & Government**
2% of UNI Grads | \$38,667

S.T.E.M.

Science, Technology, Engineering, and Math
[S] 9% of UNI Grads | \$40,321

- S1 Manufacturing & Engineering**
3% of UNI Grads | \$54,889
- S2 Information Technology**
3% of UNI Grads | \$53,590
- S3 Research & Analytics**
2% of UNI Grads | \$35,400
- S4 Construction & Trades**
1% of UNI Grads | \$48,975

Business & Industry

[B] 28% of UNI Grads | \$40,160

- B1 Accounting & Financial Services**
11% of UNI Grads | \$49,811
- B2 Sales, Customer Care, & Retail**
10% of UNI Grads | \$31,068
- B3 Operations & Supply Mgmt**
3% of UNI Grads | \$41,604
- B4 Marketing & Advertising**
2% of UNI Grads | \$36,400
- B5 Sports, Entertainment, & Events**
2% of UNI Grads | \$27,580

Arts

[A1] 3% of UNI Grads | \$32,540

Why Not List Salary by Major?

It seems to be a common request to know what majors have the highest salaries. The challenge with this way of thinking is that most majors are not monolithic in job function or industry. Since 2/3 of all jobs posted at UNI do not specify a preferred major, a better measure of earning potential is by job function and industry.

To source potential earnings, identify the top job function of each department and match to the listings on this page. These are for undergraduate programs only.

For the record:
 - Highest \$54,889 for Manufacturing & Engineering
 - Lowest: \$27,580 for Sports, Entertainment, & Events

Data Collection

Data is collected by UNI Career Services one month prior to graduation and is completed 6 months post graduation. Data collection follows the standards established by the National Association of Colleges and Employers (NACE).

Report Includes Following Classes:

- August 2015
- December 2015
- May 2016

Collection Methods:

- Social Media (47%)
- Survey (25%)
- Phone Call (18%)
- Employer/Department Report (7%)
- Iowa Board of Education (3%)

Definition of Terms

Success: Percent of graduates who identified meeting First Destination Goals.

Knowledge: Graduates for who UNI has reasonable information regarding post graduation plans.

Employed: Includes professional positions that are full-time, part-time professional, substitute, and other forms of employment.

Continuing Education: Any student who pursued further academic training including certificates, associates/trade, bachelors, masters, professional, and doctorate programs.

Other: Represents military service, entrepreneurs, pro/semi-pro athletes, performers, and those not seeking employment for any reason.

Related: Based upon survey results, the percent of students who indicated their major led to a matching career.

Function: The top job functions of graduates from the department.

Undergraduate Departments/Majors												
DEPARTMENT/MAJOR	success %	grads	knowledge	employed	cont. ed	other	still seeking	related	function			
Accounting	98%	111	97 87%	53 55%	36 37%	6 6%	2 2%	95%	B1, B2, B5			
Art (Dept)	93%	57	40 70%	32 80%	5 13%	0 0%	3 8%	78%	C1, A1, S2			
Art	100%	14	12 86%	12 100%	0 0%	0 0%	0 0%					
Art: History Emphasis	92%	16	12 75%	9 75%	2 17%	0 0%	1 8%					
Art: Studio BFA	100%	8	6 75%	5 83%	1 17%	0 0%	0 0%					
Art: Studio Emphasis	80%	18	10 56%	6 60%	2 20%	0 0%	2 20%					
Graphic Design		1	0 0%	0	0	0	0					
Biology (Dept)	97%	118	98 83%	52 53%	42 43%	1 1%	3 3%	84%	C3, S3, B2			
Biology	99%	97	82 85%	45 55%	35 43%	1 1%	1 1%					
Biology - Honors Research	78%	10	9 90%	3 33%	4 44%	0 0%	2 22%					
Biology: Biomedical	100%	9	7 78%	4 57%	3 43%	0 0%	0 0%					
Biology: Ecology & Systematics		1	0 0%	0	0	0	0					
Biotechnology		1	0 0%	0	0	0	0					
Chemistry & Biochem (Dept)	95%	45	37 82%	21 57%	13 35%	1 3%	2 5%	100%	C3, S3			
Biochemistry	100%	13	8 62%	5 63%	3 38%	0 0%	0 0%					
Chemistry	93%	31	28 90%	15 54%	10 36%	1 4%	2 7%					
Chemistry - Marketing	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%					
Comm. Sciences & Disorders	80%	6	5 83%	3 60%	1 20%	0 0%	1 20%	95%	C3, C2			
Communication Studies (Dept)	90%	167	154 92%	125 81%	12 8%	1 1%	16 10%	81%	B2, B1, B4			
Communication	85%	75	67 89%	48 72%	8 12%	1 1%	10 15%					
Electronic Media	75%	4	4 100%	3 75%	0 0%	0 0%	1 25%					
General Comm	100%	3	3 100%	3 100%	0 0%	0 0%	0 0%					
Public Relations	93%	76	73 96%	64 88%	4 5%	0 0%	5 7%					
Interactive Digital Studies	100%	9	7 78%	7 100%	0 0%	0 0%	0 0%					
Computer Science (Dept)	96%	32	25 78%	23 92%	1 4%	0 0%	1 4%	100%	S2, B1			
Computer Science	95%	28	22 79%	20 91%	1 5%	0 0%	1 5%					
Networking & System Admin.	100%	4	3 75%	3 100%	0 0%	0 0%	0 0%					
Curriculum & Instruction (Dept)	98%	375	352 94%	335 95%	8 2%	1 0%	8 2%	96%	C1, B2, C2			
Early Childhood Education	100%	71	69 97%	68 99%	1 1%	0 0%	0 0%					
Educational Technology	100%	6	4 67%	4 100%	0 0%	0 0%	0 0%					
Elementary Education	97%	254	236 93%	222 94%	5 2%	1 0%	8 3%					
Middle Level Educ Dual Major	100%	44	43 98%	41 95%	2 5%	0 0%	0 0%					
Earth Science (Dept)	100%	15	13 87%	10 77%	2 15%	1 8%	0 0%	67%	C1, B1, B2			
Earth Science	100%	14	13 93%	10 77%	2 15%	1 8%	0 0%					
Geology		1	0 0%	0	0	0	0					

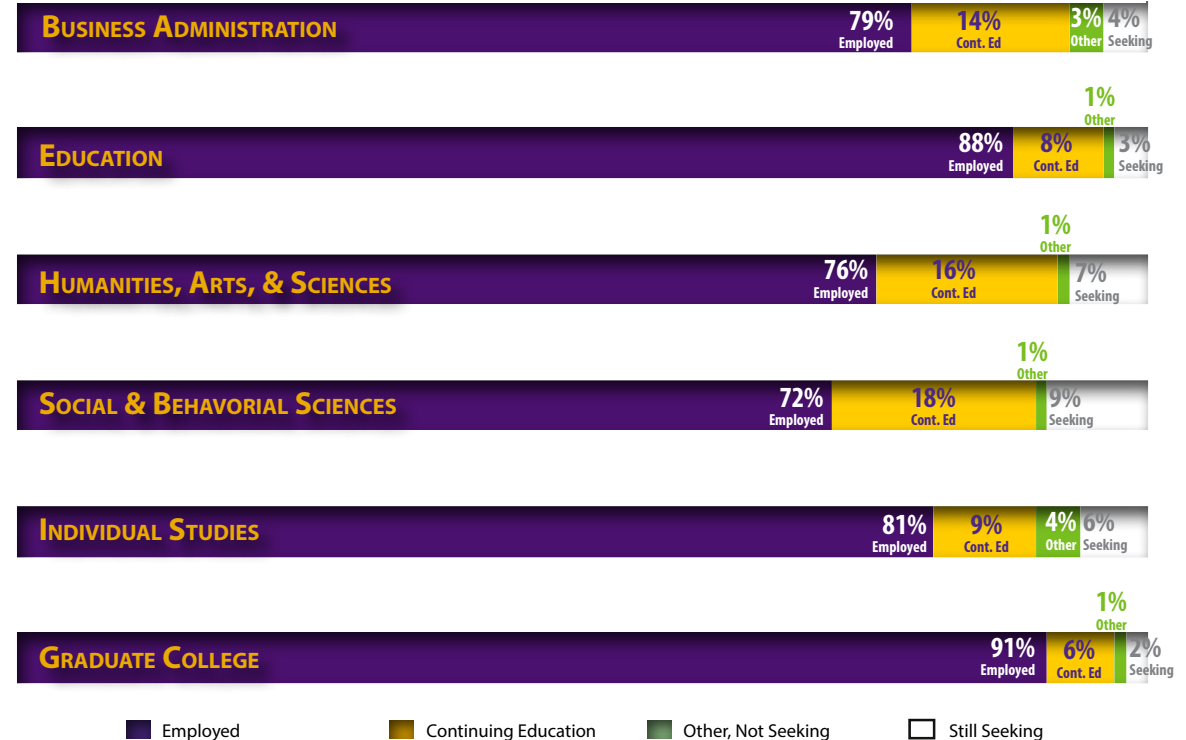
DEPARTMENT/MAJOR	success %	grads	knowledge	employed	cont. ed	other	still seeking	related	function
Economics (Dept)	97%	37	33 89%	27 82%	3 9%	2 6%	1 3%	86%	B1, B2
Economics	100%	11	10 91%	8 80%	2 20%	0 0%	0 0%		
Applied Economics	88%	8	8 100%	6 75%	1 13%	0 0%	1 13%		
Business Economics	100%	11	9 82%	7 78%	0 0%	2 2	0 0%		
General Economics	100%	4	3 75%	3 100%	0 0%	0 0%	0 0%		
Quantitative Techniques	100%	3	3 100%	3 100%	0 0%	0 0%	0 0%		
Finance (Dept)	97%	106	93 88%	78 84%	9 10%	3 3%	3 3%	81%	B1, B2, B4
Finance	100%	12	11 92%	7 64%	2 18%	2 18%	0 0%		
Finance: Financial Management	96%	57	46 81%	40 87%	3 7%	1 2%	2 4%		
Finance: Financial Services	100%	6	6 100%	6 100%	0 0%	0 0%	0 0%		
Finance: Investments	100%	6	6 100%	4 67%	2 33%	0 0%	0 0%		
Real Estate	96%	25	24 96%	21 88%	2 8%	0 0%	1 4%		
Geography (Dept)	100%	5	5 100%	4 80%	1 20%	0 0%	0 0%	75%	C5, S1, S3
GIS	100%	3	3 100%	3 100%	0 0%	0 0%	0 0%		
Geography	100%	2	2 100%	1 50%	1 50%	0 0%	0 0%		
KAHHS, School of	97%	239	205 86%	159 78%	37 18%	2 1%	7 3%	88%	C3, C4, B2
Athletic Training	100%	21	18 86%	9 50%	9 50%	0 0%	0 0%		
Health Education	94%	17	16 94%	15 94%	0 0%	0 0%	1 6%		
Health Promotion: Environmental	67%	5	3 60%	2 67%	0 0%	0 0%	0 0%		
Health Promotion: Women's Health	100%	8	7 88%	7 100%	0 0%	0 0%	0 0%		
Leisure, Youth & Human Services	94%	74	69 93%	61 88%	3 4%	1 1%	4 6%		
Exercise Science	98%	77	61 79%	35 57%	24 39%	1 2%	1 2%		
Sports Psychology	100%	11	6 55%	6 100%	0 0%	0 0%	0 0%		
Physical Education	96%	26	25 96%	23 92%	1 4%	0 0%	1 4%		
History (Dept)	86%	51	44 86%	33 75%	5 11%	0 0%	6 14%	79%	C1, B2, A1
Dept. of Technology	99%	96	76 79%	71 93%	1 1%	2 3%	1 1%	94%	S1, B4, S4
Construction Management	100%	12	11 92%	11 100%	0 0%	0 0%	0 0%		
Electrical Eng Technology(EET)	92%	16	13 81%	12 92%	0 0%	0 0%	1 8%		
Graphic Technologies	93%	19	14 74%	14 100%	0 0%	0 0%	0 0%		
Manufacturing Tech: Advanced	100%	8	7 88%	6 86%	0 0%	1 14%	0 0%		
Mfg. Tech: Metal Casting	100%	7	7 100%	6 86%	0 0%	1 14%	0 0%		
Manufacturing Tech: Mfg Design	100%	10	10 100%	10 100%	0 0%	0 0%	0 0%		
Technology Education-Teaching	100%	5	4 80%	4 100%	0 0%	0 0%	0 0%		
Technology Management	100%	19	10 53%	8 80%	1 10%	1 10%	0 0%		
Interdisciplinary (Dept)	95%	67	55 82%	44 80%	6 11%	2 4%	3 5%	87%	B1, B2, C5
Bachelor of Liberal Studies	90%	37	29 78%	21 72%	4 14%	1 3%	3 10%		
Environmental Science	100%	2	2 100%	1 50%	1 50%	0 0%	0 0%		
General Studies	100%	21	17 81%	15 88%	1 6%	1 6%	0 0%		
Global Studies	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Humanities	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Individual Studies	100%	4	4 100%	4 100%	0 0%	0 0%	0 0%		
Philanthropy/Nonprofit Develop	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Languages & Lit. (Dept)	92%	129	110 85%	86 78%	14 13%	1 1%	9 8%	84%	C1, B2, C3
English	84%	64	55 86%	42 76%	3 5%	1 2%	9 16%		
French	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%		
Spanish	100%	37	33 89%	23 70%	10 30%	0 0%	0 0%		
Tchg Eng to Spkrs of Othr Lang	100%	16	11 69%	11 100%	0 0%	0 0%	0 0%		
TESOL/Spanish	100%	6	6 100%	6 100%	0 0%	0 0%	0 0%		
WL&C - Dual: Spanish/German	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
WL&C - French: Business	100%	1	1 100%	0 0%	1 100%	0 0%	0 0%		
WL&C - German: Liberal Arts	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%		
Management (Dept)	95%	135	115 85%	103 90%	4 3%	2 2%	6 5%	88%	B3, B2, B1
Business Teaching	100%	5	4 80%	4 100%	0 0%	0 0%	0 0%		
Management Information Systems	100%	42	34 81%	31 91%	2 6%	1 3%	0 0%		
Business Administration	95%	70	59 84%	55 93%	0 0%	1 2%	3 5%		
Human Resources	79%	14	14 100%	11 79%	0 0%	0 0%	3 21%		
Organizational Leadership	100%	4	4 100%	2 50%	2 50%	0 0%	0 0%		

DEPARTMENT/MAJOR	success %	grads	knowledge	employed	cont. ed	other	still seeking	related	function
Marketing (Dept)	100%	28	26 93%	23 88%	3 12%	0 0%	0 0%	94%	B2, B4, B3
Marketing: Advertising	100%	4	4 100%	4 100%	0 0%	0 0%	0 0%		
Marketing: Global Marketing	100%	5	3 60%	3 100%	0 0%	0 0%	0 0%		
Marketing: Management	100%	16	16 100%	13 81%	3 19%	0 0%	0 0%		
Marketing: Sales & Advertising	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Marketing: Sales Management	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%		
Mathematics (Dept)	100%	49	46 94%	40 87%	5 11%	1 2%	0 0%	100%	C1, B1
Actuarial Science	100%	18	16 89%	15 94%	1 6%	0 0%	0 0%		
Math for the Middle Grades 4-8	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Mathematics	100%	9	8 89%	3 38%	4 50%	1 12%	0 0%		
Mathematics Teaching	100%	21	21 100%	21 100%	0 0%	0 0%	0 0%		
Music, School of	90%	34	30 88%	25 83%	2 7%	0 0%	3 10%	83%	C1, B2, A1
Composition - Theory	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Jazz Pedagogy	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Music	50%	2	2 100%	1 50%	0 0%	0 0%	1 50%		
Music Education: Instrumental	100%	7	7 100%	7 100%	0 0%	0 0%	0 0%		
Music Education: Choral/General	100%	5	4 80%	4 100%	0 0%	0 0%	0 0%		
Music Performance: Instrumental	67%	4	3 75%	1 33%	1 33%	0 0%	1 33%		
Music Performance: Vocal	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Music: Jazz Studies	100%	1	0 0%	0 0%	0 0%	0 0%	0 0%		
Music: Music Technology	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Music: General Studies in Music	90%	11	10 91%	8 80%	1 10%	0 0%	1 10%		
Phil. & Wrld Religions (Dept.)	75%	20	16 80%	8 50%	4 25%	0 0%	4 25%	100%	B2, C4, C5
Philosophy	88%	9	8 89%	3 38%	4 50%	0 0%	1 12%		
The Study of Religion	63%	11	8 73%	5 63%	0 0%	0 0%	3 38%		
Physics (Dept)	67%	5	3 60%	0 0%	2 67%	0 0%	1 33%	100%	B1
Political Science (Dept)	100%	28	23 82%	19 83%	4 17%	0 0%	0 0%	100%	B1, A1, C4
Political Communication	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%		
Political Science	100%	17	16 94%	13 81%	3 19%	0 0%	0 0%		
Public Admin: Comm & Regnl Dev	100%	4	3 75%	3 100%	0 0%	0 0%	0 0%		
Public Admin: Econ & Finance	100%	2	0 0%	0 0%	0 0%	0 0%	0 0%		
Public Admin: Human Resources	100%	3	3 100%	2 67%	1 33%	0 0%	0 0%		
Psychology (Dept)	94%	142	124 87%	81 65%	34 27%	2 2%	7 6%	64%	C4, B2, C3
School of Applied Human Sciences	92%	116	97 84%	81 84%	7 7%	1 1%	8 8%	84%	C4, C3, C2
Family Services	86%	75	58 77%	42 72%	7 12%	1 2%	8 14%		
Gerontology: Long Term Admin	100%	4	4 100%	4 100%	0 0%	0 0%	0 0%		
Gerontology: Social Sciences	100%	5	5 100%	5 100%	0 0%	0 0%	0 0%		
Interior Design	100%	16	16 100%	16 100%	0 0%	0 0%	0 0%		
Textile and Apparel	100%	16	14 88%	14 100%	0 0%	0 0%	0 0%		
Science and Science Education	100%	31	31 100%	28 90%	3 10%	0 0%	0 0%	87%	C1
Middle/Jr High School Science	100%	5	5 100%	5 100%	0 0%	0 0%	0 0%		
Social Science Teaching: Plan A	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Social Science Teaching: Plan B	100%	26	25 96%	22 88%	3 12%	0 0%	0 0%		
Social Work (Dept)	88%	59	51 86%	28 55%	16 31%	1 2%	6 12%	90%	C4, C5
Soc., Anthro., & Crim. (Dept)	87%	141	106 75%	74 70%	18 17%	0 0%	14 13%	67%	C4, C5, B2
Anthropology	75%	15	12 80%	6 50%	3 25%	0 0%	3 25%		
Criminology	88%	104	78 75%	60 77%	9 12%	0 0%	9 12%		
Sociology	88%	22	16 73%	8 50%	6 38%	0 0%	2 13%		
Theatre (Dept)	82%	16	11 69%	9 82%	0 0%	0 0%	2 18%	63%	A1, C1, B2
Theatre	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%		
Theatre Arts	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%		
Theatre: Design & Production	83%	7	6 86%	5 83%	0 0%	0 0%	1 17%		
Theatre: Performance--Acting	0%	2	1 50%	0 0%	0 0%	0 0%	1 50%		
Theatre:Drama & Theatre Youth	100%	4	2 50%	2 100%	0 0%	0 0%	0 0%		

Graduate College							
GRADUATE DEPARTMENT/PROGRAM	success %	grads	knowledge	employed	cont. ed	other	still seeking
Accounting	100%	14	14 100%	14 100%	0 0%	0 0%	0 0%
Biology	100%	5	4 80%	4 100%	0 0%	0 0%	0 0%
Business Administration (MBA)	95%	30	19 63%	18 95%	0 0%	0 0%	1 5%
Speech-Language Pathology	100%	49	41 84%	39 95%	0 0%	2 5%	0 0%
Communication Studies (Dept)	100%	10	8 80%	7 88%	1 13%	0 0%	0 0%
Community Education	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%
General Communication	100%	3	2 67%	2 100%	0 0%	0 0%	0 0%
Organizational Communication	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%
Performance	100%	3	2 67%	1 50%	1 50%	0 0%	0 0%
Computer Science	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%
Curriculum & Instruction (Dept)	97%	29	29 100%	28 97%	0 0%	0 0%	1 3%
C & I: Education of the Gifted	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%
Early Childhood Education	100%	6	6 100%	6 100%	0 0%	0 0%	0 0%
Education (Curr & Instr)	83%	6	6 100%	5 83%	0 0%	0 0%	1 17%
Education (Leadership)	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%
School Library Studies	100%	15	15 100%	15 100%	0 0%	0 0%	0 0%
Principalship	100%	54	51 94%	51 100%	0 0%	0 0%	0 0%
Ed. Psychology & Foundations	96%	29	27 93%	26 96%	1 4%	0 0%	1 4%
Ed Psy: Cntxt & Tchnqs Assmnt	88%	8	8 100%	7 88%	0 0%	0 0%	1 13%
Educ Psych - School Psych	100%	9	8 89%	8 100%	0 0%	0 0%	0 0%
Educ Psych: Prof Dev for Tchrs	100%	12	11 92%	11 100%	0 0%	0 0%	0 0%
Geography	100%	1	1 100%	0 0%	1 100%	0 0%	0 0%
KAHHS, School of	96%	33	28 85%	22 79%	5 18%	0 0%	1 4%
Athletic Training	100%	2	2 100%	1 50%	1 50%	0 0%	0 0%
Hlth Ed: Community Health Educ	100%	3	3 100%	3 100%	0 0%	0 0%	0 0%
Hlth Ed: Hlth Promo/Ftns Mngmt		1	0 0%	0	0	0	0
Leisure, Youth & Human Services	90%	14	10 71%	9 90%	0 0%	0 0%	1 10%
Phy Ed: Kinesiology	100%	10	10 100%	6 60%	4 40%	0 0%	0 0%
Phy Ed: Scntfc Bases of Phy Ed	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%
Rehabilitation Studies	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%
History (Dept)	89%	12	9 75%	5 56%	3 33%	0 0%	1 11%
History	80%	8	5 63%	3 60%	1 20%	0 0%	1 20%
History: Public History	100%	4	4 100%	2 50%	2 50%	0 0%	0 0%
Dept. of Technology	100%	1	2 200%	2 100%	0 0%	0 0%	0 0%
Technology: Manufacturing Tech		1	0 0%	0	0	0	0
Technology: Manufctrng Materls	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%
Interdisciplinary (Dept)	100%	17	13 76%	13 100%	0 0%	0 0%	0 0%
Philanthropy/Nonprofit Develop	100%	15	12 80%	12 100%	0 0%	0 0%	0 0%
Women's and Gender Studies	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%
Languages & Literatures (Dept)	95%	25	20 80%	15 75%	4 20%	0 0%	1 5%
English: Creative Writing	100%	4	4 100%	2 50%	2 50%	0 0%	0 0%
English: Literature	100%	3	2 67%	2 100%	0 0%	0 0%	0 0%
French		1	0 0%	0	0	0	0
Spanish	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%
Spanish: Teaching Emphasis	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%
Tchg Eng to Spkrs of Othr Lang	100%	10	8 80%	7 88%	1 13%	0 0%	0 0%
TESOL/Spanish	67%	3	3 100%	1 33%	1 33%	0 0%	1 33%

GRADUATE DEPARTMENT/PROGRAM	success %	grads	knowledge	employed	cont. ed	other	still seeking
Mathematics (Dept)	100%	19	17 89%	16 94%	1 6%	0 0%	0 0%
Indstrl Math Cnt Quality Imprv	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%
Math for the Middle Grades 4-8	100%	7	7 100%	7 100%	0 0%	0 0%	0 0%
Mathematics: Math Emphasis	100%	2	1 50%	0 0%	1 100%	0 0%	0 0%
Mathematics: Secondary Tchg	100%	9	8 89%	8 100%	0 0%	0 0%	0 0%
Music, School of	94%	19	16 84%	13 81%	2 13%	0 0%	1 6%
Composition	0%	1	1 100%	0 0%	0 0%	0 0%	1 100%
Music	100%	3	2 67%	1 50%	1 50%	0 0%	0 0%
Music Education	100%	9	9 100%	9 100%	0 0%	0 0%	0 0%
Performance: Voice	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%
Piano Performance & Pedagogy	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%
Prfrmnce:Wnd/Prccsn/Kybrd/Strg	100%	2	2 100%	1 50%	1 50%	0 0%	0 0%
Psychology (Dept)	100%	7	6 86%	3 50%	3 50%	0 0%	0 0%
Psychology: Clinical Science	100%	2	2 100%	2 100%	0 0%	0 0%	0 0%
Psychology: Social Psychology	100%	5	4 80%	1 25%	3 75%	0 0%	0 0%
Science Education	100%	9	9 100%	9 100%	0 0%	0 0%	0 0%
Social Science	100%	5	5 100%	5 100%	0 0%	0 0%	0 0%
Special Education (Dept)	100%	16	13 81%	11 85%	2 15%	0 0%	0 0%
Special Ed: Field Spclzation	100%	13	11 85%	9 82%	2 18%	0 0%	0 0%
Special Education	100%	2	1 50%	1 100%	0 0%	0 0%	0 0%
Tchr Stdnts Visual Impairments	100%	1	1 100%	1 100%	0 0%	0 0%	0 0%

COLLEGE OVERVIEW





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EXHIBIT 74

 Official website of the Department of Homeland Security



U.S. Department of
Homeland Security

Memorandum on Rescission Of Deferred Action For Childhood Arrivals (DACA)

Release Date: September 5, 2017

MEMORANDUM FOR:

James W. McCament
Acting Director
U.S. Citizenship and Immigration Services

Thomas D. Homan
Acting Director
U.S. Immigration and Customs Enforcement

Kevin K. McAleenan
Acting Commissioner
U.S. Customs and Border Protection

Joseph B. Maher
Acting General Counsel

Ambassador James D. Nealon
Assistant Secretary, International Engagement

Julie M. Kirchner
Citizenship and Immigration Services Ombudsman

FROM:

Elaine C. Duke
Acting Secretary

SUBJECT:

Rescission of the June 15, 2012 Memorandum Entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children”

This memorandum rescinds the June 15, 2012 memorandum entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children,” which established the program known as Deferred Action for Childhood Arrivals (“DACA”). For the reasons and in the manner outlined below, Department of Homeland Security personnel shall take all appropriate actions to execute a wind-down of the program, consistent with the parameters established in this memorandum.

Background

The Department of Homeland Security established DACA through the issuance of a memorandum on June 15, 2012. The program purported to use deferred action—an act of prosecutorial discretion meant to be applied only on an individualized case-by-case basis—to confer certain benefits to illegal aliens that Congress had not otherwise acted to provide by law.^[1] Specifically, DACA provided certain illegal aliens who entered the United States before the age of sixteen a period of deferred action and eligibility to request employment authorization.

On November 20, 2014, the Department issued a new memorandum, expanding the parameters of DACA and creating a new policy called Deferred Action for Parents of Americans and Lawful Permanent Residents (“DAPA”). Among other things—such as the expansion of the coverage criteria under the 2012 DACA policy to encompass aliens with a wider range of ages and arrival dates, and lengthening the period of deferred action and work authorization from two years to three—the November 20, 2014 memorandum directed USCIS “to establish a process, similar to DACA, for exercising prosecutorial discretion through the use of deferred action, on a case-by-case basis,” to certain aliens who have “a son or daughter who is a U.S. citizen or lawful permanent resident.”

Prior to the implementation of DAPA, twenty-six states—led by Texas—challenged the policies announced in the November 20, 2014 memorandum in the U.S. District Court for the Southern District of Texas. In an order issued on February 16, 2015, the district court preliminarily enjoined the policies nationwide.^[2] (#_ftn2) The district court held that the plaintiff states were likely to succeed on their claim that the DAPA program did not comply with relevant authorities.

The United States Court of Appeals for the Fifth Circuit affirmed, holding that Texas and the other states had demonstrated a substantial likelihood of success on the merits and satisfied the other requirements for a preliminary injunction.^[3] (#_ftn3) The Fifth Circuit concluded that the Department’s DAPA policy conflicted with the discretion authorized by Congress. In considering the DAPA program, the court noted that the Immigration and Nationality Act “flatly does not permit the reclassification of millions of illegal aliens as lawfully present and thereby make them newly eligible for a host of federal and state benefits, including work authorization.” According to the court, “DAPA is foreclosed by Congress’s careful plan; the program is ‘manifestly contrary to the statute’ and therefore was properly enjoined.”

Although the original DACA policy was not challenged in the lawsuit, both the district and appellate court decisions relied on factual findings about the implementation of the 2012 DACA memorandum. The Fifth Circuit agreed with the lower court that DACA decisions were not truly discretionary,^[4] (#_ftn4) and that DAPA and expanded DACA would be substantially similar in execution. Both the district court and the Fifth Circuit concluded that implementation of the program did not comply with the Administrative Procedure Act because the Department did not implement it through notice-and-comment rulemaking.

The Supreme Court affirmed the Fifth Circuit’s ruling by equally divided vote (4-4).^[5] (#_ftn5) The evenly divided ruling resulted in the Fifth Circuit order being affirmed. The preliminary injunction therefore remains in place today. In October 2016, the Supreme Court denied a request from DHS to rehear the case upon the appointment of a new Justice. After the 2016 election, both parties agreed to a stay in litigation to allow the new administration to review these issues.

On January 25, 2017, President Trump issued Executive Order No. 13,768, “Enhancing Public Safety in the Interior of the United States.” In that Order, the President directed federal agencies to “[e]nsure the faithful execution of the immigration laws . . . against all removable aliens,” and established new immigration enforcement priorities. On February 20, 2017, then Secretary of Homeland Security John F. Kelly issued an implementing memorandum, stating “the Department no longer will exempt classes or categories of removable aliens from potential enforcement,” except as provided in the Department’s June 15, 2012 memorandum establishing DACA,^[6] (#_ftn6) and the November 20, 2014 memorandum establishing DAPA and expanding DACA.^[7] (#_ftn7)

On June 15, 2017, after consulting with the Attorney General, and considering the likelihood of success on the merits of the ongoing litigation, then Secretary John F. Kelly issued a memorandum rescinding DAPA and the expansion of DACA—but temporarily left in place the June 15, 2012 memorandum that initially created the DACA program.

Then, on June 29, 2017, Texas, along with several other states, sent a letter to Attorney General Sessions asserting that the original 2012 DACA memorandum is unlawful for the same reasons stated in the Fifth Circuit and district court opinions regarding DAPA and expanded DACA. The letter notes that if DHS does not rescind the DACA memo by September 5, 2017, the States will seek to amend the DAPA lawsuit to include a challenge to DACA.

The Attorney General sent a letter to the Department on September 4, 2017, articulating his legal determination that DACA “was effectuated by the previous administration through executive action, without proper statutory authority and with no established end-date, after Congress’ repeated rejection of proposed legislation that would have accomplished a similar result. Such an open-ended circumvention of immigration laws was an unconstitutional exercise of authority by the Executive Branch.” The letter further stated that because DACA “has the same legal and constitutional defects that the courts recognized as to DAPA, it is likely that potentially imminent litigation would yield similar results with respect to DACA.” Nevertheless, in light of the administrative complexities associated with ending the program, he recommended that the Department wind it down in an efficient and orderly fashion, and his office has reviewed the terms on which our Department will do so.

Rescission of the June 15, 2012 DACA Memorandum

Taking into consideration the Supreme Court's and the Fifth Circuit's rulings in the ongoing litigation, and the September 4, 2017 letter from the Attorney General, it is clear that the June 15, 2012 DACA program should be terminated. In the exercise of my authority in establishing national immigration policies and priorities, except for the purposes explicitly identified below, I hereby rescind the June 15, 2012 memorandum.

Recognizing the complexities associated with winding down the program, the Department will provide a limited window in which it will adjudicate certain requests for DACA and associated applications meeting certain parameters specified below. Accordingly, effective immediately, the Department:

- Will adjudicate—on an individual, case-by-case basis—properly filed pending DACA initial requests and associated applications for Employment Authorization Documents that have been accepted by the Department as of the date of this memorandum.
- Will reject all DACA initial requests and associated applications for Employment Authorization Documents filed after the date of this memorandum.
- Will adjudicate—on an individual, case by case basis—properly filed pending DACA renewal requests and associated applications for Employment Authorization Documents from current beneficiaries that have been accepted by the Department as of the date of this memorandum, and from current beneficiaries whose benefits will expire between the date of this memorandum and March 5, 2018 that have been accepted by the Department as of October 5, 2017.
- Will reject all DACA renewal requests and associated applications for Employment Authorization Documents filed outside of the parameters specified above.
- Will not terminate the grants of previously issued deferred action or revoke Employment Authorization Documents solely based on the directives in this memorandum for the remaining duration of their validity periods.
- Will not approve any new Form I-131 applications for advance parole under standards associated with the DACA program, although it will generally honor the stated validity period for previously approved applications for advance parole. Notwithstanding the continued validity of advance parole approvals previously granted, CBP will—of course—retain the authority it has always had and exercised in determining the admissibility of any person presenting at the border and the eligibility of such persons for parole. Further, USCIS will—of course—retain the authority to revoke or terminate an advance parole document at any time.
- Will administratively close all pending Form I-131 applications for advance parole filed under standards associated with the DACA program, and will refund all associated fees.
- Will continue to exercise its discretionary authority to terminate or deny deferred action at any time when immigration officials determine termination or denial of deferred action is appropriate.

This document is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigation prerogatives of DHS.

[1] (#_ftnref1) Significantly, while the DACA denial notice indicates the decision to deny is made in the unreviewable discretion of USCIS, USCIS has not been able to identify specific denial cases where an applicant appeared to satisfy the programmatic categorical criteria as outlined in the June 15, 2012 memorandum, but still had his or her application denied based solely upon discretion.

[2] (#_ftnref2) *Texas v. United States*, 86 F. Supp. 3d 591 (S.D. Tex. 2015).

[3] (#_ftnref3) *Texas v. United States*, 809 F.3d 134 (5th Cir. 2015).

[4] (#_ftnref4) *Id.*

[5] (#_ftnref5) *United States v. Texas*, 136 S. Ct. 2271 (2016) (per curiam).

[6] (#_ftnref6) Memorandum from Janet Napolitano, Secretary, DHS to David Aguilar, Acting Comm'r, CBP, et al., "Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children" (June 15, 2012).

[7] ([#_ftnref7](#)) Memorandum from Jeh Johnson, Secretary, DHS, to Leon Rodriguez, Dir., USCIS, et al., “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children and with Respect to Certain Individuals Whose Parents are U.S. Citizens or Permanent Residents” (Nov. 20, 2014).

Topics: [Border Security \(/topics/border-security\)](#) , [Deferred Action \(/topics/deferred-action\)](#)

Keywords: [DACA \(/keywords/daca\)](#) , [Deferred Action for Childhood Arrivals \(/keywords/deferred-action-childhood-arrivals\)](#)

Last Published Date: September 5, 2017

EXHIBIT 75

JUSTICE NEWS

Attorney General Sessions Delivers Remarks on DACA

Washington, DC – Tuesday, September 5, 2017

Remarks as prepared for delivery

Good morning. I am here today to announce that the program known as DACA that was effectuated under the Obama Administration is being rescinded.

The DACA program was implemented in 2012 and essentially provided a legal status for recipients for a renewable two-year term, work authorization and other benefits, including participation in the social security program, to 800,000 mostly-adult illegal aliens.

This policy was implemented unilaterally to great controversy and legal concern after Congress rejected legislative proposals to extend similar benefits on numerous occasions to this same group of illegal aliens.

In other words, the executive branch, through DACA, deliberately sought to achieve what the legislative branch specifically refused to authorize on multiple occasions. Such an open-ended circumvention of immigration laws was an unconstitutional exercise of authority by the Executive Branch.

The effect of this unilateral executive amnesty, among other things, contributed to a surge of unaccompanied minors on the southern border that yielded terrible humanitarian consequences. It also denied jobs to hundreds of thousands of Americans by allowing those same jobs to go to illegal aliens.

We inherited from our Founders—and have advanced—an unsurpassed legal heritage, which is the foundation of our freedom, safety, and prosperity.

As the Attorney General, it is my duty to ensure that the laws of the United States are enforced and that the Constitutional order is upheld.

No greater good can be done for the overall health and well-being of our Republic, than preserving and strengthening the impartial rule of law. Societies where the rule of law is treasured are societies that tend to flourish and succeed.

Societies where the rule of law is subject to political whims and personal biases tend to become societies afflicted by corruption, poverty, and human suffering.

To have a lawful system of immigration that serves the national interest, we cannot admit everyone who would like to come here. That is an open border policy and the American people have rightly rejected it.

Therefore, the nation must set and enforce a limit on how many immigrants we admit each year and that means all can not be accepted.

This does not mean they are bad people or that our nation disrespects or demeans them in any way. It means we are properly enforcing our laws as Congress has passed them.

It is with these principles and duties in mind, and in light of imminent litigation, that we reviewed the Obama Administration's DACA policy.

Our collective wisdom is that the policy is vulnerable to the same legal and constitutional challenges that the courts recognized with respect to the DAPA program, which was enjoined on a nationwide basis in a decision affirmed by the Fifth Circuit.

The Fifth Circuit specifically concluded that DACA had not been implemented in a fashion that allowed sufficient discretion, and that DAPA was "foreclosed by Congress's careful plan."

In other words, it was inconsistent with the Constitution's separation of powers. That decision was affirmed by the Supreme Court by an equally divided vote.

If we were to keep the Obama Administration's executive amnesty policy, the likeliest outcome is that it would be enjoined just as was DAPA. The Department of Justice has advised the President and the Department of Homeland Security that DHS should begin an orderly, lawful wind down, including the cancellation of the memo that authorized this program.

Acting Secretary Duke has chosen, appropriately, to initiate a wind down process. This will enable DHS to conduct an orderly change and fulfill the desire of this administration to create a time period for Congress to act—should it so choose. We firmly believe this is the responsible path.

Simply put, if we are to further our goal of strengthening the constitutional order and the rule of law in America, the Department of Justice cannot defend this type of overreach.

George Washington University Law School Professor Jonathan Turley [in testimony before the House Judiciary Committee](#) was clear about the enormous constitutional infirmities raised by these policies.

He said: "In ordering this blanket exception, President Obama was nullifying part of a law that he simply disagreed with....If a president can claim sweeping discretion to suspend key federal laws, the entire legislative process becomes little more than a pretense...The circumvention of the legislative process not only undermines the authority of this branch but destabilizes the tripartite system as a whole."

Ending the previous Administration's disrespect for the legislative process is an important first step. All immigration policies should serve the interests of the people of the United States—lawful immigrant and native born alike.

Congress should carefully and thoughtfully pursue the types of reforms that are right for the American people. Our nation is comprised of good and decent people who want their government's leaders to fulfill their promises and advance an immigration policy that serves the national interest.

We are a people of compassion and we are a people of law. But there is nothing compassionate about the failure to enforce immigration laws.

Enforcing the law saves lives, protects communities and taxpayers, and prevents human suffering. Failure to enforce the laws in the past has put our nation at risk of crime, violence and even terrorism.

The compassionate thing is to end the lawlessness, enforce our laws, and, if Congress chooses to make changes to those laws, to do so through the process set forth

by our Founders in a way that advances the interest of the nation.

That is what the President has promised to do and has delivered to the American people.

Under President Trump's leadership, this administration has made great progress in the last few months toward establishing a lawful and constitutional immigration system. This makes us safer and more secure.

It will further economically the lives of millions who are struggling. And it will enable our country to more effectively teach new immigrants about our system of government and assimilate them to the cultural understandings that support it.

The substantial progress in reducing illegal immigration at our border seen in recent months is almost entirely the product of the leadership of President Trump and his inspired federal immigration officers. But the problem is not solved. And without more action, we could see illegality rise again rather than be eliminated.

As a candidate, and now in office, President Trump has offered specific ideas and legislative solutions that will protect American workers, increase wages and salaries, defend our national security, ensure the public safety, and increase the general well-being of the American people.

He has worked closely with many members of Congress, including in the introduction of the RAISE Act, which would produce enormous benefits for our country. This is how our democratic process works.

There are many powerful interest groups in this country and every one of them has a constitutional right to advocate their views and represent whomever they choose.

But the Department of Justice does not represent any narrow interest or any subset of the American people. We represent all of the American people and protect the integrity of our Constitution. That is our charge.

We at Department of Justice are proud and honored to work to advance this vision for America and to do our best each day to ensure the safety and security of the American people.

Thank you.

Speaker:

[Attorney General Jeff Sessions](#)

Topic(s):

Immigration

Attachment(s):

[Download ag_letter_re_daca.pdf](#)

Component(s):

[Office of the Attorney General](#)

Updated September 5, 2017

EXHIBIT 76

the WHITE HOUSE



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The White House

Office of the Press Secretary

For Immediate Release

January 25, 2017

Executive Order: Enhancing Public Safety in the Interior of the United States

EXECUTIVE ORDER

ENHANCING PUBLIC SAFETY IN THE INTERIOR OF THE
UNITED STATES

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act (INA) (8 U.S.C. 1101 et seq.), and in order to ensure the public safety of the American people in communities across the United States as well as to ensure that our Nation's immigration laws are faithfully executed, I hereby declare the policy of the executive branch to be, and order, as follows:

Section 1. Purpose. Interior enforcement of our Nation's immigration laws is critically important to the national security and public safety of the United States. Many aliens who illegally enter the United States and those who overstay or otherwise violate the terms of their visas present a significant threat to national security and public safety. This is particularly so for aliens who engage in criminal conduct in the United States.

Sanctuary jurisdictions across the United States willfully violate Federal law in an attempt to shield aliens from removal from the United States. These jurisdictions have caused immeasurable harm to the American people and to the very fabric of our Republic.

Tens of thousands of removable aliens have been released into communities across the country, solely because their home countries refuse to accept their repatriation. Many of these aliens are criminals who have served time in our Federal, State, and local jails. The presence of such individuals in the United States, and the practices of foreign nations that refuse the repatriation of their nationals, are contrary to the national interest.

Although Federal immigration law provides a framework for Federal-State partnerships in enforcing our immigration laws to ensure the removal of aliens who have no right to be in the United States, the Federal Government has failed to discharge this basic sovereign responsibility. We cannot faithfully execute the immigration laws of the United States if we exempt classes or categories of removable aliens from potential enforcement. The purpose of this order is to direct executive departments and agencies (agencies) to employ all lawful means to enforce the immigration laws of the United States.

Sec. 2. Policy. It is the policy of the executive branch to:

- (a) Ensure the faithful execution of the immigration laws of the United States, including the INA, against all removable aliens, consistent with Article II, Section 3 of the United States Constitution and section 3331 of title 5, United States Code;
- (b) Make use of all available systems and resources to ensure the efficient and faithful execution of the immigration laws of the United States;
- (c) Ensure that jurisdictions that fail to comply with applicable Federal law do not receive Federal funds, except as mandated by law;
- (d) Ensure that aliens ordered removed from the United States are promptly removed; and

(e) Support victims, and the families of victims, of crimes committed by removable aliens.

Sec. 3. Definitions. The terms of this order, where applicable, shall have the meaning provided by section 1101 of title 8, United States Code.

Sec. 4. Enforcement of the Immigration Laws in the Interior of the United States. In furtherance of the policy described in section 2 of this order, I hereby direct agencies to employ all lawful means to ensure the faithful execution of the immigration laws of the United States against all removable aliens.

Sec. 5. Enforcement Priorities. In executing faithfully the immigration laws of the United States, the Secretary of Homeland Security (Secretary) shall prioritize for removal those aliens described by the Congress in sections 212(a)(2), (a)(3), and (a)(6)(C), 235, and 237(a)(2) and (4) of the INA (8 U.S.C. 1182(a)(2), (a)(3), and (a)(6)(C), 1225, and 1227(a)(2) and (4)), as well as removable aliens who:

- (a) Have been convicted of any criminal offense;
- (b) Have been charged with any criminal offense, where such charge has not been resolved;
- (c) Have committed acts that constitute a chargeable criminal offense;
- (d) Have engaged in fraud or willful misrepresentation in connection with any official matter or application before a governmental agency;
- (e) Have abused any program related to receipt of public benefits;
- (f) Are subject to a final order of removal, but who have not complied with their legal obligation to depart the United States; or
- (g) In the judgment of an immigration officer, otherwise pose a risk to public safety or national security.

Sec. 6. Civil Fines and Penalties. As soon as practicable, and by no later than one year after the date of this order, the Secretary shall issue guidance and promulgate regulations, where required by law, to ensure the assessment and collection of all fines and penalties that the Secretary is authorized under the law to assess and collect from aliens unlawfully present in the United States and from those who facilitate their presence in the United States.

Sec. 7. Additional Enforcement and Removal Officers. The Secretary, through the Director of U.S. Immigration and Customs Enforcement, shall, to the extent permitted by law and subject to the availability of appropriations, take all appropriate action to hire 10,000 additional immigration officers, who shall complete relevant training and be authorized to perform the law enforcement functions described in section 287 of the INA (8 U.S.C. 1357).

Sec. 8. Federal-State Agreements. It is the policy of the executive branch to empower State and local law enforcement agencies across the country to perform the functions of an immigration officer in the interior of the United States to the maximum extent permitted by law.

(a) In furtherance of this policy, the Secretary shall immediately take appropriate action to engage with the Governors of the States, as well as local officials, for the purpose of preparing to enter into agreements under section 287(g) of the INA (8 U.S.C. 1357(g)).

(b) To the extent permitted by law and with the consent of State or local officials, as appropriate, the Secretary shall take appropriate action, through agreements under section 287(g) of the INA, or otherwise, to authorize State and local law enforcement officials, as the Secretary determines are qualified and appropriate, to perform the functions of immigration officers in relation to the investigation, apprehension, or detention of aliens in the United States under the direction and the supervision of the Secretary. Such authorization shall be in addition to, rather than in place of, Federal performance of these duties.

(c) To the extent permitted by law, the Secretary may structure each agreement under section 287(g) of the INA in a manner that provides the most effective model for enforcing Federal immigration laws for that jurisdiction.

Sec. 9. Sanctuary Jurisdictions. It is the policy of the executive branch to ensure, to the fullest extent of the law, that a State, or a political subdivision of a State, shall comply with 8 U.S.C. 1373.

(a) In furtherance of this policy, the Attorney General and the Secretary, in their discretion and to the extent consistent with law, shall ensure that jurisdictions that willfully refuse to comply with 8 U.S.C. 1373 (sanctuary jurisdictions) are not eligible to receive Federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary. The Secretary has the authority to designate, in his discretion and to the extent consistent with law, a jurisdiction as a sanctuary jurisdiction. The Attorney General shall take appropriate enforcement action against any entity that violates 8 U.S.C. 1373, or which has in effect a statute, policy, or practice that prevents or hinders the enforcement of Federal law.

(b) To better inform the public regarding the public safety threats associated with sanctuary jurisdictions, the Secretary shall utilize the Declined Detainer Outcome Report or its equivalent and, on a weekly basis, make public a comprehensive list of criminal actions committed by aliens and any jurisdiction that ignored or otherwise failed to honor any detainers with respect to such aliens.

(c) The Director of the Office of Management and Budget is directed to obtain and provide relevant and responsive information on all Federal grant money that currently is received by

any sanctuary jurisdiction.

Sec. 10. Review of Previous Immigration Actions and Policies. (a) The Secretary shall immediately take all appropriate action to terminate the Priority Enforcement Program (PEP) described in the memorandum issued by the Secretary on November 20, 2014, and to reinstitute the immigration program known as "Secure Communities" referenced in that memorandum.

(b) The Secretary shall review agency regulations, policies, and procedures for consistency with this order and, if required, publish for notice and comment proposed regulations rescinding or revising any regulations inconsistent with this order and shall consider whether to withdraw or modify any inconsistent policies and procedures, as appropriate and consistent with the law.

(c) To protect our communities and better facilitate the identification, detention, and removal of criminal aliens within constitutional and statutory parameters, the Secretary shall consolidate and revise any applicable forms to more effectively communicate with recipient law enforcement agencies.

Sec. 11. Department of Justice Prosecutions of Immigration Violators. The Attorney General and the Secretary shall work together to develop and implement a program that ensures that adequate resources are devoted to the prosecution of criminal immigration offenses in the United States, and to develop cooperative strategies to reduce violent crime and the reach of transnational criminal organizations into the United States.

Sec. 12. Recalcitrant Countries. The Secretary of Homeland Security and the Secretary of State shall cooperate to effectively implement the sanctions provided by section 243(d) of the INA (8 U.S.C. 1253(d)), as appropriate. The Secretary of State shall, to the maximum extent permitted by law, ensure that diplomatic efforts and negotiations with foreign states include as a condition precedent the acceptance by those foreign states of their nationals who are subject to removal from the United States.

Sec. 13. Office for Victims of Crimes Committed by Removable Aliens. The Secretary shall direct the Director of U.S. Immigration and Customs Enforcement to take all appropriate and lawful action to establish within U.S. Immigration and Customs Enforcement an office to provide proactive, timely, adequate, and professional services to victims of crimes committed by removable aliens and the family members of such victims. This office shall provide quarterly reports studying the effects of the victimization by criminal aliens present in the United States.

Sec. 14. Privacy Act. Agencies shall, to the extent consistent with applicable law, ensure that their privacy policies exclude persons who are not United States citizens or lawful

permanent residents from the protections of the Privacy Act regarding personally identifiable information.

Sec. 15. Reporting. Except as otherwise provided in this order, the Secretary and the Attorney General shall each submit to the President a report on the progress of the directives contained in this order within 90 days of the date of this order and again within 180 days of the date of this order.

Sec. 16. Transparency. To promote the transparency and situational awareness of criminal aliens in the United States, the Secretary and the Attorney General are hereby directed to collect relevant data and provide quarterly reports on the following:

- (a) the immigration status of all aliens incarcerated under the supervision of the Federal Bureau of Prisons;
- (b) the immigration status of all aliens incarcerated as Federal pretrial detainees under the supervision of the United States Marshals Service; and
- (c) the immigration status of all convicted aliens incarcerated in State prisons and local detention centers throughout the United States.

Sec. 17. Personnel Actions. The Office of Personnel Management shall take appropriate and lawful action to facilitate hiring personnel to implement this order.

Sec. 18. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
 - (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
- (b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
January 25, 2017.



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EXHIBIT 77

WGIUPD

GENERAL INFORMATION SYSTEM

5/07/13

DIVISION: Office of Health Insurance Programs

PAGE 1

GIS 13 MA/011

TO: Local District Commissioners, Medicaid Directors

FROM: Judith Arnold, Director
Division of Health Reform & Health Insurance Exchange Integration

SUBJECT: Children's Health Insurance Program Reauthorization Act (CHIPRA)
Expanded Coverage for Certain Qualified and PRUCOL Aliens

EFFECTIVE DATE: Immediately

CONTACT PERSON: Local District Support Unit
Upstate (518)474-8887 NYC (212)417-4500

The purpose of this General Information System (GIS) message is to provide local departments of social services (LDSS) with guidance on the implementation of provisions in the Children's Health Insurance Program Reauthorization Act (CHIPRA) of 2009. CHIPRA provides states with the opportunity to provide health care coverage with federal funding in Medicaid and the Children's Health Insurance Program (CHIP), to certain immigrant children and pregnant women who are "lawfully residing" in the United States.

Section 214 of CHIPRA provides federal funding to states for pregnant women and children up to age 21, who are Permanently Residing Under Color of Law (PRUCOL) or qualified aliens within the five-year ban. An alien in the five-year ban has an Alien Citizenship Indicator (ACI) of B, F, G, K or S. The Centers for Medicare and Medicaid Services approved New York's State Plan Amendment, and the State began receiving federal financial participation (FFP) for these groups retroactive to April 1, 2009.

To be "lawfully residing in the United States", for purposes of claiming FFP under this recent CHIPRA option, an individual must be both "lawfully present" and meet the State's residency requirements. Pregnant women and children up to age 21 who fall into one of the categories listed below will be considered "lawfully present" for purposes of claiming FFP under this CHIPRA option.

1. A qualified alien with ACI "A*", "J*", "R*", "B", "F", "G", "K" and "S".

NOTE: *Please note that all qualified aliens with ACI codes of A, J or R, not just pregnant women and children, are lawfully present for purposes of claiming FFP and are not subject to the federal five year ban. See 06 OMM INF-5.

2. PRUCOL pregnant women and children up to age 21 who qualify for FFP under CHIPRA are:

- Persons paroled into the U.S. for less than a year, except for persons who are paroled for prosecution, for deferred inspection or pending removal proceedings;
- Persons under an Order of Supervision with employment authorization;
- Persons on whose behalf an immediate relative petition has been approved and family members covered by the petition;

WGIUPD

GENERAL INFORMATION SYSTEM

5/07/13

DIVISION: Office of Health Insurance Programs

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- Persons who have filed applications for adjustment to status of lawful permanent resident with employment authorization;
 - Persons granted deferred action status;
 - Persons who entered and continuously resided in the U.S. before January 1, 1972;
 - Person living in the U.S. with the knowledge and permission or acquiescence of the USCIS and whose departure the USCIS does not contemplate enforcing:
 - Applicants for asylum with employment authorization;
 - Applicants for withholding of removal with employment authorization;
 - Persons requesting a suspension of deportation/cancellation of removal with employment authorization;
 - Persons currently under deferred enforced departure due to conditions in home country;
 - Permanent non-immigrants(citizens of the Federated States of Micronesia, the Marshall Islands and the Republic of Palau);
 - Persons granted Temporary Resident Status as an Amnesty beneficiary;
 - Persons granted Temporary Resident Status as a Family Unity beneficiary;
 - Persons pending Temporary Protected Status - with employment authorization; and
 - Persons granted Temporary Protected Status;
 - Persons having a Special Immigrant Visa Status:
 - Special Immigrant Juvenile Status;
 - An individual in non-immigrant classifications under the Immigration and Nationality Act (INA) who is permitted to remain in the U.S. for an indefinite period:
 - K-1 Visa - a fiancé of a U.S. citizen;
 - N Visa - A parent or child of an individual with special immigrant status;
 - R Visa - A religious worker.
 - S Visa - An individual assisting the Department of Justice in a criminal investigation;
 - U Visa - an alien who has suffered substantial physical or mental abuse as a result of having been a victim of criminal activity; and
 - V Visa - An individual with a petition pending for three years or more.
3. There are a few PRUCOL individuals who are not Lawfully Present. The following individuals are not eligible for FFP:
- Applicants for suspension of deportation/cancellation of removal without employment authorization;
 - Applicants for Asylum without employment authorization;
 - Applicants requesting deferred action;
 - Applicants for Temporary Protected Status (TPS) without employment authorization;
 - Persons granted indefinite stay of deportation;
 - Persons granted indefinite/other voluntary departure; and
 - Persons granted Deferred Action and applicants for Childhood Arrivals.

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If otherwise eligible, PRUCOL pregnant women and children under age 21 who do not fall within one of the categories above, as well as non-pregnant PRUCOL women and PRUCOL men, may continue to be eligible for State and locally funded Medicaid.

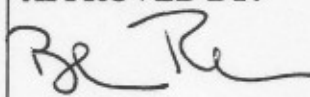
Currently, State/federal(S/F) Charge Codes 60, 67 and 68 are used for Medicaid claims to be processed with State and local shares only. To systemically support the correct shares distribution for the CHIPRA changes contained in this GIS message, two new S/F Charge Codes, 65 and 66, and a new ACI value, "P", have been created. Effective immediately, at application and recertification, districts are to take the following actions. For PRUCOL individuals, listed in item 2 of this GIS, a worker must enter an ACI of "P" into WMS if the PRUCOL individual is under 21 years of age or pregnant with an Individual Categorical Code of 15, 42, 43, 48, 58, 59 or 73 (NYC-only). For individuals with an ACI of "P", WMS will automatically system generate either a S/F Charge Code of 65 or 66. A S/F Charge Code of 65 applies to FFP Pregnant PRUCOL 21 years of age or older. A S/F Charge Code of 66 applies to FFP PRUCOL child under age 21 or a Pregnant PRUCOL under age 21.

For Qualified Aliens in the five year ban with an ACI of B, F, G, K or S, WMS will automatically generate the appropriate S/F Charge Code of 65 or 66 for individuals who are under age 21 or have a pregnancy Individual Categorical Code. The worker will not have to change the ACI for these individuals.

Additionally, children up to age 19, who would have otherwise been subject to the five-year ban, are considered targeted low-income children under Section 2110(b) of CHIPRA. Medicaid claims paid on behalf of eligible children under age 19 may be matched at the enhanced Title XXI match rate of 65% FFP. For Medicaid eligible individuals for whom the State receives FFP at the enhanced rate and who would have been subject to the five-year ban must be claimed at the Medicaid FFP rate of 50% once such children have met the five-year ban.

NOTE: Effective August 15, 2012, the U.S. Department of Homeland Security (DHS) began accepting requests for Deferred Action for Childhood Arrivals (DACA). The DHS has decided to focus its attention on the removal of individuals who pose a danger to national security or a risk to public safety, including aliens convicted of crimes, with emphasis on violent criminals, felons and repeat offenders. The DHS will exercise prosecutorial discretion to ensure that enforcement resources are not expended on low-priority cases, such as individuals who were brought to this country through no fault of their own as children. To be eligible for DACA, these individuals cannot have been convicted of a felony offense, a significant misdemeanor or multiple misdemeanor offenses. Individuals applying for deferred action under DACA do not meet the "Lawfully Residing" criteria as outlined in the July 1, 2010, State Health Official Letter, the U.S. Department of Health and Human Services has determined that these individuals are not eligible for FFP Medicaid or CHIP. In New York State, these individuals will be PRUCOL, but are not eligible for FFP.

EXHIBIT 78

Colorado Department of Health Care Policy and Financing 1570 Grant St., Denver, CO 80203-1818	NUMBER: HCPF 05-007
	CROSS REFERENCE: MA-01-3-P
DIVISION OR OFFICE: Medical Assistance Office	DATE: June 28, 2005
SUBJECT AREA: Medicaid Eligibility	
SUBJECT: Emergency Medicaid for Undocumented Immigrants TYPE: P - Procedure	APPROVED BY:  Barbara Prehmus

*HCPF Agency Letters can be accessed online at:
www.chcpf.state.co.us >>Reference Material >>Agency Letters*

Purpose:

This agency letter from the Colorado Department of Health Care Policy and Financing (HCPF) will define the processes and policies around proper determination of emergency Medicaid services for Colorado's undocumented immigrants. Please distribute this agency letter to eligibility technicians who handle Medicaid cases. This agency letter supersedes agency letter MA-01-3-P.

Background:

In Health Care Policy and Financing Staff Manual Volume 8, Section 8.100.53 lists the immigrant groups who are eligible for Medicaid. However, undocumented immigrants who are not in one of those groups, but who meet all of the other requirements for any category of Medicaid, are eligible for Medicaid for an emergency medical condition. An emergency medical condition is defined in Section 8.100.53 as follows:

For undocumented immigrants receiving Medicaid emergency only benefits, the following medical conditions will be covered:

An emergency medical condition is a medical condition (including labor and delivery) which manifests itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in:

- a) placing the patient's health in serious jeopardy,
- b) serious impairment of bodily function, or
- c) serious dysfunction of any bodily organ or part.

A physician shall make a written statement certifying the presence of a medical emergency condition when services are provided and shall indicate that services were for a medical emergency on the claim form.

Coverage is limited to care and services that are necessary to treat immediate emergency medical conditions. Coverage does not include prenatal care or follow-up care, such as postpartum care.

The undocumented immigrants must have an emergency medical condition and receive emergency medical services in order to be eligible for emergency medical assistance. Eligibility for emergency medical assistance ends after the emergency service has been provided.

Procedure:

Emergency medical condition other than labor and delivery: An **undocumented immigrant who is otherwise eligible for a category of Medicaid** must submit an application for emergency medical services at the time of the emergency or thereafter. According to the rules in 8.100.53, a physician shall make a written emergency Medicaid statement certifying the presence of an emergency medical condition when the services are provided. This documentation must be submitted with the application. If it is apparent to the technician that the service was provided for a condition that is not an emergency medical condition as defined in the rule, the application must be denied. As with all Medicaid applications, the date of eligibility may be backdated up to three months prior to the date of the application if the emergency medical services were provided during that period of time and they met other eligibility criteria. Emergency medical assistance must be terminated after the services were provided. Labor and delivery are considered emergency medical conditions. For labor and delivery, a different application process is required as stated below.

Labor and delivery: When a county technician receives an application from an undocumented immigrant pregnant woman, the technician will need to process the application and verify that CBMS has approved the application for Emergency Medical Services only. There is no postpartum care for undocumented immigrant women. Therefore, these cases are to be discontinued at the end of the month of the labor and delivery.

Redeterminations: In the past, undocumented immigrants have continued to retain eligibility for Medicaid even if they were not experiencing an emergency medical condition. This is not the correct procedure according to federal and state law. Therefore, a redetermination should be done on those cases as soon as possible. It must be determined if the client is presently experiencing an emergency medical condition. Do not terminate Medicaid eligibility for any women who are currently pregnant.

Effective Date:

Immediately

Contact Persons:

Family and Children Eligibility Specialists

Victoria Prochaska
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Victoria.prochaska@state.co.us

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Heather Hewitt
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Eric Stricca
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Eric.stricca@state.co.us

EXHIBIT 79

POLITICS > NATIONAL POLITICS

Denver Public Schools says ending DACA would have “catastrophic” effect

DPS superintendent says program has brought many teachers to its classrooms



RJ Sangosti, The Denver Post

Denver Public School's Superintendent Tom Boasberg eats lunch with students at Cowell Elementary's Summer SLAM Program, July 18, 2016.

By **MONTE WHALEY** | mwhaley@denverpost.com | The Denver Post

PUBLISHED: August 31, 2017 at 12:21 pm | UPDATED: August 31, 2017 at 4:49 pm

Officials with Denver Public Schools on Thursday warned that ending the federal program that offers protections to children brought to the U.S. illegally would have "catastrophic" implications for Denver schools and the broader community.

DPS was the first school district in the nation to hire teachers under Deferred Action for Childhood Arrivals, said DPS Superintendent Tom Boasberg. Many are outstanding teachers who relate well to students new to the United States, he said, and deporting them would be "catastrophic for DPS and the city of Denver."

"The DACA program has helped bring wonderfully talented and critically needed teachers to our classrooms and has provided peace of mind and legal status to thousands of immigrant children and families who make our city and our schools great," Boasberg said.

More than 85 Denver principals also signed a guest editorial for The Denver Post, defending the DACA program, in which participants are protected from deportation proceedings and can receive a temporary work permit but are not given lawful status.

Roughly 17,000 DACA recipients live in Colorado. The program is under fire from the White House and 10 state attorneys general, who have threatened to move forward with a lawsuit by Sept. 5 if President Donald Trump doesn't cancel the program first.

TAGS: **DACA, DACA IN COLORADO, DENVER PUBLIC SCHOOLS, U.S. IMMIGRATION POLICY**

<p>Monte Whaley of The Denver Post</p>	<p>Monte Whaley Monte Whaley is a Palisade native who covers education and other interesting topics for The Denver Post. Follow Monte Whaley @montewhaley</p>
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Everyone Who's Left the Trump Administration So Far



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EXHIBIT 80

Center for American Progress



ECONOMY

There Are Significant Business Costs to Replacing Employees

By Heather Boushey and Sarah Jane Glynn | Posted on November 16, 2012, 3:44 am



AP/ Mike Groll

The cost of employee turnover for businesses is high, regardless of the level of wages being paid to the departing or incoming employees. Workplace policies that improve employee retention can help companies reduce their turnover costs.

This issue brief contains a correction.

A table describing the 31 case studies and their key findings is available in the PDF version of this brief.

Implementing workplace policies that benefit workers and help boost employee retention is not simply a “nice” thing for businesses to do for their employees. Maintaining a stable workforce by reducing employee turnover through better benefits and flexible workplace policies also makes good business sense, as it can result in significant cost savings to employers.

Endnotes and citations are available in the PDF and Scribd versions.



Thirty case studies taken from the 11 most-relevant research papers on the costs of employee turnover demonstrate that it costs businesses about one-fifth of a worker’s salary to replace that worker. For businesses that experience high levels of turnover, this can add up to represent significant costs that can potentially be avoided by implementing workplace flexibility and earned sick days at little or no cost at all.

Indeed, it is costly to replace workers because of the productivity losses when someone leaves a job, the costs of hiring and training a new employee, and the slower productivity until the new employee gets up to speed in their new job. Our analysis reviews 30 case studies in 11 research papers published between 1992 and 2007 that provide estimates of the cost of turnover, finding that businesses spend about one-fifth of an employee’s annual salary to replace that worker. (see Figure 1)

Specifically, the economic studies we examined reveal a number of patterns about the cost of turnover:

- For all positions except executives and physicians—jobs that require very specific skills—across the remaining 27 case studies, the typical (median) cost of turnover was 21 percent of an employee’s annual salary.
- For workers earning less than \$50,000 annually—which covers three-quarters of all workers in the United States—the 22 case studies show a typical cost of turnover of 20 percent of salary, the same as across positions earning \$75,000 a year or less, which includes 9 in 10 U.S. workers.
- Among positions earning \$30,000 or less, which includes more than half of all U.S. workers, the cost of replacing an employee is slightly less than among positions earning less than \$75,000

annually. The typical cost of turnover for positions earning less than \$30,000 annually is 16 percent of an employee's annual salary.

Jobs that are very complex and that require higher levels of education and specialized training tend to have even higher turnover costs. In one study, economist Eileen Appelbaum and sociologist Ruth Milkman find that executive positions, which are well-compensated and likely have stringent educational credential requirements, have higher turnover costs than jobs with low educational requirements. Very highly paid jobs and those at the senior or executive levels tend to have disproportionately high turnover costs as a percentage of salary (up to 213 percent), which skews the data upwards.

Because some jobs have very high costs of turnover and others are less significant, there is a wide range of estimates across all types of employment. Above, we reported the "typical" cost of turnover

using the median among the case studies. This means that half of the case studies had a cost above what is “typical” and half had a cost below. The estimates of the cost of turnover in the 30 case studies analyzed here range from 5.8 percent up to 213 percent, depending on the job and employee skills. But the estimates are clustered around the “typical” (median) values. Looking only at estimates of the cost of turnover for workers earning, on average, \$75,000 per year or less, 17 case studies find a cost of turnover in the range of 10 percent to 30 percent. (see Figure 2)

The cost of turnover is an important economic issue because about one-fifth of workers voluntarily leave their job each year and an additional one-sixth are fired or otherwise let go

involuntarily. While workers who were laid off might not be replaced at all, for other kinds of workplace exits it doesn’t matter whether an employee left a firm voluntarily or whether they were fired—the reality is that it will cost the firm to replace that employee. In the long-term, even if a firm saves money by firing an employee who has stolen or has very low productivity, in the short-term the firm must address the costs of replacing that worker with one who will perform the job better than the one fired.

The Great Recession sharply increased the share of workers involuntarily leaving their jobs. At its peak in early 2009, the share of the total labor force subject to what the Bureau of Labor Statistics calls “layoffs and discharges”—but what those affected might refer to as “getting canned”—was 2 percent, up from 1.2 percent in 2006, before the recession began. As unemployment remained high, the recession and subsequent recovery reduced the number of workers who voluntarily left a job. In 2011, 23.6 million workers—or 17.9 percent of the total workforce—quit their jobs, down from 22.6 percent of the workforce in 2006. Due to the collapse of the housing bubble and the ensuing economic recession, workers employed in construction especially experienced spikes in unemployment and increased turnover rates. (see Figure 3)

Researchers find that high rates of turnover

High quit rates are often due to workplace policies. The Bureau of Labor Statistics data show that the accommodations—including hotels and motels—and food-services industries have the highest voluntary quit rate, with 37 percent of employees reporting that they quit their jobs in 2011, nearly twice as many as left their jobs involuntarily. These are jobs that tend to pay low wages and often have little in the way of workplace benefits or policies to help workers address conflicts between work and family.

could be lowered through changes in workplace policies. Harvard Business School professor Zeynep Ton recently wrote in Harvard Business Review:

Highly successful retail chains ... have demonstrated that ... bad jobs are not a cost-driven necessity but a choice. And they have proven that the key to breaking the trade-off is a combination of investment in the workforce and operational practices that benefit employees, customers, and the company ... I believe that the model these retailers have created can be applied in other service organizations ... [such as] hospitals, restaurants, banks, and hotels.

Conclusion

This brief documents that the cost of employee turnover for businesses is high, regardless of the level of wages being paid to the departing or incoming employees. Companies typically pay about one-fifth of an employee’s salary to replace that employee. While it costs businesses more to replace their very-highest-paid employees, the costs for most employers remains significant and does become less significant for those with low earnings.

Workplace policies that improve employee retention can help companies reduce their turnover costs. Family-friendly policies such as paid family leave and workplace flexibility help retain valuable employees who need help balancing work and family. For example, research has found that access to any form of parental leave makes women more likely to return to work after giving birth.

Moreover, by 2050 up to 20 percent of Americans will be older than age 65, and improved leave policies would allow workers to provide the care their elderly parents may need without having to sacrifice their livelihoods.

Appendix

The analysis presented in figures 1 and 2 is based on a thorough review of academic studies on the costs of employee turnover between 1992 and 2012. We found 11 published papers that provide empirical analysis of the cost of the turnover with detailed information on their methodology. Most of the research focused on a specific occupation within an industry, which meant that the 11 research papers provided 31 separate case studies. We then pooled these case studies to evaluate the typical cost of turnover across firms as a share of an employee's annual salary.

The research papers examined a variety of turnover costs, but they can be broken down into two main categories—direct and indirect, which vary depending on the specifics of the job. Both direct and indirect costs will vary within and across firms in terms of skills and training needs for a particular job. There will also be differences in the cost to replace an employee based on the industry, the region, and general economic conditions, as it may cost more to recruit employees to a remote location or if the unemployment rate is very low.

In the late 1990s, for example, when the U.S. economy was close to full employment, there was a great deal of media coverage about how employers were scrambling to fill positions. One story from the Associated Press was simply titled “Fewer workers mean more picky applicants” and detailed the creative ways employers would try and attract employees. The article highlighted one employer, an apparel maker, who offered eight paid days of vacation for each friend an employee recruited to the company.

The first type of cost is direct costs. This category includes:

- Separation costs such as exit interviews, severance pay, and higher unemployment taxes
- The cost to temporarily cover an employee's duties such as overtime for other staff or temporary staffing
- Replacement costs such as advertising, search and agency fees, screening applicants, including physicals or drug testing, interviewing and selecting candidates, background verification, employment testing, hiring bonuses, and applicant travel and relocation costs

- Training costs such as orientation, classroom training, certifications, on-the-job training, uniforms, and informational literature

The second category of turnover costs to businesses is indirect costs. This includes:

- Lost productivity for the departing employee who may spend their last days on the job writing exit memos or with reduced morale
- Lost productivity due to the need to hire temporary employees
- Coping with a vacancy or giving additional work to other employees
- Costs incurred as the new employee learns his or her job, including reduced quality, errors, and waste
- Reduced morale
- Lost clients and lost institutional knowledge

While direct costs may be easy to measure, by their very nature indirect costs may be hidden and difficult to ascertain. Because of this, out of the 11 research papers that we looked at, only 2 included indirect costs.

A table describing the 31 case studies and their key findings is available in the PDF version of this brief.



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EXHIBIT 81

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Angela Pinsky, hereby declare as follows:

1. I am over the age of eighteen and competent to testify.
2. I am the Executive Director of the Association for a Better New York, a non-profit membership organization for businesses and employers who advocate to make New York City a better place to live, work, and visit. ABNY has 266 members who employ hundreds of thousands of New Yorkers, and many which are national and multi-national organizations. All ABNY members have a presence in New York City and industries represented include construction/real estate, retail, professional services, cultural institutions, non-profit organizations, educational and medical institutions, finance, and infrastructure organizations. ABNY has 3 full time employees, none of which are DACA grantees.
3. ABNY has promoted the diversity of New York City as a strength for economic development, quality of life, competitiveness, and desirability. A major contributing factor is the percentage of "New New Yorkers" representing foreign born residents, as well as children of foreign born residents. According to the NYC Department of City Planning, in 2016 over 3 million of New York City's residents were immigrants (foreign-born individuals) doubling the percentage of immigrants since 1965 to 37%. Approximately 6-in-10 New Yorkers are either immigrants or the children of immigrants.
4. A wide variety of campaigns directed at individuals and organizations to locate in New York City highlight diversity of the population as a motivation, including towards individual businesses such as the "New York Open for Business" Campaign or the bid for the 2nd headquarters of Amazon; major national or international conventions including the NYC2012 Olympic Bid, the 2008 Republican National Convention, and the 2016 Democratic National Convention Bid; and even campaigns directed at individuals including the C'mon Lebron campaign of 2010.
5. According to FWD.US, there are 38,430 DACA recipients in New York State, 87% of whom are employed in the State, and if DACA is repealed and not replaced with a permanent legislative solution, New York will lose more than 33,400 workers and \$2.3 billion in annual GDP
6. The economic benefit of documented and undocumented immigrants and DACA grantees to the state is significant. According to the American Immigration Council, immigrant-led households in the state paid \$26.5 billion in federal taxes and \$15.9 billion in state and local taxes in 2014. Undocumented immigrants in New York paid an estimated \$1.1 billion in state and local taxes in 2014. Their contribution would increase to \$1.3 billion if they could receive legal status. Undocumented immigrants who were enrolled in the DACA program in 2016 paid an estimated \$140 million in state and local taxes.

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



Angela Pinsky

EXHIBIT 82

 Official website of the Department of Homeland Security



U.S. Department of
Homeland Security

Department of Homeland Security Acting Secretary Elaine Duke Reminds Eligible DACA Recipients to File Renewal Requests

Release Date: October 3, 2017

For Immediate Release
Office of the Press Secretary
Contact: 202-282-8010

WASHINGTON – Based on the Department of Homeland Security’s (DHS) parameters for an orderly wind-down of the Deferred Action for Childhood Arrivals (DACA) policy, eligible DACA recipients have until this Thursday, October 5th to properly file their renewal request and associated application for employment authorization to U.S. Citizenship and Immigration Services (USCIS).

Eligible individuals are DACA recipients whose DACA and work authorization expire between Sept. 5, 2017, and March 5, 2018, inclusive. Of the approximately 154,200 individuals whose DACA is set to expire between Sept. 5, 2017, and March 5, 2018, just over 106,000 either have renewal requests currently pending with USCIS, or have already had USCIS adjudicate their renewal request.

“For individuals who are still eligible to request renewal of their deferred action under DACA, but have not yet done so, I urge you to make this a priority. The renewal process is quicker than an initial request and requires minimal documentation, so take the time now to fill out and properly file your renewal request. It is imperative that USCIS physically receives your request by October 5th,” said Acting Secretary Duke. “With respect to the devastation of Hurricane Maria and the lack of communications and infrastructure for a prolonged period of time, I have directed USCIS to consider on a case-by-case basis DACA requests received from

U.S. Virgin Islands and Puerto Rico residents. As of today, fewer than 20 current recipients from the U.S. Virgin Islands and Puerto Rico have yet to renew with USCIS.”

DACA recipients wanting to renew should complete and sign the [Consideration of Deferred Action for Childhood Arrivals \(https://www.uscis.gov/i-821d\)](https://www.uscis.gov/i-821d) (Form I-821D) and the [Application for Employment Authorization \(https://www.uscis.gov/i-765\)](https://www.uscis.gov/i-765) (Form I-765). Renewal requestors do not need to submit additional evidence at the time they request a renewal unless the requestor has new documents involving removal proceedings or criminal history that they did not already submit to USCIS in a previously approved DACA request. USCIS also has a call center and detailed online resources to help submit requests successfully. For additional information, see the [USCIS DACA Renewal Tip Sheet \(https://uscis.gov/daca2017\)](https://uscis.gov/daca2017).

As previously announced, USCIS will accept renewal requests from eligible individuals through Oct. 5, 2017. These requests must be properly filed and physically received by the agency at the proper filing location no later than Oct. 5.

###

Topics: [Deferred Action \(/topics/deferred-action/\)](/topics/deferred-action/), [Immigration and Citizenship Services \(/topics/immigration-and-citizenship-services/\)](/topics/immigration-and-citizenship-services/)

Keywords: [Acting Secretary Elaine Duke \(/keywords/acting-secretary-elaine-duke/\)](/keywords/acting-secretary-elaine-duke/), [DACA \(/keywords/daca/\)](/keywords/daca/), [Deferred Action for Childhood Arrivals \(/keywords/deferred-action-childhood-arrivals/\)](/keywords/deferred-action-childhood-arrivals/), [USCIS \(/keywords/uscis/\)](/keywords/uscis/)

Last Published Date: October 4, 2017

EXHIBIT 83

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF JESSE M. CAPLAN

I, Jesse M. Caplan, hereby declare the following:

1. I am General Counsel to the Executive Office of Health and Human Services (“EOHHS”) in Massachusetts.
2. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered for me in my capacity as General Counsel to EOHHS.
3. EOHHS oversees MassHealth, the state Medicaid program, as well as the Department of Public Health (“DPH”).
4. It is anticipated that due to the termination of the Deferred Action for Childhood Arrivals (“DACA”) program, grantees participating in the program will lose their work authorization. In turn, those DACA grantees are likely to lose their jobs and any employer-sponsored health insurance (“ESI”) available through their employer’s benefit program.
5. Some DACA grantees who lose their ESI will be eligible for MassHealth.
6. Eligibility for MassHealth programs is determined by a combination of income, household composition, age, medical status, and citizenship or immigration status.
7. Massachusetts covers some or all of the costs associated with MassHealth, depending on the program and the immigration status of the MassHealth member.
8. Based on EOHHS’s experience working with immigrant communities, we anticipate that many DACA grantees are likely to either delay or defer healthcare visits and treatment for as long as possible, but when they do need care, are likely to go for emergency room or other urgent care services. Other DACA grantees who lose their ESI will likely rely on care from community health centers or other sources that are free or low-cost to them.

9. In each of these scenarios, Massachusetts will very likely have to cover some, if not all, of the costs of these healthcare visits, through MassHealth, the Massachusetts Health Safety Net (“HSN”), or other programs.

10. EOHHS administers the HSN, which makes payments to hospitals and community health centers for healthcare services provided to low-income Massachusetts residents who are uninsured or underinsured, irrespective of immigration status.

11. Some DACA grantees who lose their ESI will likely use providers, such as community health centers, that are funded in part by grants and other funding streams available through DPH.

12. DPH administers several programs that help cover the cost of uninsured or underinsured patients, including the Bureau of Substance Abuse Services (“BSAS”) and the Sexual and Reproductive Health Program (“SRHP”). Immigration status is not relevant to determining coverage within BSAS or SRHP.

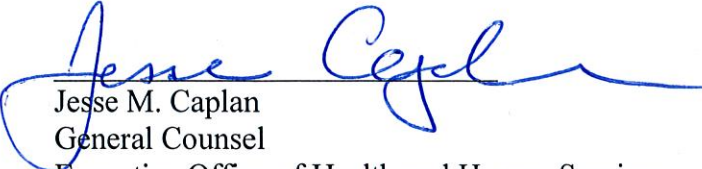
13. Services available for coverage under BSAS include acute detoxification, stabilization, residential services, methadone maintenance, and recovery support services. More than two-thirds of the payments made by BSAS come directly from state appropriation.

14. SRHP provides funding for health care services, including gynecological and breast exams, through reimbursement for services provided by a statewide network of non-profit family planning program providers.

15. In conclusion, if DACA is terminated, the grantees’ subsequent loss of ESI will likely cause Massachusetts to incur new healthcare costs through MassHealth, the HSN, and DPH.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed this 3rd day of October 2017



Jesse M. Caplan
General Counsel
Executive Office of Health and Human Services

EXHIBIT 84

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, *et. al.*,
Plaintiffs,

v.

DONALD TRUMP, *et. al.*,
Defendants.

No. 1:17-CV-5228

**DECLARATION OF
SETH KALVERT**

Pursuant to 28 U.S.C. § 1746(2), I, Seth Kalvert, hereby declare as follows:

I am over the age of eighteen and competent to testify.

1. I am the Senior Vice President, General Counsel, and Secretary of non-party TripAdvisor LLC (“TripAdvisor” or the “Company”). TripAdvisor is a Delaware limited liability company, with headquarters located at 400 First Avenue, Needham, MA 02494, where I work. The information contained herein is based on my personal knowledge or the knowledge of my coworkers who provided this information at my direction, and, if called as a witness, I could testify competently thereto.

2. TripAdvisor, by and through its subsidiaries, operates the world's largest travel website, located at www.tripadvisor.com and other country-specific domains featuring localized versions of the site, enabling travelers to plan and book their travel. The TripAdvisor branded websites, which reach an average of 390 million monthly unique visitors, host reviews of hotels, restaurants and attractions in all 50 states, as well as throughout the world. TripAdvisor offers advice from millions of travelers, including more than 435 million reviews and opinions covering 6.8 million accommodations, restaurants and attractions. TripAdvisor is a global company headquartered here in Massachusetts.

3. On September 5, 2017, TripAdvisor was made aware that the Department of Homeland Security had issued a memorandum (the “Memorandum”) ending portions of the Deferred Action for Childhood Arrivals Program (“DACA”).

4. It is TripAdvisor's view that the Memorandum could have a negative impact on our Company's business and work force.

5. TripAdvisor runs a worldwide business that seeks to enable travelers from all over the world to plan, book and review their travel to other places all over the world. In doing so, TripAdvisor places a very high value on attracting the best talent from all over the world. Our products, our services and our customers all benefit from our accessing the highest talent pool available and the diversity of backgrounds and heritages of TripAdvisor's workforce.

6. TripAdvisor employs nearly 1,800 individuals in the United States and more than 1,000 individuals in the Commonwealth of Massachusetts.

7. Based on an initial review, TripAdvisor has at least four employees who are beneficiaries under the DACA program. Three of those employees are based in Massachusetts and one is based in Nevada. If these employees lose their status and are deported, TripAdvisor will suffer a number of harms.

8. These employees work in the Company's Engineering, Ad Operations, Sales and Customer Care departments. One employee in the position of a Software Engineer has multiple years of experience and is responsible for developing and understanding production quality software. Additionally, said Software Engineer regularly manages and mentors junior engineers, and is required to understand, and be able to communicate, complex technical problems. The U.S. market for a software engineer at this level is highly-competitive because there are not enough qualified individuals to fill the available roles. As a result, the time to replace just one individual is upwards of four months and talent search costs can exceed \$35,000.

9. Employees in TripAdvisor's Ad Operations and Sales departments are highly-skilled in communication and have superior analytical and technical expertise. Both positions require higher education and multiple years of experience in the applicable areas. The withdrawal of the DACA program will not only affect TripAdvisor's current operations, but will also negatively impact future operations, because of the already limited market of eligible candidates.

10. TripAdvisor's Talent Acquisition and Human Resources Departments spend considerable resources in recruiting and hiring the best and most highly-qualified individuals. Furthermore, once hired, TripAdvisor invests in retaining these valuable employees whose skills, diverse backgrounds and knowledge contribute to TripAdvisor's ability to provide a world-class product and customer service experience. In addition to serving TripAdvisor with the technical know-how and expertise required to perform their roles, these employees are also an integral part of the TripAdvisor community, regularly engaging in philanthropic endeavors and community-based events alongside their co-workers.

11. The loss of DACA work authorization for TripAdvisor employees would harm our business in a number of ways, including through the disruption of ongoing projects, costs associated with recruiting new employees to attempt to fill the employees' previous positions, and business disruptions and delays associated with the loss of valuable, knowledgeable and dedicated employees.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 2, 2017.


Seth Kalvert

EXHIBIT 85

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of David Swenson With Regard to the Proposed Elimination of the Deferred Action for Childhood Arrivals (DACA) Program

1. I currently work as a community and regional economist in the Department of Economics at Iowa State University, and I am a lecturer in the School of Urban and Regional Planning at The University of Iowa. I have been employed at Iowa State University since 1989 and at The University of Iowa since 2001.
2. I possess an M.A. in Political Science from the University of South Dakota and an M.A. in Urban and Regional Planning from The University of Iowa.
3. As a community and regional analyst at Iowa State University, I conduct impact studies of various positive or negative shocks to the Iowa economy. I have been doing this kind of regional economic evaluation since the mid 1980s. I specialize in Iowa rural economies and the Midwest, overall.
4. With regard to the proposal by the president to end the Deferred Action for Childhood Arrivals (DACA) program, I offer these analysis-based perspectives on that initiative as they pertain to Iowa's economy and its public spending:
5. Given national statistics indicating the age at which a DACA recipient entered the country, we can infer public education costs associated with educating these recipients as school children. Iowa has 2,798 recipients (see <https://www.americanprogress.org/issues/immigration/news/2017/07/21/436419/new-threat-daca-cost-states-billions-dollars/>). Assuming the average recipient was educated in Iowa public schools for at least six elementary and high school years, the state of Iowa's investment in their education, given current levels of spending, would have been the equivalent of \$100.9 million, and when combined with local government costs, cumulative total education spending would have been \$149.1 million. This represents a substantial investment in human capital and productive capacity. (see https://www.legis.iowa.gov/DOCS/IsaReports/k12Education/historical_per_Pupil.pdf for current education costs in Iowa).
6. Given national statistics that indicate that 65 percent of DACA recipients are currently in school, and of those totals, 83 percent are pursuing associates or bachelor's degrees and 17 percent advanced degrees, the support for these students at state of Iowa higher education institutions would be substantial. (see <https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf> on education assumptions). Assuming 50 percent of DACA in higher education are seeking associate's degrees and another 50 percent bachelor's degrees or higher, the state of Iowa's annual investment in these recipients would be \$12.1 annually. This also is a substantial amount of annual public investment in human capital that will yield jobs and lifetime earnings levels that are substantially higher than non-DACA peers.

7. The economic impact of wholesale deportation of DACA recipients has been estimated based on Center for American Progress studies on the topic (see <https://www.americanprogress.org/issues/immigration/reports/2016/09/21/144363/the-economic-impacts-of-removing-unauthorized-immigrant-workers/> and <https://www.americanprogress.org/issues/immigration/news/2016/10/18/146290/new-study-of-daca-beneficiaries-shows-positive-economic-and-educational-outcomes/>). That research indicates the state of Iowa has 2,434 DACA recipients who are employed (87 percent of DACA recipients) and who collectively stimulate 188.5 million in gross domestic product annually (\$77,444 per worker) in constant 2013 amounts. Brought forward to present dollar values, this would be the equivalent of \$201.0 million in 2017 (and \$82,569 per worker).
8. There are twin factors at work with regard to calculating the economic impacts of DACA recipients in the workforce. First, DACA workers, like any other worker, stimulate GDP in so far as their labor generates economic product resulting in labor income to those workers, profits to proprietors, and investment income for investors. Secondly, DACA workers induce economic activity by converting their labor incomes into household consumption. Using statistics from the Wong et al., 2017 DACA Study and applying insights from that evaluation to the Iowa DACA population (<https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf>), estimates can be made of the household consumption economic contribution of DACA recipients. Assuming a median age of 25, 87 percent of DACA recipients in the workforce, and that average annual earnings for those age 25 or under was \$36,232 and 41,621 for those older than 25, total labor income for this group in Iowa would be \$94.75 million.
9. Were DACA to result in a complete loss of that labor income and employment, the Iowa economy would, by definition, shrink. Its labor force would certainly contract as it is a fact that Iowa is at or on the cusp of full employment, and both industrial production and consumption would decline. On just the household consumption side, a loss of these worker-consumer households' incomes would yield a negative, multiplied-through economic impact. Utilizing a current input-output model of the Iowa economy maintained at Iowa State University, a reduction of household income of \$94.75 million would cost the state economy 781 additional jobholders earning \$30.54 million in labor income once all multiplied-through effects were tallied. The state's GDP would contract by \$55.83 million as a result of this lost consumption.
10. Wholesale repeal of DACA resulting in deportation would have a substantial negative economic impact on the Iowa economy. The state's economy would initially contract until in-migration or natural labor force growth offset the consequences of the policy decision.

I declare that the analysis contained in this declaration and the statements made are true and complete to the best of my knowledge



David Swenson
29 September 2017

EXHIBIT 86

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF SHOBA SIVAPRASAD WADHIA

I, SHOBA SIVAPRASAD WADHIA, state as follows:

1. I am over the age of eighteen and competent to testify herein.

A. *My Qualifications and Scholarship on the Role of Prosecutorial Discretion in Immigration Cases*

2. I am the Samuel Weiss Faculty Scholar, Clinical Professor of Law and founding director of the Center for Immigrants' Rights Clinic at Penn State Law in University Park. I have been employed by the Pennsylvania State University ("University") since 2008. My affiliation and title are listed for informational purposes only. This declaration is written in my individual capacity and does not reflect the views of the University.

3. Since graduating from the Georgetown University Law Center in 1999, I have worked in the immigration field for nearly 20 years in the following settings: private practice, non-profit and institutions of higher education. During this time, I have focused on various aspects of immigration law, particularly the role of prosecutorial discretion in immigration cases. I have published more than 30 articles, book chapters and essays on immigration law and have been featured as an immigration law expert in various international and national publications.

4. As a law professor whose primary research focuses on the role of prosecutorial discretion in immigration cases, I am confident that policies like DACA are well within the Department of Homeland Security's authority. I served as a lead author on a letter signed by 105 law professors on the legality of DACA dated August 14, 2017, and wrote the only book on the subject of prosecutorial discretion in immigration cases. *Beyond Deportation: The Role of Prosecutorial Discretion in Immigration Cases* (New York University Press 2015).

5. Based on my years of legal practice, study and scholarship, I believe maintaining a policy like DACA is not only lawful, but also crucial to ensuring that the government faithfully executes the laws of the United States and uses discretion as a tool for prioritizing those most suitable for removal.

B. The Likely Consequences to the University and the Commonwealth of Pennsylvania if the DACA Program is Discontinued.

6. It is my understanding that the University does not keep centralized records of students who may be eligible for or registered in the Deferred Action for Childhood Arrivals (DACA) program. However, based on my interactions with students, staff and faculty, I am confident that students enrolled at the University were or are DACA participants.

7. It is my understanding that if the DACA program is discontinued, many of the currently enrolled and newly admitted University students who are participating in (or eligible to participate in) the program would be unable to continue with their studies here. They will lose their ability to work in the United States legally, and therefore lose the ability to support themselves while studying.

8. If the DACA program is discontinued, many of these students will also have an understandable fear that they may be deported. I have witnessed the negative effects that this type of stress can have on a student's ability to thrive in a rigorous academic environment like the University. The prospect of having all that effort go to waste would be devastating.

9. If students are not able to continue with their education because DACA is rescinded, I am concerned that the University community will lose the significant contributions that these students are able to make to the overall academic experience here on campus. Based on my years of experience, I have come to recognize the value of having, in every class cohort, students who bring a variety of perspectives and life experiences into the academic community.

Having a student body with a diversity of viewpoints and backgrounds fosters a robust learning environment for all.

10. DACA eligible students inherently have a set of life experiences and perspectives that are very different from those of other students. Many, if not most of them, are the first in their families to attend college, and they enrich our community by being able to share with their classmates - in a variety of settings both in and out of the classroom - their life experiences and the unique understandings they have gained by virtue of those experiences.

11. Since many University graduates remain in Pennsylvania after graduation, ensuring that DACA eligible students can continue their studies here will lead to more talented young people entering the Pennsylvania workforce, and will allow employers across the Commonwealth to benefit from the diversity of experiences and unique understandings that DACA recipients bring with them. If the DACA program is discontinued, the Commonwealth of Pennsylvania and its citizens will be deprived of these very real benefits.

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

A handwritten signature in cursive script that reads "Shoba Sivaprasad Wadhia". The signature is written in black ink and is positioned above the printed name.

SHOBA SIVAPRASAD WADHIA

Dated this 28th day of September 2017.

EXHIBIT 87

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF DANA RUBIN

I, Dana Rubin, hereby declare as follows:

1. My name is Dana Rubin. I am an attorney licensed in the District of Columbia.
2. I have personal knowledge of the matters set forth below.
3. I represent a client named J.S.¹ She is 19 years old. She lives in Washington D.C.
4. J.S. was born in Honduras. Her mother brought her to the United States when she was six years old. She has lived in the United States for thirteen years.
5. J.S. graduated from a public high school in the District of Columbia. She is currently employed full-time at a local small business in the District of Columbia while caring for her young son. She has also taken classes at the University of the District of Columbia.
6. J.S.'s mother kicked her out of the family's home when she was thirteen years old. She stayed with friends for several years, before becoming a ward of the District.
7. Receiving DACA has had an enormous impact on J.S.'s life.
8. She works to support her child. Because of DACA, she was able to get a social security card and employment authorization. If she could not work, she would be reliant on government assistance to support her child.
9. J.S. will age out of foster care when she turns 21. Without DACA, she does not know how she will be able to continue working or support her child or herself.
10. She has no contact with anyone in Honduras and has not been there since she was a small child.
11. J.S.'s home is the District of Columbia. Her family is here. She works and goes to school here.

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 27th day of September, 2017,



Dana Rubin

¹ My client wishes to remain anonymous due to her fear of repercussions for sharing her story.

EXHIBIT 88



Politics

Admin memo: DACA recipients should prepare for 'departure'

Memo obtained from multiple sources

By:

[TAL KOPAN AND JIM ACOSTA](#) ()

[CNN](#) ()

Posted: Sep 05, 2017 05:53 PM CDT

Updated: Sep 05, 2017 09:20 PM CDT

0:00 / 0:34



Students walk out over DACA decision

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WASHINGTON (CNN) - White House talking points on Tuesday urged DACA recipients to prepare for a "departure from the United States," a much starker possible future than Trump administration officials used in public when announcing an end to the program.

The statement was contained in a background document that was sent by the White House to offices on Capitol Hill, obtained by CNN from multiple sources.

In the "DACA talking points" memo, the White House laid out a number of bullet points for supporters on Tuesday's announcement outlining the administration's action. One bullet point suggests DACA participants should prepare to leave the country.

"The Department of Homeland Security urges DACA recipients to use the time remaining on their work authorizations to prepare for and arrange their departure from the United States -- including proactively seeking travel documentation -- or to apply for other immigration benefits for which they may be eligible," the memo says.

Neither the White House or Department of Homeland Security disputed the contents of the document to CNN.

"As noted, we expect Congress to pass legislation so this will hopefully be a moot point," DHS spokesman David Lapan said. "However, of course we would encourage persons who are in the country illegally to depart voluntarily, or seek another form of immigration benefit for which they might qualify."

"No one has an entitlement to live in the United States illegally," Lapan added. "Individuals have an independent obligation to comply with the laws that Congress passes, in all contexts."

The White House referred all questions to DHS.

The Trump administration Tuesday announced it was ending the Obama-era Deferred Action for Childhood Arrivals program, which has protected nearly

800,000 undocumented immigrants brought to the US as children from deportation and offered the right to work and study in the US. DHS will process applications that had been received before Tuesday and will allow renewals in the next month of any of the two-year permits set to expire before March 5, 2018, to give time for Congress to act.

Trump said Tuesday he has "a great heart" for DACA recipients and the White House is pushing Congress to act.

"I have a love for these people and hopefully now Congress will be able to help them and do it properly," Trump said Tuesday afternoon at the White House. "And I can tell you, speaking to members of Congress, they want to be able to do something and do it right."

The talking points language echoes similar guidance DHS has used in the past regarding a different program, Temporary Protected Status, when it granted a six-month extension to Haitians displaced by the 2010 earthquake who are using it to work and study in the United States. DHS has signaled it may end the protections after those six months expire.

But the comments are sure to alarm already fearful advocates, who worry that if Congress fails to save the DACA program, the expiration of permits could mean deportation for the nearly 700,000 people currently enrolled in DACA that in many cases have known no other home besides the US.

In public statements Tuesday after announcing an end to the program, DHS had acknowledged that any person who loses their DACA permit would revert to being like any undocumented immigrant in the US, though it emphasized that it did not place a priority on targeting those individuals. But they did not offer any assurances those individuals would avoid deportation if encountered by Immigration and Customs Enforcement, and confirmed that ICE would be able to access the detailed information DHS has on those individuals if it found a law enforcement purpose to do so.

EXHIBIT 89

 Official website of the Department of Homeland Security



U.S. Department of
Homeland Security

Frequently Asked Questions: Rescission Of Deferred Action For Childhood Arrivals (DACA)

Release Date: September 5, 2017

[En español \(https://www.dhs.gov/news/2017/09/05/preguntas-frecuentes-anulaci-n-de-la-acci-n-diferida-para-los-llegados-en-la\)](https://www.dhs.gov/news/2017/09/05/preguntas-frecuentes-anulaci-n-de-la-acci-n-diferida-para-los-llegados-en-la)

The following are frequently asked questions on the September 5, 2017 Rescission of the Deferred Action for Childhood Arrivals (DACA) Program.

Q1: Why is DHS phasing out the DACA program?

A1: Taking into consideration the federal court rulings in ongoing litigation, and the September 4, 2017 letter from the Attorney General, it is clear that program should be terminated. As such, the Acting Secretary of Homeland Security rescinded the June 15, 2012 memorandum establishing the DACA program. Please see the Attorney General's letter and the Acting Secretary of Homeland Security's memorandum for further information on how this decision was reached.

Q2: What is going to happen to current DACA holders?

A2: Current DACA recipients will be permitted to retain both the period of deferred action and their employment authorization documents (EADs) until they expire, unless terminated or revoked. DACA benefits are generally valid for two years from the date of issuance.

Q3: What happens to individuals who currently have an initial DACA request pending?

A3: Due to the anticipated costs and administrative burdens associated with rejecting all pending initial requests, USCIS will adjudicate—on an individual, case-by-case basis—all properly filed DACA initial requests and associated applications for EADs that have been accepted as of September 5, 2017.

Q4: What happens to individuals who currently have a request for renewal of DACA pending?

A4: Due to the anticipated costs and administrative burdens associated with rejecting all pending renewal requests, USCIS will adjudicate—on an individual, case-by-case basis—properly filed pending DACA renewal requests and associated applications for Employment Authorization Documents from current beneficiaries that have been accepted as of September 5, 2017, and from current beneficiaries whose benefits will expire between September 5, 2017 and March 5, 2018 that have been accepted as of October 5, 2017. USCIS will reject all requests to renew DACA and associated applications for EADs filed after October 5, 2017.

Q5: Is there still time for current DACA recipients to file a request to renew their DACA?

A5: USCIS will only accept renewal requests and associated applications for EADs for the class of individuals described above in the time period described above.

Q6: What happens when an individual's DACA benefits expire over the course of the next two years? Will individuals with expired DACA be considered illegally present in the country?

A6: Current law does not grant any legal status for the class of individuals who are current recipients of DACA. Recipients of DACA

are currently unlawfully present in the U.S. with their removal deferred. When their period of deferred action expires or is terminated, their removal will no longer be deferred and they will no longer be eligible for lawful employment.

Only Congress has the authority to amend the existing immigration laws.

Q7: Once an individual's DACA expires, will their case be referred to ICE for enforcement purposes?

A7: Information provided to USCIS in DACA requests will not be proactively provided to ICE and CBP for the purpose of immigration enforcement proceedings, unless the requestor meets the criteria for the issuance of a Notice To Appear or a referral to ICE under the criteria set forth in USCIS' Notice to Appear guidance (www.uscis.gov/NTA (<http://www.uscis.gov/NTA>)). This policy, which may be modified, superseded, or rescinded at any time without notice, is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable by law by any party in any administrative, civil, or criminal matter.

Q8: Will USCIS share the personal information of individuals whose pending requests are denied proactively with ICE for enforcement purposes?

A8: Generally, information provided in DACA requests will not be proactively provided to other law enforcement entities (including ICE and CBP) for the purpose of immigration enforcement proceedings unless the requestor poses a risk to national security or public safety, or meets the criteria for the issuance of a Notice To Appear or a referral to ICE under the criteria. This policy, which may be modified, superseded, or rescinded at any time without notice, is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable by law by any party in any administrative, civil, or criminal matter.

Q9: Can deferred action received pursuant to DACA be terminated before it expires?

A9: Yes. DACA is an exercise of deferred action which is a form of prosecutorial discretion. Hence, DHS will continue to exercise its discretionary authority to terminate or deny deferred action at any time when immigration officials determine termination or denial of deferred action is appropriate.

Q10: Can DACA recipients whose valid EAD is lost, stolen or destroyed request a new EAD during the phase out?

A10: If an individual's still-valid EAD is lost, stolen, or destroyed, they may request a replacement EAD by filing a new Form I-765.

Q11: Will DACA recipients still be able to travel outside of the United States while their DACA is valid?

A11: Effective September 5, 2017, USCIS will no longer approve any new Form I-131 applications for advance parole under standards associated with the DACA program. Those with a current advance parole validity period from a previously-approved advance parole application will generally retain the benefit until it expires. However, CBP will retain the authority it has always exercised in determining the admissibility of any person presenting at the border. Further, USCIS retains the authority to revoke or terminate an advance parole document at any time.

Q12: What happens to individuals who have pending requests for advance parole to travel outside of the United States?

A12: USCIS will administratively close all pending Form I-131 applications for advance parole under standards associated with the DACA program, and will refund all associated fees.

Q13: How many DACA requests are currently pending that will be impacted by this change? Do you have a breakdown of these numbers by state?

A13: There were 106,341 requests pending as of August 20, 2017 – 34,487 initial requests and 71,854 renewals. We do not currently have the state-specific breakouts.

Q14: Is there a grace period for DACA recipients with EADs that will soon expire to make appropriate plans to leave the country?

A14: As noted above, once an individual's DACA and EAD expire—unless in the limited class of beneficiaries above who are found eligible to renew their benefits—the individual is no longer considered lawfully present in the United States and is not authorized to work. Persons whose DACA permits will expire between September 5, 2017 and March 5, 2018 are eligible to renew their permits. No person should lose benefits under this memorandum prior to March 5, 2018 if they properly file a renewal request and associated application for employment authorization.

Q15: Can you provide a breakdown of how many DACA EADs expire in 2017, 2018, and 2019?

A15: From August through December 2017, 201,678 individuals are set to have their DACA/EADs expire. Of these individuals, 55,258 already have submitted requests for renewal of DACA to USCIS.

In calendar year 2018, 275,344 individuals are set to have their DACA/EADs expire. Of these 275,344 individuals, 7,271 have submitted requests for renewal to USCIS.

From January through August 2019, 321,920 individuals are set to have their DACA/EADs expire. Of these 321,920 individuals, eight have submitted requests for renewal of DACA to USCIS.

Q16: What were the previous guidelines for USCIS to grant DACA?

A16: Individuals meeting the following categorical criteria could apply for DACA if they:

- Were under the age of 31 as of June 15, 2012;
- Came to the United States before reaching their 16th birthday;
- Have continuously resided in the United States since June 15, 2007, up to the present time;
- Were physically present in the United States on June 15, 2012, and at the time of making their request for consideration of deferred action with USCIS;
- Had no lawful status on June 15, 2012;
- Are currently in school, have graduated, or obtained a certificate of completion from high school, have obtained a General Educational Development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- Have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

Topics: [Border Security \(/topics/border-security/\)](/topics/border-security/), [Deferred Action \(/topics/deferred-action/\)](/topics/deferred-action/)

Keywords: [DACA \(/keywords/daca/\)](/keywords/daca/), [Deferred Action for Childhood Arrivals \(/keywords/deferred-action-childhood-arrivals/\)](/keywords/deferred-action-childhood-arrivals/)

Last Published Date: September 5, 2017

EXHIBIT 90

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), Martin Shively hereby declares as follows:

1. I am over the age of eighteen and competent to testify.
2. I am the Associate General Counsel for the U.S. Immigration Team at Microsoft Corporation (“Microsoft”). I manage the team responsible for providing immigration advice and support for Microsoft’s businesses and its visa-dependent employees and their dependent family members, and ensuring the compliance of our immigration programs in relation to all applicable laws and regulations. I have been employed in this capacity since 2016.
3. Microsoft employs more than 46,000 employees in the State of Washington, and more than 73,000 employees in the United States.
4. The pursuit of Microsoft’s mission on behalf of our customers around the world creates a substantial business need for finding, developing and attracting the brightest and most promising talent from around the country and around the world. We place a high priority on having a diverse workforce that can reflect the global customer base we serve and an inclusive culture as part of our core values. Our products and services, and ultimately our customers, benefit from input and contributions that draw from the diverse backgrounds found among our employees.
5. Microsoft has numerous outreach and recruiting programs including our College and High School Intern programs as well as DigiGirlz and YouthSpark which are designed to identify, attract and develop the most promising young talent in the country. Some of these programs are designed as direct recruiting programs and others are designed to increase interest in technology and computing more generally.
6. Microsoft’s Global Talent Acquisition and HR organizations invest deeply in attracting and retaining the best employees to support our business strategies and our customers. Given the persistent demand for high skilled talent and the tightness of the labor supply for professionals in our industry, the costs of recruiting employees are high. Unanticipated turnover is incredibly disruptive to business plans.
7. Microsoft is currently aware of 39 beneficiaries of DACA that are employees or current or recent interns. These employees and interns were encouraged by Federal authorities to

identify themselves and apply for DACA status to avail themselves of discretionary deferred action and the benefit of employment authorization documents.

8. These DACA beneficiaries are working across a range of Microsoft's business divisions, developing the next generations of Microsoft products and services. We have DACA beneficiaries in the Office Products Group, which produces our industry-leading suite of productivity apps; the Windows and Devices Group, which is responsible for the software platform, apps, games, store and devices that power the Windows ecosystem; the Cloud & Enterprise Group, which builds the infrastructure software and developer tools that power our cloud platform and services; the Artificial Intelligence and Research Group, which drives our strategy for artificial intelligence and forward-looking research and development; and LinkedIn, our online professional network designed to help members find jobs, connect with other professionals, and locate business opportunities. DACA beneficiaries are also employed in positions within our Finance organization as well as our Worldwide Commercial Business and Retail divisions, which engage directly with our customers.
9. Microsoft invested in some of the DACA beneficiaries before they joined the company as full-time employees through various Microsoft programs designed to identify and develop the country's most promising talent including our DigiGirlz and YouthSpark programs.
10. Microsoft's intern program—in which some of these DACA beneficiaries have participated—is a key mechanism by which Microsoft's businesses identify and attract the world's top students.
11. While our DACA employees are generally early in career, their accomplishments, impact in their teams and promise for the future reflect their significant value to the company and our communities. They are Software Engineers helping advance the development of our cloud services and collaboration tools—products and services that are fundamentally changing the landscape of productivity and work across the Fortune 1000, small and medium-sized businesses, and startups. They are supply chain experts forecasting hardware inventory requirements. They are Retail sales associates connecting consumers with the value of our products and services. They are Financial Analysts supporting our businesses. Those who are employed at LinkedIn are in core positions, including product and engineering roles, with responsibilities that directly contribute to the organization's mission to connect the world's professionals to make them more productive and successful. Together, our DACA employees are contributing directly to the way businesses and individuals are pursuing digital transformation and their ability to re-envision their business models and embrace new, more effective ways of engaging their own customers and empowering their own employees, and transforming their own products. In short, these individuals are an integral part of the fabric of Microsoft's business today and our collective mission to empower every person and organization on the planet to achieve more.

12. The loss of DACA work authorization for these employees will disrupt projects and deliverables within the Office Products Group, the Windows and Devices Group, Cloud & Enterprise, the Artificial Intelligence and Research Group, LinkedIn, Finance, World-Wide Commercial Business, and the Retail division. Microsoft will incur tens of thousands of dollars in recruiting costs to replace employees lost by the revocation of DACA, involving expenditures in talent sourcing and lead generation, recruiter assessments, and team interviews. In addition, the loss of DACA employees would create business delays and disruptions for our teams as they adjust to the loss of valuable, trained and impactful employees.
13. Microsoft's investment in those who participated in our intern program will be lost with the rescission of the DACA program.
14. In addition to the direct cost to Microsoft businesses to attract, recruit and hire employees, the loss of our DACA employees would cause the company to lose its investments in training and career development for these individuals. Microsoft will also lose the potential for these employees to make significant future contributions over the course of their careers. The Microsoft community will suffer the loss of community with these dynamic, driven and bright DACA beneficiaries. Finally, the rescission of DACA will affect Microsoft's ability to recruit the most talented, qualified employees in the future. Once DACA is rescinded, beneficiaries of the program will no longer be able to take advantage of the educational and training opportunities available through our nation's educational system, through internships and outreach programs (such as those described above), and through on-the-job training in the U.S. technology sector. This will shrink the pool of available talent available to companies like Microsoft, and ultimately harm the competitiveness of the U.S. technology sector.

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

Executed this 5th day of September, 2017.

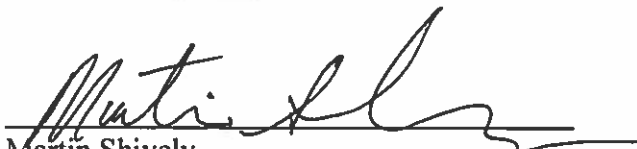

Martin Shively

EXHIBIT 91

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

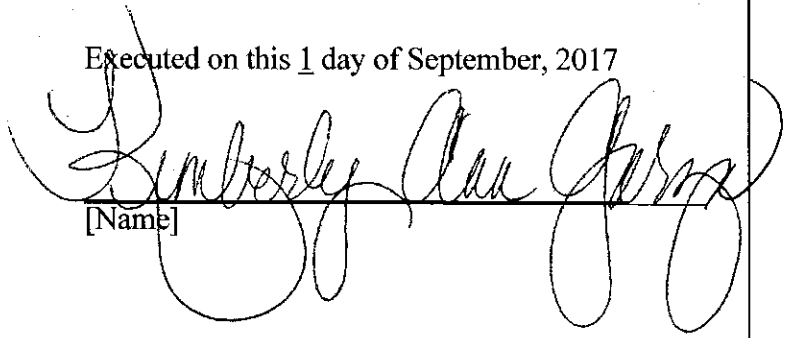
CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Kimberly Ann Garza, hereby declare as follows:

1. I am over the age of eighteen and competent to testify herein.
2. I am employed at Big Bend Community College. My job title is Vice-President of Human Resources & Labor. In this position, I report to the college President and have administrative responsibility for developing, implementing and maintaining a full range of human resource programs and services including planning, recruitment, benefits, leaves, compensation, contracts, classification, training, disciplinary actions, affirmative action/equal employment opportunities, employee and labor relations, complaint investigations, and adherence to applicable laws and regulations.
3. There are at least 1 full-time and 3 part-time employees at Big Bend Community College who are recipients of Deferred Action for Childhood Arrivals (DACA).
4. These employees provide direct services to students in areas such as academic support, financial aid, and student programs.
5. Big Bend Community College spends time and resources to recruit, hire, train, and supervise employees. When any employee departs, it creates disruption for our agency and costs us time and resources to replace and train that person.
6. The termination of DACA will be disruptive to operations, have a negative impact on the students we serve, and cause us to expend additional resources.

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

Executed on this 1 day of September, 2017



[Name]

EXHIBIT 92

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Rich Jones, hereby declare as follows:

1. I am over the age of eighteen and competent to testify herein.
2. I am employed at Washington State Office of the State Treasurer (OST). My job title is Human Resources Manager and my job description is the responsibility for the management, support, development and implementation of human resources activities and programs and oversight of the organizations most sensitive and complex human resource issues. I manage, supervisor, mentor and guide Human Resource staff in their performance and application of human resources and serve as a member of the Executive Leadership Team.
3. There is one employee at Washington State Office of the State Treasurer who is a recipient of Deferred Action for Childhood Arrivals (DACA).
4. The one DACA recipient is employed as a Senior Secretary in our Administration Division. That employee's job description is to support the organization's mission by performing varied and complex administrative and secretarial functions for the agency's Administration, Debt Management and Investments Divisions within the OST Legislative Building offices. Importantly, this position serves as the first point of contact ensuring communications with the public and other agency visitors/guests to include government officials and legislative leaders shows our commitment to being a transparent and professional organization.
5. The Washington State Office of the State Treasurer spends time and resources to recruit, hire, train, and supervise employees. When any employee departs, it creates disruption for our agency and costs us time and resources to replace and train that person. Moreover, as a small and principal state agency, the loss of a front office staff can create strain and stress on an area of the office that has been developed to operate effectively and efficiently with a minimal staffing level.
6. The termination of DACA will be disruptive to operations and cause us to expend additional resources.

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

Executed on this 1 day of September, 2017



Rich Jones, Human Resource Manager

EXHIBIT 93

TIME TO LEAD

The Need for Excellence in Public Higher Education



A Report to the People of Massachusetts
From the Massachusetts Department of Higher Education
September 2012



There is a knowledge explosion in the global economy, so we need all of Massachusetts educational assets to be firing on all cylinders.

—THE HONORABLE DEVAL L. PATRICK,
GOVERNOR, COMMONWEALTH
OF MASSACHUSETTS



Time to Lead

Today, more than ever, Massachusetts' knowledge economy depends on a highly educated workforce and on research that drives innovation.

Excellence at the Commonwealth's 29 public colleges and universities is essential to meeting these needs—and to maintaining our overall quality of life.

Through the Vision Project, public higher education has united to achieve the national leadership that our importance to the state demands.

Progress has been made, but in too many areas we are not yet national leaders.

This first Vision Project Report offers a full accounting of where public higher education stands in comparison with other states and describes a statewide strategy for reaching our goal.

WHAT'S INSIDE THIS REPORT

I. THE NEED FOR EXCELLENCE ■ 2

Why does Massachusetts need to achieve national leadership in public higher education? Find out why it is *Time to Lead* and read an executive summary of this report.

II. THE BASELINE ■ 14

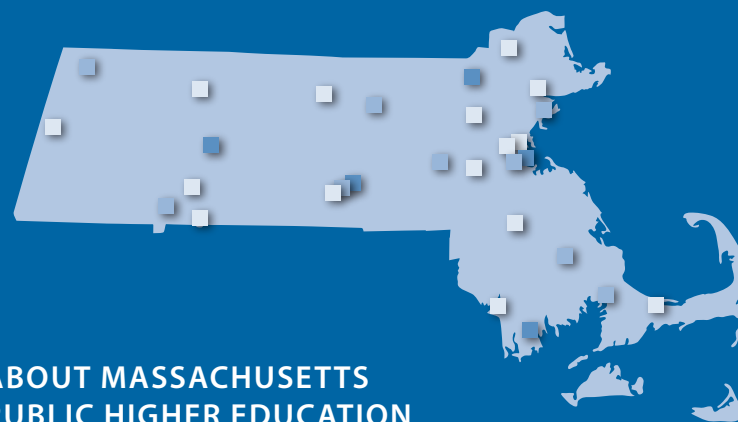
How do Massachusetts' public campuses compare with the rest of the nation? Dig into the data.

III. GOALS AND STRATEGIES ■ 40

What work is underway to achieve the goal of national leadership? Explore the array of state and campus initiatives.

IV. PARTNERSHIPS AND PUBLIC SUPPORT ■ 70

We can't do it alone. Public higher education needs help from key partners in the public, private and nonprofit sectors.



ABOUT MASSACHUSETTS PUBLIC HIGHER EDUCATION

- 29 CAMPUSES
 - 15 COMMUNITY COLLEGES
 - 9 STATE UNIVERSITIES
 - 5 UNIVERSITY OF MASSACHUSETTS CAMPUSES
- 290,000 STUDENTS
- 39,000 FACULTY AND STAFF
- \$590 MILLION IN ANNUAL RESEARCH EXPENDITURES

I. THE NEED FOR

EXCELLENCE

**And Our Strategy to Achieve It—
An Executive Summary**

The world has changed.

1973

28%

of U.S. jobs¹ required some college education.

2018

63%

of U.S. jobs¹ will require some college education.

And in this new world, Massachusetts will lead the nation with

70%

of jobs¹ requiring some college education.

■ Growth of high-wage jobs in Massachusetts comes mostly from a short list of knowledge-dependent sectors:

- Health Care
- Finance
- Technology
- Education
- Life Sciences

■ The national unemployment rate for recent high school graduates is more than triple that for recent baccalaureate graduates—24% vs. 7%.¹

■ If the Commonwealth is to compete effectively for jobs, investment and talent—and sustain our rich civic life and cultural landscape—

Massachusetts needs the best-educated citizenry and workforce in the nation, and we must be leaders in research that drives economic development.

Massachusetts doesn't make many ships or shoes anymore.

Massachusetts makes brains.

—ADMIRAL RICHARD GURNON, PRESIDENT, MASSACHUSETTS MARITIME ACADEMY

The role of Massachusetts public higher education has also changed.

1967

30%

of all undergraduate students in Massachusetts attended Massachusetts public colleges and universities.²

Today

52%

of all undergraduate students in Massachusetts are attending Massachusetts public colleges and universities.³

Among Massachusetts high school graduates

67%

of those who attend college in-state enroll at one of our public campuses.³

We're educating more students than ever before, and they come to us with bigger dreams and greater needs.

I'm proud of the job we're doing and the strides we've made.

—WILLIAM MESSNER, PRESIDENT,
HOLYOKE COMMUNITY COLLEGE

■ Massachusetts public colleges and universities also educate:

59% of Massachusetts African-American and Latino undergraduates.³

72% of Massachusetts adult undergraduates age 25 and older.³

■ Public campus enrollments have grown at more than twice the rate of independent colleges and universities over the past five years.³

The Commonwealth depends on our graduates and research.

One year after graduation

9 OUT OF **10**

Massachusetts public higher education graduates remain in the state, working or pursuing further education.⁴

■ **50% of undergraduate education degrees** awarded in Massachusetts are from our public colleges and universities.⁶

■ **33% of the undergraduate health care and science, technology, engineering and math (STEM) degrees** are from our public colleges and universities.⁶

■ **And 75% of the state's young working adults with associate's degrees** earned them at Massachusetts' community colleges.⁶

Since 2005

68%

growth in the University of Massachusetts' research expenditures, an increase of \$240 million, has advanced research and innovation.⁵

Sources:

¹ Georgetown University Center for Education and the Workforce

² U.S. Department of Higher Education (IPEDS/HEGIS), Fall 1967

³ U.S. Department of Higher Education (IPEDS), Fall 2010

⁴ Massachusetts Department of Higher Education, Executive Office of Labor and Workforce Development

⁵ National Science Foundation

⁶ Massachusetts Department of Higher Education

The Vision Project is Massachusetts' plan to achieve national leadership in public higher education.



the Vision Project

In 2010, in recognition of the heightened role of the state's public colleges and universities, the Massachusetts Board of Higher Education endorsed an ambitious strategic plan called the Vision Project. Since then, **the community colleges, state universities and University of Massachusetts have united with the Massachusetts Department of Higher Education in an effort to strengthen our performance** in both educational achievement and research—while also pledging to hold ourselves accountable to the public for results.

To focus our activities and track our progress, we have identified **seven key outcomes** in which Massachusetts needs to be a leader among state systems of higher education:

KEY OUTCOME

1 COLLEGE PARTICIPATION

Raising the percentage of high school graduates **going to college**—and the **readiness of these students** for college-level work.

KEY OUTCOME

2 COLLEGE COMPLETION

Increasing the percentage of students who complete **degree and certificate programs**.

KEY OUTCOME

3 STUDENT LEARNING

Achieving **higher levels of student learning** through better assessment and more extensive use of assessment results.

KEY OUTCOME

4 WORKFORCE ALIGNMENT

Aligning **occupationally oriented degree and certificate programs** with the needs of statewide, regional and local employers.

KEY OUTCOME

5 PREPARING CITIZENS

Providing students with the knowledge, skills and dispositions to be **active, informed citizens**.

KEY OUTCOME

6 CLOSING ACHIEVEMENT GAPS

Closing achievement gaps among **students from different ethnic, racial and income groups** in all areas of educational progress.

KEY OUTCOME

7 RESEARCH

Conducting research that drives **economic development**.

The Board vote to adopt the Vision Project agenda was historic.

It marked a turning point, the first time that the Commonwealth has launched such a bid to reach the highest possible bar of academic achievement in public higher education.

—CHARLES F. DESMOND,
CHAIRMAN, MASSACHUSETTS
BOARD OF HIGHER EDUCATION

EXECUTIVE SUMMARY

Massachusetts' new vision for public higher education has drawn national notice...

The Commonwealth:

■ Emerged as a national leader in the **Partnership for the Assessment of Readiness for College and Careers (PARCC)**, a collaboration among 24 states focused on dramatically increasing the number of students who graduate from high school ready for 21st-century demands in college and careers.

■ Initiated a national effort to develop **student learning assessment tools** that capture the complexity of college learning better than a single standardized test and that allow for comparisons between public campuses in Massachusetts and similar institutions in other states.

■ Developed a **Plan for Excellence in Science, Technology, Engineering and Mathematics (STEM) Education**. This cohesive approach to building the pipeline of STEM professionals has been identified by the National Governors Association as a model for other states.

■ Became the first state to add **civic engagement** to campus accountability measures, building on the Carnegie Foundation's recognition of ten of our campuses as community engagement schools and the inclusion of ten campuses on the 2012 President's Higher Education Community Service Honor Roll.

EXECUTIVE SUMMARY

... And, here at home, this comprehensive strategy has resulted in concrete actions.

Highlights include:

■ The Massachusetts Board of Higher Education raised **math and science standards** for admission to our state universities and the University of Massachusetts.

■ Campus collaboration continued to ease the process for **student transfer** among Massachusetts' public colleges and universities.

■ Campuses developed **new initiatives to support the Vision Project key outcomes**, funded in part by the Legislature's competitive Vision Project Performance Incentive Fund.

■ Faculty and staff from every campus have come together through regular meetings and quarterly conferences to learn from one another's best practices in **student learning assessment**.

■ Agencies across state government increased **collaboration in educational programming to meet workforce needs**.

■ Eleven campuses have joined with the Department of Higher Education to launch a **pilot financial aid program** to increase college completion rates for low-income and first-generation college students.

■ With the Medical School at the helm, the University of Massachusetts joined a national initiative to expedite the translation of **laboratory discoveries** into practical use.

Seeing the public campuses working together, sharing strategies—that's what impresses me most about the Vision Project.

—THE HONORABLE
MICHAEL O. MOORE,
SENATE CHAIR,
JOINT COMMITTEE ON
HIGHER EDUCATION

We're striving for excellence. Part of that is making sure no student is left behind.

—THE HONORABLE
TOM SANNICANDRO,
HOUSE CHAIR,
JOINT COMMITTEE ON
HIGHER EDUCATION

EXECUTIVE SUMMARY

Yet critical challenges remain...

- One-third of the students who enroll in Massachusetts public colleges and universities are not prepared for **college-level work**.
- Massachusetts lags behind other states, such as Virginia and Texas, in its college and university **graduation rates and measures of student success**.
- Student pass rates on **national licensure exams** in health care, accounting, social work, and engineering fields trail leading states by seven to 15 percentage points, while mean scores on **entrance exams** for medical, law, pharmacy, and graduate school trail national leaders by five points.
- Massachusetts needs to pick up the pace of **degree attainment** to remain on track to meet national graduation rate goals and workforce needs.
- Across all these indicators of educational success, large **disparities and achievement gaps** based on student race, gender, and economic status remain entrenched.

The Vision Project has set a clear leadership goal for Massachusetts. **We are doing well already, but doing well isn't good enough.** Our aim is to be the best, and the benchmarks set forth in the Vision Project give us a clear path leading there.

—PAUL REVILLE,
SECRETARY OF EDUCATION,
COMMONWEALTH OF
MASSACHUSETTS

EXECUTIVE SUMMARY

... And Massachusetts public higher education needs to grow more rapidly than projected to meet 2020 goals.

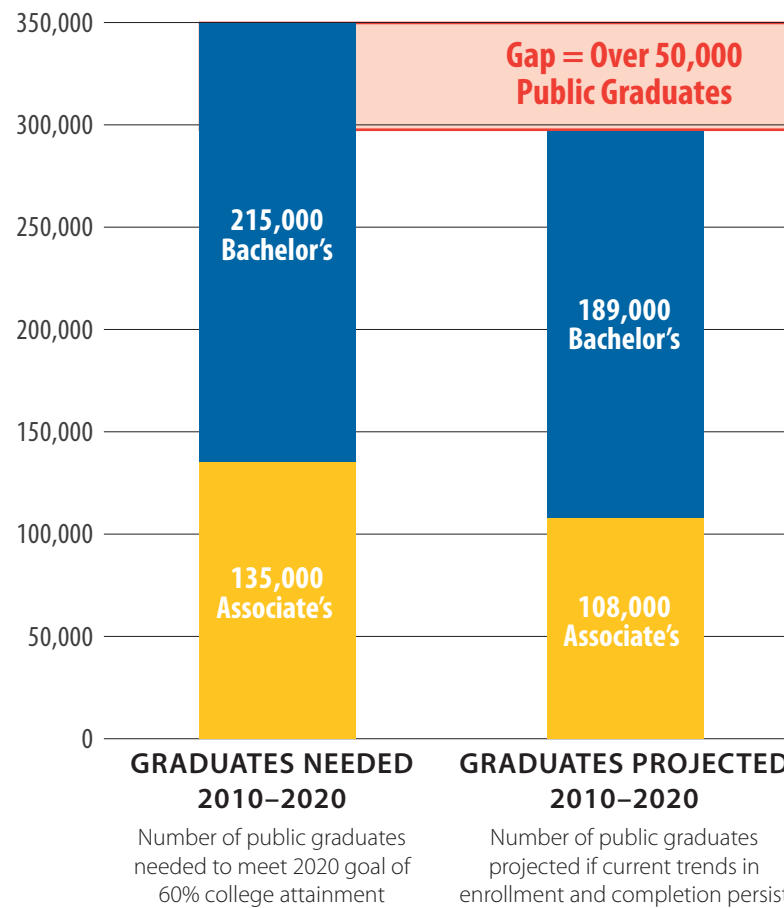
New Graduates from Massachusetts Public Higher Education: 2010–2020

This analysis is based on the goal of having 60 percent of Massachusetts 25–34-year-olds hold a college degree by 2020.

This goal aligns with both the national goal of restoring the U.S. to global leadership in educational attainment, and projections of future workforce needs in Massachusetts.

This chart highlights the number of associate’s and bachelor’s degree-holders our public campuses need to graduate for Massachusetts to reach this target.

Source: MDHE analysis based on data from NCHEMS, USDOE, and Georgetown CEW.



Quoting President Kennedy last year at my inaugural, I said: “Our progress as a nation can be no swifter than our progress in education. The human mind is our fundamental resource.”

Providing access to a quality education ensures for our students a path to achievement, and for the Commonwealth a dynamic future.

—ROBERT L. CARET, PRESIDENT, UNIVERSITY OF MASSACHUSETTS

EXECUTIVE SUMMARY

Our public system is on the move to national leadership... but we can't get there alone.

■ BUSINESS AND EMPLOYER COMMUNITY PARTNERS

The business and employer community has provided critical support, funding science, technology, engineering and math (STEM) projects, launching internship programs like the **Massachusetts Competitive Partnership's** "Learn and Earn" program, and supporting campus research endeavors.

■ EDUCATIONAL PARTNERS

Colleagues in **early childhood, elementary and secondary education** have worked with higher education policymakers to increase student readiness for college-level work, create data systems that follow students from pre-school through postsecondary education, and improve teacher preparation programs.

And through regional campus consortia and projects such as the **Nursing and Allied Health Initiative**, **independent colleges and universities** have worked collaboratively with state campuses to grow opportunities for students.

■ PHILANTHROPIC PARTNERS

Over the past two years, the Department of Higher Education has raised more than \$2.5 million from private foundations—including the **Boston, Nellie Mae Education, Davis Educational, Hewlett, Lumina, Balfour, and Gates Foundations** and the **National Governors Association**—to support Vision Project initiatives.

■ NATIONAL ASSOCIATION AND ORGANIZATION PARTNERS

National non-profits such as the **State Higher Education Executive Officers (SHEEO)** and the **American Association of Colleges and Universities (AAC&U)** have provided expertise, insight, and support to key areas of the Vision Project.

■ FEDERAL PARTNERS

Federal support of higher education targets two areas: financial aid grants and research. In 2011 Massachusetts public higher education received \$655 million in federal grants for these two areas, with 40% going to financial aid and 60% to research. In addition, programmatic support from the federal government in the past two years has totaled \$29 million, including a \$20 million **U.S. Department of Labor** grant won through a joint effort by all 15 community colleges.

■ STATE GOVERNMENT PARTNERS

The **Patrick-Murray Administration** and the **Legislature** have worked hard despite challenging fiscal circumstances to protect funding of public higher education. A 2008 bond bill made possible critical investments in campus infrastructure. The Vision Project Performance Incentive Fund grants represent the first performance-based funding awarded to public colleges and universities in recent decades, and received \$7.5 million in new funding in the FY13 budget.

But Massachusetts still ranks in the middle tier of states in appropriations per full-time student. Our persistently low standing reflects a history of complacency about public higher education in a state with many prestigious private institutions. More recently, explosive enrollment growth that has outpaced funding has exacerbated this pattern.

- Massachusetts public higher education enrollment grew 21 percent from 2006 to 2011.

- In 2011, Massachusetts ranked 30th among states in higher education funding per student, behind such states as California, Connecticut, Florida, Illinois, Kentucky, Louisiana, Maine, Maryland, Mississippi, New Jersey, New York, North Carolina, Texas, Washington, and Wisconsin.

As funding has declined, the cost of attendance has increased, creating a major burden on those least able to pay.

- The MASSGrant, the Commonwealth's major financial aid grant program for low-income students, covers only 8 percent of tuition and fees for a public college or university in the Commonwealth. In 1988, the MASSGrant covered 80 percent of student charges.

■ In the years ahead, all of these critical partnerships and sources of support need to be strengthened if we are to attain national leadership.

As a technology leader, our greatest asset is our world-class people. To consistently innovate, it is critical for businesses like ours to strengthen partnerships with the Commonwealth's public universities and community colleges, so that the students of today can attain the skills they need to excel in the jobs of tomorrow.

—WILLIAM H. SWANSON,
CHAIRMAN AND CEO,
RAYTHEON COMPANY

II. THE **BASELINE**

How do Massachusetts public campuses compare with the rest of the nation?

■ This section presents the baseline data that we will use to track our progress in the Vision Project key outcome areas in the years to come. As the goal of the Vision Project is to achieve national leadership in each of these areas, we compare Massachusetts against the Leading States as well as the National Average on each metric.

KEY OUTCOME **1 COLLEGE PARTICIPATION** ■ 16

KEY OUTCOME **2 COLLEGE COMPLETION** ■ 22

KEY OUTCOME **3 STUDENT LEARNING** ■ 26

KEY OUTCOME **4 WORKFORCE ALIGNMENT** ■ 28

KEY OUTCOME **5 PREPARING CITIZENS** ■

*Metrics will be developed in the coming year;
analysis will appear in future reports*

KEY OUTCOME **6 CLOSING ACHIEVEMENT GAPS** ■ 34

KEY OUTCOME **7 RESEARCH** ■ 38

APPENDICES

DATA SOURCE ACRONYM GLOSSARY ■ 80

INDEX OF LEADING STATES ■ 80

SEE ALSO

WWW.MASS.EDU/VPREPORT
for additional data

KEY OUTCOME

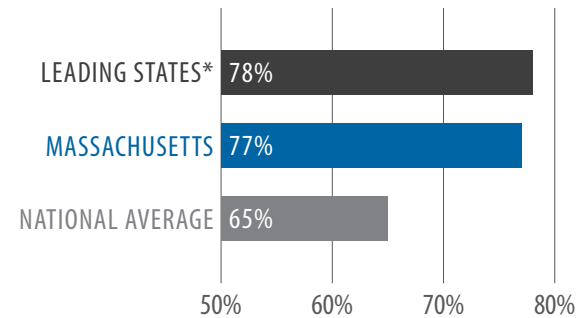
1 COLLEGE PARTICIPATION

Massachusetts is a national leader in the percentage of high school graduates who go to college and who are ready for college-level work. But challenges remain—even as national leaders, too many of our students are not college-ready, and large disparities persist in readiness and participation by race, ethnicity and socioeconomic status.

KEY METRIC

Is Massachusetts a national leader in the college-going rates of recent high school graduates? *Yes.*

College Enrollment Rates of Recent High School Graduates



Cohort: Recent high school graduates (graduated within past year) enrolled anywhere (public or private, in state or out of state) as first-time, degree-seeking students in fall 2010.

Source: USDOE/IPEDS, WICHE**

* Leading states defined as average of top five states for each outcome, unless noted otherwise. Index of Leading States is available on page 80.

** See the Data Source Acronym Glossary on page 80 for the full names of these organizations.

Understanding College Participation Measures

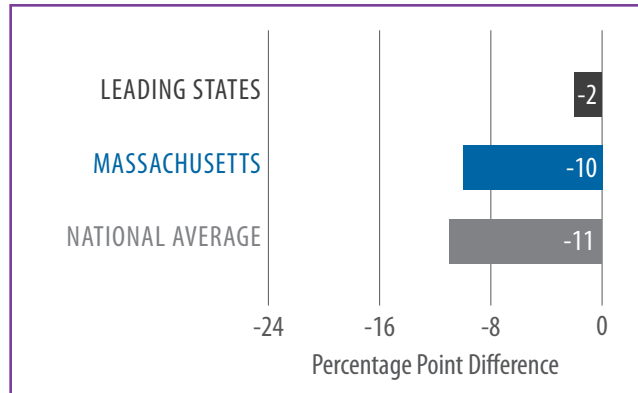
No single data source provides information on all aspects of college participation and college readiness, so this section uses four different data sources to create a complete picture. As a result, the populations of students studied shift somewhat for each metric, and are noted accordingly. College Readiness measures, shown on pages 18–21, are the most challenging. In addition to academic preparation, college readiness encompasses

a range of skills and attitudes such as persistence, time management, the ability to work independently, an understanding of the performance levels expected in college, and facility in interacting with college professors and peers. Most college readiness measures however, including those used here, assess only academic preparation in specific fields.

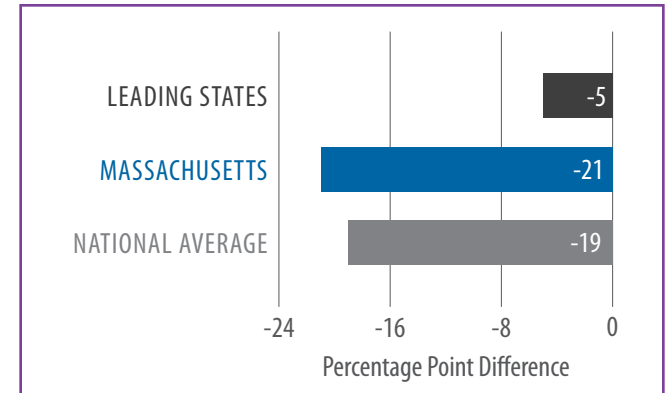
KEY METRIC

Is Massachusetts a national leader in reducing disparities in the college-going rates of young adults? *No.*

African-American/White Gap in College Enrollment Rates of 18- to 24-Year-Olds



Latino/White Gap in College Enrollment Rates of 18- to 24-Year-Olds



Cohort: 18- to 24-year-olds enrolled in college, at public or private institutions, in 2007–2009.

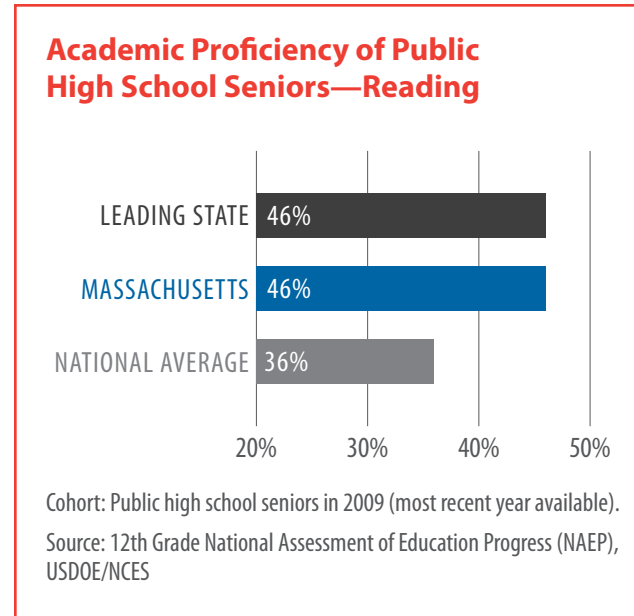
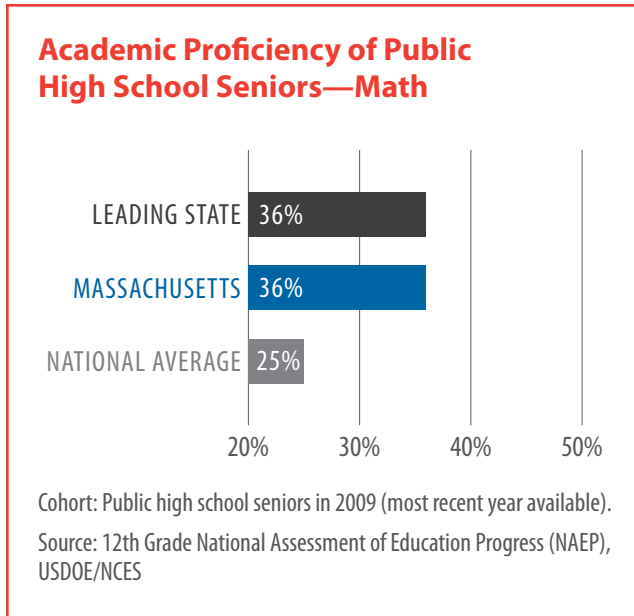
Source: US Census Bureau, 2007–09 American Community Survey

Note shift in population studied from recent high school graduates to 18- to 24-year-olds. National achievement gap data are not available for recent high school graduates. National comparison data on gaps by gender or income are not currently available for either group.

On all achievement gap charts, unlike the other charts in this report, smaller bars indicate better performance.

ADD'L METRIC

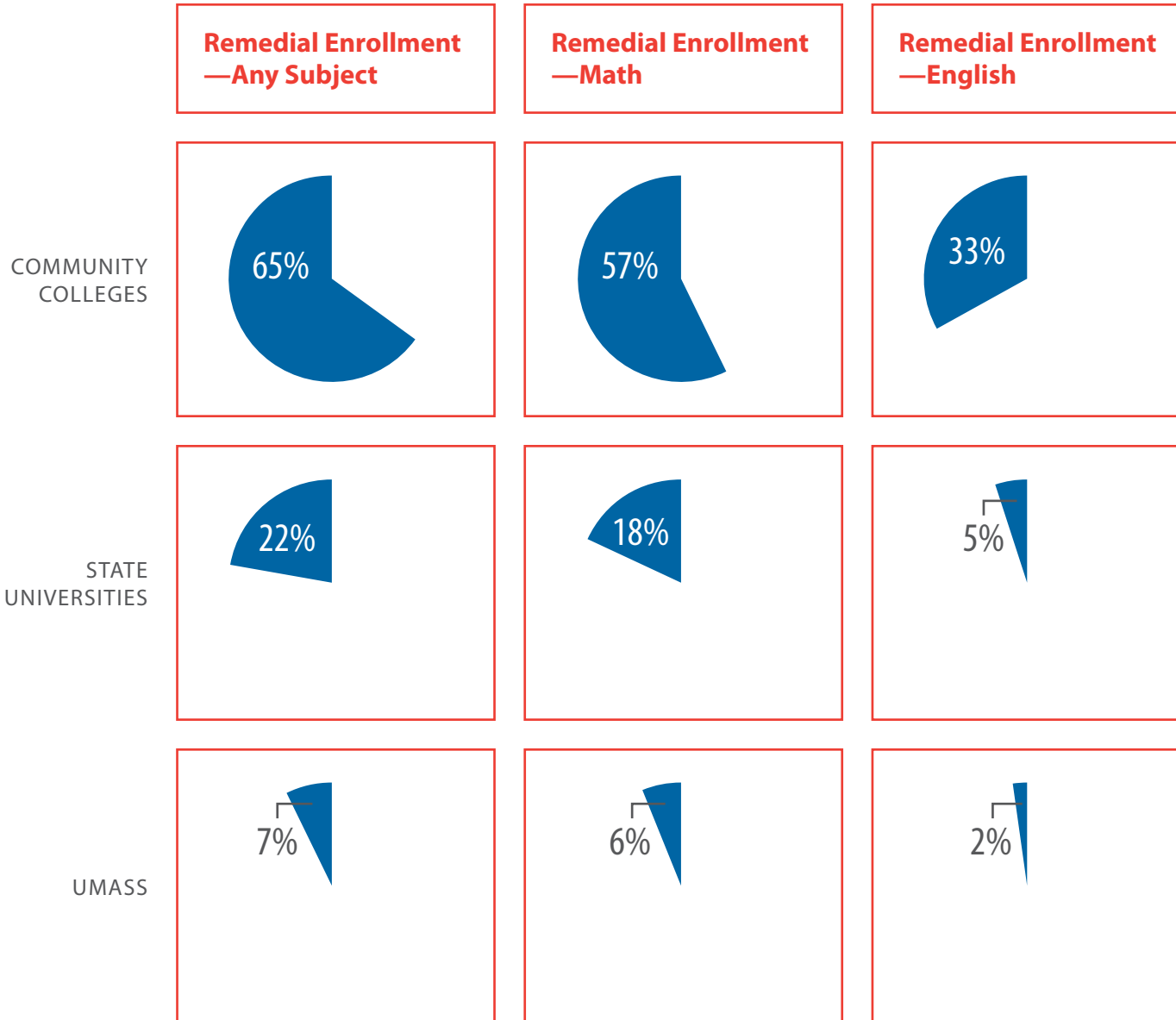
Is Massachusetts a national leader in preparing high school students for college-level work? Yes. *But even here, in the leading state, the majority of students do not achieve proficiency on the 12th grade NAEP math and reading exams.*



The results on the National Assessment of Educational Progress (NAEP) shown above indicate the percentage of students scoring Proficient or higher on the 12th grade NAEP exam. This level correlates with a score of 500 on the SAT Reading and Math exams. While the national average is based on students in all states, leading state data comes from a NAEP pilot study of 11 states: AR, CT, FL, ID, IL, IA, MA, NH, NJ, SD and WV. Massachusetts is the leading state within this study in both Math and Reading.

ADD'L METRIC

What percentage of Massachusetts public high school students enter our public higher education system underprepared for college-level work?



This page presents Massachusetts data only. Because policies for placement into remedial education vary significantly by state, no meaningful national comparison is possible.

Readers who compare remedial education enrollment with the NAEP proficiency results shown on page 18 may notice that the percentage of students who place out of remedial education is more, and in the case of the four-year institutions considerably more, than the percentage who achieve proficiency on the NAEP exam. The primary explanation for this difference lies in the different populations of students examined. The NAEP exam tests high school seniors, including those who never go on to higher education, whereas the remedial education percentages reflect only students who have made it to college.

Cohort: First-time, full-time, degree-seeking students who are recent Massachusetts public high school graduates and who enrolled in remedial courses in fall 2011.

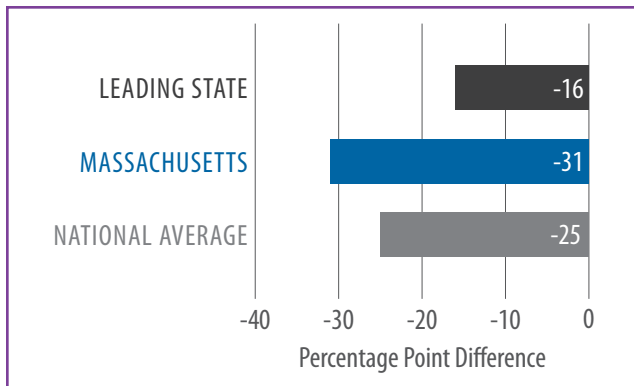
Source: MDHE/HEIRS

ADD'L METRIC

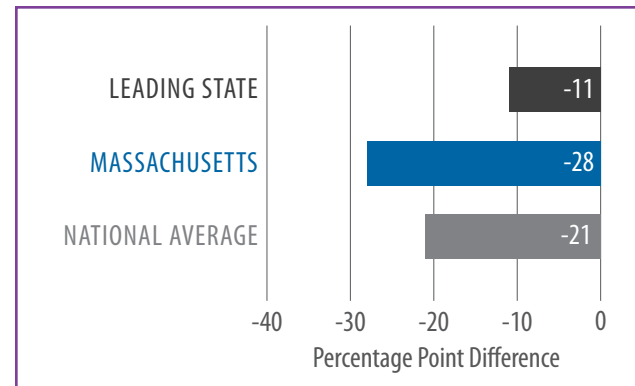
Is Massachusetts a national leader in closing achievement gaps in college preparedness? **No.**

While Massachusetts' achievement gaps exceed the national average, we are at or above the national average in the proficiency of our students when compared with that of students of the same race, ethnicity, or income.

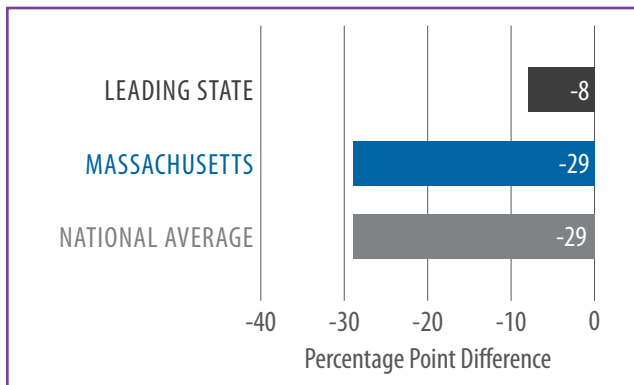
African-American/White Gap in Academic Proficiency of High School Seniors—Math



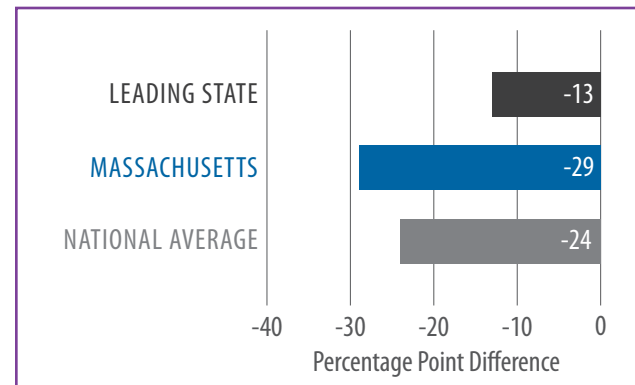
Latino/White Gap in Academic Proficiency of High School Seniors—Math



African-American/White Gap in Academic Proficiency of High School Seniors—Reading

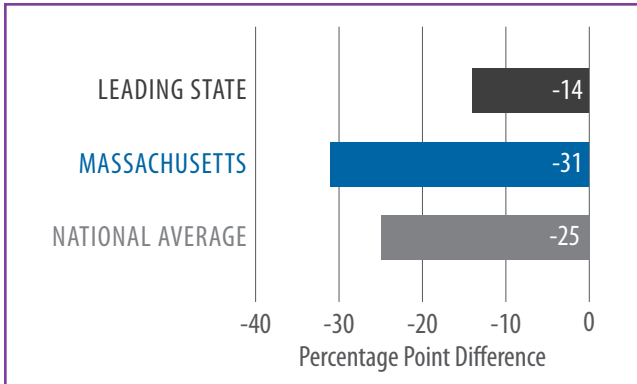


Latino/White Gap in Academic Proficiency of High School Seniors—Reading

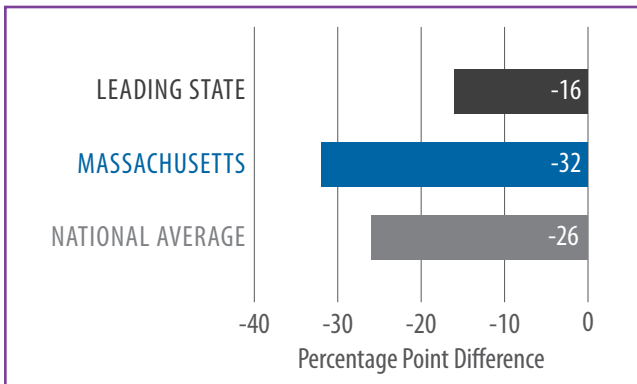


**Parental Education Gap
in Academic Proficiency of
High School Seniors—Math**

Parental Education gaps are a widely used measure of socioeconomic status. In these charts, the gaps show the difference in outcomes between those students whose parents hold only high school diplomas or less, and those students with at least one parent holding a college degree.



**Parental Education Gap
in Academic Proficiency of
High School Seniors—Reading**



Cohort for both rows: Public high school seniors in 2009 (most recent year available).

Source: 12th Grade National Assessment of Education Progress (NAEP), USDOE/NCES

Why are income gaps not reported in the Vision Project?

Many researchers believe that family income is the strongest predictor of academic success—stronger than race/ethnicity and gender. In recognition of this, the Board of Higher Education voted to include income gaps in the metrics used to measure progress in Closing Achievement Gaps.

In the area of College Participation, we know that in Massachusetts the college enrollment rates of recent high school graduates from low-income families is 23 percentage points below those of their peers. But a national comparison is not currently available.

Likewise, in College Completion and other outcome areas, income data is sparsely available in Massachusetts and even less available in national data sets. Congress recently began to require higher education institutions to submit the graduation rates of students eligible for Pell Grants. As data of this kind becomes publicly available, greater income analysis will appear in Vision Project reports.

KEY OUTCOME

2 COLLEGE COMPLETION

College completion increases an individual’s employment prospects and is the strongest indicator of future civic participation. Students who graduate are also better able to pay back college loans. In this area, Massachusetts trails national leaders by 6 to 13 percentage points and has achievement gaps by race, ethnicity, income, and gender.

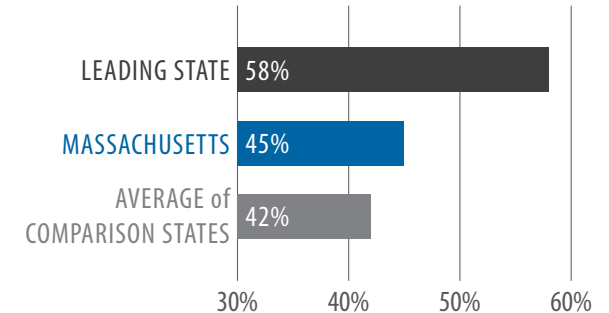
KEY METRICS

Is Massachusetts a national leader in the college completion rates of its public higher education students? No.

The “Achieving the Dream” indicator recognizes the complex multiple missions of the Community College segment by including both full- and part-time students and capturing students who, within six years of initial enrollment, earn an associate’s degree or certificate, transfer to a four-year institution, or are still enrolled with at least 30 credits earned.

Data is only available for nine states—Connecticut, Florida, Massachusetts, North Carolina, Ohio, Oklahoma, Texas, Virginia, Washington. Because of the small comparison group, national leadership is equated with the performance of the top state, rather than the top 5 states.

COMMUNITY COLLEGES
**“Achieving the Dream”
 Six-Year Success Rate**



Cohort: First-time, degree-seeking students entering in fall 2003; measure examines their rate of success by September 2009.

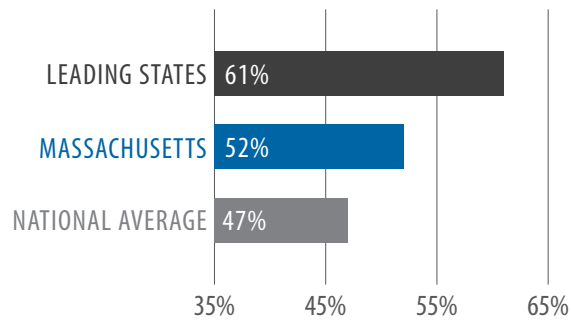
Source: MDHE/HEIRS, NSC, Jobs for the Future

**Understanding
College Completion
Measures**

In recent years, graduation rates have engendered considerable national debate, particularly in relation to community college students. The graduation rates tracked by the National Center for Education Statistics—the sole source of national comparison data—ignore the considerable percentage of community college students who transfer or attend part time. Moreover, NCES data only counts students as graduating if they gradu-

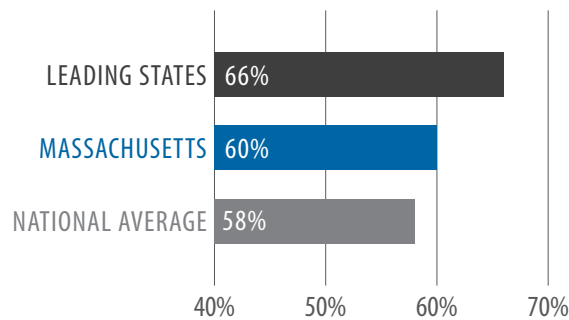
ate from the same college at which they began. Students who transfer and then graduate elsewhere count as failures under this approach. For this reason we use an alternative measure of community college success, but in doing so sacrifice the ability to compare against a broad range of states. National comparisons using the NCES data are available on the Vision Project report website at www.mass.edu/vpreport.

**STATE UNIVERSITIES
Six-Year Graduation Rate**



Cohort: First-time, full-time, degree-seeking students entering in fall 2004; measure examines their rate of graduation by August 2010.
Source: USDOE/IPEDS

**UMASS
Six-Year Graduation Rate**



Cohort: First-time, full-time, degree-seeking students entering in fall 2004; measure examines their rate of graduation by August 2010.
Source: USDOE/IPEDS

As noted above, transfer students, who compose roughly a third of all new students enrolling in public bachelor degree programs, are not included in the Six-Year Graduation Rate metrics. Their graduation rate is 60% in the State University segment and 60% in the UMass segment.

In addition, many students transfer from UMass or their state university and successfully complete their studies at a different institution. Including those students raises the graduation rate by 12 percentage points in the State University segment and 14 percentage points in the UMass segment. No national comparisons are available for graduation rates of students who transfer into or out of four-year colleges.

KEY METRIC

Is Massachusetts a national leader in closing achievement gaps in college completion rates of its public higher education students? *No.*

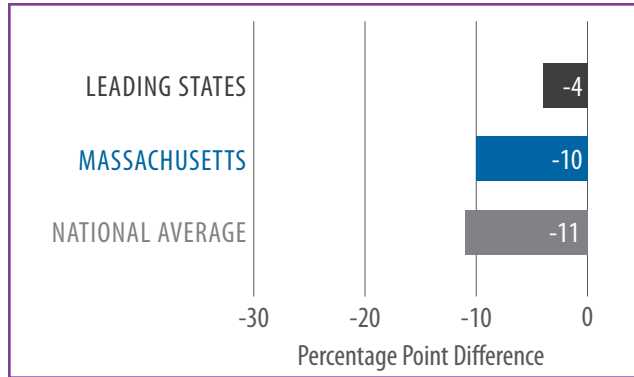
COMMUNITY COLLEGES

Three-Year Graduation Rate

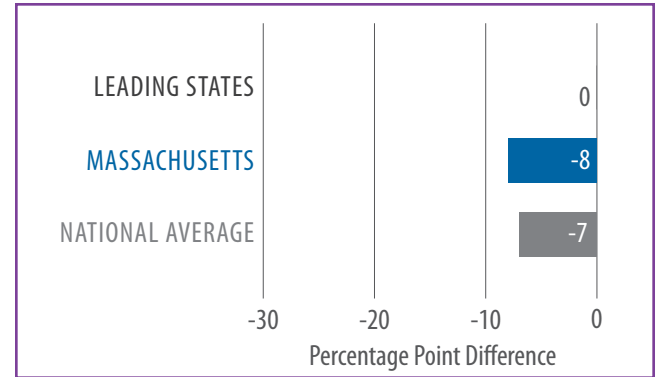
Cohort: First-time, degree-seeking students entering in fall 2007; measure examines their rate of graduation by August 2010.

Source: USDOE/IPEDS

African-American/White Gap in Public Higher Ed Graduation Rates



Latino/White Gap in Public Higher Ed Graduation Rates

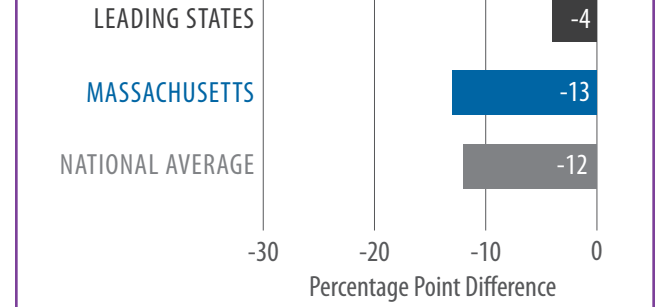
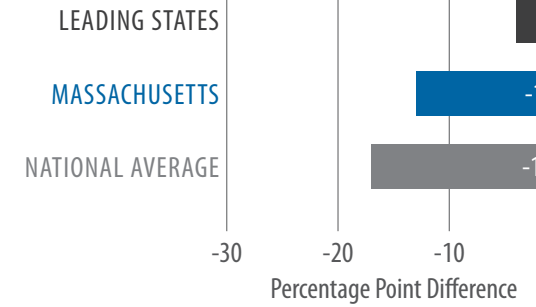


STATE UNIVERSITIES

Six-Year Graduation Rate

Cohort: First-time, full-time, degree-seeking students entering in fall 2004; measure examines their rate of graduation by August 2010.

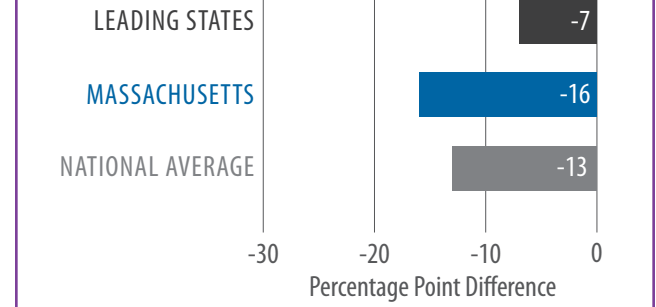
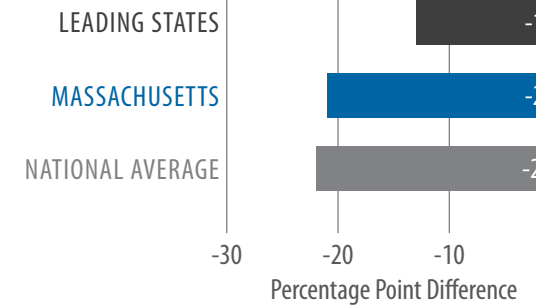
Source: USDOE/IPEDS



UMASS
Six-Year Graduation Rate

Cohort: First-time, full-time, degree-seeking students entering in fall 2004; measure examines their rate of graduation by August 2010.

Source: USDOE/IPEDS



Note the change to Three-Year Graduation Rate as the focus of our analysis of Community College achievement gaps in this section. The Achieving the Dream Success Rate Indicator (Key Metric on page 22) lacks the data from other states needed to do achievement gap analyses.

Why are gender gaps not reported in the Vision Project?

On average, gender-based achievement gaps are the smallest of those examined in the Vision Project, with several outcomes showing no gaps at all. In some areas, however, gender gaps are significant. Gender-based gaps are unusual in that females trail males in some measures, while males lag behind females in others.

Female students at Massachusetts' public campuses lag behind males by 21 percentage points in the achievement of competitive scores on the MCAT entrance exam to medical school, and by 8 to 17 percentage points in participation in Science, Technology, Engineering or Math (STEM) majors. Male high school students trail females by 9 to 10 percentage points in college enrollment rates and college preparedness in reading. Male students also trail females by 6 to 22 percentage points on nursing licensure exam pass rates.

Additional analysis of gender-based gaps is available on the Vision Project Report website at www.mass.edu/vpreport.

KEY OUTCOME

3 STUDENT LEARNING

Because college completion rates do not indicate actual levels of academic achievement, the Vision Project also tracks measures of what public college graduates know and are able to do. The best available data that allows cross-institutional comparisons comes from results on national licensure and graduate entrance exams; on these tests Massachusetts is 5 to 15 percentage points from national leadership.

Licensure and graduate entrance exams capture only a portion of students and student work. See page 58 for an overview of our work to develop new Student Learning measures.

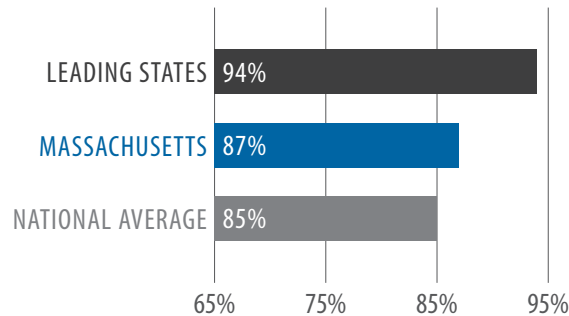
KEY METRICS

Is Massachusetts a national leader in pass rates of public higher education students on national licensure exams? *No.*

National achievement gap data is not available for licensure exams or the workforce metrics used in the following section. See pages 34–37 for Massachusetts-only data on disparities in outcomes by race and ethnicity.

COMMUNITY COLLEGES

Pass Rates on National Licensure Exams



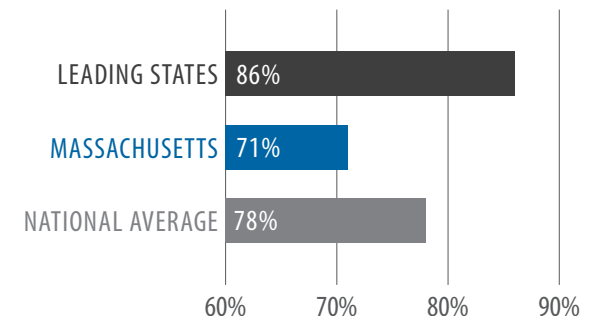
Tests included: Dental Assistant, Dental Hygiene, Licensed Practical Nurse, Medical Assistant, Occupational Therapy Assistant, Physical Therapy Assistant, Radiation Technologist, Registered Nurse, Respiratory Therapy Assistant, Surgical Technologist

Cohort: Cohorts vary by test; see technical appendix on website for more information.

Source: National testing agencies; see technical appendix on website for more information.

STATE UNIVERSITIES

Pass Rates on National Licensure Exams



Tests included: Certified Public Accountant, Registered Nurse, Social Work BA

Cohort: Cohorts vary by test; see technical appendix on website for more information. Because of the comparatively small numbers of state university students taking these exams, results are aggregated over the most recent three years.

Source: National testing agencies; see technical appendix on website for more information.

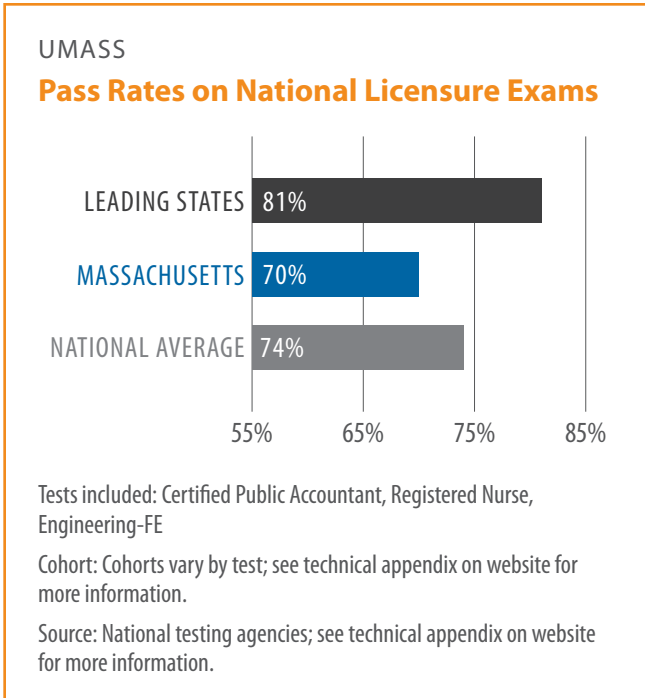
Understanding Student Learning Measures

Research shows that the best way to determine what college students know and can do is to examine their learning outcomes from multiple viewpoints. Future Vision Project reports will look at student learning through three different lenses: (1) assessments of student coursework based on the same standards used by other institutions; (2) national licensure and

graduate entrance exams; and (3) indirect assessments—student surveys that identify the prevalence of practices tied to increased student learning. Of these, only the exam data is available for this first Vision Project report. See page 58 for a more detailed explanation of Massachusetts’ plans to improve student learning through better assessment.

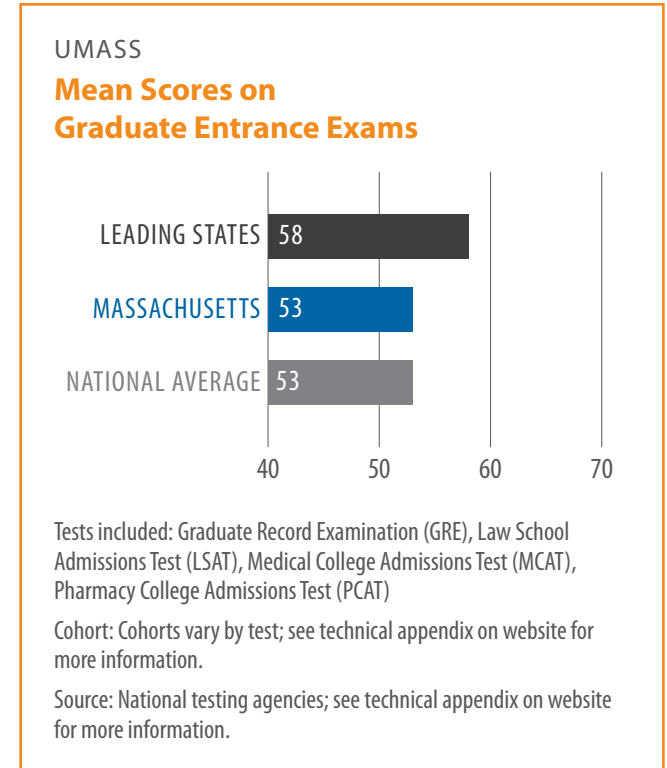
ADD’L METRIC

Is Massachusetts a national leader in performance by public higher education students on graduate entrance exams? *No.*



Graduate entrance exams use widely varying score ranges (for instance, 120–180 for the LSAT and 3–45 for the MCAT). Scores were normalized to a 0–100 scale in order to make aggregation possible.

Another way to look at graduate entrance exams is the percentage of students above a competitive score. At UMass, 29% of students scored above a competitive score, compared with a 34% National Average. Competitive scores were determined by national experts from NCHEMS.



KEY OUTCOME

4 WORKFORCE ALIGNMENT

OVERALL

In Massachusetts' knowledge-based economy, increasing college attainment is critical to providing the highly educated workforce that employers demand. Massachusetts is currently on track to meeting the national goal of having 60% of 25- to 34-year-olds hold college degrees by 2020, but in future years will need greater gains to stay on track.

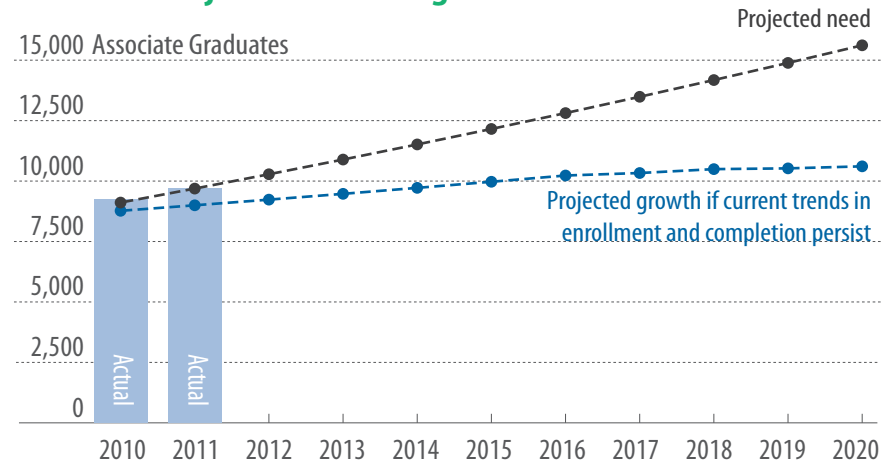
KEY METRIC

Are we on track to have 60% of Massachusetts' 25- to 34-year-olds holding a college degree by 2020?

Yes. Massachusetts' public colleges and universities have met the target number of graduates for 2010 and 2011—but greater annual gains will be needed in the future to stay on track.

COMMUNITY COLLEGES—ASSOCIATE'S DEGREES IN ALL FIELDS

Trends and Projections in College Attainment



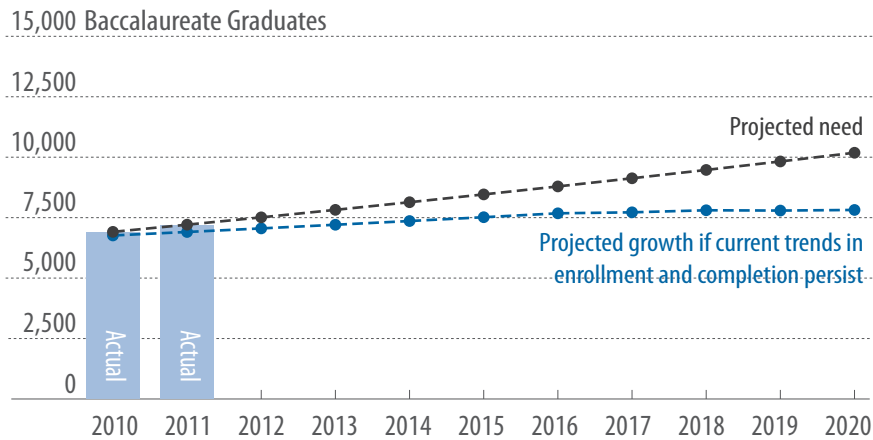
Source: MDHE with data from NCHEMS, Georgetown Center for Education and the Workforce, USDOE/IPEDS

Understanding Overall Workforce Alignment Measures

The projections below began with calculations of the college graduates Massachusetts will need each year to meet the goal of 60% college attainment by 2020 (see page 11). To better align this goal with Massachusetts' specific workforce needs, this total number of graduates was then broken out by degree type—associate's, bachelor's, graduate—using projections

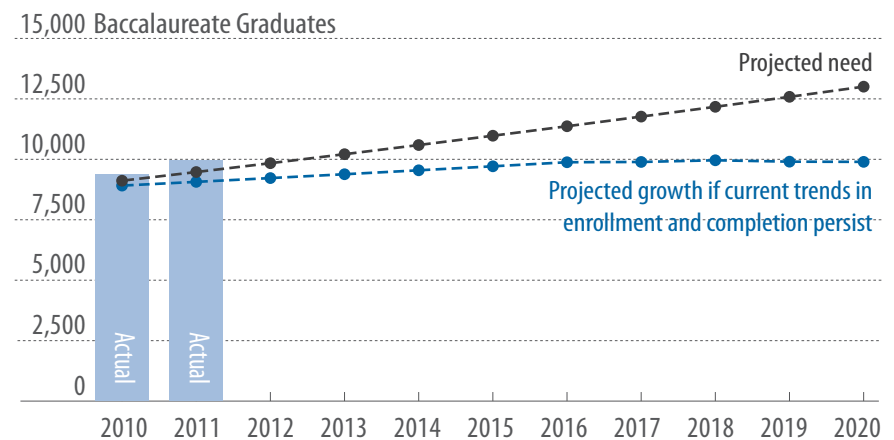
from Georgetown's Center for Education and the Workforce. Because this report focuses on Massachusetts' public campuses, degree totals were then broken out by public and private share using the current split in Massachusetts for each degree type. The charts do not show the private campus contribution to college graduates needed.

STATE UNIVERSITIES—BACHELOR'S DEGREES IN ALL FIELDS
Trends and Projections in College Attainment



Source: MDHE with data from NCHEMS, Georgetown Center for Education and the Workforce, USDOE/IPEDS

UMASS—BACHELOR'S DEGREES IN ALL FIELDS
Trends and Projections in College Attainment



Source: MDHE with data from NCHEMS, Georgetown Center for Education and the Workforce, USDOE/IPEDS

KEY OUTCOME

4 WORKFORCE ALIGNMENT

HIGH-NEED FIELDS

High-need fields—STEM, health care, and business and finance—show both high projected growth in employment due to new job creation, and high projected vacancies due to retirements and other departures. In these fields, Massachusetts is not a national leader in the alignment between projected job openings and qualified graduates to fill them.

KEY METRICS

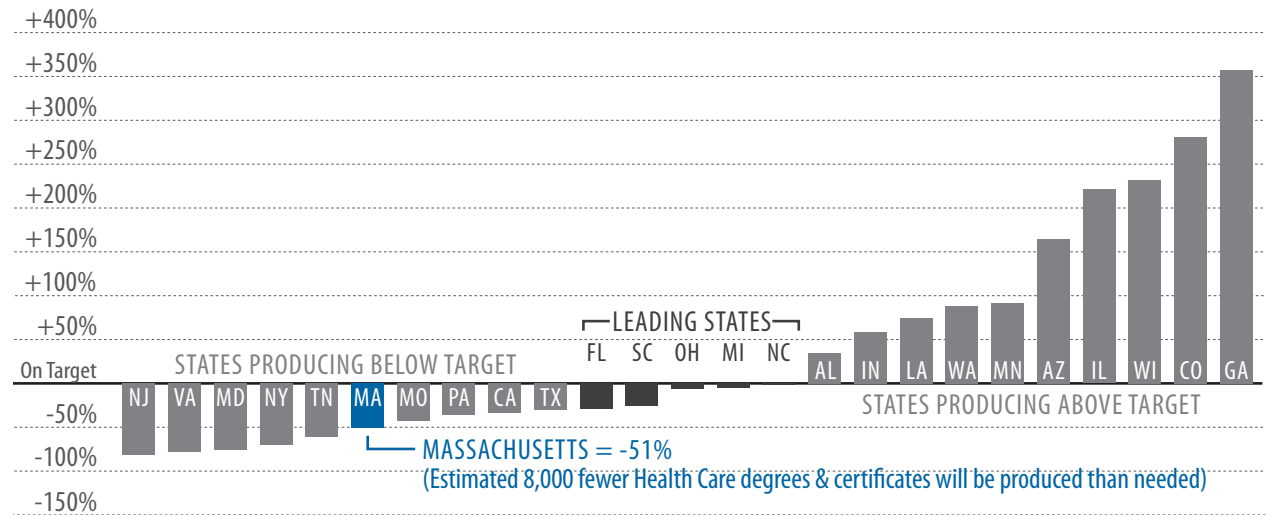
Is Massachusetts a national leader in aligning public degree programs with future workforce needs in health care? **No.**

High-Need Fields: This metric focuses on three high-need fields: Health Care; Science, Technology, Engineering, and Mathematics (STEM); and Business and Finance. While graduates of Massachusetts' public campuses are employed in a wide range of fields, these three areas show both a high level of projected growth and a high number of future vacancies. By 2018, they will represent 35% of Massachusetts jobs requiring a college education.

These fields include the four high-growth sectors on which the Patrick-Murray Administration's workforce development strategy focuses: Health Care, Life Sciences, IT, and Advanced Manufacturing. The latter three are included in the STEM field analysis.

Comparison States: For this metric, Massachusetts is compared against the 25 most populous states in the nation, as alignment in smaller states is often skewed to overproduction because of issues of scale.

COMMUNITY COLLEGES—ASSOCIATE'S DEGREES & CERTIFICATES IN HEALTH CARE SUPPORT
Projected Percentage Gap by 2018 Between Degrees Produced and Degrees Needed

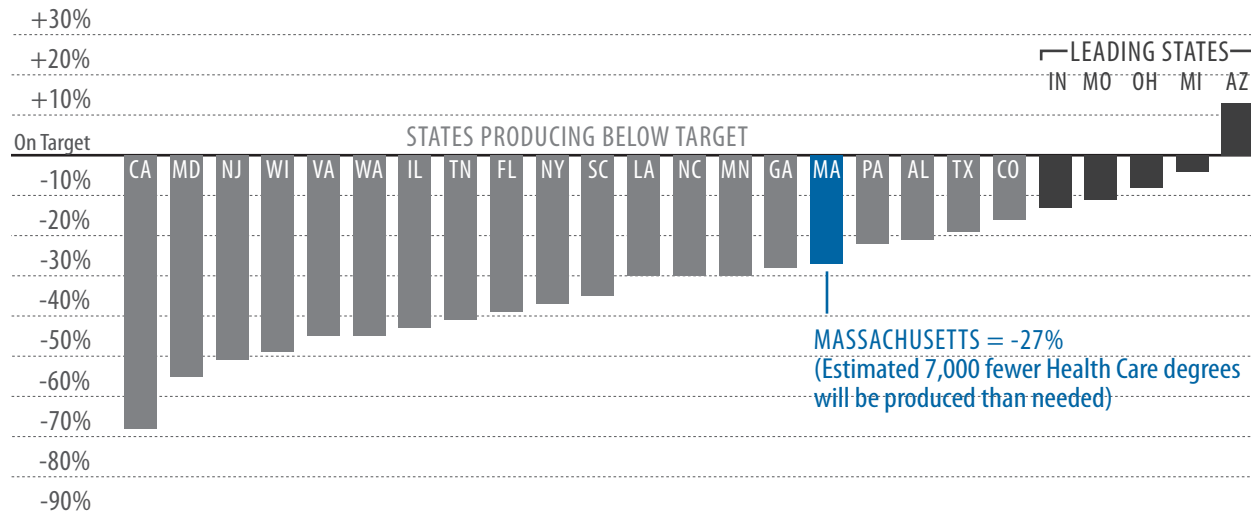


Understanding High-Need Fields Workforce Alignment Measures

The methodology for this cutting-edge alignment metric was developed by William Mass and the Center for Industrial Competitiveness at the University of Massachusetts Lowell, in partnership with the Massachusetts Department of Higher Education. To our knowledge, this is the first attempt to make state-by-state comparisons of the alignment between projected job openings and qualified college graduates. As with any new metric, we expect to make ongoing improvement of

both analyses and underlying data. Percentage gaps shown on the charts below should not be regarded as definitively indicative of poor alignment, but rather as a flag for further study. Retention and graduation rates in key occupational areas, as well as the number and percentage of students pursuing STEM degrees, are available on the Vision Project report website at www.mass.edu/vpreport.

STATE UNIVERSITIES & UMASS—BACHELOR’S DEGREES IN HEALTH CARE PRACTICE
Projected Percentage Gap by 2018 Between Degrees Produced and Degrees Needed



How to read the charts in this section:

- Leading states are defined as those closest to target.
- This metric looks at future workforce needs, rather than current job vacancies.
- Each chart compares projected job openings in a given high-growth field with the projected number of graduates possessing degrees in that field.
- To allow comparisons between states of different sizes, the chart shows a percentage: the gap between degrees projected and degrees needed, divided by the total degrees needed.
- Bars at the target line indicate states where the projected need for graduates is aligned with the projected number of graduates. The gap here is zero.
- The comparison looks only at public campus contribution to workforce development; the estimated number of future jobs is adjusted for the public higher education share of degrees in that field.

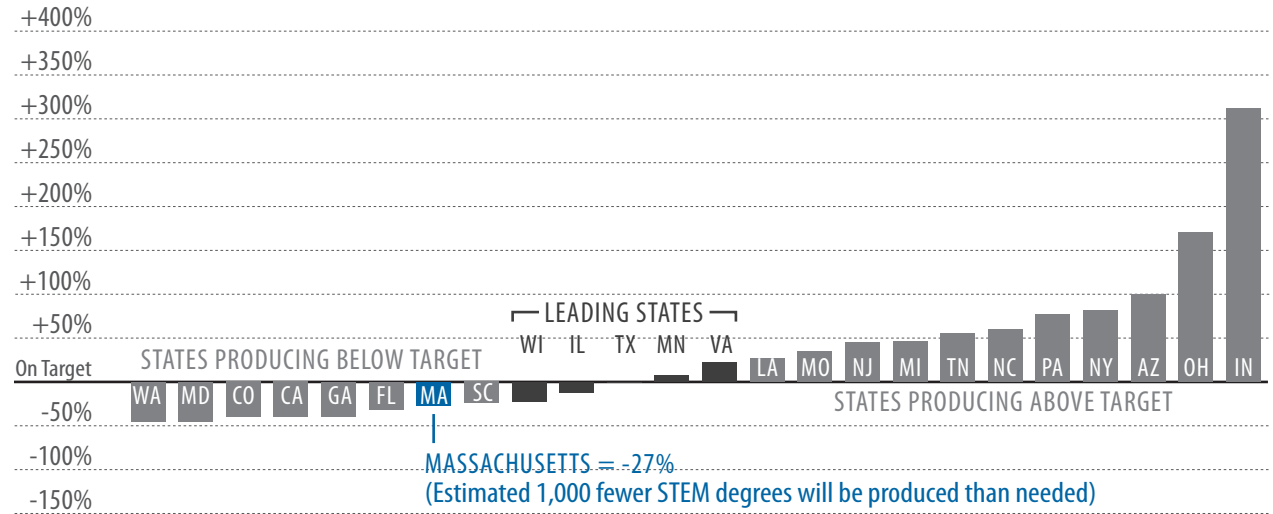
Source: MDHE with data from USDOE/IPEDS, Georgetown Center for Education and the Workforce, USDOE Baccalaureate and Beyond Longitudinal Study

KEY METRICS

Is Massachusetts a national leader in aligning public degree programs with future workforce needs in Science, Technology, Engineering, and Mathematics? **No.**

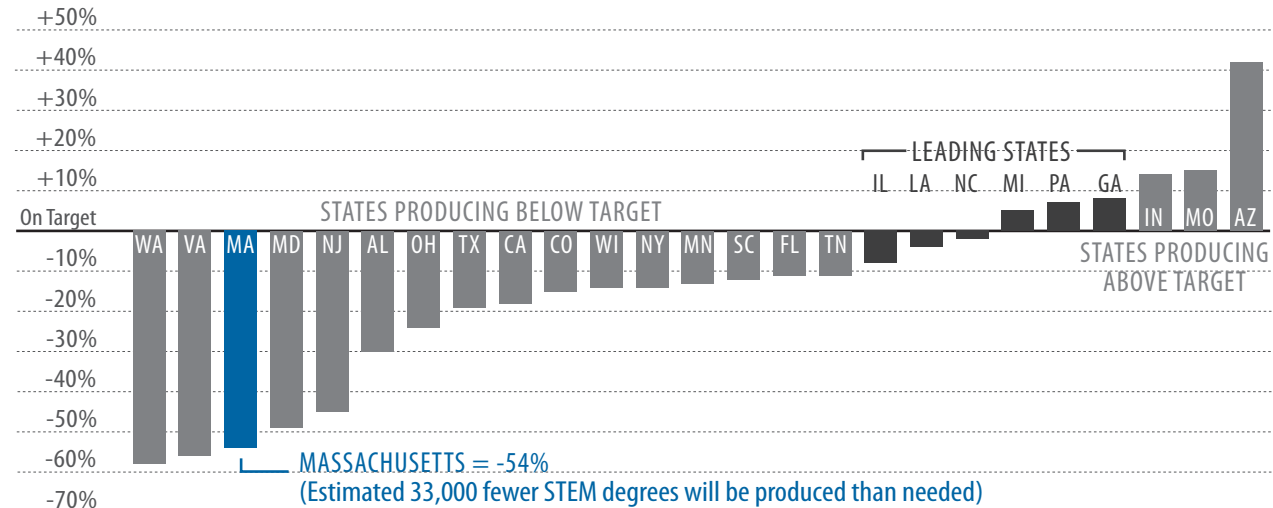
COMMUNITY COLLEGES—ASSOCIATE’S DEGREES IN STEM TECHNICIAN FIELDS

Projected Percentage Gap by 2018 Between Degrees Produced and Degrees Needed



STATE UNIVERSITIES & UMASS—BACHELOR’S DEGREES IN STEM FIELDS

Projected Percentage Gap by 2018 Between Degrees Produced and Degrees Needed

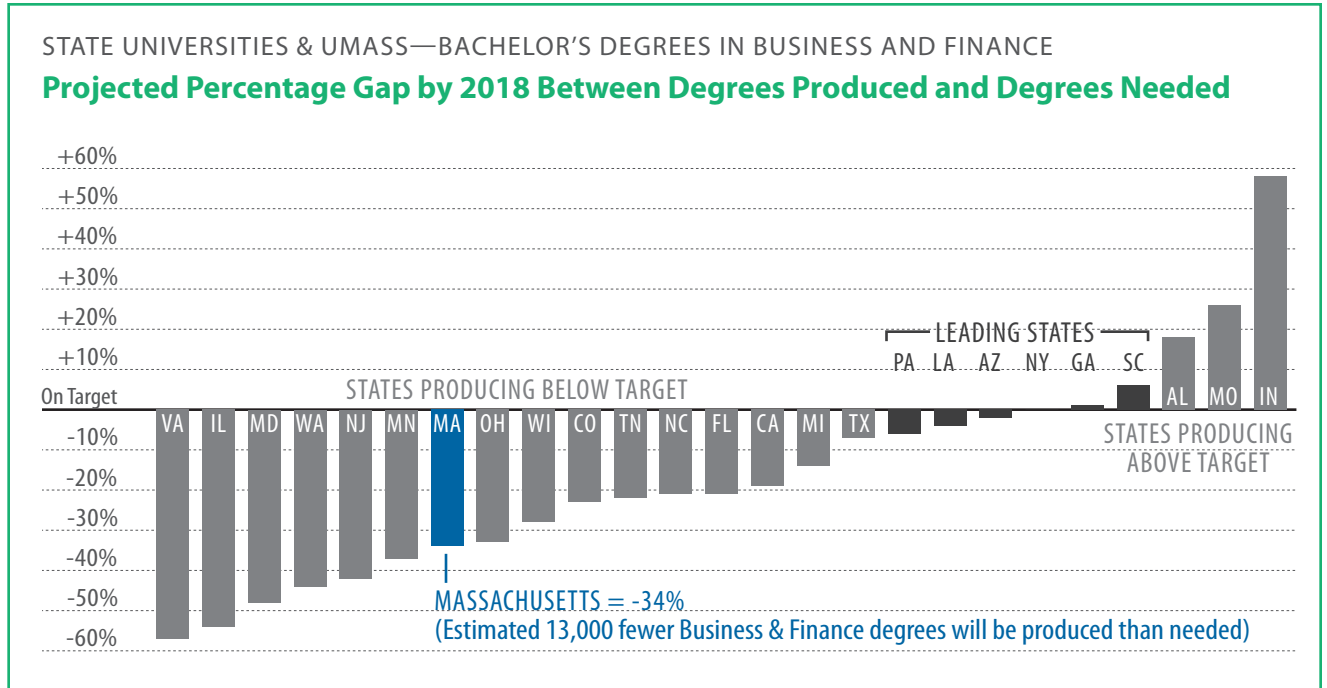


Source: MDHE with data from USDOE/IPEDS, Georgetown Center for Education and the Workforce, USDOE Baccalaureate and Beyond Longitudinal Study

KEY METRIC

Is Massachusetts a national leader in aligning public degree programs with future workforce needs in business and finance? *No.*

Source: MDHE with data from USDOE/IPEDS, Georgetown Center for Education and the Workforce, USDOE Baccalaureate and Beyond Longitudinal Study



KEY OUTCOME

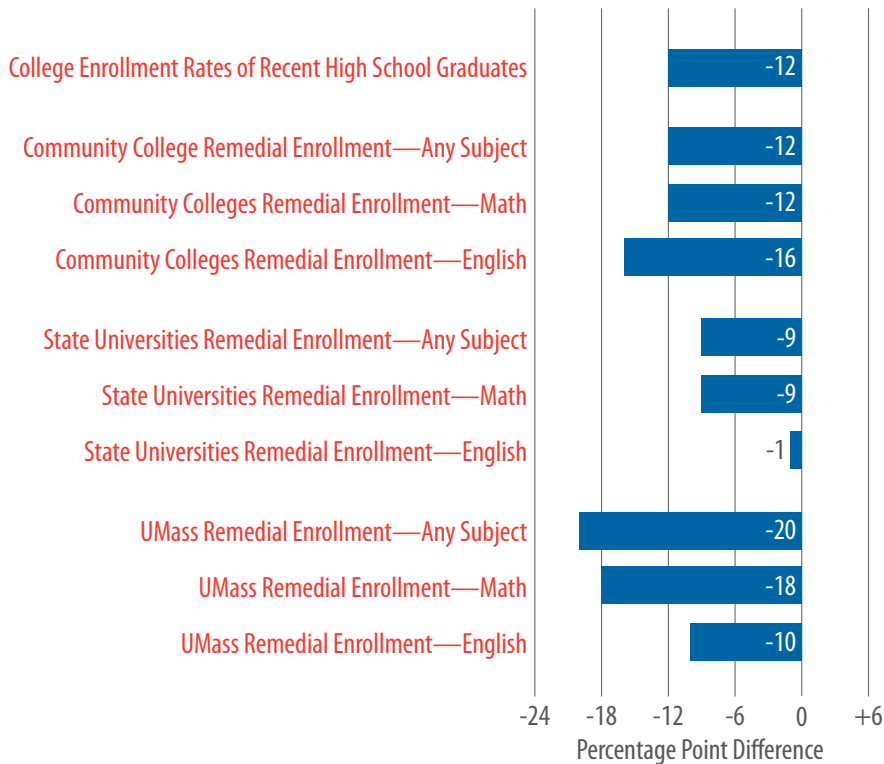
6 CLOSING ACHIEVEMENT GAPS

The overall Vision Project goal—producing the best-educated citizenry and workforce in the nation—can be achieved only if achievement gaps are significantly reduced or eliminated. Earlier chapters include measures allowing for national comparison of these gaps. This section adds to that picture by providing Massachusetts-only data for a wider array of metrics for which national comparisons are not available.

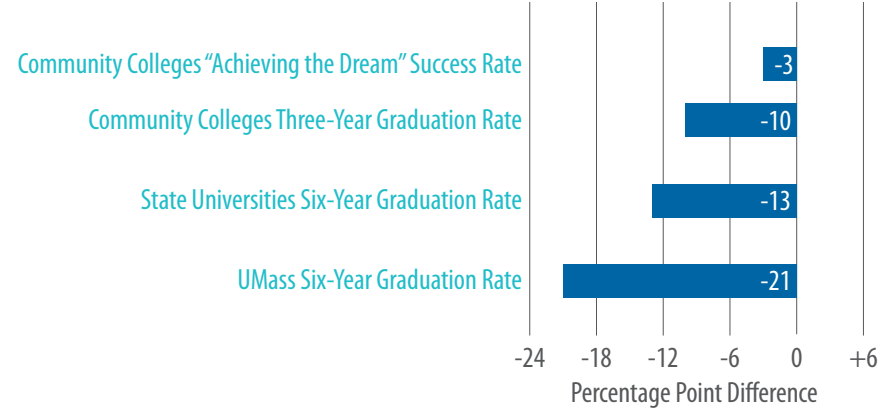
ADD'L METRIC

How large are African-American/White achievement gaps in Massachusetts across all outcome areas?

African-American/White Gaps in College Participation in Massachusetts



African-American/White Gaps in College Completion in Massachusetts



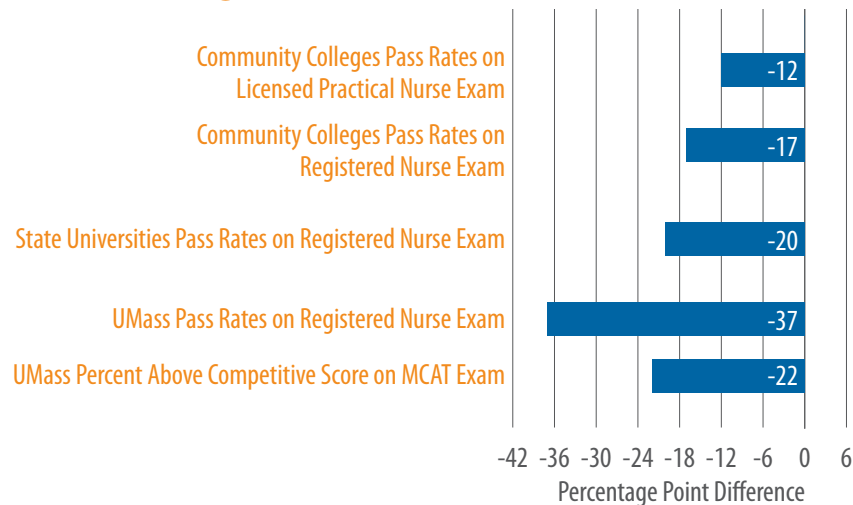
Understanding Achievement Gap Measures

Achievement gap data are traditionally viewed through a single lens, such as ethnicity or gender. But research and campus experience suggest that the intersections of such data offer a more nuanced, telling portrait. For example, African-American males fare worse academically than African-American females. And achievement gaps for older male students can be more significant than for males under 25. The challenge in making

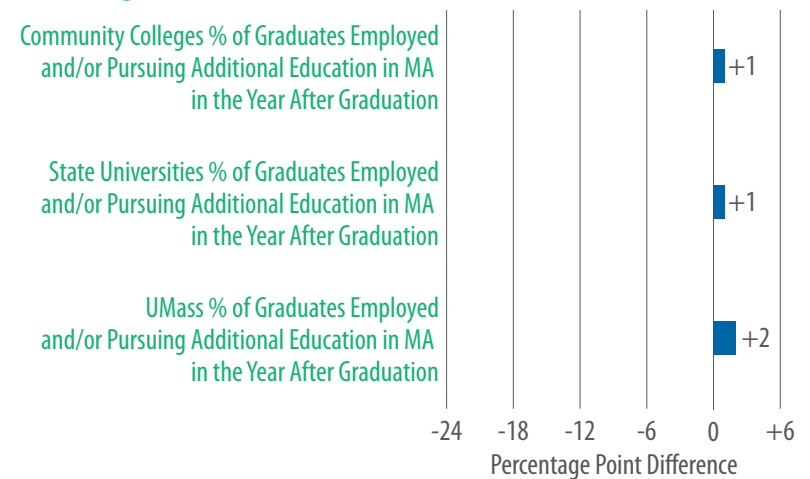
such subgroup analyses, however, is that sample sizes at the state level often become too small for valid comparisons, as subgroups are divided by other subgroups within it. At the national level, comparison data is often still lacking. Massachusetts-only achievement gap data for retention and graduation rates in key occupational areas are available on the Vision Project report website at www.mass.edu/vpreport.

Bars to left of 0 indicate extent by which African-Americans underperform whites. Larger bars equal larger gaps. Note that in Workforce Alignment, African-Americans tend to stay in Massachusetts after graduation by slightly larger margins than whites.

African-American/White Gaps in Student Learning in Massachusetts



African-American/White Gaps in Workforce Alignment in Massachusetts

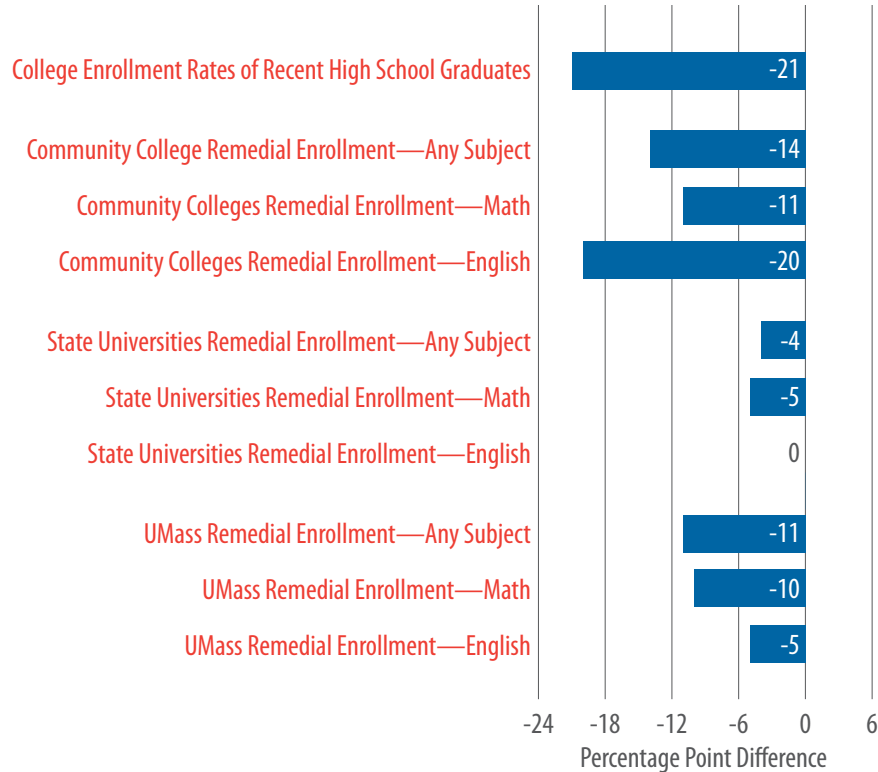


Data is aggregated over most recent three years. Exams are shown only if achievement gap data is available and the total number of African-American test-takers is greater than 40.

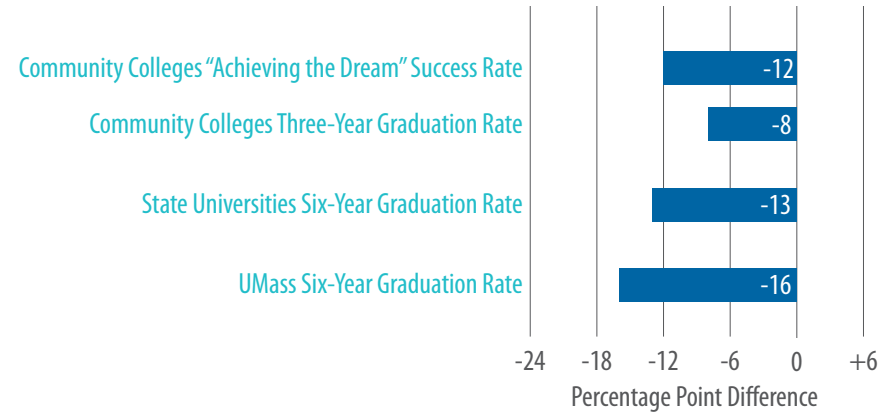
ADD'L METRIC

How large are Latino/White achievement gaps in Massachusetts across all outcome areas?

**Latino/White Gaps
in College Participation in Massachusetts**

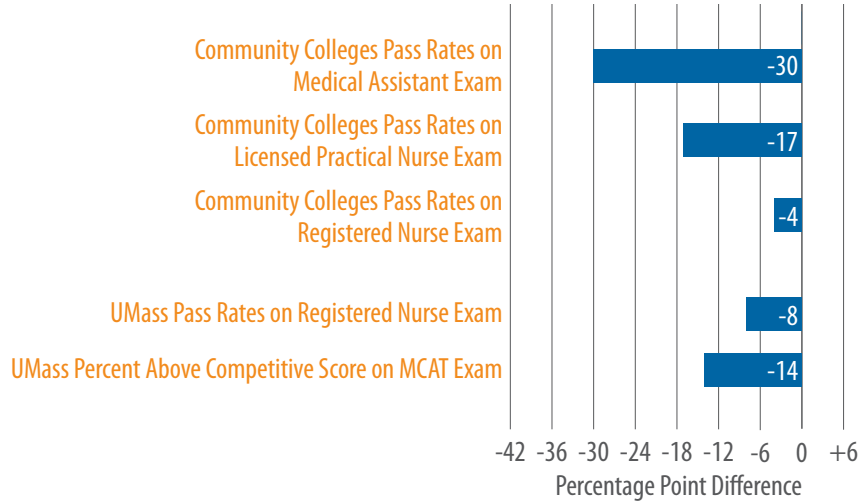


**Latino/White Gaps
in College Completion in Massachusetts**

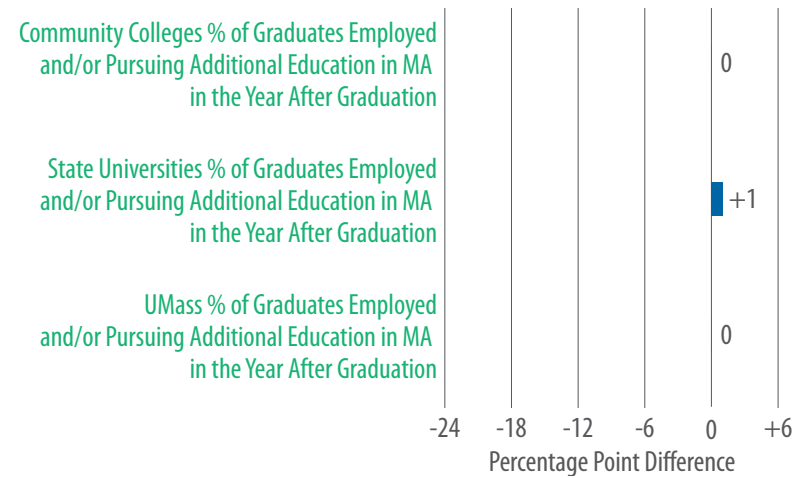


Bars to left of 0 indicate extent by which Latinos underperform whites. Larger bars equal larger gaps. Note that in Workforce Alignment, Latinos tend to stay in Massachusetts after graduation by equivalent or slightly larger margins than whites.

**Latino/White Gaps
in Student Learning in Massachusetts**



**Latino/White Gaps
in Workforce Alignment in Massachusetts**



Data is aggregated over most recent three years. Exams are shown only if achievement gap data is available and the total number of Latino test-takers is greater than 40.

KEY OUTCOME

7 RESEARCH

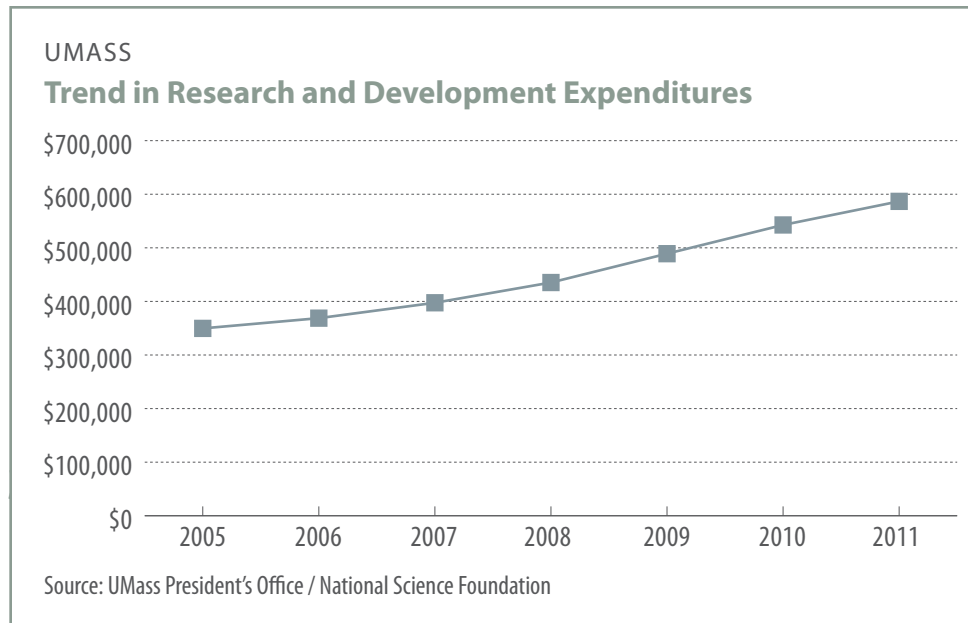
Research expenditures at UMass increased by 68 percent over the past six years, rising from \$350 million in 2005 to \$587 million in 2011. Licensing income, shown as a three-year rolling average, doubled over this same period, from \$25 million in 2005 to \$50 million in 2011.

KEY METRIC

How have UMass' research and development expenditures changed over the past six years?

For more information on research at UMass, including highlights from individual campuses and the principles and priorities that guide the research, see the *UMass FY2011 Annual Research and Development Expenditures Report* at:

<http://bit.ly/LIEbAs>

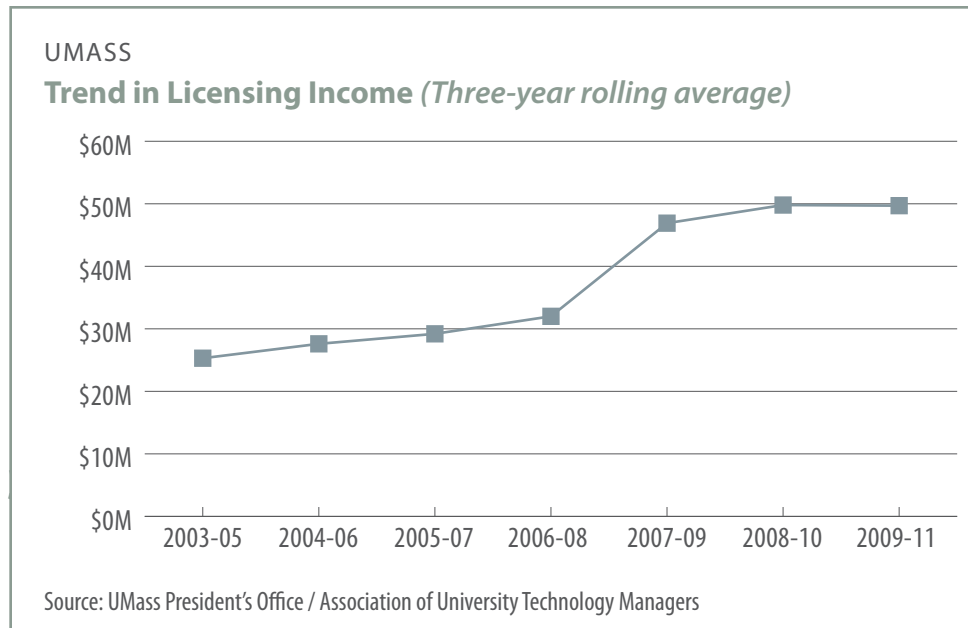


Understanding Research Measures

Research and Development expenditures are an indicator of an institution’s research capacity and accomplishment. Licensing income comes from faculty-derived discoveries and products. It is a measure of the economic value of a university’s inventiveness, as well as being a contributor to the university’s financial strength. Because licensing revenue fluctuates from year to year with significant spikes from the introduction of new products, a three-year rolling average is used for this metric.

KEY METRIC

How has UMass’ licensing income changed over the past six years?



III. GOALS

AND

STRATEGIES

**What work is being undertaken
to achieve the goal
of national leadership?**

■ This section outlines the **wide array of work underway to advance Massachusetts' performance** in the Vision Project's key outcomes. From policy development at the state level to student-centered programs on the campuses, from longstanding initiatives to new and innovative experiments, the work described here forms a comprehensive strategy to achieve the Vision Project goal of national leadership for Massachusetts public higher education.

KEY OUTCOME **1 COLLEGE PARTICIPATION** ■ 42

KEY OUTCOME **2 COLLEGE COMPLETION** ■ 48

KEY OUTCOME **3 STUDENT LEARNING** ■ 54

KEY OUTCOME **4 WORKFORCE ALIGNMENT** ■ 60

KEY OUTCOME **5 PREPARING CITIZENS** ■ 66

KEY OUTCOME **6 CLOSING ACHIEVEMENT GAPS** ■

Strategies to close achievement gaps for each outcome are described in the above sections

KEY OUTCOME **7 RESEARCH** ■

Information available on UMass' website at <http://bit.ly/LIEbAs>

Leaders of Tomorrow

ALEX SAMUEL CHAEZ
SPRINGFIELD TECHNICAL COMMUNITY COLLEGE '12



Last May, Alex Samuel Chaez became the first person in his family to (proudly!) graduate from college. He earned a degree in Computer & IT Security from Springfield Technical Community College (STCC) and will continue his education at Western New England University. He eventually hopes to earn a doctorate. Alex's younger brother, inspired by Alex's achievements, will enroll this fall in STCC's Liberal Arts Transfer Program.

As President of the STCC Phi Theta Kappa honor society, Alex served as an elementary school volunteer and coordinated a clothing drive for the Big Brothers Big Sisters organization. He also worked in the Dean of Students office. He chose to remain in Springfield in order to assist his parents, both financially and physically, serving as a personal care assistant to his father, who suffers from ALS (Lou Gehrig's disease).

"Springfield Technical Community College, like the over 1,000 other community colleges in the United States, exists to provide a place for first steps, second chances, and achieving dreams," said Dr. Ira Rubenzhal, STCC President. "Students like Alex Chaez humble us with their life stories, inspire us with their dreams and remind us every day how fortunate we are to be a part of something larger than ourselves."



Students cross the campus green at Westfield State.
Photo by Westfield State University.

KEY OUTCOME

1 COLLEGE PARTICIPATION

With Massachusetts already leading the nation in college participation of recent high school graduates, Vision Project work in this area has focused on three core goals:

- **Ensure that “college-bound” means “college-ready”**
- **Eliminate gaps in college participation by low-income students**
- **Safeguard affordability**

Strong collaboration with elementary and secondary education, a hallmark of recent efforts to promote college participation, will become even more critical as we work to ensure that public college students are representative of the entire citizenry of the Commonwealth.

STRATEGIES TO

Ensure that “college-bound” means “college-ready”

■ INCREASE AWARENESS OF COLLEGE AMONG K-12 STUDENTS

YourPlanforCollege.org is Massachusetts’ free, one-stop, web-based college planning portal managed by the **Massachusetts Educational Finance Agency (MEFA)**. A winner of *The Boston Globe*’s 2011 “Best of the New” awards, YourPlanforCollege centralizes all the key planning elements of a student’s educational career, including interactive planning tools, personal portfolio development, and key milestone reminders such as college application and financial aid deadlines. In 2011 the site, previously accessible only to students at participating high schools, became available to every student in the state.

Through the **College Connection** program, college advisors from **Cape Cod Community College** travel to ten Cape Cod high schools to provide personalized financial aid assistance, basic skills assessment, academic advising, course registration, and on-the-spot admissions interviews. This program now reaches nearly 2,000 Cape Cod high school seniors and provides particular benefit to students whose families are not familiar with the college application process.

■ MAKE SURE HIGH SCHOOL STUDENTS TAKE A RIGOROUS COLLEGE PREP CURRICULUM

A record of success in academically challenging high school coursework is the best indicator of a student’s readiness for college. The majority of students who arrive at college unprepared for college-level work are, by large margins, struggling in math. In 2011, the **Board of Higher Education** voted to strengthen **admissions standards** at the state universities and the University of Massachusetts by increasing the minimum mathematics requirement for admission from three years to four, helping to ensure that students do not lose ground by bypassing math during their senior year of high school. In June 2012, the Board further strengthened admissions standards by increasing the minimum laboratory science requirement from two years to three and allowing students to apply engineering and technology coursework toward this requirement.

MassCore is a rigorous high school program of study that was developed by a statewide advisory group of business leaders and K-12 and higher education policy makers. In 2008, the **Board of Elementary and Secondary Education** adopted MassCore as the recommended course of study for every Massachusetts public high school student.



Photo by Cape Cod Community College

College Knowledge Cape Cod Community College “College Connection” Outreach Counselor Kurt Lawson advises Barnstable High School students about admissions and financial aid.

■ EXPOSE STUDENTS TO COLLEGE-LEVEL WORK WHILE STILL IN HIGH SCHOOL

Research shows that giving high school students access to college coursework increases the likelihood that they will go to college—and do well once they get there. The **Commonwealth Dual Enrollment Program** (CDEP), managed by the **Department of Higher Education**, enables eligible high school students to take courses at public campuses in Massachusetts, simultaneously earning credit for their high school diploma and future college degree. CDEP focuses on students who are low-income, first-generation, or interested in STEM. Since 2008, participation in dual enrollment programs, including both CDEP and campus programs, has increased 170 percent.



College Exposure Third-graders from Greylock Elementary School in North Adams are wowed by a chemistry experiment at Massachusetts College of Liberal Arts in September 2011, part of “Berkshire County Goes To College” (see page 75).



College Experience These Amesbury High School graduates will continue into baccalaureate programs in fall 2012 with a year of college credits already completed through Northern Essex Community College’s Early College Program.

Greenfield Community College’s **dual enrollment program** serves as a key component to area high schools’ drop-out prevention strategies, while also providing high school students opportunities for early access into higher education. At **Worcester State University**, **dual enrollment** enables Worcester Public School students to take course work in STEM as well as English composition, identified as frequent stumbling blocks for Worcester High School graduates transitioning to college.

Northern Essex Community College uses its **Early College Program** to make it possible for Amesbury High School “middle-performing” students to earn high school and college credit. Courses are co-taught in Amesbury by an Amesbury High School teacher and a NECC professor. Grade point averages, credits attained, and college-going rates for students in the program are significantly higher than for the overall student population.

■ ALIGN HIGH SCHOOL AND HIGHER EDUCATION ASSESSMENTS

Passing the MCAS does not necessarily mean that a student is college-ready. To close the gap between the skills needed to graduate high school and those needed for college-level work, Massachusetts has taken a leadership role in the **Partnership for Assessment of Readiness for College and Careers (PARCC)**, a 24-state consortium dedicated to developing a common set of K-12 assessments that mark students’ progress toward college and career readiness from 3rd grade up. Massachusetts is the lead governing state in PARCC, with **Mitchell Chester**, Massachusetts’ Commissioner of Elementary and Secondary Education, serving as Chair of the PARCC Governing Board, and **Richard Freeland**, Commissioner of Higher Education, co-chairing PARCC’s higher education advisory committee. Massachusetts’ work to better align high school and college expectations is supported by a three-year grant from the Hewlett Foundation.

Quinsigamond Community College’s partnership program with the **Worcester Public Schools**, **Plugging the Leaks in Worcester’s Math Pipeline**, is supported in part by the Vision Project’s **Performance Incentive Fund**. The program enables Worcester students to take the math college placement exam while still in high school. College and high school faculty are working together to redesign math curricula based on students’ identified skill gaps, and run intensive after-school math boot camps to provide additional support to students. One hundred percent of boot camp students who enter College Algebra pass the course, as compared with a 65-percent pass rate of remedial students who don’t attend boot camps.

STRATEGIES TO

Eliminate gaps in college participation by low-income students

Photo by Department of Higher Education

Gaining Awareness Students from Pyne Arts Middle School in Lowell participate in GEAR UP's "Carnival of Learning" in spring 2012. This hands-on college fair exposes middle-schoolers to career paths and college majors.



Photo by MassArt

Getting Prepared With a grant from the Vision Project Performance Incentive Fund, MassArt is giving Boston's "Artward Bound" high school students the preparation they need to apply to and succeed in a college of art or design.

■ INVEST IN PRE-COLLEGE SUPPORT AND PREPARATION PROGRAMS

Since being designated as the lead agency for **Massachusetts College Access Challenge Grant (CACG) Program** funding, the **Department of Higher Education** has supported seven regional partnerships that focus on increasing college readiness and participation of underrepresented student groups. **Mount Wachusett Community College's** grant, for example, targets low-income and/or first-generation high school seniors from eight partner school districts. Counselors work with students to develop "college knowledge," college readiness, and self-advocacy skills. A developmental math program for seniors who placed below college-level math on the math assessment exam is a core component of the college readiness work, which included the purchase of MyMathLab software to enable individualized work on math skill gaps.

MassArt's Artward Bound Program, recipient of a Performance Incentive Fund grant, seeks to increase the number of low-income Boston students who will be prepared to enter MassArt or other visual arts colleges. The program's initial cohort of 25 9th and 10th graders will expand to 50 high

school students, with a new 9th-grade group being added each year. This program is unique nationally in its long-term commitment to prepare students for entry and success at a college of art and design and its integration of arts programs with rigorous academic, social, family, and community support. Students attend for free but must commit to program participation throughout high school. Evaluation of Artward Bound by a team of researchers at the midpoint and close of the 2011–12 school year found that the program is on track toward meeting its goals.

GEAR UP (Gaining Early Awareness and Readiness for Undergraduate Programs) gives low-income middle and high school students the skills, knowledge, and academic background they need to succeed in college. This federally funded early intervention program, which is run by the **Department of Higher Education**, serves 7,250 7th through 12th graders in seven Massachusetts school districts: Boston, Holyoke, Lawrence, Lowell, New Bedford, Springfield, and Worcester. Comprehensive services include mentoring, tutoring, counseling, and after-school and summer programs. GEAR UP students who go on to college are eligible for an annual GEAR UP Scholarship up to \$1,000.

STRATEGIES TO

Safeguard affordability■ **MAXIMIZE FINANCIAL AID**

The **Patrick-Murray Administration** has fought successfully to protect state financial aid from cuts during the recent economic downturn, but the dollar value of that aid has nonetheless declined over time. The MASSGrant, the Commonwealth's major financial aid grant program for low-income students, now covers only 8 percent of tuition and fees for a public college or university in the Commonwealth; in 1988, the MASSGrant covered 80 percent of student charges. In order to maintain the highest possible levels of financial aid, **Massachusetts public campuses** supplement state and federal scholarships with funds from their own operating budgets.

Campuses also work to ensure that students get every dollar of financial aid for which they qualify. For example, through their **College Access Challenge Grant, Greenfield, Holyoke, and Springfield Technical Community Colleges** provided workshops and individualized assistance that enabled over 600 students in 2011 to accurately complete their Free Application for Federal Student Aid (FAFSA), a critical step to helping each student receive the full amount of aid to which they were entitled. The grant also enabled Springfield Technical Community College to hire a bilingual financial aid counselor and Holyoke and Greenfield to implement Financial Aid TV, a web-based library of financial aid tips and tools.



Photo by Berkshire Community College

■ **INCREASE EFFICIENCIES, LOWER COSTS FOR STUDENTS**

One way to lower costs for students is to increase campus financial efficiencies. **Massachusetts state universities and community colleges** launched the **Partnership to Advance Collaboration and Efficiency (PACE)** in 2011. Through PACE, the colleges have begun a systematic process of reducing operating costs through consortium purchase of gas, electricity, banking services and other campus needs. Savings to date include \$750,000 from a joint financial auditing services bid, with an audit of contracts in areas such as vending and software licenses expected to net a minimum cost reduction of 10 percent.

When Dads Become Grads This Berkshire Community College graduate celebrates with young son in tow. Affordability is a critical consideration for adult degree-seekers juggling jobs, families and studies.



Photo by Springfield Tech. Community College

Form Aid Student Robert R. Guilbert, Jr., receives FAFSA completion help from Ciara Smith, Springfield Technical Community College's FAFSA Assistance Advisor, through the College Access Challenge Grant program.

Leaders of Tomorrow

JACQUELYNN
PALAZOLA
SALEM STATE
UNIVERSITY '12



At Salem State University, Jacquelynn Palazola of Beverly combined exemplary academic achievement with public service, earning a degree while serving as an active member of the Air Force Reserves.

Before graduating with a 3.9 GPA, Jacquelynn worked tirelessly to promote the needs of student veterans. She was the keynote speaker at the 2011 "Women are Veterans, Too" conference at the State House in Boston. Last fall, she also worked with the Massachusetts Department of Veterans' Services (DVS), where she worked to establish a student veterans council that will help the state address the issues and concerns of student veterans.

The only woman in her graduating class from the Air Force Fire Academy, Jacquelynn was deployed to Iraq and the United Arab Emirates in response to Operation Iraqi Freedom and Operation Enduring Freedom. As a military member and military spouse, she has been stationed across the globe and taken classes throughout the course of her travels. She is only the second person in her family to go to college.

Jacquelynn has juggled military, civic and academic responsibilities with her role as a mother. She gave birth to her second child just a week after spring classes ended at Salem State, and started one of her internships a few weeks later. Jacquelynn is currently stationed with the U.S. Air Reserve at Westover Air Reserve Base in Chicopee.



Students celebrate their achievement at Framingham State's spring 2012 commencement ceremony. Photo by Framingham State University.

KEY OUTCOME

2 COLLEGE COMPLETION

Massachusetts' efforts to achieve national leadership in college completion are built on the following core goals:

- **Remove barriers that slow students' progress toward graduation**
- **Close achievement gaps in college success through programs for high-risk students**
- **Develop high-impact policies based on research and evidence**

With this focused approach to improving student success, Massachusetts aims to increase completion rates for *all* students at both the baccalaureate and community college levels.

STRATEGIES TO

Remove barriers that slow students' progress toward graduation



Professional Development Aemiro Beyene, Assistant Professor of Mathematics at Quinsigamond Community College, speaks to colleagues at the June 2012 Developmental Math Conference held at Massasoit Community College.

■ TRANSFORM REMEDIAL EDUCATION

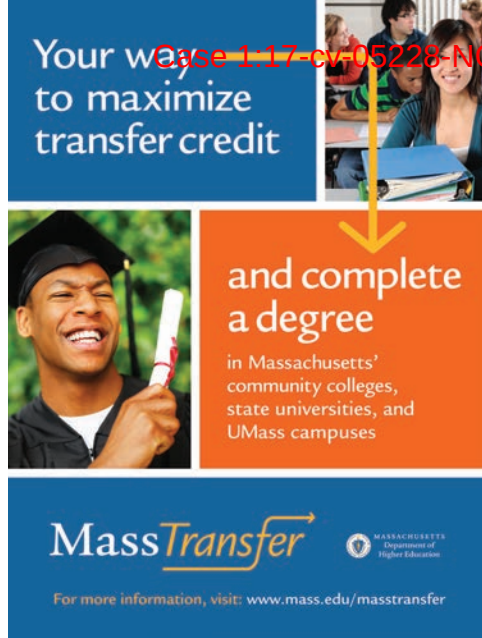
The need to take remedial courses, also known as developmental education, adds both time and cost to the quest for a degree or certificate, thus lowering chances of success. Additionally, more than half of African-American and Latino students enrolled in the public higher education system take at least one developmental course during their first semester, compared with a third of all white students. As a result, the Vision Project's **Working Group on Graduation and Student Success Rates** identified the need to transform **remedial (developmental) education** as a critical priority.

At the campus level, **Middlesex Community College** has piloted a **concurrent enrollment program** which enables developmental education students who score just below college readiness in writing to enroll in English 101. To support their success, these students also take a remedial writing class—taught by the same professor as their English 101 class. The percentage of students who go on to pass English 102 is more than twice that of students enrolled in traditional remediation.

In order to determine their readiness for college-level math courses, students at Massachusetts public colleges and universities take an ACCUPLACER® exam in math. **Worcester State University** has achieved considerable success through its approach of requiring **mandatory ACCUPLACER pre-tests**, which gives a second chance to students who failed the test because of gaps in a small number of skills.

When coupled with a review session for those who do not pass the practice exam on their first or second try, the approach has cut the percentage of students needing to take remedial math in half, from 54 percent in 2004 to 25 percent in 2007.

Roxbury Community College has tripled the rate at which students who start in remedial math advance to college-level, credit-bearing math courses. This gain is associated with RCC's comprehensive overhaul of **remedial math education**, which included new placement procedures, a lab component and technology-assisted instruction, a shortened developmental math sequence, and smaller course modules. These modules allow students to skip work in areas where they are already proficient and focus on skills that need improvement.



Credit Where It's Due Promotional poster for *MassTransfer*, the state's core policy to streamline the transfer process among Massachusetts' public colleges and universities.



UMass Welcome Governor Patrick joins education officials and students at Roxbury Community College to launch the UMass Amherst Community College Connection in March 2011. The initiative is intended to strengthen UMass Amherst's ties with Massachusetts community colleges.

SMOOTH TRANSFER PROCESS BETWEEN TWO-YEAR AND FOUR-YEAR INSTITUTIONS

With student mobility increasing nationally, transfer from one institution to another has become more and more common. Yet when transfer students are denied credit for courses taken at their original institution, the time and cost of getting a degree increases, thus reducing the chance that they will ever graduate. *MassTransfer*, now in its fourth year, provides Massachusetts community college graduates who complete designated associate's degrees with full credit transfer, guaranteed admission, and a tuition discount to linked bachelor's degree programs. The next step identified by the **Commonwealth Transfer Advisory Group** is to expand transfer alignment from the degree level to the program and course level.

University of Massachusetts Amherst launched the **UMass Amherst Community College Connection** (UMCCC) in March 2011 to encourage community college students to pursue bachelor's degrees at the flagship campus. Community college students are offered priority review of financial aid packages as well as special assistance for on-campus housing, early advising, and course registration. Tuition is waived for those with a 3.0 GPA or higher; students with a 3.7 GPA earn a \$500 book scholarship. Noting that community college students who transfer to UMass Amherst have a higher graduation rate than the general undergraduate student population, campus officials have expressed hope that UMCCC will have a positive impact on overall graduation rates.

HELP STUDENTS STAY IN SCHOOL DESPITE FINANCIAL EMERGENCIES

Because financial emergencies can significantly interfere with students' ability to continue attending college, **Bunker Hill Community College** is using **emergency assistance funds** to keep students on track to completion. The campus provides students experiencing short-term financial problems with up to \$1,000 within three days of receiving a request, with funds being used for such core expenses as rent, utilities, food, and childcare. The year-to-year retention rate of students who have utilized the BHCC fund is 65 percent higher than that of the general student population.

STRATEGIES TO

Close achievement gaps in college success through programs for high-risk students



Photo by Massasoit Community College

Incentive to Complete The pilot Completion Incentive Grant program, launching in fall 2012, aims to keep students on track to degree completion, with financial aid awarded for completion of college credits. Massasoit Community College is one of ten participating state campuses.

■ USE FINANCIAL AID TO HELP STUDENTS STAY ON TRACK TO GRADUATION

A handful of states are experimenting with financial incentives as a means of increasing college completion. In fall 2012 the **Department of Higher Education**, in collaboration with participating campuses, will launch its own pilot program, the **Completion Incentive Grant**. Incentive grants of up to \$2,000 a year will be given to students who meet a threshold for credit completion and GPA each semester, maintain continuous enrollment, and make use of campus support services. Campuses commit to providing an array of academic support services for the low-income, first-generation students targeted in the program. The pilot will run for four years, with extensive program assessment and evaluation.

■ USE MULTICULTURAL OUTREACH AND MENTORING TO AID STUDENTS AND FAMILIES

The **Multicultural Achievement Peer Program** at **Middlesex Community College** helps students from diverse backgrounds make a successful transition to college. The peer mentoring program employs culturally sensitive interventions including workshops, cultural activities, and one-on-one mentoring. In 2011–2012, the fall-to-spring persistence rate of the mentors and mentees was 95 percent, with an average GPA of 2.75.

The **Latino Education Institute** at **Worcester State University** serves 800 families annually with a focus on increasing both college participation and college completion of Latino students. One of their more innovative projects is the Teaching Corps Program, in which WSU students are trained in literacy and conflict resolution, and then assigned to paid positions in Worcester public elementary schools. In addition to providing strong role models for Worcester youth, the program aims to increase retention and work readiness of Latino students at Worcester State.



Photo by Worcester State University

Shared Culture, Shared Success Worcester State University student Damaris Velez runs a first-grade reading circle at the Chandler Magnet Elementary School through WSU's Latino Education Institute.

STRATEGIES TO

Develop high-impact policies based on research and evidence

■ CRAFT TARGETED INTERVENTIONS BASED ON ANALYSES OF STUDENT SUCCESS

A major focus of the national **Achieving the Dream** initiative is the careful use of data to create policies that promote persistence at community colleges. Four Massachusetts community colleges have participated in this initiative since 2007—**Bunker Hill, Northern Essex, Roxbury, and Springfield Technical Community Colleges**—with the **Board of Higher Education** serving as the lead state policy organization.

Analysis of student results at **Northern Essex Community College** led to a focus on five specific **academic support** goals: improving developmental writing outcomes for Latino students, improving developmental writing and reading outcomes for students 25 years and younger and for males, and improving English Composition I and all math outcomes for all students. Related initiatives include creating math tutoring centers in Haverhill and Lawrence, introducing supplemental instructors in challenging courses, and expanding academic advising services. “These efforts are already showing results,” notes NECC President Lane Glenn, who cites the 25 percent increase from 2007 to 2010 in students who completed remedial Algebra and then a college-level math course.

Springfield Technical Community College increased the availability of **academic advisors to General Studies students** in response to research showing that students whose career goals are unclear derive particular benefit from making a connection with a college faculty or staff member, and that this connection makes students more likely to persist in their academic and career goals. STCC’s Data Team, comprised of both faculty and staff, closely monitors the results of this initiative and two others designed to increase student completion and close achievement gaps.

■ IMPLEMENT RESEARCH-SUPPORTED STRATEGIES FOR STUDENTS MOST AT RISK OF DROPPING OUT

Through **Project Compass**, **Bridgewater State University** closed retention gaps for underserved students while simultaneously raising the percentage of all students who returned after their freshman year from 75 to 81 percent. This multi-year initiative implemented a range of research-supported interventions, including an integrated faculty-student mentoring process, faculty development designed to increase the use of culturally inclusive pedagogies, and structured student study groups for courses with high rates of failure, withdrawals, and incomplete grades. After five years, gaps had been eliminated for low-income students, first-generation college students, and students of color.



Substance and Styles “Through STCC’s Achieving the Dream initiative, I’ve become much more aware of student learning styles. I offer different options to help my students succeed in math,” said Professor Donna Bedinelli (right), shown with three of her Algebra I students.

Fitchburg State University’s pilot program of **intrusive advising**, identified by researchers as a promising practice, addresses the challenge of students who drop out of college without ever making use of campus resources that might have helped them. At-risk freshmen were assigned to a Retention Specialist, who in turn consistently reached out to these students to provide advising and referrals to support services. Data available this fall will enable Fitchburg to compare the retention rates of students in this pilot program with their peers.

Leaders of Tomorrow

DIANA ROSE RAMOS
BRIDGEWATER STATE
UNIVERSITY '12



Diana Rose Ramos of Worcester graduated from Bridgewater State University in 2012 with a degree in political science, a 3.9 cumulative GPA, and a plan to use her leadership skills and acquired knowledge to improve public policy. During her junior year, she interned at Senator John Kerry's Office and conducted a directed study researching citizen outreach on conservation efforts. Diana also interned, through the Washington Center, at the U.S. Office of Surface Mining where she researched development issues relating to rural watersheds. She has studied sustainable development in Costa Rica and researched issues related to food security. As a high-achieving student, Diana received multiple awards and scholarships such as the Pi Sigma Alpha Political Science Honors Society Award and the Robert A. Daniel African American Scholarship. She was recognized as a Rose Scholar throughout her time at BSU. On campus, Diana served as the founder and president of the Students for Sustainability group, the publicity chair for Aware and Active Minds, and an active member of the Social Justice League. Off campus, she assisted with the Worcester Vegetarian Festival and Nuestro Huerto, which helps urban farms.



An instructor leads a book discussion at UMass Dartmouth.
Photo by UMass Dartmouth.



KEY OUTCOME

3 STUDENT LEARNING

How do we know what college graduates have actually learned and are able to do? And equally important, how can we assess student learning in ways that help us improve teaching? Massachusetts seeks to answer these two questions through the following core goals:

- **Strengthen campus-level assessment of student learning**
- **Find ways to compare student learning among states**

The work is challenging but promises to make possible a continuous cycle of improvement that will help campuses not only identify problem areas in student learning, but understand how to solve them. At the national level, Massachusetts is leading a conversation through the Vision Project on how to build an interstate system to compare student learning outcomes.

STRATEGIES TO

Strengthen campus-level assessment of student learning

Photo by Kevin Harkins Photography

■ ENGAGE THE EXPERTISE OF CAMPUS FACULTY AND STAFF

From the beginning, the Vision Project work in the area of Student Learning has been guided by the skill and experience of campus educators. The **Working Group on Student Learning Outcomes and Assessment**, consisting of **learning outcomes experts** from the campuses and Department of Higher Education, studied best practices both within Massachusetts and across the nation before making the recommendations to the Board of Higher Education that have since defined the work in this area.

Among these recommendations was a new initiative: **Advancing a Massachusetts Culture of Assessment (AMCOA)**. Funded by the **Davis Educational Foundation**, AMCOA is led by a team of faculty

and staff from each of the 28 undergraduate campuses, with a goal of helping every campus improve curriculum and learning through development of state-of-the-art programs of learning outcomes assessment. AMCOA's first year was so successful in achieving system-wide collaboration on learning outcomes that the Davis Educational Foundation provided additional funding for a second year.

One of the enormous benefits of AMCOA has been the forging of strong working relationships that cut across campus boundaries. **Framingham State University** and **MassBay Community College**, for example, are using **joint assessments of student learning** in writing, quantitative reasoning, and creative thinking as a path to improving the success of students who transfer from MassBay to Framingham.

In Collaboration Middlesex Community College's Elise Martin, Associate Dean of Assessment, and John Savage, Professor of Chemistry and Faculty Chair of Gen Ed Committee, serve as conference co-chairs for the February 2012 AMCOA Conference at UMass Lowell. One of four statewide AMCOA conferences held last year, it drew faculty and staff to share best practices in student assessment.

Through its meetings and conferences, AMCOA has allowed faculty and staff to meet new colleagues and learning from each other's experience and best practices. We have a sense that our voices on assessment are heard. **The process has expanded my vision of assessment in the Commonwealth and given me new perspectives with which to serve my students and my institution.**

—NEAL BRUSS, ASSOCIATE PROFESSOR OF ENGLISH,
UNIVERSITY OF MASSACHUSETTS BOSTON



Photo by MassBay Community College

In Progress Students in the classroom at MassBay Community College. MBCC has partnered with Framingham State University to create joint assessments of student learning in order to ease student transfer between the institutions.



Photo by Kevin Harkins Photography

In the Know President Carole Cowan of Middlesex Community College speaks with Peggy Maki, a national expert hired by the Department of Higher Education to provide expertise in student learning assessment to every public college and university.

■ STRENGTHEN CAMPUS EFFORTS THROUGH PROFESSIONAL SUPPORT

One resource provided to campuses through the Davis Foundation grant has been the expertise of Peggy Maki, a **national expert in student learning assessment**. Beginning in the summer of 2011, Maki facilitated monthly AMCOA team meetings and quarterly conferences. She also supported campus-level efforts through individual visits and coaching. This kind of support has enabled faculty and staff to identify and share the aspects of assessment at which their campuses excel, develop new skills, and move Massachusetts closer to its goal of a continuous cycle of improvement in student learning.

Through AMCOA, **Massachusetts College of Liberal Arts** and **Berkshire Community College** are collaborating with a **nationally known expert in student writing** to assess student writing at a number of key points in students' careers. The results will be used to determine action steps for improving student success in writing at each institution and for students who transfer from BCC to MCLA.

STRATEGIES TO

Find ways to compare student learning among states**■ USE COMMON SCORING STANDARDS THAT ENABLE COMPARISONS ACROSS CAMPUSES**

Based on a recommendation from the **Working Group on Student Learning and Outcomes Assessment**, the **Board of Higher Education** voted in January 2012 to apply to become a **state partner in Liberal Education and America's Promise (LEAP)**, the signature national initiative of the Association of **American Colleges and Universities (AAC&U)**. LEAP learning outcomes in quantitative literacy, critical thinking and written communication—which were developed by college and university faculty—provide a common framework for comparison of student learning achievement at both the campus and state level. In March the AAC&U announced that Massachusetts had been awarded status as a LEAP State.

LEAP learning outcomes are already being tested at Massachusetts campuses. **Bristol and Massasoit Community Colleges**, in another AMCOA-funded endeavor, are engaging their English faculties in a regional effort to use the LEAP standards to assess **mastery of written communication skills**. The experiment will provide a structure for comparing the use of the LEAP rubrics and locally designed rubrics on the same student assignment.

■ DEVELOP RELATIONSHIPS THAT CUT ACROSS STATE BOUNDARIES

In an initiative that holds promise for national leadership, Massachusetts is working to develop a **multi-state collaborative** to advance learning outcomes assessment and allow for cross-state comparisons. In May 2012, the Commonwealth hosted a multi-state gathering with public higher education leaders from 17 states. The conference, which was cosponsored by the **AAC&U** and the **State Higher Education Executive Officers (SHEEO)** and supported by the **Nellie Mae Education Foundation**, focused on how best to develop assessment systems that:

- Present assessment outcomes in ways understandable by non-academic stakeholders;
- Center on using actual student work, closely linked to curriculum and to the instruction work of the faculty, and
- Allow comparison of student learning across state lines.

This ambitious work, if successful, will enable states to use shared standards to compare their students' level of learning with other states.

Massachusetts already has established a leadership role among the various state systems both in its shared vision for high-quality education and in its recognition that any contemporary vision for learning also requires new ways of showing what students are accomplishing across their studies.

—CAROL GEARY SCHNEIDER,
PRESIDENT, ASSOCIATION OF
AMERICAN COLLEGES AND
UNIVERSITIES (AAC&U)



Photo by State Higher Education Executive Officers (SHEEO)

National Assessment Dialogue Richard M. Freeland, Commissioner, Massachusetts Department of Higher Education; Carol Geary Schneider, President, Association of American Colleges and Universities; and Paul Lingenfelter, President, State Higher Education Executive Officers, convene a May 2012 national conference in Colorado to propose development of a multi-state collaborative to advance student learning outcomes assessment.



Photo by Fitchburg State University

Multi-State Partnerships Students in the classroom at Fitchburg State University, one of the four Massachusetts campuses participating in the national Quality Collaboratives Project intended to improve the transfer pathway between community colleges and four-year institutions through focus on student learning outcomes.

■ TEST ASSESSMENT MODELS THAT CAN SCALE TO OTHER COLLEGES AND UNIVERSITIES

In the fall of 2011, Massachusetts public campuses competed for grants to support **assessment experiments** across the Commonwealth. Funded by the **Davis Educational Foundation** as part of the AMCOA project, the grants support campuses working both singly and in teams, with a goal of developing models that can be expanded to other colleges and universities.

Holyoke Community College, one of the Davis grant winners, is using the funds to expand its work in integrating **quantitative reasoning assessment and instruction** in courses ranging from nutrition and biology to art and economics. Faculty experts in the application of mathematical concepts and skills are teaming with teaming with faculty in highly enrolled, high-impact introductory courses to develop, implement, and assess modules in quantitative reasoning.

A grant from the **Lumina Foundation** is supporting an additional four campuses in developing models that have the potential to increase student success

and degree completion system-wide. Massachusetts is one of eight states selected to participate in the **Quality Collaboratives Project** sponsored by the **AAC&U**, with **Fitchburg State University** and **Mount Wachusett Community College** paired together in one partnership, and **Middlesex Community College** and the **UMass Lowell** in a second. Both dyads are working to improve the transfer pathway between the community college and the university. They will focus on developing shared learning outcomes across institutions, fostering faculty leadership, and using student learning outcomes to set transfer policies and practices.

Leaders of Tomorrow

RENEE
MICHELLE
KEYES
ROXBURY
COMMUNITY
COLLEGE '12



As a biotechnology/biological science major at Roxbury Community College, Renee Michelle Keyes conducted extensive undergraduate research. In 2011 this honors student, who was previously homeless, participated in the Research Experiences for Undergrads (REU) Program at Northeastern University's Center for High-Rate Nanomanufacturing. She was a member of RCC's Louis Stokes Alliances for Minority Participation (LSAMP) Program, and also received the college's STEM Homeland Security Scholarship. Last spring, she was one of several students invited to present her work on mutating an enzyme at Harvard Medical School. A mother with two young daughters, Renee now serves as a mentor to teen mothers in her community. She notes that her oldest daughter is very proud of her and is thinking about becoming a scientist like her mom. "For me, Roxbury Community College has truly been the gateway to my dream," says Keyes. "I'm hoping that, through a career in biotechnology, I will inspire my own daughters and also be a role model for other young women interested in careers in the sciences."



Bunker Hill Community College Professor Scott Benjamin observes a specimen of elodea with environmental science students. Photo by Bunker Hill Community College.



KEY OUTCOME

4 WORKFORCE ALIGNMENT

While Massachusetts' economy has proved resilient during the recent economic downturn, the state's public colleges and universities are barely keeping pace with the

demand for a highly educated workforce. To meet these future workforce needs, the Vision Project is working on two levels.

First, we seek to increase the overall percentage of Massachusetts residents with college degrees because of the strong correlation between high numbers of college graduates and strong economic performance. This goal expresses the importance of a broad liberal education and encompasses all aspects of Vision Project work.

Second, we seek to meet workforce requirements in areas of greatest economic growth. In this second context the Vision Project is pursuing three core goals:

- **Address workforce development needs in innovative and high-growth sectors**
- **Strengthen student interest and success in science, technology, engineering and math (STEM) fields**
- **Reduce gaps in STEM for African-American, Latino and female students**

STRATEGIES TO

Address workforce development needs in high-growth sectors

Baby boomer retirements are expected to deplete the science and technology workforce by 50 percent over the next decade, putting the U.S. at risk of losing our leadership in technology and innovation.

—TIMOTHY P. MURRAY,
LIEUTENANT GOVERNOR AND
CHAIR OF THE GOVERNOR'S
STEM ADVISORY COUNCIL

■ CREATE NEW COLLABORATIVE STRUCTURES TO INCREASE DEGREE PRODUCTION IN KEY FIELDS

The **Patrick-Murray Administration's** workforce development strategy focuses on four key high-growth sectors: **Health Care, Life Sciences, Information Technology, and Advanced Manufacturing**. A strategic plan developed jointly by the Secretaries of Education, Housing and Economic Development, and Labor and Workforce Development ensures a coordinated approach.

One of the plan's primary goals is to better align educational and workforce training programs with clearly defined industry-specific pathways to employment. The **Pathways to Prosperity** project will help Massachusetts build a system of six-year career pathways for high-school-age students beginning in 9th grade. Working with employers, workforce investment boards, local social service providers, and state-level agencies, the **Executive Office of Education** will develop three sector-based projects in Greater Boston, Metro West and Springfield. This is the first step in developing a statewide system that enables all young people to successfully transition from high school through a postsecondary credential to a high-skills, family-supporting career.

■ DEVELOP INDUSTRY-SPECIFIC, STATEWIDE WORKFORCE DEVELOPMENT PLANS FOR KEY SECTORS

A key strategy in workforce development is the creation of industry-specific plans that combine assessment of future workforce needs with a coordinated system of education and training. A model of such a plan is provided by the **Department of Higher Education's Nursing and Allied Health Initiative**, which is a partnership of the DHE, health care providers, and schools of nursing to raise the percentage of Massachusetts nurses who hold a Bachelor of Science in Nursing (BSN) from 55 percent today to 66 percent by 2020. Research shows that nurses with bachelor's degrees provide improved patient outcomes at lower costs, and increasingly employers are demanding that nurses attain the BSN.

Through the Nursing and Allied Health Initiative, the DHE and its partners have sponsored the development of pathway programs from associate's degrees to bachelor's and master's, as well as from Licensed Practical Nurse to BSN. **Springfield Technical Community College** and **UMass Amherst** provide one innovative example of a clear pathway to the BSN. These two institutions have developed a **joint nursing track** that enables students to get associate's degrees in three years at STCC and then, after passing their Registered Nurse licensure exam, take one year of online courses at UMass to obtain a bachelor's degree.



Photo by Branding and Creative Communications, University of Massachusetts Amherst

Advancing by Degrees UMass Amherst nursing students gaining clinical experience. The Department of Higher Education's Nursing and Allied Health Initiative sponsors the development of pathway programs such as one between Springfield Technical Community College and UMass Amherst, to help nurses advance their education from the associate's to the baccalaureate level.

■ DESIGN PROGRAMS TO MEET THE NEEDS OF ADULT LEARNERS

An important role of public higher education is providing **adult workers** with the additional knowledge and skills they need to advance in their current job or change careers altogether. **Salem State University** tailors a number of its programs to working healthcare professionals. A part-time evening program for Certified Occupational Therapy Assistants, for instance, provides a path to obtaining bachelor's and master's degrees, necessary steps to advancing to the role of Occupational Therapist.

At **Bristol Community College**, the **Professional Advancement to Health and Human Services Careers** program has helped 450 underemployed or unemployed adults obtain industry-recognized certificates over the past three years. And in 2011, **Mount Wachusett Community College** successfully partnered with 27 businesses in North Central Massachusetts to provide **workforce training** for 300 workers. This collaboration benefited these employers through improved productivity, workforce stability, and employee morale, and helped workers increase their salaries, competence, and job satisfaction.



Photo by Mount Wachusett Community College

Learning for Life Mount Wachusett Community College workforce training at Tyco International in Westminster, a leading provider of security and fire safety products and services. Offering continuing education to adult workers helps businesses become more productive and employees advance their careers.

STRATEGIES TO

Strengthen student interest, learning and completion of programs in the science, technology, engineering and math (STEM) fields

■ DEVELOP A COMPREHENSIVE STATEWIDE PLAN TO BUILD THE PIPELINE OF STEM PROFESSIONALS

Eighty percent of jobs created in the next decade will require math and science skills, yet Massachusetts high school students lag behind peers in other states in their level of interest in science, technology, engineering and math (STEM) majors. In addition, many students who began college intending to major in a STEM field transfer to non-STEM programs during the course of their studies. These are issues of critical concern to both educators and legislators, given the particular needs of the state's knowledge-based economy.

The **Massachusetts Plan for Excellence in STEM Education** is the state's answer to this challenge. Offering a coherent and comprehensive approach to building the pipeline of STEM professionals, the Massachusetts STEM Plan has quickly become a national model. The plan was authored by the **Massachusetts STEM Advisory Council**, now in its third year. The Council, chaired by Lt. Governor Tim Murray, works to increase the statewide focus on STEM fields and ensure that all students receive a quality education in science, technology, engineering and math.

■ IDENTIFY SUCCESSFUL PROGRAMS AND BRING THEM TO SCALE

One component of the Massachusetts STEM Plan is the **@Scale Initiative**, which takes programs that have demonstrated success and effectively scales them by leveraging state grant money on a 1:3 match with funds from outside sources, especially the business community. A hallmark of @Scale is its coordinated plan for developing a portfolio of projects that span all four STEM fields, from elementary school through postsecondary education and into the workforce. An initial group of @Scale grants from the state's STEM Pipeline Fund was distributed in the spring of 2011.

At the college level, **Massasoit Community College's Science Transfer Initiative** provides enhanced advising, exposure to science career paths, early undergraduate research opportunities, and increased access to financial aid information to science majors. The results—greater enrollment, improved performance, increased likelihood of continuing science studies at a four-year institution—have been impressive enough to garner a \$150,000 **National Science Foundation** grant which will enable this @Scale program to expand to **Bristol and Cape Cod Community Colleges**.



Potential to Build Lt. Governor Tim Murray (fourth from right) and Secretary of Education Paul Reville (far right) pose with 2011 @Scale Endorsement recipients. @Scale recognizes the potential of local STEM programs to grow statewide and encourages businesses and foundations to support them with 1:3 match of state grant to private funding.

STRATEGIES TO

Reduce gaps in STEM for African-American, Latino, and female students

TARGET STEM OUTREACH TO UNDERSERVED GROUPS

The Massachusetts STEM Advisory Council's **WOW Campaign** highlights the achievements of African-Americans and Latinos in the fields of math, science and technology. Featured professionals include Nigel Jacob, emerging technology advisor to Boston Mayor Thomas Menino; Andrew Jackson, chemist at Cubist Pharmaceuticals; and Emmanuel Gomez, electro-mechanical lab technician at Metso Automation USA. Through videos, posters and live events, these role models tell their stories and encourage Massachusetts middle school students to pursue STEM careers.

North Shore Community College's **Bridges to the STARS** program has achieved 80-percent retention in STEM majors for the students it serves: Latino, African-American, and women undergraduates who are first-generation college or low-income. The program, funded by Verizon and Comcast, offers tutoring combined with career and personal growth counseling. Peer support from classmates in each 20-student cohort and from older student mentors is also an important aspect of the program.

GET YOUNG WOMEN ENGAGED WITH SCIENCE BEFORE THEY GO TO COLLEGE

During the summer of 2012, the Massachusetts Maritime Academy hosted events for the **Girl Scouts 100th Anniversary Celebration**, providing learning opportunities for over 2,000 girl scouts and their families. The workshops, presented in part by faculty from MIT and **Bridgewater State University**, offered participants unique opportunities for exploration and inquiry into STEM disciplines such as oceanography and biology. Another Mass Maritime program targeted at young women is the SciTech Girls expo, which provides more than 100 female students with classes in the operation of submersible Remotely Operated Vehicles.

There's a story behind every WOW. Start discovering yours today!

Mish Michaels
Meteorologist

Anna Mracek Dietrich
Co-founder of company that makes a "flying car"
Ternafugia

Morris Green
Electrical Engineer working on energy storage solutions
FastCAP Systems Corporation

Bill James
Statistician
Boston Red Sox

Martha Murray
Orthopedic surgeon specializing in sports medicine
Children's Hospital

Andrew Jackson
Chemist
Cubist Pharmaceuticals

Catherine Reyes
Medical school student

Nigel Jacob
Emerging Technology Advisor
Office of the Mayor of Boston

Mikell Taylor
Robotics Engineer
Bluetn Robotics Corporation

Amy Kukulya
Oceanographic Engineer
Woods Hole Oceanographic Institution

Daniel Pratt
Supervisor of the Crime Scene Response Unit
Massachusetts State Police

Sena Kumarasena
Principal Designer of the Zakim bridge
Annam & Whitney

Jim Toepel
Music game designer
Harmonix Music Systems

Emmanuel Gomez
Electromechanical lab technician
Metro Automation USA

Laura Hajduk
Wildlife biologist managing the state's Black Bear Project
Massachusetts Division of Fisheries and Wildlife

GOVERNOR'S STEM ADVISORY COUNCIL
Timothy P. Murray, Lt. Governor, Chair
David Cedrone, Executive Director
www.mass.gov/governor/STEM

Deval L. Patrick, Governor

wOW
Science • Tech • Engineering • Math
All In Massachusetts

Stars of STEM WOW Campaign poster developed by the Massachusetts STEM Advisory Council promotes role models for African-American and Latino students engaging with math, science, engineering and technology.

Leaders of Tomorrow

ABRAHAM JAFFE
UMASS MEDICAL
SCHOOL '12



Arlington native Abraham Jaffe graduated from UMass Medical School in May. He was the recipient of the Albert Schweitzer Fellowship, awarded to individuals dedicated to and skilled in addressing the health needs of underserved communities. As his project, he helped design and open a free health clinic for underserved African immigrants in Worcester.

At UMMS, Abraham also volunteered at the African Children's Education Program as a tutor, served on the UMMS Student Body Committee, and helped raise over \$10,000 for local charities. He was president of the International Student Interest Group and led a group of 11 medical and nurse practitioner students on a medical mission to Guatemala.

Abraham travelled to Mali, West Africa, as a 2008 King Shaw Fellow, helping to organize and run Mali's first pilot program for the One Laptop Per Child (OLPC) initiative. He extended his clinical years by one year, conducting independent research under the supervision of Dr. Ulises Torres of the UMass Medical Trauma Surgery Department and traveling to Peru to complete a clinical rotation in general surgery at the Hospital Maria Auxiliadora in Lima.

Abraham will continue his residency at the UMass Memorial Medical Center in Worcester.

As Board of Higher Education Chairman Charles F. Desmond and State Representative Tom Sannicandro look on, UMass Amherst student Melanie Mulvey addresses a crowd of 400 at the Massachusetts State House. Public Higher Education Advocacy Day brought students, faculty, and staff from every public campus to the State House in March 2012 to advocate for increased state funding and financial aid. Photo by Massachusetts Teachers Association.



GOALS AND STRATEGIES

5 PREPARING
CITIZENS

In March 2012, the Board of Higher Education voted to add a seventh key Vision Project outcome to the six that were approved in 2010: becoming a national leader in the preparation of students to be active, engaged, informed citizens. This step was taken in order to align the programmatic goals of the Vision Project more fully with the initiative's underlying vision: to produce the "best-educated *citizenry and workforce*" in the nation. The Board's action makes Massachusetts the first state to include civic learning and engagement as part of a system-wide program of accountability measures.

Given the recent date of the Board's vote, the key outcome of preparing citizens is not as developed as other Vision Project goals and strategies. The emerging work in this area is described in the upcoming pages.

MORE INFORMATION ON

Developing work in Preparing Citizens

The **Board of Higher Education's** vote to add a civic learning and engagement outcome to the Vision Project reflects state-level as well as national concerns that higher education has too often abandoned its role of preparing students to assume the responsibilities of citizenship. Declining rates of voter participation and a superficial understanding of public issues among young people are often cited as indicators of higher education's inattention to this matter. At a time of sweeping demographic change in the United States, many argue that it is critical to balance global awareness with an understanding of American democracy. These concerns have led many to conclude that colleges and universities must play a more active role in fighting what Charles N. Quigley, the executive director of the Center for Civic Education, calls a "civic recession."

A great deal of work is occurring within higher education all across the United States to reassert the importance of preparation for active and informed citizenship as a goal of undergraduate education. Colleges and universities are recognizing that civic learning and engagement can be critical aspects of a liberal arts education, and can occur in every dimension of student learning: in the formal curriculum, through **study of history, government and political science**; in extracurricular activity, such as **participation in student government or policy-oriented clubs and discussion groups**; and in the world at large, through **community service, service learning, and internships**.

The **Department of Higher Education** will form a study group of campus representatives and civic education experts during the 2012–13 academic year to review current work on education for citizenship and make recommendations regarding how the state's public colleges and universities can most effectively integrate this emphasis into their work. The study group will also develop specific goals for public higher education in this area and will recommend metrics by which to track and report progress. These metrics, like the other metrics in the Vision Project, should allow us to compare the quality of student preparation for active citizenship with that achieved in other states.

Massachusetts public higher education has a strong foundation of current work on which to build as we develop this new component of the Vision Project. Many of our public colleges and universities are already focused on strengthening civic education and engagement, and several of our campuses have received national plaudits for this work. For example:

■ **Ten Massachusetts public campuses** have received the **Community Engagement Classification** from the Carnegie Foundation for the Advancement of Teaching, an honor given to only 163 public campuses nationally. To achieve this distinction, institutions must provide compelling evidence of outreach or partnerships that benefit the community, and of teaching and scholarship that deepen students' civic and academic learning.



Service Learning Students at Mount Wachusett Community College's wind turbine dedication ceremony in April 2011 wear T-shirts designed and sold by the Computer Graphic Design Club. The service learning project netted \$1,900 for student scholarships.

The Massachusetts campuses classified by the Carnegie Foundation as Community Engagement Institutions are:

- **Bristol Community College**
- **Bunker Hill Community College**
- **Middlesex Community College**
- **Mount Wachusett Community College**
- **North Shore Community College**
- **UMass Amherst**
- **UMass Boston**
- **UMass Dartmouth**
- **UMass Lowell**
- **UMass Worcester**



Photo by Bunker Hill Community College

Community Service Bunker Hill Community College students Jeffrey Philogene and Jocelyn Santiago working with Habitat for Humanity of Greater Boston.



Photo by UMass Dartmouth

Community Engagement UMass Dartmouth celebrates the May 2012 dedication of the Leduc Center for Civic Engagement, named for University donors and Fall River natives Robert and Jeanne Leduc. UMass Dartmouth is received a top honor on the President's 2012 Higher Education Community Service Honor Roll.

■ **University of Massachusetts Dartmouth** was awarded the level of Honor Roll Finalist, the highest ranking achieved by any college or university in Massachusetts, in the **President's 2012 Higher Education Community Service Honor Roll**. Launched in 2006, this annual award highlights the role that colleges and universities play in placing students on a lifelong path of civic engagement. An additional nine public campuses were included as 2012 Honor Roll members, with University of Massachusetts Lowell listed as "Honor Roll with distinction."

■ **Mount Wachusett** and **Middlesex** were two of only ten community colleges nationally to be chosen in March 2012 as leadership institutions in the **Bridging Cultures project** of the Association of American Colleges and Universities. Funded by the National Endowment for the Humanities, this three-year curriculum and faculty development initiative seeks to promote greater adoption of high-impact practices that advance civic learning outcomes, and to infuse questions about difference, community, and democratic thinking into transfer courses in the humanities.

■ **Westfield State University** is one of 25 campuses nationally (the only one in Massachusetts) participating in the **Campus and Community Health Initiative** of the American Association of State Colleges and Universities. The goal of this two-year initiative is to create strategies for measuring and improving civic health, including levels of community service and fulfillment of civic obligations, both on and off campus.

IV. PARTNERSHIPS

AND

**What support does
public higher education
need to achieve its goals?**

PUBLIC SUPPORT

- We can't do it alone. *Time To Lead* closes with **acknowledgement of public higher education's key partners** in the public, private and nonprofit sectors and makes the case for expanding these partnerships still further.

Through the Vision Project, Massachusetts public higher education has united in a bid to achieve national leadership. But we cannot hope to reach this ambitious goal alone. Robust partnerships and support from many quarters—including the business and philanthropic communities, our colleagues at all levels of education, and, of course, state government—have been critical to the progress we have made. These partnerships will need to be further strengthened in the years ahead.

■ THE BUSINESS AND EMPLOYER COMMUNITY

The **Massachusetts business and employer community** has been a critical Vision Project partner, both in building support for the cause of excellence in public higher education and in working with the Commonwealth’s public campuses to ensure that our graduates have the skills demanded in the workforce. Collaboration between the state’s employers and higher education has been further enhanced by **Governor Patrick’s** creation in 2011 of a new position—the **Director of Education and Workforce Development**—with responsibility to coordinate workforce development efforts across the state, focusing specifically on strengthening partnerships between community colleges and employers.

Public Support for Public Higher Education

72%

of Massachusetts voters agree that it is very important that Massachusetts have one of the best public higher education systems in the United States.

82%

of Massachusetts voters think it is extremely important that the state’s public colleges and universities remain affordable.

Source: *Opinion Dynamics, The Massachusetts Department of Higher Education Registered Voter Survey, July 2011*



Learning and Earning Bunker Hill Community College student interns working at State Street through the Massachusetts Competitive Partnership’s “Learn and Earn” program.



The Sky's the Limit A student in North Shore Community College's aviation program. NSCC has created programs to meet workforce needs in regional aerospace and defense industries, including one in advanced manufacturing at General Electric Aviation in Lynn.

In addition to ongoing regional collaborations between campuses and employers, recent examples of joint efforts include:

- **The Learn and Earn program** at **Bunker Hill Community College**, sponsored by the **Massachusetts Competitive Partnership**, which offers paid work experience at businesses including Bank of America, BJ's Wholesale Club, EMC, Fidelity, Raytheon, State Street Corporation and Suffolk Construction;

- **General Electric Aviation's advanced manufacturing program** developed in partnership with **North Shore Community College**, which prepares graduates for solid careers as machinists/machine repair technicians;

- **UMass Boston's Student Entrepreneur Program**, in which UMass business students work as paid interns at one of more than 40 high-tech start-ups in areas including marketing, sales, IT, software development, and finance; and

- **Future Ready Massachusetts**, an umbrella communications strategy to acquaint students, families, counselors and mentors with college and career programs and strategies, being developed by the **Massachusetts Business Alliance for Education** in collaboration with the **Departments of Higher Education** and **Elementary and Secondary Education**.

But, as the recent report of the **Board of Elementary and Secondary Education's** Task Force on Integrating College and Career Readiness states, the linkage between public higher education and the business and employer community needs to be strengthened even further in order to reach the state's workforce development goals. We must:

- Expand ties between employers and the state's high schools to help students understand **workplace culture** and **career opportunities in emerging fields**;
- Make **college internship** and **co-op opportunities** more widely available throughout the public higher education system; and
- Make use of the **Legislature's** recently created **Rapid Response Fund** to strengthen the capacity of public campuses to address the training needs of employers seeking to expand in Massachusetts or relocate their operations here.



Gold Status Two students work in the state-of-the-art lab built for Northern Essex Community College's associate's degree program in laboratory science.

On the Leading Edge

The new Massachusetts Life Science Education Consortium, a partnership between the life science industry and higher education, has issued "gold" endorsements of biotechnology programs at four Massachusetts community colleges:

- **Middlesex Community College**
Associate in Science—Biotechnology Technician Certificate—Biotechnology Technician
- **Northern Essex Community College**
Associate in Applied Science—Laboratory Science
- **Quinsigamond Community College**
Certificate—Biotechnology
- **Roxbury Community College**
Associate of Science—Biotechnology Certificate—Biotechnology/Biomufacturing

An additional four campuses received "silver" endorsements for their programs.

In my experience, the current level of collaboration between the Commonwealth's higher education and K-12 systems is unprecedented. By aligning our standards and assessments, developing multiple pathways from middle grades through postsecondary education, and promoting career as well as college readiness, K-12 and higher education are now committed to a joint agenda.

—MITCHELL CHESTER,
COMMISSIONER, MASSACHUSETTS
DEPARTMENT OF ELEMENTARY
AND SECONDARY EDUCATION

■ EARLY CHILDHOOD, ELEMENTARY AND SECONDARY EDUCATION

Educators in higher and secondary education have traditionally worked along parallel but separate tracks, with the result that many students have been able to complete high school requirements without being ready for college-level work.

The **Patrick-Murray Administration** has sought to right this problem by creating an **integrated administrative structure** that unites early education, elementary and secondary education, and public higher education under a single secretariat.

Within this framework, public higher education has embarked on an unprecedented level of collaboration with K-12 colleagues. In addition to the national **Partnership for Assessment of Readiness for College and Careers (PARCC)** and the **Massachusetts Task Force on College and Career Readiness**, this work includes:

- The **Educator Preparation Advisory Council**, a joint effort of the **Executive Office of Education** and members of the **Boards of Higher Education, Elementary and Secondary Education**, and **Early Education and Care**, created to improve the effectiveness of teacher preparation programs through strengthening the content and quality of required coursework, creating more robust classroom-based learning opportunities, and better integrating teacher preparation with the first three years of service;
- Postsecondary courses designed to enhance K-12 teacher expertise in specific fields, such as **Massachusetts Maritime Academy's sustainable energy education** for secondary school educators;



New Levels of Collaboration Charles F. Desmond and Maura Banta, chairs of the Massachusetts Board of Higher Education and Board of Elementary and Secondary Education, respectively, have presided over an era of unprecedented collaboration between their sectors.

- **Dual enrollment and early college programs** that enable students to take college courses while still in high school;
- The creation of a **longitudinal data system** that will enable a continuous pre-K through college view of educational system effectiveness by systematically and comprehensively linking data from the **Departments of Higher Education, Elementary and Secondary Education**, and **Early Education and Care**; and
- The development of **early educator pathways** that will provide early childhood educators with stackable credentials and learning experiences, moving through multiple certifications and on through degrees ranging from associate's to doctorate.

Photo by kulbakofphoto.com

■ INDEPENDENT COLLEGES AND UNIVERSITIES

Massachusetts' independent colleges and universities must play an important role in ensuring that the state has the best-educated citizenry and workforce in the nation, and in driving research that supports economic development. The state has benefited for many years from long-standing models of collaboration between public and private campuses, such as the **Five Colleges in the Pioneer Valley** and the **Colleges of Worcester consortium**. More recent alliances address a number of Vision Project goals:

- **Berkshire County Goes to College**, a Western Massachusetts college participation initiative organized by **Berkshire Community College**, **Massachusetts College of Liberal Arts**, **Williams College** and **Bard College at Simon's Rock**. Now in its fifth year, the annual spring event raises awareness of college in Berkshire county students at an early age by providing every sixth-grader an opportunity to visit a college campus.
- The state's **Nursing and Allied Health Initiative**, described on page 62, in which public and private colleges and the health care industry have worked to meet future nursing needs. This joint project can serve as a model for similar public/independent efforts in other industries.



Photo by Eugena Orsi / Governor's Office

Partnership for Economic Growth Governor Deval Patrick joins education and business leaders in June 2009 to announce plans for the Massachusetts Green High-Performance Computing Center in Holyoke.

Public/private research partnerships also play an important role in advancing knowledge and industry in Massachusetts, and in attracting the federal dollars that are the lifeblood of this work. Recent examples include:

- The joint work of the **University of Massachusetts**, **Harvard**, **MIT**, **Boston University**, **Northeastern University**, **EMC Corp** and **Cisco Systems** that produced the \$168 million **Massachusetts Green High-Performance Computing Center** in downtown Holyoke.
- **University of Massachusetts Lowell**, **Northeastern University**, and the **University of New Hampshire's** collaboration in nanotechnology through the National Science Foundation-funded **Center for High-rate Nanomanufacturing**.



Photo by Department of Higher Education

Partnership for Future Workforce Needs Students and educators participating in a Regis College/Lahey Clinic "Transition into Practice Model Project," one of the numerous partnerships funded by the Department of Higher Education's Nursing and Allied Health Initiative to address the state's future workforce needs in these areas.

@Scale Supporters

The **@Scale Initiative**, described in more detail on page 64, works to scale or replicate programs that increase students' interest and skills in science, technology, engineering and math (STEM). Launched in the spring of 2011, @Scale requires grant recipients to match every dollar in state seed money with three dollars in outside funding. As of July 2012, the following corporations and foundations had provided financial support to @Scale projects:

CORPORATE SUPPORT

- Analog Devices
- Broadcom
- Cisco
- EMC
- IBM
- Mediatech
- PTC
- Raytheon
- SolidWorks
- The Math Works
- Vertex
- Verizon

FOUNDATION SUPPORT

- Boston Scientific Foundation
- Ellesworth Foundation
- Greater Worcester Community Foundation
- Hoche-Schofield Foundation
- Linde Family Foundation
- National Math and Science Initiative
- Noyce Foundation
- Robotics Education and Competition Foundation

PHILANTHROPIC COMMUNITY

Support from the philanthropic community can provide the additional resources needed to achieve true excellence and to experiment with innovative educational models. Public campuses have benefited for many years from this kind of support, including assistance from the state's 14 regional community foundations. More recently Vision Project initiatives have benefited from more than \$2.5 million in foundation grants, with generous support coming from the **Boston Foundation, Nellie Mae Education Foundation, Davis Educational Foundation, Hewlett Foundation, Lumina Foundation, Balfour Foundation, Gates Foundation, and National Governors Association.**

Work supported by these grants includes:

- **Conferences** to bring together educational leaders both within and beyond Massachusetts to learn from one another about promising practices to improve the outcomes of public higher education;
- **Research** to support the accountability aspects of this report;
- Increased **collaboration** between higher education and K-12 to improve students' readiness for college;
- **Improvement** of student learning assessment across our campuses; and
- **Efforts** to improve college completion rates and facilitate effective student transfers.

The business and philanthropic communities stand behind the Vision Project because we recognize the critical need for strong higher education in the 21st-century economy. The work underway is impressive—but its success requires continued investment in efforts to measure and improve performance at all of our public colleges and universities.

—PAUL GROGAN, PRESIDENT AND CEO, THE BOSTON FOUNDATION

■ NATIONAL ASSOCIATIONS AND ORGANIZATIONS

Three Vision Project focus areas have benefitted tremendously from the support of national organizations:

■ The **Association of American Colleges and Universities** (AAC&U) and the national organization of **State Higher Education Executive Officers** (SHEEO) have been instrumental in supporting our work on student learning outcomes assessment.

■ **Achieving the Dream**, a national campaign dedicated to improving the college success of historically underserved students, has partnered with four of our community colleges—**Bunker Hill, Northern Essex, Roxbury, and Springfield Technical**—to increase the percentage of students who successfully complete their courses, advance from remedial to credit-bearing courses, and earn degrees or certificates. The ATD partnership extends to the **Board of Higher Education**, where the focus is on strengthening state policies in data and performance measurement systems, K-12 and postsecondary alignment, and transfer between institutions.

■ Massachusetts public higher education is working with **Complete College America** to improve graduation rates and student success.



Coming Together Public higher education faculty and administrators in the audience at the Nellie Mae-funded Vision Project Launch Conference in September 2010, the first of several Vision Project convenings supported by philanthropic grants.

■ THE FEDERAL GOVERNMENT

The federal government is a key source of supplementary funding for student financial aid, research, and educational programming at Massachusetts' public colleges and universities. Federal financial aid, especially the Pell Grant program, is indispensable to keeping college affordable for thousands of students from low income families. Many federal grants received by campuses align with Vision Project-related goals, including:

■ More than \$8 million for **GEAR UP** and the **College Access Challenge Grants**, two programs that increase college participation among traditionally underserved populations.

■ **Bristol Community College's** \$900,000 National Science Foundation grant to add new courses and augment existing ones so that every engineering technology graduate has sustainability and green technology skills.



Going Green With a \$900,000 grant from the National Science Foundation, Bristol Community College is weaving sustainable education into its engineering technology program.

■ **Framingham State University's** strong partnership with **Natick Soldier Systems Center** (NSSC) results in federal grants to faculty and internships/jobs for FSU students. NSSC funding allows FSU faculty to conduct research in fields such as nutritional science and genetic engineering, while FSU students are offered year-long internships that often lead to permanent employment. FSU students have been involved in the development of military MREs (Meals Ready to Eat), food air-drop systems, body armor, and fabric treated with insect repellent.

Continued success in winning financial support from the philanthropic community, national organizations and the federal government to support our public colleges and universities will be critical to achieving Vision Project goals.



Photo by Matt Bennett/Governor's Office

Fueling the Vision Governor Patrick announces the inaugural winners of Vision Project Performance Incentive Fund grants at Framingham State University in September 2011.

STATE GOVERNMENT

Despite severe fiscal constraints, the **Patrick-Murray Administration** and the **Legislature** have held the line against the kind of draconian budget cuts suffered by public campuses in some other states, while also providing new funding to support the Vision Project agenda.

- The **Performance Incentive Fund**, allocated \$7.5 million in FY13, supports public campuses in creating or strengthening programs that advance Vision Project goals.
- The FY13 budget also includes \$3.25 million for a **new scholarship program** to encourage students to major in fields critical to the state's economy.
- **Campus infrastructure** continues to receive long-overdue improvement and expansion of facilities as a result of the \$2 billion bond bill enacted in 2008.



Photo by UMass Boston

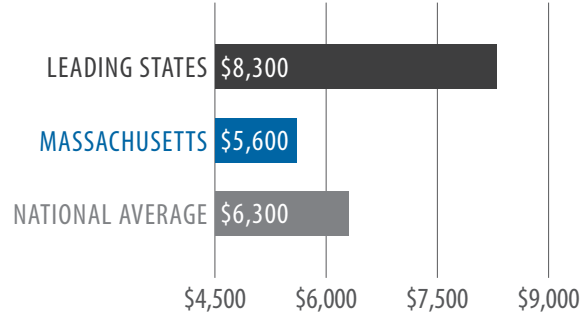


Photo by Eugena Osi/Governor's Office

Building Our Future Officials mark milestones in campus projects funded by the Patrick-Murray Administration's historic higher education bond bill, which includes a \$152 million Integrated Sciences Complex at UMass Boston (opening 2014) and a \$31 million modernization of Greenfield Community College's campus core.

PUBLIC HIGHER EDUCATION SYSTEM

State Appropriations per Full-Time Student



Represents state and local support for public higher education operating expenses, including ARRA funds, in 2011.

Source: SHEEO/SHEF

In 2011, Massachusetts ranked 30th among states in higher education funding per student, behind such states as California, Connecticut, Florida, Illinois, Kentucky, Louisiana, Maine, Maryland, Mississippi, New Jersey, New York, North Carolina, Texas, Washington, and Wisconsin.

The leading states, ranked from the top, are North Carolina, Connecticut, New York, New Mexico, and Texas. *This analysis excludes Wyoming and Alaska, which are high-spending outliers because of low population density.*

This support has been essential, but the Commonwealth still ranks in the middle tier nationally in higher education appropriations, with 29 states providing more funding per student in FY11 than Massachusetts. This low ranking has been a persistent pattern over many years, reflecting Massachusetts' historic complacency toward public higher education in a state with so many distinguished independent institutions. In addition:

- A 21 percent jump in enrollment at Massachusetts public campuses over the past five years—a rate that puts us among the top ten states nationally for growth—has placed **additional financial pressures** on public higher education.

- With enrollments growing and state funding constrained, the **cost of supporting public colleges and universities** has been shifting from the state to students and families. Tuition and fees now constitute a greater percentage of public higher education revenue than the national average.

- Rising college costs represent a barrier to both college participation and college completion. **Financial pressures** are the most common reason given by our community college students for halting their studies before they graduate.

- Public colleges and universities face a consistent challenge of maintaining **affordability** while making the **critical investments** needed to sustain quality, such as hiring full-time faculty to accommodate higher enrollments.

State support will be critical to keeping Massachusetts colleges affordable to our residents, and to ensuring the quality of the education is among the best in the nation.

I'm grateful for the excellent education I received at Salem State, but I do think we need a stronger public commitment to funding the state colleges and universities. Otherwise too many students are going to say, "I can't afford college." If other states can find a way, Massachusetts can too.

—ANGEL DONAHUE-RODRIGUEZ,
2011–2012 STUDENT BOARD
MEMBER, MASSACHUSETTS BOARD
OF HIGHER EDUCATION

DATA SOURCE ACRONYM GLOSSARY

Georgetown CEW

Georgetown University Center on Education and the Workforce

HEGIS

Higher Education General Information Survey (USDOE)

HEIRS

Higher Education Information Resource System (MDHE)

IPEDS

Integrated Postsecondary Education Data System (USDOE)

MDHE

Massachusetts Department of Higher Education

NCES

National Center for Education Statistics (USDOE)

NCHEMS

National Center for Higher Education Management Systems

NSC

National Student Clearinghouse

NSF

National Science Foundation

USDOE

United States Department of Education

WICHE

Western Interstate Commission for Higher Education

INDEX OF LEADING STATES

Massachusetts seeks national leadership in public higher education.

This **Index of Leading States** identifies the states that we need to surpass in each key outcome to achieve that goal. Although understandable questions may be asked regarding the comparability of some of these states with the Commonwealth, we believe that, when aggregated and averaged, these states are sufficiently similar to allow for reasonable comparison while allowing us to be consistent in our definition of national leadership.

* Comparison group includes fewer than 12 states, so “leading states” is defined as the top state or, in the case of a tie, the top two states.

Which states are in the lead in COLLEGE PARTICIPATION?

Page	Metric	Leading State(s)
16	■ College Enrollment Rates of Recent High School Graduates	LA NY SC MA GA
18	■ College Preparedness of High School Seniors—Math*	MA
	■ College Preparedness of High School Seniors—Reading*	MA

Which states are in the lead in COLLEGE COMPLETION?

Page	Metric	Leading State(s)
22	■ Community Colleges—“Achieving the Dream” Six-Year Success Rate*	TX
23	■ State Universities—Six-Year Graduation Rate	IA VA NJ WA SC
	■ UMass—Six-Year Graduation Rate	VA NJ CA PA SC

Which states are in the lead in STUDENT LEARNING?

Page	Metric	Leading State(s)
26	■ Community Colleges—Pass Rates on National Licensure Exams	
	<i>Dental Assistant</i>	IL OR MO MA MN
	<i>Medical Assistant</i>	UT IA MI WI WA
	<i>Licensed Practical Nurse</i>	MT WY UT VT SD
	<i>Registered Nurse</i>	ME TN LA RI ND
	<i>Physical Therapy Assistant</i>	OR LA AZ CT TX
	<i>Radiation Technologist</i>	OR SD CO IA ID
26	■ State Universities—Pass Rates on National Licensure Exams	
	<i>Certified Public Accountant</i>	FL IA MO VA WI
	<i>Registered Nurse</i>	UT NH TN OR CT
27	■ UMass—Pass Rates on National Licensure Exams	
	<i>Certified Public Accountant</i>	FL WI RI IA MN
	<i>Registered Nurse</i>	UT NH TN OR CT
27	■ UMass—Mean Scores on Graduate Entrance Exams	
	<i>Graduate Record Examination (GRE)</i>	MN VT CT RI WA
	<i>Pharmacy College Admissions Test (PCAT)</i>	UT WI WA MT MI

Which states are in the lead in WORKFORCE ALIGNMENT?

Page	Metric	Leading State(s)
30	■ Community Colleges—Associate's Degrees & Certificates in Health Care Support	NC MI OH SC FL
31	■ State Universities & UMass—Bachelor's Degrees in Health Care Practice	MI OH MO AZ IN
32	■ Community Colleges—Associate's Degrees in STEM Technician Fields	TX MN IL VA WI
	■ State Universities & UMass—Bachelor's Degrees in STEM Fields	NC LA MI PA GA IL
33	■ State Universities & UMass—Bachelor's Degrees in Business and Finance	NY GA AZ LA PA SC

Which states are in the lead in CLOSING ACHIEVEMENT GAPS?

Page	Metric	Leading State(s)
17	■ African-American/White Gap in College Enrollment Rates of 18- to 24-Year-Olds	OR NM AR ME OK
	■ Latino/White Gap in College Enrollment Rates of 18- to 24-Year-Olds	NH WV HI AK LA
20	■ African-American/White Gap in College Preparedness of High School Seniors—Math*	WV
	■ African-American/White Gap in College Preparedness of High School Seniors—Reading*	FL
	■ Latino/White Gap in College Preparedness of High School Seniors—Math*	WV
	■ Latino/White Gap in College Preparedness of High School Seniors—Reading*	FL IA
21	■ Parental Education Gap in College Preparedness of High School Seniors—Math*	AR
	■ Parental Education Gap in College Preparedness of High School Seniors—Reading*	SD
24	■ Community Colleges—African-American/White Gap in Three-Year Graduation Rate	AL NM MS TX SC
	■ State Universities—African-American/White Gap in Six-Year Graduation Rate	DE GA FL OK SC
	■ UMass—African-American/White Gap in Six-Year Graduation Rate	ID TN FL NM NY
	■ Community Colleges—Latino/White Gap in Three-Year Graduation Rate	AR AL SC TX DE
	■ State Universities—Latino/White Gap in Six-Year Graduation Rate	OR GA SC FL NM
	■ UMass—Latino/White Gap in Six-Year Graduation Rate	FL NC MI LA SC

The Massachusetts Department of Higher Education acknowledges with gratitude the encouragement, support and counsel of leaders of state government, including members of the Great and General Court, as well as the assistance of the philanthropic community.

■ **State Government**

Governor

Deval L. Patrick

Lieutenant Governor

Timothy P. Murray

Secretary of Education

Paul Reville

Massachusetts Board of Higher Education

Charles F. Desmond, *Chairman*

Louis Ricciardi, *Vice Chair*

Paul Reville, *Ex Officio*

David J. Barron

Jeanne-Marie Boylan

Gianni Falzone

C. Bernard Fulp

Nancy Hoffman

Keith J. Peden

Fernando Reimers

Henry Thomas III

Paul F. Toner

■ **Philanthropic Supporters of the Vision Project**

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Other Philanthropic Supporters

Nellie Mae Education Foundation

Davis Educational Foundation

Hewlett Foundation

Lumina Foundation

Balfour Foundation

Gates Foundation

National Governors Association

■ **Massachusetts Public Higher Education**

Massachusetts Department of Higher Education
Richard M. Freeland, Commissioner

University of Massachusetts
Robert Caret, *President*

Berkshire Community College
Ellen Kennedy, *President*

Bristol Community College
John J. Sbrega, *President*

Bunker Hill Community College
Mary Fifield, *President*

Cape Cod Community College
John L. Cox, *President*

Greenfield Community College
Robert L. Pura, *President*

Holyoke Community College
William F. Messner, *President*

Massasoit Community College
Charles Wall, *President*

MassBay Community College
John O'Donnell, *President*

Middlesex Community College
Carole A. Cowan, *President*

Mount Wachusett Community College
Daniel M. Asquino, *President*

North Shore Community College
Wayne Burton, *President*

Northern Essex Community College
Lane Glenn, *President*

Quinsigamond Community College
Gail Carberry, *President*

Roxbury Community College
Linda Edmonds Turner, *Interim President*

Springfield Technical Community College
Ira Rubenzahl, *President*

Bridgewater State University
Dana Mohler-Faria, *President*

Fitchburg State University
Robert Antonucci, *President*

Framingham State University
Timothy J. Flanagan, *President*

Massachusetts College of Art and Design
Dawn Barrett, *President*

Massachusetts College of Liberal Arts
Mary Grant, *President*

Massachusetts Maritime Academy
Richard Gurnon, *President*

Salem State University
Patricia Maguire Meservey, *President*

Westfield State University
Evan Dobelle, *President*

Worcester State University
Barry Maloney, *President*

University of Massachusetts Amherst
Kumble R. Subbaswamy, *Chancellor*

University of Massachusetts Boston
J. Keith Motley, *Chancellor*

University of Massachusetts Dartmouth
Divina Grossman, *Chancellor*

University of Massachusetts Lowell
Martin T. Meehan, *Chancellor*

University of Massachusetts Medical School
Michael F. Collins, *Chancellor*



MASSACHUSETTS
Department of
Higher Education

One Ashburton Place, Room 1401
Boston, MA 02108
www.mass.edu/vpreport



Massachusetts will not succeed unless its public colleges and universities succeed. In the end, it will take equal measures of hard work by the campuses of the Massachusetts public higher education system, strengthened collaboration with partner institutions and organizations, and sustained investment by the Commonwealth to get us where we need to be—national leadership in public higher education.

—RICHARD M. FREELAND, COMMISSIONER,
MASSACHUSETTS DEPARTMENT OF HIGHER EDUCATION

EXHIBIT 94

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Milton Eduardo Ramirez Cuevas, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I came to the U.S. when I was under two years old from Guadalajara, Mexico with my mother and father.
3. I grew up in Gresham, Oregon and graduated from Reynolds High School in 2010. Everyone calls me “Eddie.”
4. I applied for the Deferred Action for Childhood Arrivals (“DACA”) program in August 2012. My application was approved in September 2012, and I have remained in the program ever since.
5. I graduated from Portland State University (“PSU”) in 2014. I was charged in-state tuition rates at PSU.
6. After my DACA status was approved in September 2012, I was able to get a paid job in the PSU Admissions Office. I pay taxes in Oregon.
7. In the fall of 2014, I enrolled at the Oregon Health and Sciences University (“OHSU”) in the School of Dentistry. I was charged in-state tuition rates at OHSU.
8. I am currently a fourth year dental student at OHSU. I anticipate graduating from OHSU with a Doctor of Dental Medicine (“DMD”) degree in June of 2018.
9. As an OHSU student, I received a scholarship through the Scholars for a Healthy Oregon Initiative (“SHOI”) for all four years of my education at OHSU.
10. The SHOI program was created by the Oregon legislature to promote better access to healthcare in rural and underserved communities in Oregon. ORS 348.303.
11. The SHOI scholarship provides full tuition and applicable fees for my dental degree program at OHSU. In return, as a recipient I agreed to practice full time as a dentist in a rural or underserved community in Oregon for a minimum of one year longer than the total years of funding received; in my case, that is five years of service. ORS 348.303(3)(c).

12. The eligible locations in Oregon for providing my five years of SHOI service include (i) federally designated Health Professional Shortage Areas, (ii) federally designated Medically Underserved Area or Population, and (iii) Areas of Unmet Need as designated by the Oregon Office of Rural Health. ORS 348.303(1)(a).

13. The terms of the SHOI agreement provide that if I do not begin my service commitment work within 90 days of completing the dental program, and then complete my five years of service, I may have to repay the value of the SHOI scholarship plus an additional twenty-five percent penalty. ORS 348.303(6)-(8).

14. In June 2018, I was offered an externship at the Klamath Falls Open Door Medical Center in Klamath Falls, Oregon, through the School of Dentistry rotation office. This is my second externship rotation in Klamath Falls. This on-the-job externship is required practical experience to meet OHSU's graduation requirements to receive my DMD, and then Oregon license to practice dentistry.

15. The Klamath Falls Open Door Medical Center in Klamath Falls, Oregon provides dental care to in a rural or underserved community in Oregon.

16. My DACA deferred action status expires in September 2018, if it is not renewed.

17. If my DACA status is taken away, I will not be able to work in Oregon as a dentist despite having most likely graduated from OHSU's dental school with my DMD degree and having received an Oregon license to practice dentistry.

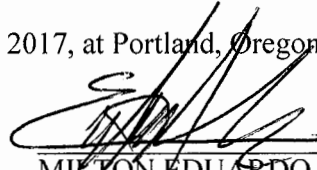
18. If my DACA status is taken away, it will impair my ability to fulfill my SHOI obligations to provide five years of service by working full time as a dentist in a rural or underserved community in Oregon.

19. If my DACA status is taken away, I could be deported to Mexico – a country I have not lived in since infancy. The United States is the only country that I have ever known, and Oregon is the only state that I have ever lived in here. It is my home.

20. My younger brother is a U.S. citizen. I am concerned that if the program ends, my family might be split apart, may not be able to sustain themselves, and may not be able to obtain an education.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 14 day of September, 2017, at Portland, Oregon.



MILTON EDUARDO RAMIREZ CUEVAS

EXHIBIT 95

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Aldo Alan Solano Mendez, declare:

1. I have personal knowledge of the matter stated herein.
2. I work as a community organizer for the Oregon Latino Health Coalition where I was able to be part of the team that advocated for SB 558, Cover All Kids. My current employment is dependent on my status as a Deferred Action for Childhood Arrivals (DACA) recipient.
3. Previously, I worked as a Field Organizer for Accion Politica PCUNista and as a Program Coordinator for the Capaces Leadership Institute, contributing to the transformation of a more equitable and inclusive Oregon.
4. I pay income taxes in Oregon from my employment. I am 24 years old.
5. My family and I moved to Woodburn, Oregon when I was six years old from Colima, Mexico. I grew up in Nuevo Amanecer, one of Farmworker Housing Development Corporation's ("FHDC") affordable housing communities.
6. At age 15, I started volunteering at FHDC's after school program and later interned for the Fund Development Department, creating a pathway to a career in community development and a passion for social equity. In 2011, I graduated from Woodburn High School. I attended Chemeketa Community College for a year through a scholarship program that existed at the time.
7. In August of 2012, I became one of the first Oregonians to apply for the DACA program. My application was approved later that year, and I have remained in the program ever since. My deferred action status expires in October of 2018 if it is not renewed. In addition to the community organizing jobs mentioned above I have worked in a variety of jobs in Oregon since entering the DACA program, including retail, working in a call center, and working at a library. I paid taxes on my earnings from each of those jobs.

8. I have recently moved to Portland, Oregon from Woodburn, Oregon, and plan to attend Portland Community College this fall or winter. I plan to study nursing. If DACA ends, however, I may need to change that plan. If I cannot work, I cannot afford to attend school.

9. I have not been to back to Mexico since I was 10 years old. I have a younger sister and an older brother in the DACA program. My siblings have young children who are U.S. citizens. I am very concerned that if the program ends my family will be separated.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 5, 2017.


ALDO ALAN SOLANO MENDEZ

EXHIBIT 96

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
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DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
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CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF LARS PETER KNOTH MADSEN

I, Lars Peter Knoth Madsen, subject to perjury, state as follows:

1. I am employed by Harvard University as Chief of Staff to Harvard President Drew Gilpin Faust. In that capacity, I have personal knowledge of the facts to which I attest in this Declaration.
2. President and Fellows of Harvard College, known to the public as Harvard University, is a nonprofit Massachusetts education institution dedicated to teaching and research. Harvard University was founded in 1636 and granted a Charter in 1650. As stated in the 1650 Charter document, Harvard's mission includes "the advancement of all good literature, arts, and sciences ..." Harvard Univ., *The Charter of the President and Fellows of Harvard College, Under the Seal of the Colony of Massachusetts Bay, and Bearing the Date May 31st A.D. 1650*, <http://library.harvard.edu/university-archives/using-the-collections/online-resources/charter-of-1650> (visited Sept. 1, 2017). The rights and privileges of Harvard University were reaffirmed in the Massachusetts State Constitution, which held that "the encouragement of arts and sciences, and all good literature, tends to the ... great benefit of this and the other United States of America." MASS. CONST. c. V, art. I.
3. Harvard University is comprised of a number of Schools, including Harvard College, the Graduate School of Arts and Sciences, the Graduate School of Design, the Graduate School of Education, Harvard Business School, Harvard Divinity School, the Harvard Kennedy School, Harvard Law School, Harvard Medical School, the Harvard School of Dental Medicine, the Harvard T.H. Chan School of Public Health, and the John A. Paulson School of Engineering and Applied Sciences. Approximately 20,000 students are currently enrolled in degree programs in these twelve undergraduate, graduate, and professional schools. Harvard Univ., *Harvard University Fact Book*, <https://oir.harvard.edu/fact-book/enrollments-school> (visited Sept. 5, 2017).
4. Each of Harvard's several Schools is committed to admitting, enrolling, and teaching students regardless of their national origin or immigration or citizenship status. *See, e.g.*, Harvard Univ., *Undocumented at Harvard: Resources and Information for Undocumented Members of the Harvard University Community*, <https://undocumented.harvard.edu> (visited Sept. 1, 2017) ("The University does not make citizenship status a condition for admission to any of Harvard's Schools. With the admissions decision comes a commitment to every person who has been admitted, regardless of immigration status."); Harvard Coll., *Frequently Asked Questions*, <https://college.harvard.edu/frequently-asked-questions> (visited Sept. 1, 2017) ("All

students are considered in the same pool for admission to the incoming class regardless of citizenship status. While being undocumented may present challenges for students wishing to travel or work on campus, immigration status is not considered by the admissions committee.”).

5. Harvard considers undocumented students for admission into its programs because the University seeks to attract the most talented and committed students, wherever they may be found. Moreover, Harvard’s open-door policy for undocumented students reflects its longstanding commitment to equality of opportunity and its recognition that a diversity of backgrounds in its student population enriches the educational experience of all. Undocumented students who matriculate to Harvard have in many cases already lived extraordinary lives, overcoming stressful and underresourced life conditions to earn admission to one of the most selective higher education institutions in the world. These students’ successes in the classroom — and in life — speak to their resiliency and determination in the face of hardships that are unimaginable to most of their peers.
6. Harvard has undocumented students presently enrolled across the University, of whom more than fifty are participants in Citizenship and Immigration Services’ Deferred Action for Childhood Arrivals (“DACA”) program.
7. Harvard’s undocumented and DACA-enrolled students make real, valuable, and lasting contributions to the University, through their classroom participation, their extracurricular engagements, and their commitment to independent study and research. By way of example, one current DACA undergraduate at Harvard College has conducted research with a Harvard Medical School professor, in collaboration with local hospitals in Boston. This student has received funding from President Faust’s Presidential Public Service Fellows Program and is under consideration to receive a Rhodes Scholarship endorsement from the College. Another current DACA undergraduate performs neuroscience research at the Medical School, and a third has assisted on published research issuing from Harvard’s Behavioral Laboratory in the Social Sciences. An early DACA participant, since graduated from Harvard College, conducted research at Dana-Farber as an undergraduate, identifying tumor suppressors and oncogenic genes in human and mouse melanomas.
8. It is the objective of all Harvard’s Schools to provide a full and complete higher education experience to all their enrolled students. Undocumented students are, however, denied access to certain opportunities at Harvard because of their immigration status. Undocumented undergraduate students may not leave the United States to participate in study-abroad programs, and graduate students may not depart the country to pursue international collaborations or field-study opportunities, because they will be denied reentry by Customs and Border Protection. In addition, federal law prohibits the University from employing undocumented students. As a result, these undocumented students may not access important educational opportunities — for example, undergraduate research work in University laboratories — on the same footing as their

fellow students. And although Harvard provides institutional aid to undocumented students who need it, these students may not work summer or part-time jobs to support themselves.

9. Moreover, undocumented students live and study under uniquely stressful conditions that necessarily detract from their educational experience. An undocumented student lives at constant personal risk of detention and/or removal by CIS enforcement officials. In many cases, the student's family is also undocumented, raising the further concern that Immigration and Customs Enforcement could detain or remove family members at any time. Many undocumented students arrive at Harvard having lived their lives at the margins of society and the economy, in order to avoid detection by authorities. Accordingly, they may be reluctant to take advantage of educational or extracurricular opportunities on campus or to make their voices heard at Harvard. As a result, they are deprived of the full benefit of their time at Harvard, and the University is deprived of the full extent of their contributions.
10. Some time ago public attention turned to the particular situation of students who, although necessarily born outside the United States, entered the country unlawfully at a young age with their parents. Through no fault of their own, these students have no lawful immigration status and no right to any of the benefits contingent on that lawful status — including the rights to work and to travel abroad. These students, many of whom have no memory of living anywhere other than in the United States, are subject to detention and removal from a country that is their home. Recognizing the adversity that these students face, President Faust has publicly supported efforts to confer lawful immigration status on them through draft legislation, which has drawn bipartisan support in Congress. *See, e.g.,* Drew Faust & John Hennessy, *Deserving of the Dream*, POLITICO, Dec. 8, 2010; Athena Y. Jiang & June Q. Wu, *Faust Voices Support for DREAM Act*, HARVARD CRIMSON, May 22, 2009.
11. In the absence of legislative action, on June 15, 2012 the U.S. Department of Homeland Security issued a memorandum announcing the DACA program, by which DHS would exercise its prosecutorial discretion to defer ICE enforcement action against undocumented persons who come forward and demonstrate that they meet certain requirements for participation, namely that they (1) came to the United States before age 16; (2) continuously resided in the U.S. for at least five years before June 15, 2002 and were present as of that date; (3) are currently in school, graduated from high school, earned a GED, or are honorably discharged veterans; (4) have not been convicted of a felony, a significant misdemeanor offense, or multiple misdemeanors and do not otherwise pose a threat to national security or public safety; and (5) are not more than thirty years old. DHS, *Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children* (June 15, 2012), <https://www.dhs.gov/xlibrary/assets/s1-exercising-prosecutorial-discretion-individuals-who-came-to-us-as-children.pdf> (visited Sept. 1, 2017). Deferred action under DACA would be available upon application for two-year periods, renewable also upon

application. Grantees of deferred action would be entitled, per federal immigration regulations, to receive work permits and advance parole documentation that would permit them to leave and reenter the country.

12. The DACA program provides real, meaningful benefits to the University, its undocumented student population, and the rest of the Harvard community. DACA students with work permits can be employed at Harvard, including in a research capacity, supporting and learning from Harvard faculty and scholars as part of their paid work. DACA work permits further enable these students to work and earn money during and between terms, to put toward their tuition and living expenses at Harvard, and the DACA allowance gives these students an assurance that they may put their talents and learning to use in the U.S. job market after graduation. Harvard's DACA students can also enhance their educational experience through foreign travel. Most importantly, for as long as they have active DACA protection, DACA-participating students can pursue their courses of study and fully invest themselves in University life, without fear of sudden detention or removal. In short, they can step outside the shadow of their immigration status and be Harvard students, fully and completely.
13. In the absence of a legislative response, discontinuance of DACA will withdraw important work and travel opportunities from DACA students and reintroduce fear and uncertainty into their lives, with real follow-on effects for their education. In keeping with its central mission — to teach, to advance and promote learning: “all good literature, arts and sciences” for the benefit of all — Harvard therefore stands against the elimination of the DACA program. To that end, President Faust has written twice to President Trump, urging that he not rescind the DACA program. *See* Claire E. Parker, *In Letter to Trump, Faust Urges Continuation of DACA*, HARVARD CRIMSON, Aug. 28, 2017.

SIGNED UNDER THE PENALTY OF PERJURY THIS 5TH DAY OF SEPTEMBER, 2017.



Lars Peter Knoth Madsen

EXHIBIT 97

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Mary R. Jeka

I, Mary R. Jeka, subject to perjury, state as follows:

1. I am the Senior Vice President and General Counsel at Tufts University. In that capacity, I have personal knowledge of the facts to which I attest in this Declaration.
2. The Trustees of Tufts College, known to the public as Tufts University, is a nonprofit institution of higher education in Massachusetts. Tufts University was granted a Charter in 1852 and opened in 1855. Tufts' mission, as adopted by the Board of Trustees in 2013, is to be a "student-centered research university dedicated to the education and application of knowledge, committed to providing transformational experiences for students and faculty in an inclusive and collaborative environment where creative scholars generate bold ideas, innovate in the face of complex challenges, and distinguish themselves as active citizens of the world."
3. Tufts University is comprised of the following schools and a college: the School of Arts & Sciences, the School of Engineering, the School of Medicine, the Sackler School of Graduate Biomedical Sciences, the School of Dental Medicine, the Friedman School of Nutrition Sciences and Policy, the Fletcher School of Law and Diplomacy, the Cummings School of Veterinary Medicine and the Jonathan M. Tisch College of Civic Life. Approximately 11,500 students are currently enrolled in Tufts' degree or certificate programs across its many undergraduate, graduate, and professional schools.
4. Tufts' core values include a commitment to equal opportunity, inclusion, accessibility, and diversity. Consequently, Tufts welcomes all undergraduate applicants regardless of citizenship status. Undocumented students, with or without Deferred Action for Childhood Arrivals (DACA), who apply to Tufts are treated identically to any other U.S. citizen or permanent resident.
[\(http://admissions.tufts.edu/applu/first-year-students/undocumented-students/\)](http://admissions.tufts.edu/applu/first-year-students/undocumented-students/).
5. Tufts University is proud to welcome DACA and undocumented students and recognizes that many DACA and undocumented students must overcome enormous challenges to gain acceptance here. Their commitment to attend and graduate from Tufts speaks to their resilience and determination. Tufts takes pride in the diversity of its university community and DACA and undocumented students bring critical perspectives, insights and experiences to our academic and campus life.
6. Tufts is committed to invest in the success of DACA and undocumented students. To that end, Tufts provides financial aid, free immigration law clinics, and resource support to DACA students so that they can participate fully in educational and co-curricular programming.

7. Despite the university's efforts to support DACA and undocumented students, their immigration status can pose significant barriers to educational access. For example, typically, 40 to 45 percent of Tufts undergraduates study abroad. Before studying abroad, DACA students must secure advanced parole, which allows them to travel outside the United States without losing their DACA status. This year, Tufts was pleased to support its first DACA student who planned to study abroad this spring. Unfortunately, due to the elimination of the DACA program and the cancellation of advance parole, this student can no longer study abroad without risking his DACA status and potential deportation.
8. Terminating the DACA program raises these and many other Hobson's choices for our 26 DACA students. By eliminating the important protections granted under the DACA program, these students will all soon be placed in an undocumented status. Such a position entails the constant fear of deportation, hardships from limited employment opportunities and great uncertainty about their future. Elimination of the program jeopardizes the ability of these students to fully participate in the Tufts community.
9. Tufts DACA students are clear about what the elimination of the DACA program means for them and for us:

Without DACA, there's a certain loss of hope in the notion that I'll one day be able to apply all that I've learned at Tufts University to the country that I love dearly.

--Tufts DACA Student
Anonymous

10. Tufts faculty members can attest to the importance of this program and the contributions made by its recipients in their classrooms and our community as a whole:
 - a. *Before DACA, undocumented immigrants--even those with higher education--could not translate their academic achievement into professional success. Lack of legal status was a "master status", in sociological speak, that flattened their chances for success and destroyed their Americanized beliefs that hard work will pay off. After DACA was enacted in 2012, various national studies show its recipients have seen massive improvements in educational attainment, employment, income, and mental health. At Tufts, it means they become eligible to work and take internships crucial to their development and preparation for the future. They live, study, and work with less fear than before; as their teacher and advisor, I can literally "see" their mental health and optimism improved, and their stress abated, while their counterparts without DACA struggle more. Eliminating DACA will rank among the most harmful*

stains on American history. I am proud to work at Tufts, however, an institution that will continue its work of recruiting, accepting, supporting, and educating undocumented students whether they have DACA or not. This is one of the most important human and civil rights issues of our time.

--Helen B. Marrow, PhD
Associate Professor of Sociology
Author of *New Destination Dreaming: Immigration, Race, and Legal Status in the Rural American South*

b. Ending DACA without a pathway to permanent residency or citizenship is cruel and un-American. I know several young people, some are my students, whose lives have been utterly transformed by DACA. Suddenly, they had access to driver's licenses, jobs, and higher education. They had a chance at a life. But most importantly, they stopped being so afraid. I know this fear and uncertainty too well. I came to the United States from the Philippines when I was three years old. It wasn't until I was in high school that I found out I was undocumented and our family was mixed-status. We worked on fixing this complicated administrative issue and got lucky when the president at the time, Ronald Reagan, showed leadership and compassion by signing the Immigration and Control Act of 1986. We were granted amnesty and began the process of gaining US citizenship, which I did not have until almost ten years later, after I graduated college. Even though I was on a pathway to citizenship, I did not feel comfortable until the swearing-in ceremony. I teach writing at my alma mater and I am full of respect for my students who continue to work and study amidst this demoralizing news. I urge Congress to protect the Dreamers, who are Americans except on paper.

--Grace Talusan
Lecturer, English Department

11. Tufts President Anthony P. Monaco has strongly supported both our DACA and undocumented students. He has joined with fellow presidents in calling for the continuation of the DACA program-
<http://president.tufts.edu/blog/2016/11/30/supporting-and-protecting-our-daca-and-undocumented-students/> Under his leadership, Tufts will continue in its commitment to provide DACA students with the resources they need to learn and thrive at Tufts. As he stated in a letter of support to the community, following the September 5, 2017 announcement eliminating the DACA program:

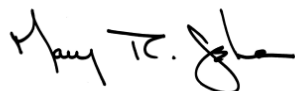
Since our founding, Tufts has been rooted in the values of inclusion and diversity. These values—so important to our community—have prompted us to join with other colleges and universities in calling for the

continuation of the DACA program. Tufts strongly opposes terminating DACA, and I promise that we will continue to advocate in court and with elected leaders to communicate our unwavering support of the program.

DACA and undocumented students have often overcome enormous challenges to study at Tufts. They can be proud of their accomplishments, and we are grateful for their contributions to the university community. We will continue to honor our commitment to our DACA and undocumented students, providing them with our unequivocal support so they can receive the quality education that they well deserve. I believe this support is in the very best tradition of Tufts as a university.

--Anthony P. Monaco
President, Tufts University

SIGNED UNDER THE PENALTY OF PERJURY THIS 6TH DAY OF SEPTEMBER 2017.



Mary R. Jeka
TUFTS UNIVERSITY
Senior Vice President and General Counsel

EXHIBIT 98

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
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CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Hina Naveed, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I am a twenty-seven year old nurse and New York City resident. I currently work to help foster children in Brooklyn and Staten Island obtain access to health care services.
3. In 2001, at the age of ten, I came to New York from Dubai to seek medical care for my younger sister's life-threatening brain condition. We came to the United States after we had exhausted treatment options in both Dubai and India.
4. I worked very hard throughout school. In high school, I was salutatorian of my class and President of the National Honor Society.
5. DACA did not exist at the time I graduated from high school. Due to my undocumented status, I was ineligible for college scholarships and financial aid. As a result, I could only afford to attend college part-time.
6. In 2008, I enrolled in the College of Staten Island with the goal of pursuing a degree in nursing. My interest in health care was sparked by the compassion and empathy that I saw doctors and nurses give to my sister. I wanted the opportunity to provide similar care to other children.
7. Before DACA, I took the entrance exam to enroll in the nursing program. Students in this program immediately begin clinical rotations at hospitals as part of their studies. Although I scored very highly on the entrance exam, I was unable to enroll in the program because undocumented students are prohibited from working in hospitals.
8. In 2012, DACA was enacted. I applied and received DACA status in February 2013. When I attained DACA status, I received a social security number and work authorization. This

allowed me to enroll in the nursing program and move closer towards fulfilling my dreams of working in healthcare.

9. My DACA status also allowed me to obtain a drivers license for the first time. With this license, I was able to provide much needed assistance to my parents and help transport my sister with special needs to numerous medical appointments.
10. Although I had DACA status, I remained frightened that I would not have the opportunity to put my nursing education into practice. At the time, New York did not allow undocumented individuals like myself to obtain nursing licenses. Fortunately, the Board of Regents of New York passed a rule last year that allows undocumented individuals to apply for nursing licenses if they have DACA status. After I obtained my associates degree in nursing in 2016, I applied for and received my nursing license. I immediately put my nursing education into practice by working part-time as a home healthcare worker while finishing my college studies.
11. I received my bachelors of science degree in nursing in January 2017. As a result, I was able to obtain a position supervising the health department at a foster care agency in New York City. In this role, I am able to carry out my goal of caring for children by connecting children in foster care with the health services they need.
12. Beyond my education, I also became an immigrant's rights advocate and worked at the DREAM Action Coalition to engage youth in voter and civic engagement. I also held DACA clinics that assisted several hundred youth with DACA's application process. In addition, I worked in the Mayor's Office of Immigrant Affairs on policy initiatives, such as municipal IDs, to increase the quality of life for undocumented individuals.
13. To strengthen my advocacy efforts on behalf of both undocumented youth and youth in foster care, I recently enrolled in the evening program at CUNY Law School. I applied only to

CUNY because their mission resonates so strongly with me - - “Law In the Service of Human Needs.” My anticipated graduation date is May 2021.

14. My current DACA status expires in March 2019. If DACA is rescinded, my life will be drastically altered. I will lose my work authorization and therefore be unable to keep the job that I love providing much needed services to foster youth. Additionally, without the income from this job, I will be unable to afford my law school tuition and will likely have to withdraw. Even if I am somehow able to continue my legal education, without DACA status I will be unable to gain admission to the New York Bar and practice law.
15. Revocation of my DACA status will also result in the loss of my drivers license and an inability to renew my nursing license when it expires in April 2019.
16. Besides its impact on me, the revocation of DACA will also have serious consequences for my sister, who will no longer be able to obtain the life-saving medical care that she needs.
17. I have lived, worked and studied in the United States for the majority of my life. It is my home. I have long dreamt about giving back to the country that gave so much to my sister and I. I have taken the necessary steps to make those dreams a reality. Now that I finally have the chance to use my education to help other New Yorkers, I hope I am not forced to give it up.

Dated: September 6, 2017

/s Hina Naveed

Hina Naveed

EXHIBIT 99

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF CHANCELLOR KRISTINA M. JOHNSON

Pursuant to 28 U.S.C. § 1746(2), I, Kristina M. Johnson, hereby declare as follows:

1. I am the Chancellor of the State University of New York (“SUNY” or “university”).
2. I have compiled the information in the statements set forth below through SUNY personnel who have assisted me in gathering this information from SUNY campuses.
3. SUNY is the largest comprehensive university system in the United States, comprised of 64 institutions including research universities, academic medical centers, liberal arts colleges, community colleges, colleges of technology and an online learning network. Each year SUNY students and faculty across the state make significant contributions to research in the fields of medicine, engineering, technology, among others.
4. SUNY educates approximately 440,000 students in more than 7,500 degree and certificate programs and nearly 2 million in workforce and professional development programs. SUNY draws students from every state in the United States and 160 nations around the world. SUNY employs more than 90,000 faculty and staff and has over 3 million alumni worldwide.
5. SUNY was founded as a university of opportunity, educating all, including those who would not be admitted to other institutions of higher education because of their race, religion or national origin. As a public university system, SUNY’s core mission is to ensure that all of its students, whatever their background, have access to high-quality education and training that develops the skills and knowledge necessary to build a rewarding life and career.

- 1 6. On January 24, 2017, SUNY demonstrated its continuing commitment to diversity,
2 equity, and inclusion when the SUNY Board of Trustees passed a resolution affirming
3 its strong support for the rights of undocumented students and, in particular, the
4 continuation of the DACA program (attached as Exhibit A).
5
6 7. The repeal of DACA would affect SUNY students who are attempting to start, continue
7 or complete their education. As a result of the repeal of DACA, SUNY students who
8 are DACA grantees would lose work authorizations they received under the DACA
9 program. If DACA grantee students lose their work authorizations, they risk losing
10 their jobs and potentially, the ability to pay for their education.
11
12 8. In addition, DACA grantee students could face an increased risk of being arrested and
13 placed in deportation proceedings after DACA is repealed.
14
15 9. Overall, repealing DACA would undermine SUNY's unwavering commitment to
16 diversity, equity and inclusion and could cause SUNY and New York State harm.

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

19 Executed on this 6th day of September, 2017

20
21 /s/ Kristina Johnson
22 Kristina M. Johnson
23 Chancellor, State University of New York
24
25
26

EXHIBIT 100

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

1. I came to the U.S. when I was 11 years old from Mexico with my mother and brother.

2. I grew up in Keizer, Oregon and graduated from McNary High School in 2011.

3. I was one of the first Oregonians to apply for the Deferred Action for Childhood Arrivals (DACA) program when the application opened in August 2012. My application was approved in October of 2012, and I have remained in the program ever since. My deferred action status expires in September of 2018 if it is not renewed.

4. After my DACA status was approved, in the winter of 2012, I enrolled at Chemeketa Community College. I was also able to get paid job as a community organizer with Causa. I pay taxes in Oregon. During my time as a community organizer with Causa, I worked on issues related to driver cards and tuition equity (eligibility for in-state tuition for undocumented students).

5. In the fall of 2013 I enrolled at the University of Oregon. I also applied and became a Wayne Morse Scholar at the Wayne Morse Center for Law and Politics majoring in economics. I was not receiving any state or federal financial aid.

6. In Winter of 2015 I got a job working full time for Wells Fargo Bank. I took a leave of absence from the University of Oregon in order to pursue this employment. In 2016 I moved to Key Bank, as a full time relationship manager. Within Key Bank, I have been offered the opportunity to begin investment license training, paid for by the bank, in mid-September of this year. My job at Key Bank is dependent on maintaining my DACA status.

7. I have taken advantage of the advance parol program through DACA to visit Mexico for one week in 2015 at the invitation President of Mexico in order to participate in an educational and cultural program to help build a stronger relationship between the United States and Mexico. Other than that, I have not been back to Mexico since I left when I was 11. I have a brother and sister also in the DACA program. My brother has a child who is a U.S. citizen. I

am concerned that if the program ends, my family might not be split up, not be able to sustain themselves, and not be able to obtain education.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 5, 2017.



HUGO DANIEL NICOLAS MUNOS

EXHIBIT 101

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Fatima Preciado, declare:

1. I am 19 years old and a sophomore at Portland State University (“PSU”) majoring in Political Science. I have personal knowledge of the matter stated herein. I came to the United States with my parents from Michoacán, Mexico when I was 4 years old. I grew up in Salem, Oregon and graduated from McKay High School. I aspire to graduate from PSU and become a lawyer. I have been awarded scholarships from PSU and outside organizations such as Kaiser Permanente, the Boys and Girls Club. This year I was awarded the Presidential Scholarship from PSU.

2. I have been involved in the Oregon community in many ways. I have volunteered many hours to register voters and have worked on voter turnout. After the November elections, worried about the future of Deferred Action for Childhood Arrivals (“DACA”), I told my story on OPB’s Think Out Loud, and on KGW, KATU, and other local media outlets, speaking up for those who were too afraid.

3. I filed for the DACA program in 2013 because my mother needed help and, after approval, I was able to get a work permit. I was also able to get an Oregon driver’s license. I worked as a waitress in a restaurant in Salem. I have worked as a paid intern with ~~CAUSLA~~, CAUSA P.P.M., Oregon’s Latino immigrant rights organization and paid income taxes in Oregon. Currently I am employed by PSU in the undergraduate admissions office and as a student ambassador. There are also paid positions.

4. My deferred status expires in April 2019. My family has been living in Oregon for 17 years and I have not been back to Mexico. I have never met my relatives in Mexico. I have two other siblings with DACA deferrals and my youngest sibling, who is 7, was born in the United States and is a citizen. I’m afraid that if the DACA program ends, my family will be split up. I am also afraid that if the DACA program ends, it will be more difficult for me to complete my education on time because, although I currently have scholarships that will cover tuition for 12 credits per term, I need to take more than that in order to graduate on time in four years.

Currently, I am paying out of pocket for the extra credits I need to graduate on time, I would likely not be able to do that if the DACA program ended and I could no longer work legally. I will also have more trouble paying for housing, food, books and other expenses, and may need to move home and commute to school in order to conserve costs.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED: September 1, 2017.


FATIMA PRECIADO

EXHIBIT 102

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Javier A. Juarez

1. My name is Javier A Juarez, I am 28 years old, and I reside in Cranston, RI.
2. I have personal knowledge of the matters set forth below.
3. I was born in Peru where I lived until the age of ten prior to moving to Cranston, Rhode Island.
4. I grew up in Cranston, I graduated from Cranston elementary, middle and high School.
5. I went to the Community College of Rhode Island and graduated with an Associate's degree in General Studies. I also was granted a path to Rhode Island College to finish a bachelor's degree.
6. I applied for DACA soon after it was announced in 2012. I received DACA and a work permit. I immediately began to work to save money and help my parents with their home bills. DACA allowed me to work, pay taxes, and drive a vehicle.
7. Because of DACA, I was able to obtain a job with benefits such as insurance and a 401k. I was able to save enough money to return to school and finish my bachelor's degree at Rhode Island College.
8. DACA allowed me to pay taxes, rent an apartment, pay for tuition and purchase an automobile.
9. I was able to graduate Rhode Island College with a Bachelor's degree in American History in May of 2017.
10. On June of 2017, I was accepted to Brown University to pursue a Master's degree in American studies where I will be exposed to an ivy league curriculum which will help me become a better candidate to law school.
11. I am planning on applying to Harvard, Yale, Roger Williams University, and Stanford.
12. As the current situation stands, I will not be able to take out loans for law school because my work authorization will expire on December 18th of 2018.
13. Due to this, my dreams of becoming a lawyer and going to law school have been destroyed.
14. Fear of deportation has caused me and my family great physical and mental stress and has deprived me to focus on the education that I seek.

I declare under penalty of perjury that the foregoing is true and correct.
September 27, 2017

Javier A. Juarez

EXHIBIT 103

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Krissia Rivera Perla

1. My name is Krissia Rivera Perla, I am 24 years old, and I reside in Providence, RI where I attend medical school.
2. I have personal knowledge of the matters set forth below.
3. I was born in El Salvador where I lived until the age of eight prior to moving to Silver Spring, MD.
4. I grew up in Silver Spring, MD and attended Montgomery County Public Schools from 3rd to 7th grade. I enrolled at St. Andrew's Episcopal School, a prestigious private school in Potomac, MD in 8th grade and graduated as Salutatorian in 2011. The president's son currently attends St. Andrew's and walks the same halls I once did.
5. I applied for DACA soon after it was announced. I received DACA my freshman year as a student at Brown University. DACA allowed me to work on campus, pay taxes, and work at my first pre-medical internship in Richmond, VA.
6. After graduating from Brown University in 2015 with a Biology (Cell and Molecular) Bachelor of Science degree, DACA allowed me to work as a Research Assistant at Johns Hopkins Hospital in Baltimore, MD. My work there in the Department of Neurology and Neurosurgery allowed me to publish a first-author publication titled "Fibrinolytic for Treatment of Intraventricular Hemorrhage: A Meta-Analysis and Systematic Review". I worked at Johns Hopkins Hospital for 22 months while applying to medical school. DACA allowed me to pay taxes, rent an apartment in downtown Baltimore and purchase a car.
7. I was accepted to The Warren Alpert Medical School of Brown University where I am currently a first year medical student. Over the next four years I aspire to develop into a physician-advocate and promote the wellbeing of the people of the United States.
8. As the current situation stands, I am not able to continue onto medical residencies post-graduation since medical residencies require a work permit. Unless new legislation is passed, I will lose my work permit in 2019 and will be unable to apply to medical residency programs and continue to contribute to this country intellectually and monetarily, or via providing medical care after four years of medical school.
9. According to the Association of American Medical Colleges, as of 2017 the United States is experiencing a shortage of 40,800 physicians. Without new legislation, I and approximately 100 other DACAmented medical students and residents would be unable to work despite having MD degrees, thus further contributing to the physician shortage.

I declare under penalty of perjury that the foregoing is true and correct.
September 20, 2017



Krissia M. Rivera Perla

EXHIBIT 104

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF G.L.

I, G.L, declare as follows:

1. I am over the age of eighteen. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. In 2002, when I was 11 years old, I came to the United States from Honduras with my mother who was fleeing domestic violence.
3. I am a resident of Richmond, Virginia.
4. I gave birth to my child who was born in the United States.
5. In 2012, the year that the Deferred Action for Childhood Arrivals ("DACA") was enacted, I applied for DACA and attained DACA status. Subsequently, I received a social security number and work authorization, which allowed me to be employed.
6. Currently, I am employed as a receptionist and taking night classes at an online college. I couldn't have achieved any of these things without DACA.
7. Any revocation of DACA would have a huge impact on my life. I will be unable to provide for myself or my child financially or afford to continue to pursue my educational goals.
8. I want to have an opportunity to give back to this country, and to the communities that have supported me throughout my life. Allowing DACA to continue would allow me to continue to live, work, and contribute to the economy and communities of America which is my home.

Executed on: September 27, 2017



G.L.

EXHIBIT 105

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF GLORIA ODUYOYE

I, Gloria Oduyoye, declare as follows:

1. I am over the age of eighteen. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I am a twenty-five year old resident living in Virginia. Virginia is my home.
3. I am the child of Nigerian immigrants and was born in England. In 1993, when I was one year old, I came to the United States from England to live with my father who was in medical school.
4. In 2012, I applied for DACA and attained DACA status. Subsequently, I was able to obtain my driver's license, and eventually buy my first car. I graduated with honors from Wesleyan College with a dual bachelor's degree in political science and music. I am currently enrolled at William & Mary School of Law as a third year law student and expect to graduate in January 2018. I could not have achieved any of these things without DACA.
5. Any revocation of DACA would have a huge negative impact in my life. My entire life will change. I will be unable to provide for my family and myself financially or afford to continue to pursue my educational goals. Finally, I will lose the hope and protection from deportation and return to the shadows that make life so difficult.
6. As a scholar by nature and an advocate by heart, I have tirelessly applied my education to the beginnings of a career in advocacy, public policy, and law. I have contributed to my community in Virginia through my consistent community service with the Black Law Students Association, the Immigration Law & Service Society, and the Virginia

Intercollegiate Immigrants' Association for the past three years. I am a community leader and influencer.

7. I want to have an opportunity to give back to this country, and to the communities, and academic institutions that have supported me throughout my life. Allowing DACA to continue would allow me to continue to live, work, and contribute to the economy and communities of America which is my home.

Executed on: September 29, 2017


Gloria Oduyoye

EXHIBIT 106

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF ALLYSON SURIA

I, Allyson Suria, declare as follows:

1. I am over the age of eighteen. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I am a twenty-one year old resident living in Virginia. Virginia is my home.
3. In 2004, when I was 8 years old, I came to the United States from El Salvador.
4. I graduated from high school in Arlington, Virginia where I was an Honor student.
5. In 2012, I applied for DACA and attained DACA status. Subsequently, I received a social security number for work authorization and a work permit, which allowed to have access to previously unattainable employment opportunities, and a financial option to enroll in an institution of higher education paying in-state tuition. I was able to obtain my driver's license, open my first bank account, and obtain my first internship at my local Credit Union as a part-time job and eventually work my way to become the Executive Assistant. Most importantly, I was able to let go of the fear of being deported at any minute.
6. I am currently enrolled in Northern Virginia Community College where I am majoring in Business Administration with a concentration in Finance. My educational goal is to transfer to George Mason University in the next year. I am also currently employed as the Executive Assistant at Arlington Community Federal Credit Union. I could not have achieved any of these things without DACA.
7. Any revocation of DACA would have a huge negative impact in my life. My entire life will change. I will be unable to provide for myself financially or afford to continue to pursue my educational goals. I will lose my job at organization that I have come to love in my three year tenure. I will be forced to pay out of state tuition rates to complete my

education. I will lose my healthcare. Finally, I will lose the hope and protection from deportation and return to the shadows that make life so difficult.

8. I want to have an opportunity to give back to this country, and to the communities, and academic institutions that have supported me throughout my life. The American culture is engraved in my blood and I share the same values of Liberty and Freedom that many American citizens hold dear. Allowing DACA to continue would allow me to continue to live, work, and contribute to the economy and communities of America which is my home.

Executed on: September 28, 2017

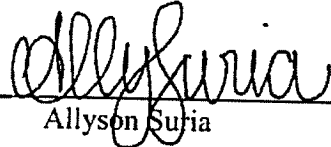

Allyson Suria

EXHIBIT 107

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF DANIELIS ANDREA DOS SANTOS TORREZ

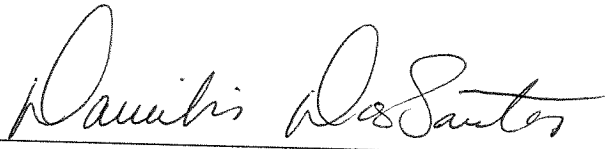
I, Danielis Andrea Dos Santos Torrez, declare as follows:

1. I am over the age of eighteen. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I am a twenty-three year old resident living in Richmond, Virginia.
3. In 1994, when I was 3 months old, I came to the United States from Venezuela. I have been living in Virginia since 2005.
4. I graduated from a Virginia high school in 2012 at the age of 18, the same year that the Deferred Action for Childhood Arrivals (“DACA”) was enacted.
5. In 2012, I applied for DACA and attained DACA status. Subsequently, I received a social security number for work authorization and a work permit, which allowed to have access to previously unattainable employment opportunities, and a financial option to enroll in an institution of higher education paying in-state tuition. I enrolled as a student at John Tyler Community College and also began to work as a dental assistant. I couldn’t have achieved any of these things without DACA.
6. I am currently employed as a dental assistant at a dental office in Virginia.
7. During the year of 2016 my DACA renewal was delayed for three months and my employer had to put me on leave until the renewal process was completed. When that happened, I felt like my world crashed around me because I was unable to pay my bills. It was an extremely stressful situation.
8. If DACA is repealed, my world will crash around me again, but with no hope of renewal. Without DACA status, I will be unable to provide for myself financially or afford to

continue to pursue my educational goals. I will also feel betrayed by my country I call home: I did what I was asked to do by my government when I came out from the shadows and allowed myself to be known as an undocumented individual in order to attain DACA status, but now this information I shared with my government will harm me if DACA is repealed. I am no less American than a person born in the United States; Virginia is my home.

9. I want to have an opportunity to give back to this country, and to the communities, and academic institutions that have supported me throughout my life. Allowing DACA to continue would allow me to continue to live, work, and contribute to the economy and communities of America where I have spent all of my life.

Executed on: September 27, 2017



Danielis Andrea Dos Santos Torrez

EXHIBIT 108

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

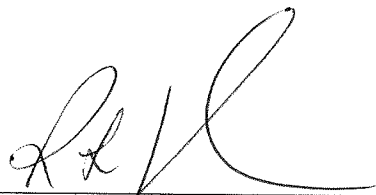
I, R.L. Hughes, hereby declare as follows:

1. I am the Chief of Police for the Georgetown Police Department of Delaware. I have been in this role for 2 years.
2. Prior to my role as Chief of Police for the Georgetown Police Department, I was the Chief Deputy for the Delaware Department of Safety and Homeland Security for 5-1/2 years. I was also with the Delaware State Police for 24 years, retiring in July 2009 as the Administrative Major.
3. The Georgetown Police Department of Delaware is dedicated to protect all members of our community by providing contemporary police services. To this end, the Georgetown Police Department utilizes the principles of the 21st Century Policing Model. We are not Federal immigration officers, but rather, a full service, community oriented, professional law enforcement agency that takes great pride in developing trust-based relationships with our constituents. We are the sole provider of police services to the residents and visitors of Georgetown, Delaware.
4. The community that we serve in Delaware has one of the highest percentages of Hispanic people per capita in the State of Delaware.
5. Currently, the Georgetown Police Department of Delaware's immigration-related work includes assisting victims of crime with obtaining "U" visa status, temporary housing, financial assistance, mental health counseling, employer intervention, referrals to medical and legal providers. Furthermore, we work diligently to enhance trust-based relationship with our immigrant community to combat all types of crime.
6. Upon information and belief, the rescission of Deferred Action for Childhood Arrivals ("DACA") will significantly affect this community.
7. Immigrants are important members of the community and are integral to effective criminal justice. My department functions better when it has the trust and open communication with its constituents. In many circumstances, immigrants are essential witnesses to crimes. Without their cooperation, criminal justice would be negatively impacted.
8. During the campaign and since the election of the current Administration, I have noticed that immigrant victims and witnesses of crimes are sometimes less likely to cooperate—or fear that they cannot cooperate—with law enforcement out of fear of federal immigration enforcement or deportation of themselves or relatives. As Chief of Police, I am concerned that the fear will only escalate in the Hispanic community that I serve to protect if DACA is rescinded.
9. If a significant portion of our community is fearful to engage with law enforcement to report and bear witness to crimes, competent police services will be hampered, thereby making Delaware less safe.

10. Domestic Violence Coordinating Council (DVCC) was created by statute, at 13 *Del. C.* § 2101 *et seq.*, in 1993 in order to improve Delaware's response to domestic violence. The Georgetown Police Department and the DVCC recognizes the chilling effect that will likely occur if DACA is rescinded. The DVCC and the Georgetown Police Department have partnered to provide quality Domestic Violence and Sexual Assault investigations by funding and hiring a Victim Services Specialist and Investigator. Without this partnership, we fear that Domestic Violence incidents and Sexual Assaults would go unreported resulting in even more victims of these crimes. If DACA is rescinded, I believe members of our Hispanic community will be less likely to report crimes and assist us in our public safety mission.

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

Executed this 27 day of September, 2017.



R.L. Hughes
Chief of Police
Georgetown Police Department

EXHIBIT 109

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF NEW CASTLE COUNTY EXECUTIVE MATTHEW MEYER

I, Matthew Meyer, declare as follows:


1. I am over the age of eighteen and competent to testify.
2. I am the duly elected chief executive of the Government of New Castle County Delaware.
3. As of July 1, 2017 New Castle County employs 2,162 active employees.
4. New Castle County provides a variety of services to more than 559,000 residents.¹
5. New Castle County is committed to a population that is ethnically, racially and religiously diverse. New Castle County encourages all residents, regardless of race, ethnicity, nationality, or citizenship, to learn in the County libraries, play in the County

¹ FY2017 Comprehensive Annual Financial Report

sports leagues, enroll their children in the County summer camps, attend County events and freely engage with New Castle County Public Safety personnel. Full access and participation promotes healthy, strong, livable communities.

6. The termination of DACA will have a chilling effect on public safety. The cooperation of all persons, including those without documentation, is essential to achieve the County's goals of protection of life and property and improving the quality of life for the people of New Castle County. The assistance of the County's immigrant community is essential to prevent and solve crimes and maintain public order, safety and security in the entire County. Assistance from any person, whether documented or not, who is a victim of, or a witness to, a crime is vital to providing safety to all of our residents.
7. It is fundamental that all people of New Castle County have unabridged access to County Services, regardless of their citizenship or immigration status. New Castle County has experienced a complete termination in the participation of Hispanic youth ages 8-18 in New Castle County's Urban Soccer League since the Administration announced its intention to retreat from the promises to Dreamers. More than 500 Hispanic youth, comprising 48 soccer teams, have ceased participating in the County's programs.

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



Matthew Meyer, New Castle County Executive

EXHIBIT 110

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, *et. al.*,

Plaintiffs,

v.

DONALD TRUMP, *et. al.*,

Defendants.

No. 1:17-CV-5228

DECLARATION OF CLAUDIA SCHLOSBERG

Pursuant to 28 U.S.C. § 1746(2), I, Claudia Schlosberg hereby declare as follows:

1. I am over the age of 18 and competent to testify herein.
2. I am employed as the Senior Deputy Director/State Medicaid Director with the District of Columbia (District) Department of Health Care Finance (DHCF). I have held my position since May of 2015.
3. DHCF is the Single State Medicaid agency for the District, and is also responsible for administering other District health insurance and public benefit programs.
4. One benefit program administered by DHCF is the D.C. HealthCare Alliance. *See* D.C. Code § 7-771.07(2).
5. The D.C. HealthCare Alliance provides certain baseline health insurance benefits, and is generally available to residents of the District who are not eligible for Medicaid and who live in households with income below 200% of the Federal Poverty Level and have countable resources less than \$4000. *See generally* 22-B District of Columbia Municipal Regulations (DCMR) 3304.

6. The D.C. HealthCare Alliance is paid for entirely with District tax revenues.
7. The estimated average cost for DHCF to deliver D.C. HealthCare Alliance benefits to an individual is Three Hundred Fifty-Three Dollars and Seventy-Five Cents (\$353.75) per month for Fiscal Year 2018, according to DHCF's Agency Fiscal Officer.
8. District residents currently participating in the Deferred Action on Childhood Arrivals (DACA) program are allowed to work legally, and so can either procure health insurance through an employer, or earn money to purchase private health insurance.
9. Terminating the DACA program could cause any District residents who are DACA recipients, and who, when unemployed, meet the criteria for the D.C. HealthCare Alliance, to fall back onto that insurance program of last resort.
10. Pushing these individuals into the D.C. HealthCare Alliance could force the District to spend additional money on that program and harm District finances, as well as preventing the District from spending the money on other priorities.
11. I have been told that information from the Department of Homeland Security indicates that there are about 800 individuals in the District participating in DACA in 2017.
12. If all of those 800 individuals became new enrollees in the D.C. HealthCare Alliance as a result of DACA being terminated it could cost the District an additional Two Hundred Eighty-Three Thousand Dollars (\$283,000.00) per month in Fiscal Year 2018.

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

Executed on:

9/26/17

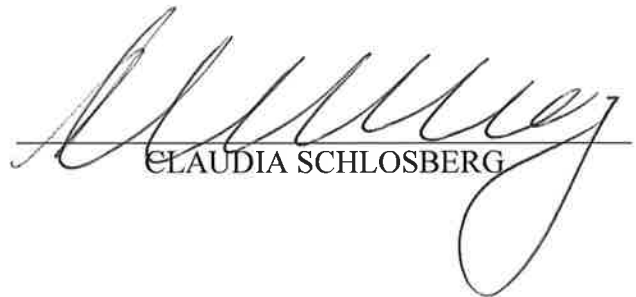

CLAUDIA SCHLOSBERG

EXHIBIT 111

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF THOMAS G. AMBROSINO AND MARY M. BOURQUE

We, Thomas G. Ambrosino and Mary M. Bourque, declare as follows:

1. We collectively represent the city of Chelsea, Massachusetts, and the Chelsea Public Schools.

a. Thomas G. Ambrosino is the City Manager for Chelsea, which is a city of almost 40,000 residents located in Suffolk County. Chelsea is the smallest city in Massachusetts in land area, less than two square miles, and the twenty-sixth most densely populated incorporated place in the country.

b. Mary M. Bourque is the Superintendent of Schools for the Chelsea Public Schools, a gateway school system serving a diverse population of 6,338 students from prekindergarten through grade twelve and beyond.

2. One or both of us has personal knowledge of each of the matters set forth below.

3. Almost sixty-five percent of Chelsea's population is Latino, and forty-four percent of its population is foreign born, the largest foreign born population in Massachusetts.

4. Many DACA grantees and DACA-eligible individuals live in Chelsea, although the precise numbers are unknown.

5. Chelsea's DACA grantees are part of the fabric of our community. They include students, workers, sons and daughters, and parents. Many live in households with family members who depend on them, and some of these family members are American citizens.

6. The DACA program has made our city stronger, allowing residents to come out of the shadows and pursue educational and workforce opportunities that were previously unavailable to them. DACA has allowed Chelsea residents to access driver's licenses, home and

car loans, and to better support their families. Many of Chelsea's DACA grantees are tax payers, and all are consumers in our local economy.

7. DACA has had a positive impact on Chelsea's schools. With the promise of college and career, DACA has motivated more students to graduate and to achieve at higher levels. At least 20 DACA grantee graduates from the Chelsea High School class of 2017 are currently attending college, and a similar number of DACA grantees graduated and went on to college for the last few years.

8. Since the federal government's announcement that DACA will be terminated, many Chelsea residents and students are now frightened about their future and wary of going to school and work. This has already had a negative effect on the City's morale and economy and on the school environment.

9. If DACA is terminated, it will have a direct, adverse effect on the City of Chelsea and the Chelsea Public Schools.

10. The City has at least one young, talented employee working in its administration who is a DACA grantee. She is a rising star in the City's financial organization. If DACA is terminated and she loses her work authorization, it will adversely impact the City's operations and cost us time, money, and effort in replacing her and training her replacement.

11. The Chelsea Public Schools have at least one teacher who is a DACA grantee. If she loses her work authorization, the schools will lose a talented teacher in 2019, when her work authorization expires. It will cost us time and money to replace her and any other DACA grantee teachers and to train replacements.

12. The termination of DACA will also have an adverse impact on student achievement across the district. Students who do not see a future for themselves beyond high

school will not work hard and embrace education toward college and career. Other students who enjoy financial support from a family member's ability to work may have to drop out of school to support themselves financially.

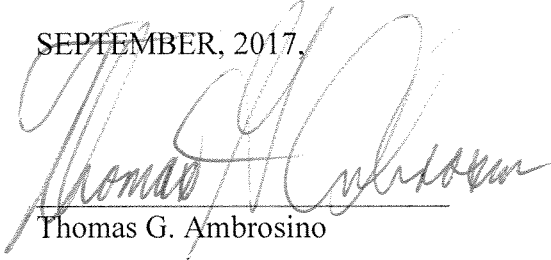
13. Lower academic achievement and a decrease in students completing high school will negatively impact our schools' and district's "accountability status," and could cause us to fall from a Level 3 to a Level 4 or 5 status. This decrease in status would require removal of administrators and teachers as well as increased funding streams from the Department of Elementary and Secondary Education to engage the schools in turnaround. It would also harm our community, as families are less likely to buy homes in lower-performing school districts.

14. As DACA grantee students experience greater anxiety about their futures, guidance counselors and other staff will need to spend more time with these students to help support them as they plan for an uncertain future.


15. DACA's termination will also threaten public safety and welfare. DACA grantees who fear that they could soon be deported are already losing trust in police and other local authorities. In turn, they are less likely to report violence, crime, abuse and other harms to the community.

16. Finally, the fear and lack of economic resources that will result from the termination of DACA will hurt our local economy. DACA allowed its grantees to spend more money in the local economy; these residents will now be more likely to stay home and cut their expenses. They will be more likely to fall into poverty, hurting the wellbeing and economy of Chelsea and its residents.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 26th DAY OF
SEPTEMBER, 2017.



Thomas G. Ambrosino



Mary M. Bourque

EXHIBIT 112

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF BARBARA KANNINEN

Pursuant to 28 U.S.C. § 1746 (2), I, Barbara Kanninen, hereby declare as follows:

1. I am the Chair of the Arlington School Board and serve Arlington Public Schools (APS).
As a member of the School Board I have served as a liaison to the Budget Advisory Committee, Joint Facilities Advisory Commission, South Arlington Working Group, Whole Child Working Group, Arlington Partnership for Children, Youth, and Families, and Student Advisory Board. Previously, I have served on the School Board's Early Childhood Advisory Committee, Math Advisory Committee, and Advisory Council on Instruction, as well as the Arlington County's Board's Fiscal Affairs Advisory Committee and the Board of the Youth Ultimate League of Arlington. I have personal knowledge of the matters set forth below or have knowledge of those matters based on my review of information and records gathered by members of my staff.
2. APS is 13th largest among Virginia's 132 school divisions, situated in a region with the largest immigrant populations in the state, and has a historic tradition of educating immigrants. APS' richly diverse students hail from 96 nations and speak 81 languages. APS is a diverse and inclusive school community, committed to academic excellence and integrity. APS provides instruction in a caring, safe and healthy learning environment, responsive to each student, in collaboration with families and the community.¹ APS is committed to admitting, enrolling, and teaching students regardless of their national origin or immigration or citizenship status.²

¹ APS Vision Statement. See <https://www.apsva.us/arlington-public-schools-overview/>.


² Arlington Public Schools Affirms Its Commitment to Be Welcoming & Open to ALL Students (2017, September 6). Retrieved from <https://www.apsva.us/post/arlington-public-schools-affirms-commitment-welcoming-open-students/>.

3. The Deferred Action for Childhood Arrivals ("DACA") program provides real, meaningful benefits to residents of Arlington, including students that may attend APS. For as long as they have active DACA protection, DACA participating students attending APS can pursue their educational endeavors, without fear or anxiety of sudden detention or removal. Discontinuance of DACA will reintroduce fear and uncertainty into their lives making it hard for them to learn, and inhibit a positive learning environment for all students. DACA students would be subject to deportation and likely lose their sense of educational purpose.

4. The elimination of the DACA program would also negatively affect APS' investment of significant financial and human resources in teaching all of its students. Most significantly, the elimination of the DACA program will undermine Arlington Public Schools' unwavering commitment to diversity and inclusion, and its commitment to support all students, including DACA students, achieve their goals and dreams.

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

Executed on: September 28, 2017



Barbara Kanninen

EXHIBIT 113

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Emily Schuh hereby declare as follows:

1. I am over the age of eighteen and competent to testify herein.
2. I am employed at the City of Anacortes. My job title is Director of Administrative Services. My job is to oversee the City's Administrative Services Department, which provides oversight and management of human resources, risk management, municipal court services, public defense services, Anacortes Senior Activity Center, and municipal fiber.
3. There is at least one employee at the City of Anacortes who is a recipient of Deferred Action for Childhood Arrivals (DACA).
4. The City DACA recipient is a trusted employed whose job duties are essential to City operations. This individual works in a small department whose operations would be severely impacted by the loss of an employee.
5. The City of Anacortes spends time and resources to recruit, hire, train, and supervise employees. When any employee departs, it creates disruption for our agency and costs us time and resources to replace and train that person.
6. The termination of DACA will be disruptive to operations and cause us to expend additional resources.

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

Executed on this 27th day of September, 2017

EC Schuh SPHR
Emily C Schuh

 [Printed Name]

EXHIBIT 114

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of John E. Prescott, MD

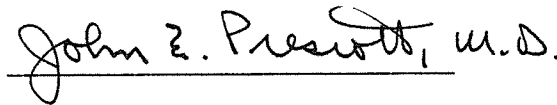
I, John E. Prescott, MD, hereby declare as follows:

1. I am Chief Academic Officer at the Association of American Medical Colleges (“AAMC”). I oversee AAMC efforts to prepare and assist deans, faculty leaders, and future physicians for the challenges of 21st century medicine. Prior to joining the AAMC in 2008, I served as dean of the West Virginia University School of Medicine, president and CEO of its faculty practice plan and founding chair of its Department of Emergency Medicine. I served as a physician in the United States Army for eight years after receiving my medical degree.
2. AAMC is a not-for-profit association dedicated to transforming health care through innovative medical education, cutting-edge patient care, and groundbreaking medical research.
3. AAMC’s members comprise all 147 accredited U.S. medical schools, nearly 400 major teaching hospitals and health systems, and more than 80 academic societies. Through these institutions and organizations, the AAMC serves the leaders of America’s medical schools and teaching hospitals and their nearly 167,000 full-time faculty members, 88,000 medical students, and 124,000 resident physicians.
4. Currently there are approximately 100 medical students and medical resident physicians with Deferred Action for Childhood Arrivals (“DACA”) status in AAMC member medical schools and teaching hospitals. Of that number, approximately two-thirds are pursuing their medical education and training in the states party to this suit. These individuals, in qualifying for DACA status and pursuing a medical education, have demonstrated a commitment to acquiring the skills and professional attributes of a physician to improve the health of Americans throughout the country.
5. With the nation’s population growing and becoming more diverse, it is crucial that our physician workforce is prepared to mitigate racial, ethnic, and socioeconomic health disparities. Aspiring physicians with DACA status help our country produce a diverse and culturally responsive health care workforce to meet the needs of underserved populations, improve cultural awareness, and promote health equity.
6. Research demonstrates that diversity in the health professions leads to improvements in access to care for the underserved and in quality care overall. We have found that diversity contributes to increased exposure to divergent perspectives, enhances cognitive complexity, promotes civic engagement and facilitates more inclusive teaching

and educational content. Diverse medical school classes enhance the ability of the entire health professional workforce to provide culturally competent care to individuals regardless of their background. Diversity in health professional teams has contributed to greater productivity, creativity and innovation, with positive implications for advancing science and health care.

7. To become a licensed physician, an individual must complete four years of medical school and between three and seven years in a medical residency program, pass national medical knowledge and clinical skills examinations, and thereafter meet the standards set by state licensing boards for eligibility to practice medicine. Revoking an aspiring or practicing physician's authorization to live and work in the United States will result in the loss of a multi-year investment by medical school and teaching hospitals in these highly-qualified learners and leave significant gaps in our country's healthcare workforce, to the detriment of hospitals, health systems, patients, and communities throughout the United States.

Pursuant to 28 U.S.C. § 1746(2), I declare under the 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.

Handwritten signature of John E. Prescott, M.D. in cursive script, underlined.

John E. Prescott, MD

September 25, 2017

EXHIBIT 115

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Ryan Tack-Hooper, hereby declare as follows:

1. I am a Staff Attorney & Legislative Advocate for American Civil Liberties Union of Delaware ("ACLU").
2. The ACLU of Delaware is a nonpartisan, nonprofit organization dedicated to the defense of civil liberties for all people in the United States. We work in the courts, in the state and federal legislatures, and at the grassroots level to defend the Constitution wherever it is threatened. In many areas of our work in Delaware, we are the sole nonprofit legal provider.
3. The ACLU of Delaware has 2 attorneys and 6 total full-time staff members. While we do not represent individuals in immigration proceedings, we do regularly offer immigration-related know-your-rights workshops, individualized referrals to qualified and competent immigration counsel, advice to Delaware institutions impacted by changes to immigration law on the likely effects of changes to immigration law, and legal matters collateral to immigration enforcement, such as detention that violates the Fourth Amendment or that is based on improper profiling.
4. Currently, the ACLU of Delaware's immigration-related work includes on-going counseling of clients and organizations on the effects of President Trump's executive orders and referring them, as appropriate, to qualified and competent counsel for specific issues.
5. Upon information and belief, there are only a few attorneys who are licensed to practice in the State of Delaware that provide the kind of services that are needed by people who are unable to renew their immigration status. The demand for immigration-related legal services is greater than the supply of competent lawyers, necessitating that legal organizations like the ACLU play a critical role in assessing and referring cases to counsel.
6. The rescission of the Deferred Action for Childhood Arrivals ("DACA") will have a significant impact on the ACLU of Delaware's limited resources. With the announcement of the phase-out of the program, we have received a substantial increase in immigration-related legal intake. If the Administration's DACA plans are fully implemented, it will likely exponentially increase the amount of immigration law services needed in Delaware.
7. The ACLU of Delaware is concerned that, due to its limited resources, an immediate effect of the likely high volume of DACA-related cases will be that the ACLU of Delaware may have to decline representation of other important civil rights cases.

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

Executed this 25th day of September, 2017.



Ryan Tack-Hooper
Staff Attorney & Legislative Advocate
American Civil Liberties Union of Delaware

EXHIBIT 116

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Laura Carothers Graham, hereby declare as follows:

1. I am the Managing Attorney for the Delaware Medical-Legal Partnership & Immigration Program in the Delaware Community Legal Aid Society, Inc. (“CLASI”).
2. CLASI provides equal access to justice and has been improving lives since 1946 by providing free civil legal services to marginalized communities.
3. CLASI is committed to racial and ethnic fairness in the delivery of our services.
4. As the Managing Attorney for the Delaware Medical-Legal Partnership & Immigration Program, my work with CLASI is to represent immigrant victims of crimes, abuse, and neglect, as well as clients referred through our Medical-Legal Partnerships. Our immigration program is funded by the Federal Office of Violence Against Women, and the State Criminal Justice Council, and we provide immigration services related to the U visa for victims of crime, the T visa for victims of human trafficking, Violence Against Women Act Petitions for victims of family violence, and Special Immigrant Juvenile Petitions for dependent minors who have been abused, abandoned or neglected by their parent(s). Our Medical-Legal Partnership Program partners with several Delaware health-care providers in order to screen for and represent patient-clients on civil legal issues related to the social determinants of their health, including immigration legal issues beyond the scope of the cases enumerated above.
5. CLASI has 22 attorneys and 49 staff members. Seven attorneys handle immigration cases in the Immigration and Medical-Legal Partnership Program. Twenty percent of CLASI staff are bilingual in the English and Spanish languages.
6. Currently, CLASI of Delaware handles approximately 150 immigration related cases annually.
7. Upon information and belief, the State of Delaware bar only has a few practicing immigration attorneys.
8. The rescission of the Deferred Action for Childhood Arrivals (“DACA”) will have a sizable impact on the CLASI’s Medical-Legal Partnership caseload and limited resources. CLASI may have to revise its intake of legal representation if the rescission of DACA creates a significant number of immigrant related cases.
9. I am also the chair of the immigration committee of the Domestic Violence Coordinating Council (“DVCC”). DVCC was created by statute, at 13 *Del. C.* § 2101 *et seq.*, in 1993 in order to improve Delaware’s response to domestic violence.
10. In a September 12, 2017 meeting of the DVCC immigration committee, several members of Delaware law enforcement expressed concern about the termination of DACA and the chilling effect that will have on non-Citizens availing themselves to the criminal justice system when they are victims. Law enforcement’s expressed concern mirrors what I am experiencing in my immigration cases.

11. In Delaware, there has been significant decrease in numbers of non-English speaking victims that sought law enforcement help since the election of the current Administration. The Delaware figures correlate with the national figures on this issue.

12. Delaware's total Protection from Abuse ("PFA") filings – civil petitions seeking a stay away order and ancillary relief for victims of family violence – have increased since last year, but those numbers drop when focusing on non-English speaking victims. Based upon data provided by the Delaware Family Court, from January to April 30, 2016: 931 PFA petitions were filed. From January to April 30, 2017: 1055 PFAs were filed. However, the Domestic Violence Advocacy Program ("DVAP") reports PFA inquiries and filings for non-English speaking victims have decreased. Per DVAP, from January to May 2016: 247 Spanish-speaking victims inquired about the PFA process, and 22 filed PFA petitions. Whereas from January to May 2017: 197 Spanish-speaking victims inquired about the PFA process, and only 7 filed PFA petitions. Thus one can surmise that while the general population of Delaware has increasingly filed PFA petitions, the number of PFAs filed by non-English speaking Delawareans have significantly decreased.

13. In my legal practice, I have experienced that immigrant victims are rejecting legal advice and are declining to seek law enforcement or Family Court recourse to protect themselves, and often their children, from their assailants, out of fear of federal immigration enforcement or deportation. Specifically, some of my clients, and non-Citizens who have consulted with CLASI about their rights, have avoided seeking PFA orders or contacting law enforcement regarding crimes, because of fear of deportation and federal immigration enforcement. Some of my immigrant victims have expressed such significant concern regarding deportation and immigration enforcement that they will not attend court appearances because this Administration has indicated that it may arrest and seek to deport people near and around courthouses and other public spaces, which were previously not utilized in enforcement actions. That has an outsized effect on the safety of our Delaware community, because when non-Citizens are fearful to report the crimes against them, law enforcement is unable to effectively investigate crimes, rendering all of the Delaware community less safe.

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

Executed this 27th day of September, 2017.



Laura Carothers Graham
Managing Attorney
Delaware Medical-Legal Partnership &
Immigration Program
Delaware Community Legal Aid Society, Inc.

EXHIBIT 117

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 USC § 1746(2), Natalicia Tracy declares as follows:

1. I am Executive Director of the Brazilian Worker Center (BWC), in my current position since May 2010.
2. The Brazilian Worker Center maintains its principal office in the Allston neighborhood of Boston, Massachusetts. It also has a satellite office in Bridgeport, Connecticut.
3. The Brazilian Worker Center is a grassroots, community worker center that supports immigrants, both men and women, on issues of workplace and immigrant rights. Through organizing, advocacy, education, leadership training, capacity building, civic participation, and policy analysis we promote our community's exercise of its civil and human rights, and a more just society for all.
4. The Brazilian Worker Center receives over 5000 members of the community annually at our offices, and distributes information to another 8000 at community fairs, churches, and festivals.
5. The Brazilian Worker Center is incorporated as an independent non-profit corporation, within the Commonwealth of Massachusetts, governed by its own board of directors, and is not a branch of any larger state- or national-level organization.
5. The Brazilian Worker Center is a modest-sized community-based non-profit, with a FY 2017 annual operating budget of \$487,000. Our organization currently has ten paid employees: eight in Boston MA and two in Bridgeport CT. Together with board members and regular volunteer staff, the core organizational team is 36 individuals who are the principal actors who carry out the work of the organization.
6. Currently, four people within this core team have DACA designation, and within the families of the core team another 11 individuals also have DACA.
7. If all the individuals linked directly to our work lose their DACA status, it would create a great deal of harm and instability within our organization. Some individuals would lose their jobs, and their families would suffer from the loss in income from those losing their work permits. They would have increased difficulty in making payments on automobiles and homes they have purchased with the employment and earnings stability afforded them by DACA, and have to suspend degree programs they have begun at colleges and universities.
8. Loss of DACA would especially cut the number of outstanding college students from local universities who work with us as interns, or are otherwise active in our community and connect with our work. Some of them have DACA, and they are particularly effective working with our community because of their strong work ethic, leadership abilities, and their cultural and linguistic competence, as they have native proficiency in English as well as Portuguese.

9. As an example of the kind of dedicated young college student in our community that we are referring to, there is the example of Carlos (a pseudonym), who lives in Framingham, Massachusetts. In Fall 2015, he entered UMass Boston as a transfer community college graduate and chose Political Science as his major. He came to the United States from Brazil with his mother and little sister when he was nine years old in order to join his father, already here, and grew up and went to school in Marlborough. The family overstayed their visa, and became undocumented, and later his father was deported to Brazil. He graduated from high school in 2010, and like a lot of other undocumented high school students at the time, despaired of ever being able to afford college. One of his good friends in a similar situation at the time, 17 years old, committed suicide by hanging himself. To afford the tuition for evening classes at Mass Bay Community College, triple the regular in-state rates, he worked every day for 10 hours in a factory, feeding scrap metal into a grinder, and his mom cleaned houses without taking a day off for 10 years. In 2014, he received DACA designation, and was able to begin full-time studies at the University for the first time. He is an effective and dedicated leader active in several organizations on and off campus, as well.

10. Another example is Clara (a pseudonym), who is from Brockton. She came to the United States from Brazil when she was five years old, accompanying her mother, brother and sister, traveling over the Mexican border in order to join her father who was already working in Minnesota. She sees her mother as a “hero for striving for a better life for her children.” The family lived there for a year before moving to Brockton, Massachusetts, where she grew up and went to school. She was an excellent student, and the first in her family to finish high school, and to even think about college. She won an Abigail Adams scholarship when graduating from high school, but being undocumented was not able to collect it. By 2007 her family were detained and deported, when she wasn’t at home, and since then she has been alone, self-supporting and studying at UMass Boston, where the high costs have slowed her progress. At UMass Boston, also, she won a privately endowed merit scholarship, but the university’s rules did not allow her to use it because of her immigration status. Clara gained DACA status in 2013, and by then had become a noted leader in student and youth organizations on and off campus. In June 2013, she was one of four undocumented students who as part of the national United We Dream Network’s “Operation Butterfly” traveled to the Mexican border in Arizona and visited with their deported mothers through the border fence, an event which received wide national media attention at the time, and coverage in the documentary film, *Indivisible*.

11. The Brazilian Worker Center is also a membership organization, with 1168 members. We estimate that at least 60 people among this group and their families have DACA designation.

12. Cancellation of DACA will increase the sense of crisis and dislocation in the wider community that we serve, as DACA recipients lose privileges such as work permits, drivers’ licenses, and in Massachusetts and Connecticut, instate tuition rates at public institutions of higher education. This broader crisis would definitely create more workload for us to handle at the BWC, by bringing many families to us in crisis, and

needing our support to help them – even as our ranks of staff, board and volunteers are diminished through the loss of DACA for key personnel.

13. Cancellation of DACA would also create more impediments to members of our wider community contributing volunteer time, resources, and energy to BWC operations, including membership fees and engagement in public, civic activities.

14. In sum, all this would greatly increase our work as an organization, and harm us financially. With more families in crisis, there would be fewer individuals secure enough in their own and their family members' situations to invest in pursuing the Center's work, including engaging in civic activities. We would also as an organization lose the services of highly qualified, committed, outstanding employees who could no longer work with us, and incur extra costs in having to hire others to replace them. Cancellation of DACA would also reduce the number of our volunteers, upon whose dedicated labor we count on to supplement staff efforts.

15. I confirm that I have direct, personal knowledge of the facts attested to in this declaration, from my position as Executive Director of the Brazilian Worker Center for the last seven years.

I declare all the foregoing under the pains and penalty of perjury,



Natalicia Tracy

Executed on this 26th day of September 2017

EXHIBIT 118

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Jeffrey Igneri

I, Jeffrey Igneri, declare as follows:

1. I am the owner of Local Burger, a family owned and operated restaurant based in Massachusetts.
2. I have personal knowledge of the facts set forth in this Declaration.
3. Local Burger's goal is to provide fresh, delicious, and well-priced food, while supporting the community through the use of local meats, produce, products and services whenever possible.
4. Local Burger operates three restaurants: one in Northampton, Massachusetts; one in Keene, New Hampshire; and a seasonal, outdoor location in Williamsburg, Massachusetts.
5. Local Burger employs approximately thirty employees, most of whom work part-time.
6. Local Burger's annual sales total approximately \$1.6 million.
7. Two of Local Burger's current Massachusetts-based employees are DACA grantees, and they are both great employees.
8. One of Local Burger's DACA employees in particular has been a huge part of our success. This employee runs our Northampton restaurant, putting in sixty to seventy hours of work a week there. He is such an important part of Local Burger that I entered into a private agreement with him which gives him ten percent of Local Burger's profits per

year and ten percent of the business if it is ever sold. Our other employees consider him a managing partner. Since becoming a DACA grantee and starting work at Local Burger, this employee has gotten married and bought a house, contributing to the local community and economy.

9. Without this DACA grantee managing Local Burger's Northampton restaurant, I do not know what I would do. If he loses his work authorization, Local Burger will be significantly harmed. Without him, I probably would not have been able to open a second location in Massachusetts because I would have had to be in the Northampton restaurant so much. Our second location, in Williamsburg, is profitable and benefits the local economy. Annual sales in our Williamsburg location total approximately \$500,000 – \$600,000 and we seasonally employ eight to ten people there.
10. In addition to the manager of our Northampton restaurant, we currently have a second employee who is also a DACA grantee. This second DACA employee has been with Local Burger for years and is really dedicated to us. To lose him would hurt Local Burger a lot.
11. Local Burger's two employees who are DACA grantees have helped us so much. If they lose their work authorization through the DACA program, Local Burger will suffer substantial harm.

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

October Executed this 2ND day of
2017.


Jeff Igneri

EXHIBIT 119

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

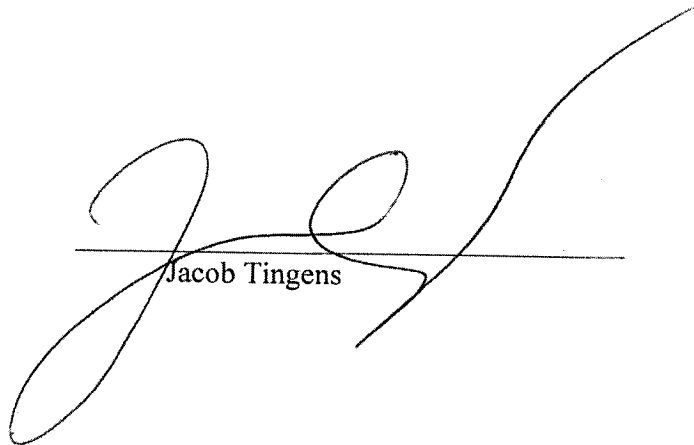
DECLARATION OF JACOB TINGENS

Pursuant to 28 U.S.C. § 1746(2), I, Jacob Tingens, declare as follows:

1. I am over the age of eighteen. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I am a managing partner of Tingens & Williams, PLLC, a law firm located in Richmond, Virginia. Our practice areas include immigration, criminal defense, family law, personal injury, and business law. Our employees and clients are extraordinarily diverse by any measure, including in country of origin, language, culture, race, ethnicity, religion, geography, family income, age, and educational background.
3. Tingens & Williams currently employs eleven employees.
4. Tingens & Williams employs one employee, G.L., who is a recipient of the Deferred Action of Childhood Arrivals (“DACA”) program. G.L. is employed as the Receptionist of the law firm. As a receptionist, her duties include:
 - a. Answering the phone,
 - b. Customer Service,
 - c. Handling incoming and outgoing mail,
 - d. Preparing immigration forms,
 - e. Contacting and coordinating with courts,
 - f. Contacting clients,
 - g. Collecting payment,
 - h. Managing calendars and attorney appointments,
 - i. And more.

5. Because of our diverse clientele, our law firm requires staff like G.L. who has the capability to speak both English and Spanish. It is always difficult for us to find high-quality employees like G.L. who are bilingual and who are capable of learning what we need in our law office in terms of professionalism, use of technology, and the day-to-day tasks of our office. For that reason, we are grateful to employ G.L. as our Receptionist.
6. Tingen & Williams spends significant time and resources to recruit, hire, train, and supervise employees. When any employee departs, it creates disruption for our law firm and costs us time and resources to replace and train a new employee. Failure to retain a qualified Receptionist to manage this law firm puts the timeliness of court deadlines and the firm's ability to successfully perform its critical day-to-day work at risk.
7. The termination of DACA will be disruptive to our firm's operations and cause us to expend additional resources.

Executed on: September 27, 2017



Jacob Tingens

EXHIBIT 120

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

1 Pursuant to 28 U.S.C. Sec. 1746(2), I, Luis Cortes Romero, hereby declare as follows:

- 2
- 3
- 4 1. I am over the age of eighteen and competent to testify.
- 5
- 6 2. I am a licensed lawyer eligible to practice law. I am licensed in the State of California.
- 7 My license number is CSB #310852. I practice exclusively in federal law in the state
- 8 of Washington. We have offices located in Kent, Washington and Kennewick,
- 9 Washington.
- 10 3. I am the managing attorney at Barrera Legal Group, PLLC (“Barrera Legal”) for its
- 11 Washington offices. I am responsible for managing the firm’s overall administrative
- 12 functions, as well as oversee the immigration cases handled by the Washington offices.
- 13 I also am in charge of hiring staff for the Washington offices.
- 14 4. Barrera Legal is a small business with less than 15 employees between the two
- 15 Washington offices. At least 5 of our staff members are beneficiaries of Deferred
- 16 Action under the Deferred Action for Childhood Arrivals (“DACA”) program. These
- 17 staff members are located in both our Kennewick and Kent offices. These staff
- 18 members work in a wide range of highly technical and extremely confidential
- 19 capacities as they often help in case preparation for victims of domestic violence,
- 20 human trafficking, and sexual assault. If these staff members lose their status and are
- 21 removed from the United States, Barrera Legal, and the vulnerable and marginalized
- 22 clients it represents will suffer significant loss.
- 23
- 24 5. Barrera Legal has always been committed to equal rights, diversity and advocating for
- 25 those from marginalized communities. As Barrera Legal has grown, we have worked
- 26 diligently to attract only the most qualified and talented people from all over the United

DECLARATION OF LUIS CORTES ROMERO

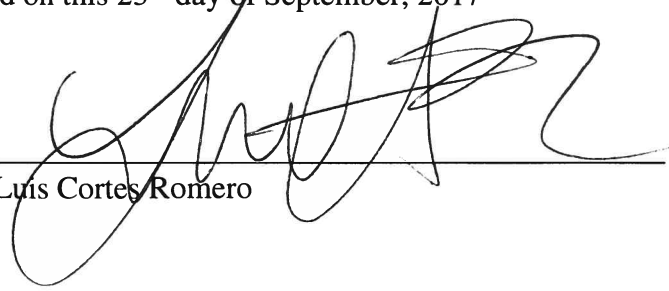
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States, and believe this is one of the things that makes Barrera Legal stand out – a diverse staff that can utilize its cultural capital to better help and understand our clients.

6. Moreover, as an immigration lawyer, I have helped several DACA beneficiaries either renew their DACA benefit, or apply for it for the first time. A significant number of these clients work with small business throughout the state of Washington. A common concern amongst my DACA clients the expiration of their work authorization, and the sudden loss of their employment. By the same token, I am often contact by concerned small business owners from Washington asking what the business can do for their DACA beneficiary employee so that the employee’s work permit can continued to be renewed, so that they do not lose a valuable employee.

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

Executed on this 23rd day of September, 2017



Luis Cortes Romero

EXHIBIT 121

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF MICHAEL BZDYRA

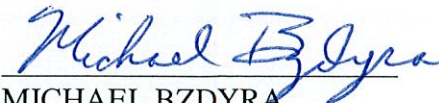
Pursuant to 28 U.S.C. 1746, I, Michael Bzdyra, having been duly sworn, depose and say, based on my personal knowledge and belief:

1. I am the Commissioner of the State of Connecticut Department of Motor Vehicles (“DMV” or “the Department”).
2. DMV is the state agency that oversees driver’s licenses, vehicle registration and other functions related to motor vehicles.

3. I was appointed as Commissioner of the Department in March, 2016. Previously I was employed as Acting Deputy Commissioner for the Department from September, 2014 through February, 2016, and as Executive Assistant to the Commissioner of Motor Vehicles from January, 2011 through August, 2014.
4. I am responsible for overseeing all functions and employees of the Department, which consists of 727 full-time and 97 part-time employees. My current duties generally include those enumerated in section 14-3 of the Connecticut General Statutes.
5. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from DMV records by others within the organization.
6. Since 2012, Connecticut has granted driver's licenses to approximately 5000 residents of Connecticut who are beneficiaries of the Deferred Action for Childhood Arrivals (DACA) program.
7. It is highly probable that since the DACA program went into effect in 2012, DACA grantees have also registered cars in Connecticut, although the numbers are not readily accessible through DMV's data collection process. In addition to purchase and ownership documents, DACA grantees would only be required to show their driver's licenses to register a vehicle in the state.
8. DACA grantees who have purchased and registered a vehicle in Connecticut have paid sales tax if the vehicle was purchased from a dealer, or use tax on a private purchase.
9. After registering a vehicle, a DACA grantee, like any other the owner, would also pay motor vehicle property tax to the municipality where the owner lives or where the vehicle is garaged.

10. The DACA grantees who have driver's licenses and registered vehicles also purchase automobile insurance, are likely to have used local driving schools for driver training and pay applicable licensing, registration, title and other fees to the State of Connecticut.

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


MICHAEL BZDYRA

DATED: September 20, 2017

EXHIBIT 122

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

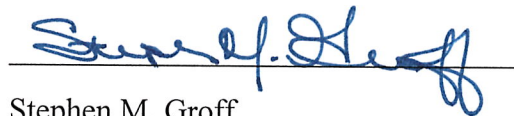
CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Stephen M. Groff, hereby declare as follows:

1. I am the Director of the Division of Medicaid and Medical Assistance (“DMMA”).
2. DMMA administers the Medicaid and Children's Health Insurance Program (“CHIP”) programs in Delaware.
3. The rescission of the Deferred Action for Childhood Arrivals (“DACA”) will likely create a financial burden on the State of Delaware if and when DACA recipients need Emergency and Labor/Delivery Services.
4. Assuming that DACA recipients had access to employer-sponsored or other commercial health care coverage, the loss of deferred status would likely result in a loss of that coverage.
5. Consequently, those former DACA recipients may be eligible for Emergency and Labor/Delivery Services.
6. The State of Delaware must offer Emergency and Labor/Delivery Services to uninsured individuals pursuant to 42 CFR 440.255 and 16 Del. Admin. C. §143301 (Medicaid Eligibility for Illegally Residing Nonqualified Aliens). The Delaware Medicaid program pays for the services and receives 50% match from the federal Medicaid program.
7. The rescission of DACA will likely cause former DACA recipients to seek State-sponsored Emergency and Labor/Delivery Services. This would impose a direct financial burden upon the State of Delaware.

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

Executed this 26th day of September, 2017.



Stephen M. Groff
Director
Division of Medicaid and Medical Assistance

EXHIBIT 123

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF JUDY MOHR PETERSON, PhD

I, JUDY MOHR PETERSON, do declare and would competently testify as follows:

1. I am the Administrator of the Med-QUEST Division, Department of Human Services, State of Hawaii. I have held the position since July 1 2015.

2. I have personal knowledge of the matters set forth herein, or for those matters for which I do not have personal knowledge, I have reviewed information gathered from Med-QUEST records or by Med-QUEST employees.

3. The Med-QUEST Division provides eligible low-income adults and children access to health and medical coverage through managed care plans. Med-QUEST administers Hawaii's Medicaid program, QUEST Integration.

4. I am aware of DACA, and the recent announcement that the DACA program is being terminated.

5. The termination of DACA will likely cause more people to rely on state-funded and/or state administered public health care and other benefits, and thus impose additional costs on Hawaii.

6. Through Hawaii's state-administered Medicaid One-Time Emergency services, Med-QUEST reimburses hospitals for emergency and urgent services provided to qualifying uninsured Hawaii patients. This would include DACA grantees, who may be eligible for the Medicaid One-Time Emergency services even though they are not U.S. citizens.

I declare under penalty of law that the foregoing is true and correct to the best of my knowledge.

DATED: Honolulu, Hawaii, September 29, 2017.



JUDY MOHR PETERSON, PhD

EXHIBIT 124

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)



**DEPARTMENT OF BUSINESS,
ECONOMIC DEVELOPMENT & TOURISM**

DAVID Y. IGE
GOVERNOR

LUIS P. SALAVERIA
DIRECTOR

MARY ALICE EVANS
DEPUTY DIRECTOR

No. 1 Capitol District Building, 250 South Hotel Street, 5th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804
Web site: www.hawaii.gov/dbedt

Telephone: (808) 586-2355
Fax: (808) 586-2377

DECLARATION OF LUIS P. SALAVERIA

I, LUIS P. SALAVERIA, do declare and would competently testify as follows:

1. I am the Director of the State of Hawaii Department of Business, Economic Development and Tourism (DBEDT). I have held this position since December 2014. Prior to this position, I served as the State of Hawaii's Deputy Director of Finance from 2011 to 2014.
2. As Director, I lead DBEDT's efforts to achieve a Hawaii economy that embraces innovation and is globally competitive, dynamic and productive, providing opportunities for all Hawaii's citizens.
3. As part of my responsibilities as Director, I work closely with the Hawaii business community to understand and help address the issues our businesses face as they strive for economic viability and success.
4. Hawaii businesses rely heavily on immigrants, who bring their talent, knowledge and expertise to our labor force.
5. The Research & Economic Analysis Division of DBEDT (READ) works to enhance and contribute to the economic development of Hawaii by providing analyses and policy recommendations on economic issues. READ provides economic forecasts that contribute to long-term statewide planning and infrastructure needs assessment, and also conducts and reports on basic research into the economy of Hawaii. These functions are conducted by collecting, compiling, interpreting, and publishing data and statistics on all aspects

of business activity, the economy, and demographic characteristics of Hawaii. READ also developed and maintains a statewide statistical reporting system.

6. READ compiles, among other information, statistics on Hawaii's unemployment rate.

7. According to our statistics, Hawaii's unemployment rate during the first 8 months of 2017 was 2.7%, the third lowest rate in the nation.

8. Because of Hawaii's low unemployment rate, Hawaii businesses have had difficulty filling their vacant positions.

9. I am aware of the federal program or policy known as DACA – Deferred Action for Childhood Arrivals. It is my understanding that DACA allows those individuals who meet its eligibility requirements to live, study, and work in the United States without fear of deportation.

10. According to a report on a website maintained by the U.S. Department of Homeland Security, as of June 30, 2017, 582 initial and 2,179 renewal DACA requests have been approved by the federal government for Hawaii residents.

https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_performancedata_fy2017_qtr3.pdf.

I am aware through the media and through discussions with others that the federal government has announced it is winding down DACA. It is my understanding that once DACA grantees' authorizations to live and work in the United States expire, DACA grantees will no longer be eligible for employment in Hawaii.

11. Given the already low unemployment rate in Hawaii, and the difficulty employers have had finding employees to fill vacant positions, the departure of the DACA population from

Hawaii's workforce would cause even greater difficulty for Hawaii employers, and have a negative impact on Hawaii's economy.

12. I declare under penalty of law that the foregoing is true and correct to the best of my knowledge.

DATED: Honolulu, Hawaii, September 25, 2017.



LOUIS P. SALAVERIA

EXHIBIT 125

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

DECLARATION

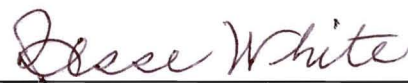
Pursuant to 28 U.S.C. 1746(2), I, Jesse White, hereby declare as follows:

1. I am the Secretary of State for the State of Illinois. I have served as Secretary of State since 1999; the longest-serving Secretary of State in the history of the State of Illinois.
2. As Secretary of State, I administer many departments that affect the lives of the citizens of the State of Illinois, including Driver Services and Vehicle Services, Business Services, the Illinois Securities Department, the Illinois State Library, the Illinois State Archives and the Secretary of State Police. Through these Departments, my Office deals more directly with the citizens of the State of Illinois than any other state agency.
3. The Deferred Action for Childhood Arrivals (DACA) program was instituted in 2012 to protect the immigrants who came to the United States of America as children from deportation, to allow them to work, to further their education, to move forward with their lives, and to continue to contribute to society in the United States. These immigrant children, many now grown up, are commonly known as "Dreamers."
4. It is estimated that there are 800,000 immigrants that have benefitted from DACA, including over 42,000 Dreamers in the State of Illinois. To qualify for DACA, the Dreamers have received background checks, attended colleges and universities, have work authorizations and serve in the United States Military. That last point is something I relate to strongly, having served three different times in military service, including with the 101st Airborne Division of the United States Army. Dreamers serving in the United States Military have my utmost admiration and respect.
5. The Dreamers are here through no fault of their own. As a group, they are displaying the values that we in the United States consider so important: getting an education, working hard, raising families, and contributing to their communities. The Dreamers have lived in this country for most of their lives. They consider themselves Americans. We are a nation of immigrants. A change in their immigration status, with the potential for deportation, goes against the values and principles of fairness and equality held dear by the American people and as espoused in the Constitution of the United States.

6. Operationally, the rescission of DACA will adversely affect the administration of the Office of the Secretary of State. Those 42,000 Dreamers in Illinois have state-issued identification cards and drivers licenses, having taken the appropriate steps to obtain a valid driver's license which include attending driving school, passing all the tests and obtaining vehicle insurance. They own motor vehicles which are registered, titled and licensed in the State of Illinois. They own businesses and property in this State. As a result, the Dreamers have paid and are paying title and licensing fees, business licensing fees and taxes, income tax, sales tax, use taxes and other taxes and fees. The Dreamers are positively contributing to the State of Illinois.
7. If DACA is rescinded, the operations of the Office of the Secretary of State will be adversely impacted. Along with the significant loss of revenue from all of the fees and taxes mentioned above, this Office will face undetermined costs and system disruptions related to the determination of eligibility for renewal of licenses and other benefits and services. In addition, this could potentially jeopardize road safety. Illinois will be required to amend administrative rules, regulations and laws to conform to the rescission of DACA.
8. Based on the foregoing, I am expressing my strong opposition to the federal government's ill-conceived plan to rescind the Deferred Action to Childhood Arrivals program. The Dreamers deserve the same opportunities of this great land as the many immigrants that came before them.

I declare under penalties of perjury under the laws of the United States of America and of the State of Illinois that the foregoing is true and correct. This Declaration is made on the 27th day of September, 2017 in the State of Illinois.

ILLINOIS SECRETARY OF STATE

A handwritten signature in cursive script that reads "Jesse White". The signature is written in black ink and is positioned above a horizontal line.

JESSE WHITE

EXHIBIT 126

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Tobias Read, hereby declare as follows:

1. I am over the age of 18 and competent to testify. I make this declaration from personal knowledge.

2. I am the Treasurer for the State of Oregon.

3. The Oregon State Treasurer is an office created by the Oregon Constitution.

4. As Treasurer, I am the custodian of state funds, responsible for protecting the state's credit ratings, and responsible for overseeing public investing, banking, bonding, and financial empowerment programs.

5. The Treasurer is the investment officer for the Oregon Investment Council (OIC), which sets policy for the investment management of Oregon public assets and Oregon public trust fund portfolios. I sit as an ex officio voting member of the OIC. All members of the OIC are fiduciaries.

6. The Oregon State Treasury performs the investment management, under my direction and in accordance with policies and investment beliefs set by the OIC. As of December 31, 2016 Oregon's investment portfolio under Treasury management totaled approximately \$92.6 billion. The portfolio is diversified and invested in capital markets, fixed income instruments, real estate, private equity and alternative investments in the United States and overseas.

7. Oregon's financial empowerment programs include the Oregon 529 Savings Network, which allows families to save for higher education, job training, and disability-related expenses. Savings of participating families are pooled and professionally managed in public market mutual funds, in accordance with their personal investment elections. As of Dec. 31, 2016, the combined total of those investments exceeded \$2.5 billion. Oregon also recently launched the OregonSaves program, which allows private sector workers without access to employer retirement programs to save for retirement. The total assets of the OregonSaves program are currently approximately \$31,000, and are expected to grow as the program is fully launched.

8. The Oregon Investment Council sets the policies for the Oregon Savings Growth Plan, a 457 defined contribution program made available to public employees in Oregon. The defined contribution savings of participating workers are pooled and professionally managed in public market mutual funds, in accordance with their personal investment elections. As of August 2017, the combined total of those investments exceeded \$1.9 billion.

9. Credit ratings determine the cost of borrowing and are a key barometer of the state's fiscal health, and are impacted by the performance of Oregon investments and the state's economy, including the state's anticipated tax base including businesses. Oregon acts as a borrower in a number of contexts. The State of Oregon's revenue structure relies heavily on income taxes, including capital gains for investors, wages paid to workers, and corporate taxes that are directly linked to profitability. Threats to companies, which can exert downward pressure on performance, can therefore impact the state's credit ratings. Similarly, decreases in the number of workers paying income tax adversely impact the State's bottom line, and have the potential to influence the State's credit rating.

10. Many of the companies in which Oregon and Oregonians have holdings have expressed concern that the rescission of the Deferred Action for Childhood Arrivals (DACA) program is a threat and will be disruptive to their employees, their productivity, and their competitiveness. That disruption also affects Oregon as a shareholder. For example, hundreds of entrepreneurs and business leaders from across the country have recently sent open letters to congress expressing their view that DACA recipients are vital to the future of their companies and our economy. *See* https://dreamers.fwd.us/business-leaders?utm_source=twitter&utm_medium=social&utm_campaign=protect-dreamers&utm_term=&utm_content=. Oregon owns shares in many of the companies whose leaders signed on to the letters. To the extent those businesses are in Oregon, they contribute directly to Oregon's bottom line through their taxes, and indirectly through the payments of salaries to our state's workers. In addition, those companies are part of our investment portfolios, which are designed to protect Oregon's funds and generate a safe return.

11. Oregon has a strong economic interest in promoting employment and business creation and in the tax revenues that result. Immigration is an important economic driver in Oregon. Many Oregon workers are immigrants, and many of those immigrant workers are DACA recipients. I am aware that research has shown that workers in the DACA program, on average, tend to be younger, better educated, and more highly paid than other immigrant workers. Eliminating these DACA-recipient Oregonians' ability to work legally will cause many to lose their jobs, resulting, among other things, in less tax revenue for the state and impairment of the state's economic health. Indeed, I am aware that research estimates that rescission of DACA would reduce Oregon's annual tax revenue by millions of dollars. In addition, the inability to work legally and enjoy the other benefits of legal status such as better access to credit and the banking system will make it more difficult, if not impossible, for DACA recipient Oregonians to start business that contribute to the State's economy and overall financial health.

12. For the reasons articulated above, I believe President Trump's rescission of DACA will have a negative effect on the State's economic health, the long-term health and sustainability of the state's portfolio, will likely exert downward pressure on the state credit ratings, will impede the state's economic health, and will expose individuals who invest in Oregon-facilitated funds to unnecessary and avoidable risk. In summary, both Oregon and Oregonians will be harmed.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 27, 2017.



TOBIAS READ

EXHIBIT 127

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF PETER BLAKE

Pursuant to 28 U.S.C. § 1746 (2), I, Peter Blake, hereby declare as follows:

1. I am the Director of the State Council of Higher Education for Virginia (“SCHEV”), a position I have held since 2012. Prior to holding my position, I served as Deputy Secretary of Education, and then Secretary of Education in Virginia, and also the Vice Chancellor of Workforce Development Services for the Virginia Community College System. I have personal knowledge of the matters set forth below or have knowledge of those matters based on my review of information and records gathered by members of my staff.
2. SCHEV is Virginia’s coordinating body for higher education. SCHEV’s mission as outlined in the Code of Virginia is to advocate and promote the development and operation of an educationally and economically sound, vigorous, progressive, and coordinated system of higher education in Virginia and to lead state-level strategic planning and policy development and implementation based on research and analysis.¹ SCHEV administers a variety of educational programs that benefit students, faculty, parents, and taxpayers. SCHEV serves as a catalyst to promote greater access, quality, affordability, and accountability throughout the system.
3. Each Institution of Higher Education in Virginia is committed to admitting, enrolling, and teaching students, within the existing legal framework, regardless of their national origin or immigration or citizenship status.

¹ *Code of Virginia* §23.1-200

4. Many Institutions of Higher Education in Virginia have students presently enrolled in their educational program who are participants in the Citizenship and Immigration Services' Deferred Action Childhood Arrivals ("DACA") program. SCHEV estimates that there were over one thousand three hundred DACA students enrolled at public Institutions of Higher Education in Virginia in the 2016-2017 school year.

5. The DACA program provides benefits to Institutions of Higher Education in Virginia, its DACA student population, and the rest of the Virginia community. The DACA program has provided an important cohort of Virginia students with legal protections and financial opportunities that have enhanced their ability to take full advantage of education programs in Institutions of Higher Learning in Virginia.² DACA furthers SCHEV's 2016 Virginia Plan for Higher Education and its goal to be the best educated state by 2030.³ The Plan highlights the value of postsecondary education as a means to support the prosperity of Virginia, its citizens and its regions, supporting well-trained Virginia graduates to go on to employment in professions needed in the state.

² DACA students domiciled in Virginia are eligible to apply for in-state tuition. See <http://www.schev.edu/docs/default-source/tuition-aid-section/financial-aid/dacaFAQs.pdf>.

³ State Council of Higher Education for Virginia (2017, January) The Virginia Plan for Higher Education: Annual Report for 2016 to the General Assembly. Retrieved from <http://www.schev.edu/docs/default-source/virginia-plan/Reports-and-Updates/annualreport2016finalad3eb850bece61aeb256ff000079de01.pdf>.

6. For as long as they have active DACA protection, DACA participating students in Virginia Institutions of Higher Education can pursue their courses of study and fully invest themselves in their educational endeavors.

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

Executed on: September 27, 2017

A handwritten signature in cursive script that reads "Peter Blake". The signature is written in black ink and is positioned above a solid horizontal line.

Peter Blake

EXHIBIT 128

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

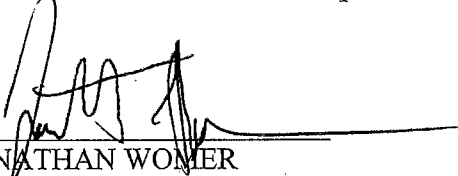
Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

**UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF NEW YORK
NO. 17-CV-5228
STATE OF NEW YORK, ET AL. V. DONALD TRUMP, ET AL.**

DECLARATION OF JONATHAN WOMER

1. My name is Jonathan Womer, and I serve as the Director of the Rhode Island Office of Management and Budget.
2. The Office of Management and Budget provides credible, accurate financial information to the Governor, General Assembly and State Departments and Agencies. More information about the Office can be found at www.omb.ri.gov.
3. As explained more fully in the attached chart (Exhibit A) the rescission of DACA could have significant impacts on Rhode Island's economy. Specifically, studies suggest that removing DACA protections could lead to over \$1,000,000.00 (One million dollars) in lost state and local income, real estate and vehicle taxes.
4. Other studies indicate that DACA has led to improved labor market outcomes and, therefore, higher wages for workers; and that DACA generates positive public health externalities that reduce state expenditures on healthcare.



JONATHAN WOMER
Director, Rhode Island Office of Management and Budget

Dated: September 26, 2017

EXHIBIT A

Impact	Key Findings	Additional Details
State and Local Tax Revenue	<i>Rescinding DACA protections could lead to over \$1 million in lost state and local tax revenue.</i>	<p>A 2017 study from the Institute on Taxation and Economic Policy finds that rescinding DACA protections would decrease tax contributions from eligible Rhode Island residents by 33%, or \$1,240,000.¹</p> <p>A 2017 national survey conducted by the National Immigration Law Center and the Center for American Progress reports that DACA participants engage in significant taxable transactions. For example:</p> <ul style="list-style-type: none"> • 23.5% of DACA participants over 25 years old purchased their first home after their DACA application was approved.² • 64.5% of DACA participants bought their first car after their DACA application was approved.³
Workforce Development	<i>DACA participation leads to higher wages and may lead to improved labor market outcomes for participants.</i>	<p>A 2017 study from the Institute on Taxation and Economic Policy finds that granting DACA status “increases wages by 8.5%, according to a 2014 report by the Center for American Progress.”⁴</p> <p>A 2017 national survey conducted by the National Immigration Law Center and the Center for American Progress reports that of participants over the age of 25, after their DACA applications were approved:⁵</p> <ul style="list-style-type: none"> • 93.3% were currently employed, • 35.3% got their first job, • 77.7% got jobs with better pay, and • 66.9% got jobs with health insurance or other benefits. <p>In addition, DACA participants who attended college may have difficulty paying their student loans due to difficulty in gaining employment.</p>
Public Health	<i>DACA may generate positive public health externalities that reduce state expenditures on healthcare.</i>	<ul style="list-style-type: none"> • Access to private health insurance reduces state expenditures by decreasing hospital visits that qualify for Emergency Medicaid. • A 2017 study of Medicaid claims published in <i>Science</i> found that “mother’s DACA eligibility reduced adjustment and anxiety disorder diagnoses in their children by 4.3 percentage points from a baseline rate of 7.9%...This represents more than a 50% drop in the rate of these disorders.”⁶

¹ Hill, Misha E., and Meg Wiehe. "State & Local Tax Contributions of Young Undocumented Immigrants." Institute on Taxation and Economic Policy, April 2017. Appendix A: "State and Local Tax Contributions of DACA-eligible Individuals" <https://itep.org/wp-content/uploads/2017DACA.pdf>

² Wong, Tom K. "Results from Tom K. Wong et al., 2017 National DACA Study." August 27, 2017. Page 3. <https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf>.

³ Wong, Tom K. "Results from Tom K. Wong et al., 2017 National DACA Study." August 27, 2017. Page 3. <https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf>.

⁴ Hill, Misha E., and Meg Wiehe. "State & Local Tax Contributions of Young Undocumented Immigrants." Institute on Taxation and Economic Policy, April 2017. Page 6. <https://itep.org/wp-content/uploads/2017DACA.pdf>

⁵ Wong, Tom K. "Results from Tom K. Wong et al., 2017 National DACA Study." August 27, 2017. Page 3. <https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf>

⁶ Hainmueller, Jens, Duncan Lawrence, Linna Martén, Bernard Black, Lucila Figueroa, Michael Hotard, Tomás Jiménez, Fernando Mendoza, Maria J. Rodriguez, Jonas Swartz, and David Laitin. "Protecting unauthorized immigrant mothers improves their children’s mental health." *Science*, 1044th ser., no. 1041 (September 08, 2017). Page 3.

EXHIBIT 129

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF BASIL I. GOODEN

Pursuant to 28 U.S.C. § 1746(2), I, Basil I. Gooden, declare as follows:

1. I am the Secretary of Agriculture and Forestry for the Commonwealth of Virginia. In this capacity, I work to support the Governor's mission of building a new Virginia economy in agriculture and forestry, two of Virginia's largest private industries. I am also responsible for overseeing the Virginia Department of Agriculture and Consumer Services (VDACS).¹ I have personal knowledge of the matters set forth below or have knowledge of those matters based on my review of information and records gathered by employees of VDACS.
2. Virginia's agriculture and forestry industries have a combined annual economic impact of \$91 billion and provide more than 442,000 jobs in Virginia. Every job in agriculture and forestry supports 1.7 jobs elsewhere in Virginia's economy. According to a 2017 economic impact study by the University of Virginia's Weldon Cooper Center for Public Service, production agriculture employs nearly 54,000 farmers and workers in Virginia, and generates approximately \$3.8 billion in total output.² In addition, value-added industries, those that depend on farm commodities, employ more than 69,000 workers. When the employment and value-added impact of agriculture and forestry are considered together, they make up 9.5 percent of the state's total gross domestic product. In addition

¹ The responsibilities of the VDACS include promoting the economic growth and development of Virginia agriculture and forestry, including certifying pesticide applicators and issuing pesticide business licenses in Virginia, and regulating food manufacturing businesses, including retail food establishments in Virginia.

² Rephann, T.J. (2017, May). The Economic Impact of Virginia's Agriculture and Forestry Industries. Weldon Cooper Center for Public Service, University of Virginia. Retrieved from <http://www.vdacs.virginia.gov/pdf/weldoncooper2017.pdf>. See also <http://www.vdacs.virginia.gov/markets-and-finance-agriculture-facts-and-figures.shtml>.

to its tangible benefits such as farm cash receipts and jobs, agriculture provides many intangible benefits. These include recreation, tourism, wildlife habitat, biodiversity, flood mitigation, improved water quality and soil stabilization.

3. A report by the Migration Policy Institute (MPI), an independent, nonpartisan, nonprofit think tank that provides analysis of migration policies, estimates that 14,000 individuals enrolled in the Deferred Action for Childhood Arrivals (DACA) program work in farming, fishing and forestry occupations in the United States.³ This estimate represents about 3.6% of all individuals employed in farming, fishing and forestry occupations. Based on an extrapolation of the figures published in this MPI report, VDACS estimates approximately 1,944 of Virginia's 12,100 DACA recipients are likely employed in primary agricultural production.⁴
4. Several agriculture and forestry business owners, including in the area of logging, crop farming, and elsewhere, have expressed dire concern to me directly about their fear of losing their DACA enrolled employees with the termination of the DACA program. Because agriculture and forestry are two of Virginia's largest industries, the loss of DACA workers in this sector would have significant harmful impacts on both individual businesses and the Commonwealth's overall economy.
5. Annually, VDACS certifies approximately 6,500 private applicators, 7,000 commercial applicators, and 7,500 registered technicians to apply pesticides in Virginia. Based on the

³ Capps, R., Fix, M., & Zong, J. (2017, August). The Education and Work Profiles of the DACA Population, page 9. *Migration Policy Institute*. Retrieved from <http://www.migrationpolicy.org/research/education-and-work-profiles-daca-population>.

⁴ This estimate does not include DACA recipients employed in Virginia's forestry or fishing sectors.

occupational profile of DACA participants in the 2017 MPI report, a certain percentage of these pesticide applicators are projected to be enrolled in DACA. The loss of DACA participants in the pesticide sector would be detrimental to agricultural production in Virginia, pesticide businesses, homeowners, and result in a loss in revenue to VDACS from fees collected.

6. The August 2017 MPI report also estimates that approximately 16% of DACA recipients are employed in food preparation or serving operations nationally. There are more than 13,000 food based businesses under VDACS inspection. Since 2006, companies in the food and beverage sector have invested \$1.9 billion in Virginia. This sector would be face significant negative consequences by the loss of DACA participants.
7. The DACA eligible population in Virginia contributes significantly to the economic growth and development of Virginia's agriculture, forestry, and food-based industry. If DACA protections were lost as a result of the repeal or rollback of the DACA program, Virginia's economic growth and development in the area of agriculture, forestry and food manufacturing businesses including retail food establishments, would likely be harmed.

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

Executed on: September 27, 2017


Basil F. Gooden

EXHIBIT 130

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

1 Pursuant to 28 U.S.C. § 1746(2), I, Sarah Conly, hereby declare as follows:

- 2 1. I am over the age of eighteen and competent to testify herein.
- 3
- 4 2. I am employed at the Washington Department of Veterans Affairs (WDVA). My job title
- 5 is Human Resources Director. My position is responsible to manage and integrate the
- 6 human resources and payroll offices statewide. I have administrative responsibility for
- 7 developing, implementing and maintaining a full range of human resource and payroll
- 8 programs and services including planning, recruitment, benefits, leave, compensation,
- 9 contracts, classification, training, disciplinary actions, affirmative action/equal employment
- 10 opportunities, employee and labor relations, complaint investigations, and adherence to
- 11 applicable laws and regulations.
- 12
- 13 3. There are at least one employee at the WDVA located at the Washington Soldiers Home
- 14 (WSH) who is a recipient of Deferred Action for Childhood Arrivals (DACA).
- 15
- 16 4. One DACA recipient is employed as a Nursing Assistant – Certified (NAC). That
- 17 employee's job description is to assist in delivery of nursing and nursing related care to
- 18 residents of the WSH. In accordance with current standards of practice, the NAC assists or
- 19 supervises assigned residents with activities of daily living, i.e., bathing, dressing,
- 20 grooming, hygiene, toileting and eating at a long term care facility. The NAC promotes
- 21 resident-centered care and ensures that the veterans are treated with dignity and respect.
- 22
- 23 5. WDVA spends time and resources to recruit, hire, train, and supervise employees. When
- 24 any employee departs, it creates disruption for our agency and costs us time and resources
- 25 to replace and train that person.
- 26
6. The termination of DACA will be disruptive to operations and cause us to expend additional resources.

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

Executed on this 21 day of September, 2017


Sarah Conly

EXHIBIT 131

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF RICK MIRANDA

I, RICK MIRANDA, declare as follows:

1. I am over the age of eighteen and competent to testify herein.
2. I am the Provost and Executive Vice President at Colorado State University. I joined the faculty at Colorado State University as an Assistant Professor in 1982. I became Chair of the Department of Mathematics in 1997, and Dean of the College of Natural Sciences in 2002. I became Provost and Executive Vice President in 2009, and my responsibilities include overseeing academic programming and faculty affairs on campus to help fulfill the land-grant mission of Colorado State University. Specifically, as Provost and Executive Vice President, I manage the areas of Enrollment and Access, Research, Student Affairs, University Operations, Faculty Affairs, International Affairs, Information Technology, Libraries, Undergraduate Affairs, and all eight colleges at Colorado State University.
3. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I lack personal knowledge, have reviewed information gathered from university records by my staff and others within the organization.
4. Colorado State University is a comprehensive graduate research institution and offers comprehensive array of baccalaureate, master's, and doctoral programs, and the university holds exclusive statewide authority for programs in agriculture, forestry, natural resources, and veterinary medicine. As Colorado's land-grant university, Colorado State University has a unique mission in the state of Colorado. The land-grant concept of a balanced program of teaching, research, extension, public service, and engagement provides the foundation for the university's teaching and research programs. In addition, as Colorado's land-grant university,

Colorado State University has a mission to provide access to a high-quality, affordable education to all with the talent and commitment to earn a CSU degree.

5. Colorado State University is committed to a foundational principle of inclusive excellence, recognizing that our institutional success depends on how well we welcome, value, and affirm all members of the Colorado State University community. Only through the inclusion of the rich diversity of students, staff, faculty, administrators, and alumni can the university – a marketplace of ideas -- truly be excellent in its pursuits.

6. At Colorado State University, we believe that diversity benefits everyone. Engaging with people from all walks of life and backgrounds allows students to experience new and unique ways of thinking. Colorado State University students who are registered in the Deferred Action for Childhood Arrivals (DACA) program are critical to this effort. Most of these students are the first in their families to go to college. They have different life experiences and perspectives that enhance the learning environment, and they also tend to be high academic achievers. DACA students are an integral part of the Colorado State University community and an asset to the state of Colorado; these are students who are excelling in highly competitive and challenging majors who are highly likely to remain in Colorado and contribute as taxpayers and skilled workers once they graduate. Nearly all of these students graduated from Colorado high schools and have strong family ties to the state. For most, it is the only home they know.

7. The State of Colorado supports Colorado State University's efforts to recruit students enrolled in the DACA program. In 2013, the Governor signed into law Senate Bill 13-033, known as the ASSET Bill, which permits students who are eligible for DACA to pay in-state tuition at any Colorado public college or university. DACA students may also apply for College Opportunity Fund stipends to offset the cost of their education.

8. There are approximately 189 students who are enrolled at Colorado State University and participate in the DACA program. If the DACA program is discontinued, many of the currently admitted Colorado State University students who are participating in that program will likely not be able to continue their studies at the university. They will lose their ability to work legally, and therefore lose the ability to support themselves while pursuing their educational studies. Many also have an understandable fear that they will be deported. Also, those DACA students pursuing a degree that requires non-classroom work experience will find their path to graduation blocked. Further, if some of these students nevertheless remain enrolled and graduate, they will find themselves unable to find employment.

9. If these Colorado State University students are unable to continue their education because DACA is rescinded, I have concerns that the university community and Colorado will lose the significant contributions that these students bring to the overall academic and educational experience at Colorado State University. They expand the intellectual vigor of the university and increase the diversity of the university community. In addition, losing those DACA students would result in the loss of more than approximately \$4.5 million dollars in revenue for the university, assuming those students are full-time and living on campus. The loss of these DACA students would have a significant negative impact on the university's operating budget.

10. I declare under penalty of perjury under the laws of the State of Colorado that the foregoing is true and complete to the best of my knowledge.

DATED this 26th day of September, 2017.

A handwritten signature in black ink, appearing to read "Rick Miranda", is written over a solid black horizontal line.

RICK MIRANDA

EXHIBIT 132

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF BRENDA J. ALLEN

I, BRENDA J. ALLEN, hereby declare and affirm:

1. I am the Vice Chancellor for Diversity and Inclusion (Chief Diversity Officer) at the University of Colorado Denver and the Anschutz Medical Campus. I also am a Professor of Communication. Since 1989, I have been employed in various roles at three of the four campuses of the University of Colorado (CU), beginning as an Assistant Professor at CU Boulder. I have also served at CU Denver as a Department Chair and Associate Dean, and as an Associate Vice Chancellor for Diversity and Inclusion at CU Denver and CU Anschutz. My primary area of scholarship is diversity and organizational communication, with an emphasis on institutions of higher education. I have achieved statewide and national recognition for my research, teaching, service, training, and consultations related to diversity, equity, and inclusion.

2. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I lack personal knowledge, have reviewed information gathered from University records by colleagues within the organization.

3. The guiding principles of the University of Colorado call on its campuses to “[p]romote faculty, student, and staff diversity to ensure the rich interchange of ideas in the pursuit of truth and learning, including diversity of political, geographic, cultural, intellectual, and philosophical perspectives.” (Mission, Guiding Principles and Vision Statement *available at* <http://www.cu.edu/mission-university-colorado-guiding-principles-and-vision-statement>). Since 2012, the University has welcomed recipients of Deferred Action for Childhood Arrivals (DACA) status as students and staff. The University has done this because we view a diverse student body as critical to providing a high quality education and ensuring that we expose our

students to unique perspectives in their academic and co-curricular experiences to prepare them to succeed in an increasingly multicultural world.

4. Acknowledging the value of DACA students, the state of Colorado passed the Advancing Students for a Stronger Economy Tomorrow (ASSET) Bill in 2013, codified at C.R.S. § 23-7-110. The law allows eligible, undocumented students at all public colleges and universities to pay in-state tuition. Further, the state provides select eligible students with an annual \$5,000 grant to reduce the burden on them and their families.

5. While the University does not keep centralized records of students who are DACA recipients, recent estimates by various staff and faculty at all four campuses suggest that there are over 200 DACA students enrolled across the University. With 17,000 total Colorado residents holding DACA status, and based on the increasing numbers of students who seek guidance at CU Denver's Undocumented Student Services Office, it is reasonable to assume that the number across all four campuses is substantial. Moreover, many students who are documented may have family members who are DACA recipients. If DACA were to be rescinded, it would also impact those students' well-being.

6. Like many young people in the United States, DACA students have dreams of leading a successful life. They are pursuing higher education as a way to realize their parents' aspirations of a better life and to honor their parents' sacrifices. They also have made a significant impact on our campuses. DACA students participate in various academic programs across CU. They also are integral to CU's student life and culture. Many are leaders of student government, student clubs, and community organizations. Some of them are student employees at various sites on our campuses (e.g., student services offices, residence halls, dining facilities and research laboratories). My office employs three DACA students.

7. If the DACA program is discontinued, many of these students would be forced to withdraw from the University system. Numerous DACA students rely on on-and-off campus employment throughout the school year and during the summer to pay for educational and living expenses. Ending DACA, and thus taking away their employment eligibility, would virtually foreclose their ability to complete their education. Those students enrolled in any program that requires work experience to graduate – such as paid internships, residency training, research, or teaching positions – would see their pathway to graduation closed. The students who currently participate in work-study would lose a valuable source of learning, and the faculty who rely on these students will lose their hard work and bright minds. If DACA is rescinded, many of these students may not continue their education because they will not be able to start a career upon graduation, or to pursue graduate studies. Perhaps more important, many students feel they cannot risk continuing their education because they fear deportation. If they are forced to withdraw from CU, student life and the overall student experience on campus will be negatively impacted because these students make significant academic and social contributions to our campuses.

8. For those DACA students who choose to remain in school, the risk of deportation will place a tremendous strain on their mental well-being. For many, the United States is the only home they have ever known. Some do not even speak the language of the country to which they may be deported. The constant worry of detection and arrest does not foster the ideals of inclusiveness on which our University prides itself. Even those students who are able to graduate will be unable to gain lawful employment, virtually eviscerating the value of their degree.

9. I know many DACA students on our campuses, and I have witnessed firsthand the negative impacts of the threat of rescission of DACA. I have also heard accounts from staff and faculty who work closely with these students. DACA students, as well as their friends, family, and community supporters, are under extreme stress. Many of them are frightened, anxious, and demoralized. Consequently, they are finding it hard to focus on their studies. Although our campuses have offered counseling and legal assistance, many students have not accepted those offers, in large part due to fear of disclosing their status. They are afraid that they will be taken from their families. Furthermore, many students, staff, and faculty who care about these students (including me) are feeling disheartened and dismayed.

10. Should DACA protection be withdrawn, the University of Colorado system stands to lose a significant source of funding. More than 77% of the University's revenue comes from tuition, a far higher number than other public university systems. Any action which reduces our ability to recruit and retain students harms not just those registered for DACA, but all students, who would need to bear a larger financial burden or accept reduced services from the school. Furthermore, since our students typically do not leave Colorado when they graduate, our state will also feel an impact on its economy.

11. DACA students arrived in this country through no fault of their own. For many, their parents wanted opportunities not available in their home country. For some, their families were fleeing war or violence. Others still came due to political and religious persecution. All of them, though, came to this country seeking a better life. By pursuing higher education at the University of Colorado, DACA students are fulfilling their parents' dream. Often the first in their families to attend college, they are seeking to make their community, their state, and their nation a better place.

I declare under penalty of perjury under the laws of the State of Colorado that the foregoing is true and complete to the best of my knowledge.

Brenda J. Allen

Brenda J. Allen, Ph.D.

Vice Chancellor

University of Colorado Denver | Anschutz Medical Campus

State of CO, County of Denver
Signed before me on this 28 day
of Sept, 2017 by Brenda J. Allen
Notary Public Lisa Solorzano Atencio

LISA SOLORZANO ATENCIO
Notary Public
State of Colorado
Notary ID 20064034485
My Commission Expires Sep 2, 2018

EXHIBIT 133

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF DR. DIMITRIOS PACHIS

Pursuant to 28 U.S.C. 1746, I, Dr. Dimitrios Pachis, having been duly sworn, depose and say, based on my personal knowledge and belief:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. I am Interim Provost and Vice President for Academic Affairs at Eastern Connecticut State University (“ECSU” or “the University”). I have held this position since June 2015. Before becoming its Provost, I was a Professor of Economics at ECSU since 1988.

3. As Provost, I oversee the academic programs and faculty of the University, direct the work of the entire teaching faculty of the University, oversee administrative programs, guide future direction of academic programs, assure a faculty and professional workforce capable of high-level performance, assure the fiscal soundness of the University's academic operations, contribute to the long-term vitality of the University, and provide continuity in University direction by serving as an integral member of the Office of the President and, when delegated, functioning on behalf of the President in the President's absence.
4. I have personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from ECSU records by others within the organization.
5. Since 2016, ECSU has worked closely with a private foundation, TheDream.US Opportunity Scholarship Program, which assists students who are beneficiaries of the Deferred Action for Childhood Arrivals (DACA) program. TheDream.US foundation provides funding of up to \$80,000 over four years to DACA grantees to help them obtain Bachelor's Degrees at ECSU. *See generally* <http://www.courant.com/politics/hc-undocumented-students-scholarship-20160510-story.html>.
6. ECSU is one of two colleges in the nation that have agreed to provide an affordable college education to DREAMers, who live in locked-out states in conjunction with TheDream.US foundation. <http://www.thedream.us/opportunityscholarship/>. Locked-out states are those states where DACA grantees reside but which have refused to offer higher educational opportunities to undocumented young people, even ones that have lived in their states for years.

7. ECSU welcomes these out-of-state “locked-out” DACA students as well as our own Connecticut resident DACA students.
8. Since 2016, ECSU has enrolled 109 undergraduate students who are beneficiaries of the DACA program. This group of ECSU DACA students is comprised of out-of-state students who come to ECSU because of ECSU’s unique and intentional investment in DACA students and in-state students.
9. In the most recent complete academic year, 2016-2017, ECSU enrolled 42 out-of-state DACA students and 5 in-state students. In the current academic year, 2017-2018, ECSU has enrolled 51 out-of-state DACA students and 11 in-state students.
10. These DACA students contribute significantly to the financial health of ECSU. ECSU has a two-tiered tuition and fees structure: one for in-state students and another for out-of-state students. Some students from other New England states may also qualify for an out-of-state tuition rate that is markedly reduced. In academic year 2017-2018, ECSU’s tuition and fees for in-state students is approximately \$11,000, whereas for out-of-state students the charge is closer to \$24,000. When you add in housing and board, the amounts rise to nearly \$24,000 for in-state and \$37,000 for out-of-state.
11. TheDream.US Opportunity Scholarship Fund contributes significant funds to ECSU in the form of direct payments for DACA grantees. For out-of-state DACA students from the locked-out states TheDream.US foundation provides a \$20,000 per year scholarship to cover tuition, fees, and on-campus housing and meals for four years provided the grantee agrees to live on ECSU campus.
12. For in-state DACA students from Connecticut, TheDream.US foundation provides a \$7,500 per year scholarship to partially cover tuition, fees, books and supplies for four

years. The in-state grantees are not required to live on ECSU campus to qualify for the scholarship.

13. TheDream.US foundation flat payments to ECSU for the out-of-state DACA students cover the University required tuition and fees, but do not cover expenses related to books, supplies, healthcare, transportation and other personal expenses. As a result, many DACA students must work at jobs both on and off campus in order to afford to attend ECSU. If the DACA program is terminated and DACA students lose their ability to work legally in the United States, this will have immediate negative effects on their ability to continue their ECSU education.

14. I know from my personal interactions with ECSU students that DACA students have an acute need to be able to work while in school because they lack other financial resources. In-state DACA students are not eligible for the \$20,000 TheDream.US foundation grant, and they cannot obtain financial aid such as Pell grants. They need to work and earn money legally in order to remain enrolled in ECSU.

15. ECSU students, including our DACA students, make a significant positive contribution to the State of Connecticut both while attending ECSU and upon graduation. In-state and out-of-state DACA students, like all of ECSU students live on campus and in the local community and pay state and local sales taxes, rents, purchase meals, groceries and household items.

16. The most recent figures that I have reviewed indicate that between 85% - 87% of ECSU's approximate 1200 graduates each year remain in Connecticut upon graduation. Each ECSU student contributes to the growth and vitality of Connecticut's economy because ECSU students go on to professions of critical importance to growth industries in

Connecticut's economy such as business, biomedical sciences, health care, social work, criminology, early childhood education, elementary and secondary education and other important fields of employment.

17. ECSU and the State of Connecticut would experience a quantifiable economic loss if DACA students are forced to withdraw from ECSU before completing their degrees or if new DACA students are no longer permitted to enroll at ECSU.
18. Under the current scholarship program with the TheDream.US foundation, ECSU stands to lose \$1,964,000 in payments for the 2017-18 academic year and for each of the following two academic years if DACA students are forced to withdraw. That amount would be even greater if no new DACA students are not permitted to enroll in fall of 2018.
19. The State of Connecticut will also suffer a diminished return on its investment if enrolled DACA students are forced to leave before completing their degrees.
20. The State of Connecticut covers nearly a third of the on-going cost of educating each ECSU student, as well as costs related to construction and renovation of most campus facilities. Thus, students' tuition and fees payments do not cover the full actual costs when one factors, faculty and staff compensation packages as well as cost of facilities. A student who fails to complete their degree at ECSU does not provide the same benefit and return to the State as one who graduates with a degree.
21. Students who are unable to complete their education have less positive economic futures both short term and long term. They have a diminished ability to repay loans, obtain higher wages and fully contribute to Connecticut's economy,

22. Connecticut is working hard to build a knowledge economy. In today's economy educating, attracting and retaining highly educated skilled people is the only path to sustainable economic strength and resilience. Today and in the foreseeable future, the states that are going to thrive are the ones with the most educated workforce. Our DACA students are exactly the type of exceptional students and people that Connecticut needs of to grow.

23. Our DACA students have GPA's that are well above that of the average ECSU student. Moreover, they have demonstrated a profound commitment to their education and future. For example, this September 2017, 100% of our DACA students from last year returned to ECSU. In my experience, this is a highly unusual retention rate for any subgroup of students. The DACA students that come to ECSU are the top students in their high school classes. I expect many of these students will go on to obtain higher professional degrees.

24. Beyond the clear and quantifiable economic harm that the State of Connecticut taxpayers and ECSU will experience if DACA is terminated, there are some intangible but nonetheless significant losses that will be felt throughout the ECSU community and the State. In my personal experience observing and working with ECSU's DACA population I have been struck by their work ethic and desire to contribute to their community. Many of these students are incredibly dedicated, active and intelligent and have grown into leaders in the ECSU community. In my professional opinion, the true measure of the loss of these students would be incalculable for ECSU. Not only would the students be deprived the opportunity to realize their full potential but we will all lose from not having them as leaders, teachers, and researchers of tomorrow in Connecticut. While their

numbers at ECSU are relatively small, they have an outsized impact and I expect that, as they grow and learn, they will do the same for the State of Connecticut - if they are permitted to complete their education and remain here.

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

Dimitrios Pachis
DR. DIMITRIOS PACHIS

DATED: SEPTEMBER 22, 2017

Darren Nosal Notary
9-22-17

DARREN NOSAL
NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 31, 2021

EXHIBIT 134

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF SUSAN HERBST

Pursuant to 28 U.S.C. 1746, I, Susan Herbst, having been duly sworn, depose and say, based on my personal knowledge and belief:

1. I am over the age of eighteen and believe in the obligations of an oath.
2. I am the President of the University of Connecticut (“UConn” or “the University”).

BACKGROUND

3. UConn is a public land grant and sea grant university. It is the State of Connecticut's flagship institution of higher learning. We are currently ranked as No. 18 among the

nation's top public universities, which marks our seventh consecutive year in the Top 25, according to the annual ranking produced by *U.S. News & World Report*. UConn has ten schools and colleges at its main campus in Storrs, separate schools of Law and Social Work, four regional campuses throughout the state located in Hartford, Stamford, Waterbury and Avery Point, and Schools of Medicine and Dental Medicine at the UConn Health Center in Farmington. UConn is fully accredited by the New England Association of Schools and Colleges and is a Carnegie "Research Very High" university, a prestigious designation shared by only the nation's top higher education institutions. UConn has more than 70 focused research centers where faculty, graduate students and undergraduates explore everything from improving human health to enhancing public education and protecting the country's natural resources.

4. I have been employed at the University in my present capacity since 2011. Previously I served as executive vice chancellor and chief academic officer of the University System of Georgia, where I led 15 university presidents and oversaw the academic missions for all 35 public universities in Georgia. Before arriving in Georgia, I was provost and executive vice president at the University at Albany (SUNY), and also served as officer in charge of the university, effectively the acting president, from 2006 to 2007. I also previously served as the dean of the College of Liberal Arts at Temple University. I initially spent 14 years at Northwestern University, joining the faculty in 1989 and serving until my departure to Temple University. At Northwestern I held a variety of positions including professor of political science and chair of the department. I earned my doctorate in communication theory and research from the University of Southern California's Annenberg School for

Communication in Los Angeles in 1989 and a Bachelor of Arts from Duke University in 1984.

5. As President, I am the chief executive officer of UConn, its schools and colleges, and its other divisions and units. I have led multiple initiatives to strengthen teaching, research and service at the University.
6. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered by the University administrative staff, all of whom report to me.

DACA RECIPIENTS AT UCONN

7. UConn admits academically qualified students regardless of their immigration status. We encourage the application and enrollment of qualified undocumented students including students granted Deferred Action for Childhood Arrivals (“DACA”).
8. DACA recipients who are Connecticut residents are eligible for in-state tuition, making our flagship institution an affordable option for higher education.
9. UConn does not track undocumented or DACA status among its student population because it does not have a business need to do so. Our administration, however, has personal knowledge that some UConn students are DACA recipients as a result of the voluntary self-declaration of the students. This declaration describes the accomplishments and impacts of the self-declared DACA students. Because many DACA students elect not to self-declare, the benefits to UConn of DACA students are undoubtedly greater than what is described here.

10. Since the DACA program went into effect in 2012, like many colleges and universities, UConn campuses have seen the critical benefits of this program not only for the DACA students themselves, but for all of our UConn students and the larger UConn community.
11. DACA students are enrolled in a wide variety of academic disciplines that represent a cross section of UConn's instructional programs, including Education, Political Science, Allied Health, Sociology, and Mechanical Engineering.
12. Self-declared DACA students have made significant individualized contributions to UConn's academic community. They have conducted research on First Generation College Students; have maintained outstanding academic status; and have served as Ambassadors for UConn's Cultural Centers.
13. DACA students have contributed to the UConn community through participation in a wide variety of co-curricular and service activities. These include: leadership in the Mentoring, Educating, and Training for Academic Success program; cultural-based organizations; advocacy and social justice organizations such as Students Without Borders and Connecticut Students for a Dream; fraternities and sororities; Homecoming celebrations; and the Society of Hispanic Professional Engineers, just to name a few examples.
14. In addition to the specific contributions DACA students have made to academic programs and co-curricular activities, their very presence as a part of our living and learning community is of great value. All UConn students, as well as our faculty and staff, benefit from having DACA students bring their particular experience and perspective to our community. A diverse study body and learning environment are necessary for UConn's academic excellence as an institution in creating effective scholars and educators.

THE HARM TO UCONN OF ENDING DACA

15. Cancelling the DACA program will hurt the University of Connecticut academically and economically.
16. Ending DACA will effectively end DACA recipients' relief from deportation. It will end their employment authorization. Employment authorization is critical to DACA students' ability to fund their current tuition and living expenses. Without such authorization they will not be able to work legally upon graduation. Without current income or the possibility of future employment, some DACA beneficiaries may not apply or enroll at the University in the first place. Many currently enrolled DACA students will not be able to afford to continue their education.
17. The University anticipates that the cancelation of the DACA program will cause an exodus of DACA students from our institution and will deter other DACA recipients from applying and enrolling.
18. Terminating the DACA program will have a negative impact on the University, its students, its faculty, and its learning environment.

The Academic Harm to UConn

19. The University's academic community would be injured by the cancelation of the DACA program.
20. The University of Connecticut is committed to being an inclusive environment in which all members of our diverse community can freely and securely engage in UConn's research, teaching, and public service missions. UConn's campuses offer vibrant learning environments that welcome diverse people, ideas, and perspectives.

21. As a lifelong educator in higher education, from my graduate studies, as a faculty member, as an administrator, and now as chief executive, I can attest to the critical importance of exposing students to a wide range of individuals of different backgrounds. That is a fundamental component of the education process. Diverse individuals from divergent backgrounds contribute new ideas and viewpoints that enhance the dialogue within the classroom and force their peers to question what they think they know.
22. DACA students contribute a unique perspective to the educational environment that cannot be met by any other student population. DACA students are neither traditional domestic nor international students. They have a different personal experience and a unique viewpoint which they bring to our student body as a whole.
23. The contributions of DACA students extend beyond the classroom and into the campus community. As stated above, DACA students contribute greatly to the extracurricular and social life at UConn. Their presence on campus enriches UConn's student life environment.
24. The mere presence of diverse student populations enhances the living, social, and curricular aspects of higher education that are a fundamental part of the overall education process.
25. Today, students in the DACA program who are enrolled at UConn have proven themselves to be talented, hard-working and ambitious. That is how they gained admission. That is why they are succeeding academically. Like all of our graduates, after earning their degrees they can continue to lead positive, productive lives, contributing to Connecticut's economy and communities. Above all, these bright young people are striving to succeed. That sense of hope and opportunity represents the great promise of the United States and our higher education system.

26. If new DACA students do not enroll, or current DACA students are forced to drop out, UConn will lose the benefit of the extraordinary contributions and perspectives that these special young people bring to our campus communities as both students and alumni.

The Financial Harm to UConn

27. UConn as an institution would be injured economically by the cancelation of the DACA program.

28. UConn would be hurt financially because a loss of students due to the termination of DACA will cause UConn to lose tuition revenue. If DACA students are deported, forced to withdraw or leave the University, UConn will lose the tuition revenue that these students contribute. This is a significant impact on the University.

29. UConn will be hurt financially because UConn will have allocated valuable enrollment spaces and devoted considerable resources to students who are unable to complete their education at UConn. This past year, UConn received 34,194 applications for freshmen enrollment to our Storrs campus. UConn ultimately granted 16,360 admissions selections resulting in 3,683 newly-enrolled freshmen, evidencing the extreme competitiveness of each UConn admissions spot. If current DACA students are forced to drop out, UConn will lose the value of the resources UConn has invested in educating students who ultimately are not able to graduate.

30. UConn will be hurt financially because the loss of our DACA students would cause UConn to lose the investment of the resources already provided to this student population. Some examples of the resources that would be lost include: the loss of research dollars invested in, or granted to, DACA students and programs they work on; the loss of the assignment of student housing benefits provided to DACA students; and the overall loss of

instructional time and other institutional resources deployed in educating students who ultimately do not graduate and go on to become proud UConn alumni.

31. UConn will be hurt financially by the loss of graduate DACA students' employment authorization, resulting in these students no longer being eligible to hold Graduate Assistantships. A Graduate Assistantship is a part-time employment position awarded to a graduate student to provide teaching support ("Graduate Teaching Assistant") or research support ("Graduate Research Assistant") to the University that is a part of the graduate student's academic program. To support Graduate Assistantship positions, UConn provides a salary, a tuition waiver covering the costs of attendance at UConn, and fringe benefits such as subsidized health/dental/eye care insurance. If DACA is rescinded, Graduate Assistants who are DACA recipients will lose their employment positions and will lose all the attendant benefits for themselves and their families.
32. UConn will be hurt by the loss of these Graduate Assistants because they provide significant service to the University. The loss of Graduate Teaching Assistants hurts the faculty who depend on them, particularly in larger classes, to conduct discussion sections, grade papers and meet with students. It will hurt the students in those classes who will lose this resource. Graduate Teaching Assistants may also serve as the sole instructor in courses, particularly later in their graduate career. Students will be harmed by the loss of Graduate Teaching Assistants because departments may not be able to offer some courses as regularly as they now do. Qualified Graduate Research Assistants are essential members of research teams headed by faculty members. Losing them would have a negative impact both on the faculty who depend on them for labor and intellectual support of research, and on the research initiatives themselves. In addition, other Graduate Assistants provide vital

support to offices that provide services to students, and the functions of these offices could be greatly hampered by the cancelation of the DACA program.

33. UConn will be hurt by the exclusion of DACA students from a number of our degree programs. Certain degree programs require employment elements for the completion of the degree such as paid internships, clinical training, and graduate assistantships. The loss of work authorization in some circumstances may prevent DACA students from meeting the academic requirements of their degree programs, especially in programs that require employment to complete research or experiential components of the program. The fields affected include, by way of example, nursing, pharmacy, and UConn's Higher Education and Student Affairs Master of Arts program. Any undergraduate or graduate program that requires employment authorization, state licensure or a social security number to complete elements of the program will be effectively closed to this student population. If DACA is terminated, these students will be stripped of their legal work status, and will be unable to complete their degree program. If they cannot complete their program they may never enroll, and many already enrolled will likely drop out.

34. UConn will be hurt financially by the loss of resources spent on training our faculty and staff. As with many student populations with unique attributes on campus, UConn has invested financial resources and time to provide specialized trainings offered by not-for-profit organizations designed to educate our faculty and staff on how best to address the needs of the DACA and undocumented student population. UConn has provided external trainings on interacting with the DACA and undocumented student population to University offices spanning Enrollment Planning and Management, including Undergraduate Admissions and Student Financial Aid Services, Student Affairs, the Center

for Career Development, the Graduate School, and University Advising, among others. Some staff have taken additional individualized trainings. By way of example, UConn's Undergraduate Admissions has a staff member who specializes in advising DACA and undocumented prospective students in the admissions process, and all public-facing staff across the Division of Enrollment Planning and Management receive DACA peer trainings. The University considers this a valuable investment to our staff training, but this investment would be lost if DACA students could no longer enroll at UConn.

35. UConn will be hurt financially by the increased need of student support services that will result from a cancelation of DACA. DACA students have access to UConn's Student Health Services, including Counseling and Mental Health Services, and other student support services on the same basis as all UConn students. The uncertainty and even fear that the DACA rescission has introduced into DACA students' lives has caused additional physical and emotional impacts on our individual students. Those effects will need to be addressed by UConn's Student Health Services and other student support services offices, with additional cost to the University.
36. UConn will be hurt by the exclusion of the DACA student population from our education abroad opportunities. The termination of DACA status would mean that this student population cannot travel internationally because these students will lose the ability to receive advance parole. Loss of these students will impact UConn's education abroad programs. DACA students have engaged our Office of Global Affairs' Education Abroad in conversations about education abroad opportunities. With the cancelation of DACA these opportunities will be closed to them. The inability to participate in education abroad

represents another aspect in which this student population cannot engage fully and equally alongside other UConn students in our programs, services and opportunities.

37. UConn will be hurt financially by the loss of any DACA faculty and staff employed by the University. UConn would lose the services of qualified and trained employees and suffer the resulting costs.

38. The loss of DACA students, faculty and staff will also cause a moral loss to our UConn community. The idea of unwillingly losing classmates, peers and friends through action that is contrary to UConn's mission and values represents a shock to our collective identity. UConn has already experienced student protests in support of the DACA program and our DACA population since the announcement that DACA is to be terminated. These sentiments are only expected to increase. UConn will need to expend additional resources, both financial and intellectual, to address the detrimental effects of the DACA rescission on University family and friends of DACA recipients.

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



SUSAN HERBST

DATED: SEPTEMBER 20, 2017

EXHIBIT 135

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Melissa L. Rakes, hereby declare as follows:

1. I am the Associate Vice President for Academic Affairs at Delaware Technical Community College (“DTCC”).

2. I have compiled the information in the statements set forth below through DTCC personnel who have assisted me in gathering this information from DTCC campuses and the central administrative office.

3. Delaware Technical Community College is a statewide multi-campus community college committed to providing affordable, open admission, post-secondary education that is relevant and responsive to labor market and community needs. The College offers comprehensive educational opportunities that contribute to the economic vitality of the State, including career, general, developmental, and transfer education; workforce development; and lifelong learning. The College respects its students as individuals and as members of diverse groups and is committed to fostering student success in higher education as a means to economic and personal advancement.

4. DTCC is Delaware’s only community college. With four campuses located in each of Delaware’s three counties and the City of Wilmington, DTCC serves over 30,000 Delawareans each year in our credit and workforce development programs, including DACA recipients.

5. Although DTCC collects limited information about citizenship and immigration status, we estimate there are at least 148 currently registered students who will be affected and 242 graduates (from 2012-2017).

6. The retraction of DACA is a major change that will affect many of our students and the community.

7. The most critical concern is the change to the employability of students and alumni.

8. Many of DTCC’s students are non-traditional, meaning they are adult learners who must support themselves and their families while they attend college. The average age of our student is 27 years old, and the majority can only attend on a part-time basis due to their need to work to support themselves and/or their families. If they lose their ability to work, then they will most likely lose their ability to complete their education. In addition, this opportunity to work legally was a major motivator to graduate.

9. Students in programs that require employment authorization to complete elements of the program, such as internships, will be severely impacted by the loss of work authorization DACA provides.

10. Alumni who are working under their deferred action status may no longer be able to work if DACA is rescinded, thereby resulting in severe hardship for the graduates and for local employers who rely on the highly skilled workforce DTCC provides.

11. A student's ability to obtain financial aid or to qualify for a program of study that requires a criminal history background check will also be impacted if the DACA program is rescinded.

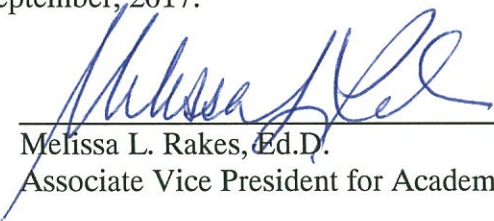
12. While DACA students are not eligible for federal financial aid, the inability to file a FASFA could preclude otherwise eligible students from being considered for private, third-party scholarships.

13. The identification number provided to an undocumented student who was granted DACA status could be used to perform a criminal history background check. Undocumented students desiring to enroll in a program that requires a criminal history background check may be precluded if DACA is rescinded. Those programs fill a critical need for qualified health care personnel, such as nursing or one of the 12 allied health programs only offered in Delaware at DTCC.

14. Finally, a fear of deportation could prevent DACA recipients from commencing or continuing their education if DACA is rescinded.

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

Executed this 22nd day of September, 2017.



Melissa L. Rakes, Ed.D.
Associate Vice President for Academic Affairs

EXHIBIT 136

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF KAREN M. HARDWICK

I, Karen M. Hardwick, declare as follows:

1. I am the General Counsel for the University of the District of Columbia (“UDC” or the “University”). The University is a public, historically Black, land-grant institution. A pacesetter in urban education, UDC provides affordable and effective undergraduate, graduate, professional, and workplace learning opportunities accessible to all residents of the District of Columbia (the “District”).

2. I have been employed at the University as General Counsel since March 2016. My current duties generally include managing legal services for the University; providing advice and representation for the University administration; and counseling University faculty and staff regarding compliance, risk management, and District of Columbia, state and federal laws.

3. I have either personal knowledge of the matters set forth below or, with respect to those matters as to which I do not have personal knowledge, I have reviewed information gathered from University records by others within the organization.

4. With campuses across the District, the University offers vibrant learning environments that welcome diverse people, ideas, and perspectives. The mission of the University is to build a diverse generation of competitive, civically engaged scholars and leaders. UDC therefore encourages the application and enrollment of undocumented students and students granted Deferred Action for Childhood Arrivals (DACA).

5. Since the DACA program took effect in 2012, many colleges and universities, including UDC, have seen the critical benefits of this program for our students and the positive impacts on our campuses.

6. Terminating the DACA program will have a negative impact on the University, its students, faculty and staff. DACA recipients enrolled at UDC campuses are eligible for in-state tuition and local financial aid. With the likelihood that they will not be able to remain in the country or work legally upon graduation, some DACA beneficiaries may not apply or enroll at UDC in the first place. Many of those DACA students who already have enrolled may not continue their education. As a result, the University will lose revenue from the tuition current and future DACA students would have paid but for termination of the DACA program.

7. Additionally, any undergraduate or graduate programs that require employment authorization to complete elements of the program, such as paid internships or clinical placement, will be severely and adversely impacted by the loss of work authorization. Inability to work may, in certain circumstances, prevent a DACA student from meeting the academic requirements of their degree programs or related licensing requirements, especially in programs that require significant lab or field work.

8. If new DACA students do not enroll at UDC, or if current DACA students are forced to drop out of UDC, the University will lose the benefit of the invaluable contributions and perspectives that these special young people bring to our campus communities as both students and alumni. If current DACA students are forced to drop out, UDC will also lose the value of the financial assistance and the other resources that UDC has invested in educating students who ultimately are not able to graduate.

9. The University will suffer additional tangible harm if the DACA program is terminated. UDC has already begun to experience disruption because of student uncertainty and anxiety over the future of the program.

10. On April 15, 2017, the District of Columbia enacted the UDC DREAM Amendment Act of 2016, D.C. Law 21-275. This law allows District residents, regardless of their federal immigration status, to pay in-state tuition rates and receive local financial aid for attendance at any UDC school or campus. This law is similar to those passed by sixteen (16) other states that have sought to grant undocumented students some level of tuition relief. Terminating the DACA program would undermine the effectiveness of this duly-enacted law of the District of Columbia.

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

Executed on: September 28, 2017

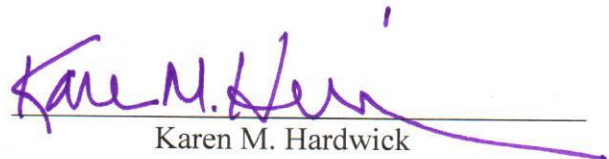

Karen M. Hardwick

EXHIBIT 137

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF DONALD STRANEY

I, DONALD STRANEY, do declare and would competently testify as follows:

1. I am the Vice President for Academic Planning and Policy for the University of Hawai'i System ("UH"). I have over 38 years in higher education experience including 7 years as the Chancellor of the University of Hawai'i at Hilo and 8 years as the Dean of the College of Science and professor of biology at California State Polytechnic University, Pomona. As the Vice President for Academic Planning and Policy, I provide executive leadership in setting forth the system wide academic vision and goals for the university.

2. I have personal knowledge of the matters set forth herein, or for those matters which I do not have personal knowledge, I have reviewed information gathered from UH records or databases by UH employees.

3. UH was founded in 1907 and today it includes 3 universities, 7 community colleges, and community based learning centers across Hawai'i. For Fall 2017, more than 51,000 students are enrolled at UH. UH has awarded more than 11,000 degrees for each of the last four academic years to local, national, and international students.

4. UH is steadfast in its commitment to serve all members of our community, regardless of citizenship status.

5. Over three years ago, the UH Board of Regents adopted a policy to extend eligibility for resident tuition rates to undocumented students, including but not limited to those who have filed for Deferred Action for Childhood Arrivals ("DACA").

6. Presently, there are 16 students who have reported their DACA status to UH and who are pursuing various degrees at multiple UH campuses.

7. UH's undocumented students are an integral part of the UH community. If DACA is terminated abruptly it will have a negative effect upon UH and its faculty and students. Without the benefit of in-state tuition rates, DACA students may have to withdraw from UH and discontinue their education. Upon information and belief, these students will face possible arrest and deportation despite their contributions to UH and to our broader community.

8. In academia, the loss of culturally diverse students with different life experiences reduces the quality of classroom discussions and impedes the development of new perspectives and ideas for other students and faculty.

9. If our undocumented students must withdraw from our university, UH will lose its educational and financial investment in these students who we believe will benefit and serve the local, national, and international workforce.

10. Terminating DACA will harm UH and its commitment to provide environments in which faculty, staff and students can discover, examine critically, and preserve and transmit the knowledge, wisdom, and values that will help ensure the survival of and quality of life for present and future generations.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge and belief.

DATED: Honolulu, Hawai'i, September 26, 2017.

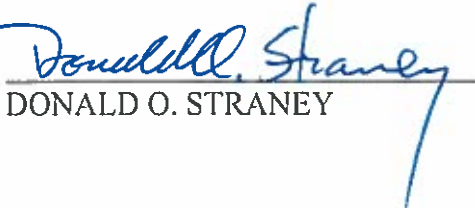

DONALD O. STRANEY

EXHIBIT 138

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

I, Juan Salgado, hereby declare and affirm:

1. I am Chancellor for the City Colleges of Chicago (CCC), having been appointed by the Board of Trustees on April 6, 2017 and having commenced my tenure as Chancellor on May 1, 2017.
2. I am over the age of 18 and competent to testify.
3. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from CCC records by others within the organization.
4. Pursuant to state law, CCC is an “open enrollment” institution and accepts all students qualified to complete any one of its programs (110 ILCS 805/3-17).
5. CCC serves approximately 90,000 students from every neighborhood in the City of Chicago, including some students who currently participate in or are eligible for DACA.
6. CCC operates under the principle that a diverse student population benefits all students because students from different backgrounds and nationalities bring a unique perspective to the classroom, which enriches the learning experience of their classmates.
7. CCC welcomes students from all backgrounds and does not require proof of citizenship as a requirement to register for study. Applications submitted by potential students with DACA status are reviewed in the same manner as all other applications.
8. CCC currently offers the Star Scholarship program to all students regardless of immigration status, including those who are participants in the DACA program. The Star Scholarship allows students who graduate from Chicago public high schools with a 3.0 grade point average and test nearly college-ready to attend college tuition-free.

9. I have read the Memorandum on Rescission of Deferred Action for Childhood Arrivals (DACA).
10. Based on my experience and the shared experience of those CCC employees in the Student Affairs Office, the rescission of DACA could impact hundreds of CCC students who would be in danger of being prevented from continuing and completing their studies at CCC as the result of potential enforcement actions by the federal government. Furthermore, based on my experience, certain students may choose to leave CCC because they can no longer afford to attend classes without work authorization that was previously provided through DACA.
11. Such actions would be damaging to those affected students, as well as their classmates who would be deprived of the classroom contributions and perspectives from those students who may not be able to continue their education at CCC.

I declare under penalty of perjury under the laws of the State of Illinois that the foregoing is true and complete to the best of my knowledge.

Executed this 27th day of September, 2017



Juan Salgado
Chancellor

EXHIBIT 139

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Dr. Larry H. Dietz

I, Dr. Larry H. Dietz, hereby declare and affirm:

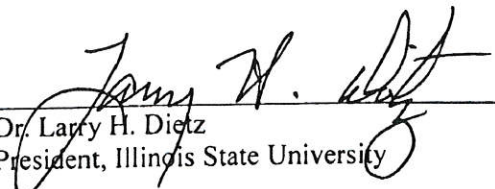
1. I am the President of Illinois State University (“ISU”) and have been employed in this capacity since March 2014. Before serving as President, I was employed in 2011 as the Vice President of Student Affairs. Prior to that position, I served as vice chancellor for Student Affairs at Southern Illinois University Carbondale (SIUC) for 10 years and have served in other leadership positions at University of Missouri-Kansas City and Iowa State University for 28.
2. I have personal knowledge of the facts set forth below, or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from University records by others within the organization.
3. Illinois State University is a body corporate and politic of the State of Illinois located in Normal, Illinois. Illinois State University was founded in 1857 as the first public institution of higher education in the state. ISU’s motto is “gladly we learn and teach.” As a public university, ISU’s mission calls for the University to work as a diverse community of scholars with a commitment to fostering a small-college atmosphere with large-university opportunities.
4. Diversity is a core value at Illinois State University, and the University welcomes all applicants regardless of citizenship status to attract the most talented and committed students. Undocumented students or “dreamers,” with or without participation in the Deferred Action for Childhood Arrivals (“DACA”), who apply to ISU are treated identically to any other U.S. citizen or permanent resident. DACA recipients, and all undocumented students, who complete at least three years of high school in Illinois (or recognized equivalent) are eligible for in-state tuition under Illinois law, 110 ILCS 675/20-88. Should DACA be repealed, the

likelihood that undocumented students would continue to apply and enroll in the University would be significantly diminished.

5. ISU has a total enrollment of 20,784 undergraduate and graduate students for the fall of 2017 coming from Illinois, 46 states, and more than 72 different countries. ISU has undocumented students presently enrolled in the University, some of whom are participants in the DACA program. ISU also employs DACA recipients in a variety of different roles at the University.
6. The repeal of DACA would affect ISU students starting and completing their education. The loss of the DACA program may jeopardize the ability of students who are DACA grantees to pay for their education and access financial-aid opportunities available to them. In addition, the repeal and current limitations on the DACA program may prevent the ability of DACA recipients to access and participate in study-abroad programs, research projects, other educational opportunities, as well as scholarly work and travel opportunities. The repeal of DACA could also jeopardize faculty, scholars, and staff who may lose work authorizations under the DACA program.
7. Overall, repealing DACA could undermine ISU's efforts to support our University community's ability to meet challenges, not in a climate of fear, but in a spirit of collegiality and community.

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

Executed on this 26th day of September, 2017.



Dr. Larry H. Dietz
President, Illinois State University

EXHIBIT 140

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

**Declaration
of
Eric R. Jensen**

I, Eric R. Jensen, hereby declare and affirm:

1. I am over the age of 18 and have personal knowledge of the matters set forth below and I am competent to testify about them.

2. I am President and Professor of Economics at Illinois Wesleyan University (“Illinois Wesleyan”). I have been employed by Illinois Wesleyan since November 1, 2015. Prior to coming to Illinois Wesleyan, I was Provost at Hamline University and prior to that I was professor of economics and public policy at the College of William and Mary for 30 years serving as director of the Thomas Jefferson Program in Public Policy for 8 of those years.

3. Illinois Wesleyan University is an independent, residential, liberal arts university founded in 1850 with a College of Liberal Arts, a School of Fine Arts and a School of Nursing. Illinois Wesleyan has an enrollment of 1,771 with almost 480 students of color or from other countries.

4. A liberal education at Illinois Wesleyan fosters creativity, critical thinking, effective communication, strength of character and a spirit of inquiry. Our curriculum deepens the specialized knowledge of a discipline with a comprehensive world-view. The Illinois Wesleyan experience affords the greatest possibilities for realizing individual potential while preparing students for democratic citizenship and life in a global society. As the University pursues this ideal for all of our students, we help students to follow a wide range of career and life paths, offering diverse curricula in liberal arts, fine arts and professional programs as well as opportunities for interdisciplinary study and off-campus learning. The University through our policies, programs and practices is committed to diversity, social justice and environmental

sustainability. A tightly knit, supportive university community, together with a variety of opportunities for close interaction with excellent faculty, both challenges and supports students in their personal and intellectual development.

5. The University welcomes students regardless of their national origin, immigration or citizenship status, and regardless of their status as a DACA recipient or as undocumented. Applications of DACA students are considered in the same manner as all other students.

6. Illinois Wesleyan University remains strongly committed to providing a supportive environment in which each of our students can become confident, participatory members of a global society. We define ourselves as a diverse, inclusive and welcoming campus, with the understanding that education in the context of diversity – whether of nationality, race, religion, thought or any of the other forms that diversity may take – creates the richest learning environment. The University would be immeasurably affected by rescission of DACA. We have 6 students enrolled at the University who identified as undocumented and are subject to potential harmful effects of ending DACA.

7. Two of our DACA students are important to note. One arrived in the United States from Mexico when he was 1.5 years old and the other arrived from Poland when he was 2 years old. Both of these students come from families that have worked hard, paid their taxes, worked to make a better life for their families. They are both economic majors and successful student-athletes. Eliminating their DACA status would end their ability to legally work in the United States and subject them to removal from the country at any time. It is likely that at least some of our DACA students would cease engagement with public institutions, including their enrollment at IWU. Not only would the resulting drop in enrollment directly affect these students, but it would also damage the University community as a whole. These students bring a

valuable perspective to our classes and meetings based on their unique life experiences and commitment to obtaining an education.

8. Elimination of the DACA program would put at risk the ability of current students to fully participate in their college education. Students would be subjected, on a daily basis, to the stresses of the fear of deportation and lack of employment. By losing work authorization, many students would lose summer and part-time jobs that enable them to continue to pay tuition and cover expenses like food, housing, and textbooks. In addition, students would no longer be able to participate in study abroad programs, because they would not be granted leave to visit other countries. For some, this may be a requirement for their major.

9. Elimination of DACA would undermine the University's commitment to serving as a welcoming campus supportive of a diverse learning environment. No longer will the University be able to embrace diversity to the extent it has been able to under DACA. Rescission of DACA will effectively negate our ability to welcome everyone regardless of immigration status. It will also deprive the University of high-achieving students who have often demonstrated a commitment to hard work and to pursuing a college education and successful professional life.

10. As one of our DACA students stated "It (the rescission) hurts a lot. All you know is America, you are part of this culture now, you have all your friends here and the thought you could be sent back is just scary." This action does not represent true American values.

I declare under penalty of perjury under the laws of the State of Illinois that the foregoing is true and complete to the best of my knowledge.

Dated this 26 day of September, 2017.


Eric R. Jensen

EXHIBIT 141

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

JOINT DECLARATION OF JOHN P. PELISSERO
AND MARGARET FAUT CALLAHAN

We, John Pelissero and Margaret Callahan, pursuant to 28 U.S.C. § 1746(2), subject to the penalty of perjury, declare as follows:

1. The undersigned both have personal knowledge of the facts set forth herein and are competent to testify to those facts. They make this joint declaration in their official capacities as provosts for Loyola University of Chicago.

2. John P. Pelissero, PhD, is provost and a professor of political science at Loyola University of Chicago, where he has served as a member of the faculty for over 30 years. He holds a BA in political science earned from Marquette University in 1975; Masters' degrees in political science and Public Administration from the University of Oklahoma; and a PhD in political science from the University of Oklahoma in 1983. Dr. Pelissero's University leadership roles began in 2003 with his appointment as the first associate provost for curriculum development. From 2005–10 he was vice provost for the Division of Academic Affairs, responsible for budgeting, enrollment management, faculty development, and institutional research. He was named provost in May 2010, and served in the position until July 2015 when he was appointed interim president of the University. In August 2016, he resumed his role as provost. As the University's chief academic officer, he leads academic affairs, including two colleges, seven schools, two institutes, the University Centers of Excellence, and University Libraries. He is a member of the President's Cabinet and is responsible for enrollment management and strategic planning.

3. Margaret Faut Callahan, CRNA, PhD, FNAP, FAAN, is provost of the Loyola University of Chicago Health Sciences Division and a member of the President's Cabinet. She leads all

academic initiatives in the division, which includes the Stritch School of Medicine, Marcella Niehoff School of Nursing, and the Graduate School's biomedical programs. She received her Bachelor of Science in Nursing from Loyola and has more than 35 years of experience in health care and higher education. Before coming to the University, she served as interim provost at Marquette University and dean and professor of the University's College of Nursing. She holds a Master of Science in Nursing and a Doctor of Philosophy in Nursing Science from Rush University College of Nursing, and she is a Fellow of both the American Academy of Nursing and the National Academies of Practice.

4. Loyola University of Chicago is a private institution, founded in 1870 and sponsored by the Society of Jesus (the Jesuits), serving approximately 16,700 graduate and undergraduate students. Its mission is grounded in the school's Ignatian heritage of faith, encompassing a profound commitment to the poor and to issues of social responsibility and justice. As stated in the school's Mission and Identity statement, one of the central characteristics of a Jesuit education is the "commitment to service that promotes justice: using learning and leadership in openhanded and generous ways to ensure freedom of inquiry, the pursuit of truth and care for others."

5. The admission and enrollment of DACA students is fully consistent with the Jesuit and Catholic values that permeate the institution of Loyola University of Chicago. As a Catholic university, we firmly believe in the dignity of each person and in the promotion of social justice. The dignity or worth of persons calls us to steward the talents of qualified applicants rather than reject their contributions for arbitrary and arcane reasons. Social justice requires that we foster the conditions for full participation in the community by all members of our community. Our

approach echoes a long tradition articulated by the U.S. Conference of Catholic Bishops of advocacy for immigrant members of our communities.

6. Consistent with its mission and its Ignatian heritage, Loyola University of Chicago has proudly welcomed DACA students through its doors since soon after the DACA program was initiated in 2012. Loyola does not require students to self-identify as DACA recipients; nonetheless, the University has welcomed DACA students throughout its three Chicago-area campuses:

- a. Beginning in 2013, Loyola's Stritch School of Medicine was the first medical school nationwide to openly accept students with DACA status. The school aggressively supported the creation of a loan program through the Illinois Finance Authority, offering interest-free loans to Stritch students in return for a promise to pay back the principal and work for four years in an underserved Illinois community following graduation. The first DACA students to enroll at Stritch are currently in their fourth and final year of medical school, and additional DACA students are included in each of the medical school's current classes.
- b. In the summer of 2014, the Student Government of Loyola Chicago partnered with the Latin American Student Organization to open up a scholarship fund for undocumented Loyola undergraduate students who demonstrate financial need but do not qualify for federal financial aid. Arising from this effort, the University began offering scholarship support to DACA students in the fall of 2014. The following year, the Loyola undergraduate student body voted to support a \$2.50 contribution from each student to support the Magis Scholarship fund, and in December of 2015, the University's Board of Trustees unanimously approved the students' vote to add an individual \$2.50 student

fee each semester. In addition, through a separate program now known as the Dreamer Scholarship, beginning in 2015 the University began offering full-scholarship awards to a number of DACA students in each entering class. Through both of these undertakings, Loyola University of Chicago now provides financial support for a significant number of DACA students who would otherwise be unable to attend the school.

- c. In 2015, Loyola enrolled its first class of students at Arrupe College, a newly-established two-year junior college program. Arrupe College seeks to serve non-traditional college students with limited financial means. Many of Arrupe's students are first-generation college attendees, and many of them come from immigrant communities in and around the Chicago area. Like its main undergraduate campus, Loyola's Arrupe College has welcomed DACA students, whose presence advances the University's goal of creating a broad and diverse community that will enhance the educational experience of all Loyola students. At present, Arrupe College has enrolled a significant number of students who have identified themselves as having DACA status, as well as an unknown number of other DACA recipients who have not identified themselves to the University.

7. The DACA program has provided important benefits to the students, faculty and staff of Loyola University. All of the individuals with DACA status studying throughout Loyola have confronted extraordinary challenges just to arrive at our doors, and a good number of them are the first in their families to attend college. They are woven into the fabric of our communities and have made important contributions both in and out of our classrooms. Their presence enriches the educational and cultural experiences of all of our students, contributing to a more

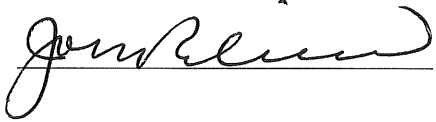
diverse and robust academic climate on all of our campuses and in all of our programs. They are our future doctors, lawyers, nurses, teachers, business owners, and leaders who join us in lifting up the most marginalized in our world. Loyola University of Chicago is committed to their success.

8. If the DACA program is discontinued, many students will have an understandable fear that they may be deported, a circumstance likely to interfere with their ability to thrive in a challenging academic environment and make meaningful contributions to our community. Beyond this, many of them will likely not be able to continue with their studies at Loyola. They will lose their ability to work legally, and therefore lose the ability to support themselves while studying. Ending the program will also adversely impact current students' ability to make important future contributions to the welfare of the State of Illinois. For example, the students with DACA status who will graduate with medical degrees this year may be unable to continue their training at the residency level and may be unable to fulfill their obligations to serve underserved patients in the state of Illinois. Additionally, they may have no ability to service their loan burdens and will thus be at risk of defaulting on their obligations to the state of Illinois. All of this will cause substantial and irreparable harm not only to our DACA recipients and their families, but also to all of the constituents of Loyola University of Chicago, including students, faculty and staff. It defies understanding that we as a country would squander the wealth of talent, commitment, and grit exhibited by this extraordinary group of people who we know as our colleagues, our classmates, and our neighbors.

The undersigned declare under penalty of perjury that to the best of their knowledge, the foregoing is true and correct.

Executed this 26th day of September, 2017.

John P. Pelissero

A handwritten signature in cursive script, appearing to read "John Pelissero", written over a horizontal line.

Margaret Faut Callahan

A handwritten signature in cursive script, appearing to read "Margaret Callahan", written over a horizontal line.

EXHIBIT 142

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF VERNESE EDGHILL-WALDEN

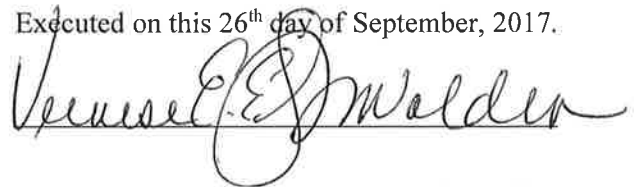
I, Vernese Edghill-Walden, declare as follows:

1. I am the Chief Diversity Officer and Senior Associate Vice President for Academic Diversity at Northern Illinois University (“NIU” or “University”). I have been employed at the University in this capacity since 2015.
2. I am over the age of 18 and competent to testify herein. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from records by others within NIU.
3. Northern Illinois University is a nationally accredited public university located in the State of Illinois. NIU is classified as a Research University (high research activity) by the Carnegie Foundation for the Advancement of Teaching, and is a member of the Association of Public and Land-Grant Universities.
4. NIU contributes to the advancement of knowledge for the benefit of the people of the region, the state, the nation and the world. To this end, the mission of the University is to promote excellence and engagement in teaching and learning, research and scholarship, creativity and artistry, and outreach and service. In pursuing this vision and fulfilling its mission, the University values, among other important principles:
 - A community of diverse people, ideas, services, and scholarly endeavors in a climate of respect for the intrinsic dignity of each individual;
 - Access for a broad spectrum of students to high quality undergraduate, graduate, and professional programs that prepare them to be lifelong learners and productive, socially conscious citizens;
 - Student success supported through academic and co-curricular programming and activities;

- Commitment to a public purpose addressing regional, state, national, and global challenges and opportunities.
5. NIU proactively fosters an inclusive culture for all, including more than 200 undocumented students at the University, and carries a commitment of continued support to the students and employees of NIU, and their educational pursuits, regardless of immigration status.
 6. On September 5, 2017, U.S. Attorney General Jeff Sessions, on behalf of the President of the United States Donald J. Trump, announced the termination of the Deferred Action for Childhood Arrivals (DACA) program. The DACA program allowed those who immigrated to the United States as children to remain in the country and receive work or travel authorization for a period of time if certain criteria were met.
 7. That same day, Acting President Lisa Freeman issued a statement to the NIU community entitled “NIU Stands with Our DACA Students.” A copy of that statement is attached to this declaration as Document No. 1.
 8. At its regular meeting on September 14, 2017, the Board of Trustees of Northern Illinois University unanimously adopted a resolution entitled “Solidary Support from the Board of Trustees of Northern Illinois University Regarding the Deferred Action for Childhood Arrivals (DACA) Program.” A copy of that resolution is attached as Document No. 2.
 9. Dr. Freeman’s statement to the NIU community and the resolution of the Board of Trustees demonstrate a strong commitment of support to the students and employees of Northern Illinois University, including those who may be participants in the DACA program.

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

Executed on this 26th day of September, 2017.

A handwritten signature in black ink, appearing to read "Vernese Edghill-Walden", written over a horizontal line.

Vernese Edghill-Walden

From: Acting President Lisa Freeman
Sent: Tuesday, September 5, 2017 12:58 PM
To: Acting President Lisa Freeman
Subject: NIU Stands with Our DACA Students



NIU Stands with Our DACA Students

September 5, 2017

Dear Students, Faculty and Staff:

In response to today's decision from the White House, I want to reassure our community that everyone at NIU is committed to *all of our students* and their educational pursuits, as well as to our employees, regardless of their immigration status.

The Deferred Action for Childhood Arrivals (DACA) program allowed undocumented immigrants who arrived in the United States as children to come forward safely to request (A) to remain in the country and (B) to receive work authorization. If granted, those allowances were good for a period of two years and subject to renewal if the applicants met a series of guidelines. Participants were not eligible to receive federal or state financial aid for higher education here in Illinois and were required to pursue other avenues to finance their education.

Earlier today, Attorney General Jeff Sessions, on behalf of President Trump, announced the termination of the DACA program, stating that it will immediately begin winding down with limited renewals and no new applications for legal status being considered after today. As details and clarity emerge, we will update the [FAQ page](#) for our students and have staff available at both the [Center for Latino and Latin American Studies](#) and the [Latino Resource Center](#) to help our students understand and navigate information and options.

Today's federal action will understandably cause concern, confusion and even anger for many of our undocumented students, their families and the faculty, staff and students who

are their advocates and allies. I want to be clear that NIU stands with our students, regardless of their immigration status. Moreover, we are committed to admitting and retaining students regardless of status or nationality. We will also continue to support undocumented students through privately funded scholarships; student support groups and faculty advocates; counseling and consultation services; academic and cultural resource centers; and Ally training on how to best advocate for undocumented students.

NIU encourages our elected officials to reach a legislative solution quickly that enables each of our students and graduates to work, participate meaningfully in our society and contribute to the economic health of our state and nation. If you want your voice heard on this matter, engage with the student-led organization [DREAM Action NIU](#) to learn how to advocate on its behalf with state and federal legislators.

In this dynamic time, undocumented students and employees at NIU might be shouldering fears about their future and families. They are deserving of your kindness, respect and encouragement.

To our undocumented students: You belong at NIU. We want you here, and we are prepared to help you navigate how to continue on your educational journey. Continue to go to class. Refuse to let this action interfere with your goals. You are here to earn an education so that you can better yourselves: When you are educated, informed and engaged, you are just what our nation needs. Tap into the offerings and leadership available in our [Resource Centers](#) – they are welcoming to all students, faculty and staff in need of guidance and dialogue.

NIU will continue to take [measures to support](#) and assist our undocumented community, and I encourage students, faculty and staff to continue to communicate with the university on important legal and social issues that affect these Huskies. Our commitment to being a diverse, inclusive and welcoming university will not waver.

Go Huskies,



Lisa Freeman
Acting President

[Northern Illinois University](#)

1425 W. Lincoln Hwy., DeKalb, IL 60115 | 815-753-1000

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Agenda Item 9.b.
September 14, 2017

Action

RESOLUTION

**SOLIDARY SUPPORT FROM THE BOARD OF TRUSTEES
OF NORTHERN ILLINOIS UNIVERSITY REGARDING THE DEFERRED ACTION FOR
CHILDHOOD ARRIVALS (DACA) PROGRAM**

WHEREAS, the Deferred Action for Childhood Arrivals (DACA) program was established in 2012 and allowed those who immigrated to the United States as children younger than the age of 16 prior to 2007, to remain in the country and obtain work permits on a renewable basis if they met a series of criteria;

WHEREAS, on Tuesday, September 5, 2017, President Trump initiated an executive order to end DACA, affecting the lives of more than 800,000 immigrants; and

WHEREAS, the State of Illinois has joined at least 15 other states in challenging the recent federal legislation that serves to overturn the protection measures of the DACA program; and

WHEREAS, Northern Illinois University (NIU) Acting President Lisa Freeman has issued a clear and swift response of commitment of continued support to all NIU students and their educational pursuits, as well as employees, regardless of their immigration status; and

WHEREAS, NIU proactively fosters an inclusive culture for all – including more than 200 undocumented students, who are seeking a path to citizenship as well as economic and societal stability; and

WHEREAS, NIU is taking a transparent position of solidarity in standing with our undocumented students and employees, in vowing to continue to offer resources and forums to address the inevitable repercussions of the White House actions to rescind DACA,

THEREFORE, BE IT RESOLVED that the Board of Trustees of Northern Illinois University supports legislative actions to create a pathway for citizenship for DACA participants; and we strongly encourage all local, state and national citizens to support our position of solidarity;

BE IT FURTHER RESOLVED that this RESOLUTION be sent to Illinois lawmakers and a copy of this document be placed in the official files of the Board of Trustees as part of the permanent record of the University and the great State of Illinois and as a lasting testament of the voice of this body, which believes in due process rights for all and the tenets of the United States Constitution.

Adopted in a regular meeting assembled this *14th* day of *September, 2017*.

**BOARD OF TRUSTEES OF
NORTHERN ILLINOIS UNIVERSITY**

Wheeler G. Coleman
Chair

John R. Butler
Secretary



EXHIBIT 143

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Executive Vice President and Vice President for Academic Affairs Barbara J. Wilson

I, Barbara J. Wilson, hereby declare and affirm as follows:

1. I am of full legal age and competent to testify herein.
2. I am the Executive Vice President and Vice President for Academic Affairs of the University of Illinois System (“U of I System” or “System”).
3. I have compiled the information in the statements set forth below through U of I System personnel who have assisted me in gathering this information from our three universities.
4. The U of I System is comprised of three best-in-class universities, a major healthcare enterprise with a hospital and clinics that provide care for largely underserved populations, an Extension network that takes our leading-edge scholarship to every corner of our state, and a growing online learning network. The System includes Tier 1 research universities in Urbana-Champaign and Chicago that make significant contributions to breakthrough discovery that drives innovation, progress and economic development in the fields of engineering, medicine, technology and the arts, among many others.
5. The System is Illinois’ largest educator and has seen enrollment grow for five straight years, to a record 83,000-plus students in undergraduate, graduate and professional programs that include many ranked among the nation’s best. The System transforms the lives of students and alters the trajectory of families, with 24 percent of all students coming from underrepresented ethnic and racial groups and about 23 percent of undergraduates identifying as first-generation students. A global reputation for academic excellence attracts students from every state in our nation and 136 countries around the world. The System employs nearly 25,000 faculty and staff, and awards more than 20,000 degrees every year, adding to its network of more than 700,000 alumni worldwide.

6. The U of I System grew from the land-grant movement that redefined higher education and led America's evolution from an agrarian society to the industrial revolution to today's electronic digital age. The University of Illinois at Urbana-Champaign is an original land-grant campus, created to open the doors of higher education to the children from all socioeconomic backgrounds. In the 150 years since, as it grew from a single campus to three, the System has never wavered from that core mission – ensuring a high-quality, life-changing education for every deserving student, regardless of her or his background.
7. The Deferred Action for Childhood Arrivals (DACA) policy reflects the U of I System's bedrock commitment to access and opportunity, supporting qualified undocumented students and nurturing the talents that will help lift their lives and their communities.
8. The repeal of DACA could affect more than 350 students and nearly 100 employees across the U of I System. Students who are now DACA grantees could lose their work authorizations, which could cost them their jobs and ability to pay for their education.
9. As a result of repeal, DACA grantee students also could face an increased risk of arrest and deportation from the country they call home.
10. Repealing DACA runs counter to the spirit of opportunity and inclusion that has made U.S. higher education a model for the world. The collective interests of our state and nation are best served by unlocking the talents of every deserving student and providing a diverse campus culture that prepares our graduates to excel in an increasingly global workplace.

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

Executed on this 27th day of September 2017.



Barbara J. Wilson

Executive Vice President and Vice President for Academic Affairs

EXHIBIT 144

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Bidy Martin

I, Carolyn A. (“Biddy”) Martin, declare as follows:

1. I am the president of Trustees of Amherst College, known to the public as Amherst College (“Amherst”). I have been employed in this capacity since 2011.
2. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from the College’s records by others within the organization.
3. Amherst College is a private residential liberal arts college founded in 1821. Amherst enrolls approximately 1,850 undergraduate students in pursuit of its mission to educate students from all backgrounds so that they may seek, value, and advance knowledge, engage the world around them, and lead principled lives of consequence.
4. Consistent with our motto, *terras irradiant* (“let them give light to the world”), Amherst College considers it a moral imperative to actively identify, recruit, and enroll the most promising students regardless of their financial circumstance or immigration status – including DACA and undocumented students. Over the past fifteen years in particular, Amherst College has achieved unparalleled success in assembling one of the most diverse student bodies of any institution of higher education in the world. The college values this diversity as essential to enhancing intellectual inquiry and preparing students to lead lives of global consequence. The college’s strategic plan confirms the value of that diversity, noting: “as diversity has increased, the quality of the students has also risen by every standard measure.”
5. Critical to that diversity has been the enrollment of talented DACA students, who bring invaluable individual perspectives, experiences, and contributions to the college’s

purposefully small residential community. Each of these students earned admission to the college on the basis of their own merit, often overcoming substantial odds to attain both academic and non-academic success in spite of living in constant fear of deportation and without the myriad benefits that are made available to persons who are considered to be lawfully present in this country.

6. Amherst College invests substantial resources in supporting all of its students – including its DACA students. Among other things, Amherst’s specific support for DACA students includes: a) designating a significant portion of a newly-created staff position to serving the needs of DACA and undocumented students; and b) paying for consultations with an immigration attorney.

7. Notwithstanding significant efforts by Amherst College to support its DACA students, the decision to rescind DACA in particular prevents DACA students from experiencing the full range of opportunities made available to all other students at Amherst College. For example, among the graduating classes of 2016 and 2017, approximately forty-five percent (45%) participated in study abroad opportunities. During the time period in which DACA was effective, at least three Amherst College students with DACA status were able to take advantage of this opportunity. The elimination of the DACA program and the cancellation of advance parole render the college’s DACA students unable to participate in study abroad opportunities without risking loss of their DACA status and deportation upon their return from study abroad. Thus far, at least two Amherst College DACA students have cancelled their study abroad plans due to concerns that the DACA program would be rescinded.

8. As another example: eighty-nine percent (89%) of the graduating class of 2017 was employed by the college for at least one semester. These mostly on-campus jobs provide students opportunities to develop important skills, in addition to further enhancing their resumes and post-graduation employment prospects. These students also provide vital services to the college, from admission tour guides who play an important role in introducing prospective students and their families to the college, to student researchers who provide critical assistance to professors while making important discoveries that benefit not only the college, but occasionally the world. Unfortunately, the rescission of DACA, and the work authorizations that were provided under DACA, will prevent Amherst College from making these critical employment opportunities available to DACA students, thus depriving those students of opportunities overwhelmingly utilized by their peers.

9. The rescission of DACA creates complications for students with regard to off-campus employment and post-graduation employment prospects as well. At least one Amherst College DACA student has already received a post-graduation offer of employment. The rescission of DACA effectively precludes this student from accepting this offer of employment because the student will no longer be eligible to work in the U.S. once the student's current work authorization expires. The lack of continued work authorization has also harmed this student's ability to apply for other jobs, as most applications require some form of disclosure of whether the student is eligible to work in the United States.

10. In addition to the aforementioned practical ways in which DACA students are harmed by the decision to rescind DACA, they also face very real consequences that affect their well-being and participation in the classroom and the Amherst College community.

Amherst College professor Leah Schmalzbauer has provided me the following summary of the effects she has witnessed first-hand:

- a. I have been working closely with several undocumented and DACA students for the past three years. During this time, I have noted the high levels of anxiety and stress that undocumented students carry, and I have noted the way in which getting DACA helped alleviate that anxiety and stress. DACA moreover enabled students to pursue opportunities and expand their aspirations in powerful ways. Every DACA student with whom I have worked told me that they would not have gone to college without DACA and they would not have set high professional goals. Their aspirations now include lawyer, professor, and journalist. But perhaps most importantly, DACA gave my students a sense of belonging in this country, and a sense of being valued that they did not have when they were undocumented. In the weeks leading up to the rescission of DACA and currently, the DACA students with whom I am working closely are struggling emotionally. They are terrified that they will be separated from their families. Some have had emotional breakdowns and/or have been diagnosed with medical or mental health issues as a result of the stress. Some don't even feel safe seeking professional support.

11. Secondary to the very real harm incurred by DACA students, Amherst College also suffers harm from the rescission of DACA in various ways.

- a. Due to concerns about the inability to receive financial assistance in the form of campus employment, medical/mental health issues related to the rescission

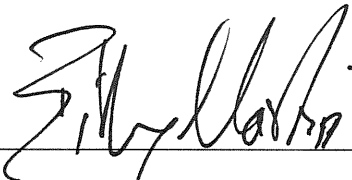
of DACA, and diminished prospects of post-graduation employment, many DACA beneficiaries and undocumented individuals may not enroll or even apply to Amherst College in the first place. For similar reasons, students who have already enrolled may feel that they are unable to continue their college education. If new DACA and undocumented students do not apply, or if current students are forced to drop out, the college will be deprived of a critical source of the diversity we so highly value. Moreover, if current DACA students are forced to drop out, the college will be deprived of the contributions those students were making both inside and outside the classroom. Even those DACA students who remain enrolled may be less active on campus, thus further depriving the college of the full extent of their contributions.

- b. The college must allocate additional institutional funds to help DACA students: i) fund their education without the benefit of campus employment; and ii) pay for additional legal consultations necessitated by the decision to rescind DACA.
- c. The college risks losing valuable current employees – including student employees – as their DACA status and accompanying work authorization expire. In addition, the college would incur additional expenses to hire and train employees to fill any such vacancies. Furthermore, the rescission of DACA precludes the college from hiring otherwise qualified candidates for various positions moving forward.

- d. The college has expended and will continue to have to expend significant resources in monitoring developments related to DACA – particularly the rescission of the DACA program. This includes the creation and update of dedicated resource webpages, regular meetings by an internal crisis response team, ongoing communications to the campus community, and targeted education efforts regarding the confidentiality of student information.

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

Executed this 22nd day of September, 2017



Carolyn A. ("Biddy") Martin

EXHIBIT 145

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF ELLEN KENNEDY

I, Ellen Kennedy, declare as follows:

1. I am President of Berkshire Community College (“College”), a public institution of higher education located in Pittsfield, MA. I have held this position since 2012. Prior to my current role, I served as the Interim President at Berkshire Community College.

2. Presently, I also serve as the Chair of the Massachusetts Community Colleges’ Presidents’ Council (“Council”). The Council is comprised of the fifteen Massachusetts Community College Presidents.

3. The Massachusetts Community College System (“System”) is the largest segment of public higher education in the Commonwealth of Massachusetts and enrolls over 184,000 credit and non-credit students and offers 823 associate degree and 531 certificate programs. The System includes Berkshire Community College, Bristol Community College, Bunker Hill Community College, Cape Cod Community College, Greenfield Community College, Holyoke Community College, Massachusetts Bay Community College, Massasoit Community College, Middlesex Community College, Mount Wachusett Community College, Northern Essex Community College, North Shore Community College, Quinsigamond Community College, Roxbury Community College, and Springfield Technical Community College.

4. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from College and System records.

5. The Massachusetts Community Colleges’ core values include a commitment to equal opportunity, inclusion, accessibility, and diversity. Our Colleges offer vibrant learning environments that welcome diverse people, ideas, and perspectives. Consequently, we welcome all applicants regardless of citizenship status, including undocumented students and those granted Deferred Action for Childhood Arrivals (“DACA”).

6. The Massachusetts Community Colleges are proud to welcome DACA and undocumented students and recognize that many DACA and undocumented students must overcome enormous challenges to gain acceptance. Their commitment to attend and graduate from a Massachusetts Community College speaks to their resilience and determination. Our Colleges take pride in the diversity of our communities and DACA and undocumented students bring critical perspectives, insights and experiences to our academic and campus life. For example, Rose [not her real name] is from Brazil. She came to the U.S. with her mother when she was 11 years old. Although she spoke not a word of English when she arrived, she graduated from high school as an honors student. Until DACA was implemented in 2012, Rose could not attend college because of her undocumented status. In 2013, she enrolled at a Massachusetts Community College. As she waited for the opportunity to begin college, she completed some certification programs to learn new skills and volunteered at her church,

working with younger children and providing translation services. Once enrolled, she took as many courses as she could afford, while working 20 hours per week. She received a Community College Foundation scholarship and completed her associate degree in engineering, with High Honors, in 2017. Her goal is to obtain further higher education in pursuit of a career in chemical engineering. If DACA is rescinded, she could be forced to return to Brazil and the U.S. would have lost a talented and promising engineer. Another student, Sara [not her real name], came to the U.S. from El Salvador at the age of 11 years. Sara was a victim of sexual abuse and because her mother lacked education and was extremely poor, she knew she could not protect Sara in their home village, forcing them to escape to the U.S. After graduating from high school in 2009, Sara worked multiple jobs to save money for college, being paid as little as \$2.00 – \$3.00/hour because of her undocumented status. She still managed to save enough to enroll at a Massachusetts Community College in 2014 and was awarded a Community College Foundation scholarship in 2016, enabling her to complete her degree in June of 2017. She earned a 3.7 GPA and was a member of the Phi Theta Kappa Honor Society. Sara's educational aspiration is to obtain further higher education in political science. Her passion for politics comes from her experience in El Salvador where she witnessed how the lack of education, violence and high levels of poverty force people to emigrate. If she is forced to return to El Salvador, she will be in danger from the man who abused her years ago, and all that she has invested in herself may be lost.

7. Since the DACA program went into effect in 2012, many colleges and universities, including the Massachusetts Community Colleges, have seen the critical benefits of this program for our students and the positive impacts on our institutions.

8. Terminating the DACA program will have a negative impact on the Massachusetts Community Colleges, our students, and faculty. DACA recipients enrolled at the Massachusetts Community Colleges are eligible for in-state tuition and various scholarships. With the rescission of DACA, many students who have already enrolled will not be able to afford to continue their education, and will forego the opportunity of attending a Massachusetts Community College. Further, the loss of employment authorization will deprive these students of the economic advantages, which would have allowed them to gain a foothold on the path to economic independence.

9. Additionally, any program that requires employment authorization to complete elements of the program will be severely impacted. The inability to work may, in certain circumstances, prevent a DACA student from meeting the academic requirements of their degree programs.

10. If new DACA students do not enroll, the Massachusetts Community Colleges will lose the benefit of the special contributions and perspectives that these special young people bring to our campus communities as both students and alumni. If current DACA students are forced to drop out, Massachusetts Community Colleges will lose the value of the financial assistance and the other resources our institutions have invested in educating these students, who ultimately are not able to graduate.

11. The Massachusetts Community Colleges will suffer additional tangible harms if the DACA program is terminated. We have already begun to experience disruption as a result of the uncertainty over the program's future and are preparing for the likelihood of increased institutional funds needed to help DACA students meet loss of educational opportunities and employment.

12. Massachusetts Community Colleges have designated dedicated staff members who manage communications and services for our DACA students. In addition, among other things, our institutions have had to create internal communication structures for alerting senior leadership and management of various immigration changes with task forces closely monitoring executive actions, initiating outreach to the campus community that protects confidentiality and privacy concerns, and identifying institutional needs and resources.

13. To the extent the Massachusetts Community Colleges employ any non-student DACA recipients, if the program is terminated, we can no longer employ these individuals and we will lose their services and the value of our investment in them and will incur additional costs to hire and train replacements.

14. By eliminating the important protections granted under the DACA program, these students will no longer have protection against deportation due to their undocumented status. As a result, they will experience the constant fear of deportation, hardships from limited employment opportunities and great uncertainty about their future.

15. Finally, the chilling effect associated with the rescission of DACA provokes anxiety among foreign born students, regardless of status, and communicates an intentional rejection of a global world view that runs contrary to the Vision, Mission and Values of the Massachusetts Community Colleges. Further, it is a chilling effect that stops short the entrepreneurial spirit and the commitment to workforce development that the Community Colleges have been asked to foster. This chilling effect is detrimental to the future of the Massachusetts Community Colleges and our collective work.

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

Executed this 25th day of September 2017



Ellen Kennedy, President
Berkshire Community College
Chair, Massachusetts Community Colleges' Presidents' Council

EXHIBIT 146

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF THE MASSACHUSETTS STATE UNIVERSITY PRESIDENTS

We, the undersigned Presidents of the nine Massachusetts state universities, declare as follows:

1. We have personal knowledge of the information set forth below. With respect to matters for which we do not have personal knowledge, we have worked with state university personnel to gather and review the information.
2. The nine state universities, along with the five campuses of the University of Massachusetts and fifteen community colleges, comprise the 29 institutions of the Massachusetts Public Higher Education system. Mass. Gen. Laws Chapter 15A, § 5.
3. While the universities were founded nearly 200 years ago as normal schools, we now educate over 70,000 students annually in undergraduate and graduate programs in hundreds of disciplines, ranging from teaching and health care to the physical and life sciences, and from marine engineering and industrial design to information technology and game design. We also have three specialized colleges: Massachusetts College of Liberal Arts, Massachusetts Maritime Academy and Massachusetts College of Art and Design, the only freestanding public art school in the country.
4. With an average annual tuition and fees of just over \$9,000, the state universities offer their students the most affordable four year undergraduate education in the Commonwealth and provide high quality, affordable pathways to scores of graduate programs.
5. We believe that all persons, particularly those who face socioeconomic barriers to opportunity and advancement, have the ability to contribute to the economic, social and civic life of their communities. Accordingly, the state universities have long welcomed students regardless of their race, national origin, citizenship or immigration status.
6. To that end, the universities have embraced students enrolled pursuant to the Deferred Action for Childhood Arrivals (“DACA”) program. We do not believe that one’s country of

origin, citizenship or immigration status need be a barrier to success. To the contrary, we strive to provide affordable pathways to undergraduate and advanced degrees to anyone who wishes to obtain them.

7. In Massachusetts, DACA-enrolled students are eligible for in-state tuition and fees. DACA-enrolled and undocumented students are not eligible, however, for other state, federal, or institutional financial aid that is need-based. Accordingly, the DACA program has afforded a financial opportunity, in the form of in-state tuition and fees, to these students without which they may not be able to enjoy the full advantages of a state university education.

8. In our experience, DACA-enrolled and undocumented students have to work to be able to afford their education, despite their academic strengths. In addition to obtaining work, they often must support family members. The DACA program has helped to ease this financial burden not only in terms of the in-state tuition rate, but also by providing work authorization which is necessary for these students to work, including higher-paying academic internships and placements. By providing this financial relief, and by protecting the students from deportation for a defined period of time, our DACA-enrollees experience less stress and anxiety, and are able to focus their attention on their academic work and bettering their chances at obtaining their future goals.

9. While the universities do not collect or maintain information on students with DACA status, we know that numerous DACA students are enrolled within our nine-campus system.

10. The Attorney General's September 5th announcement of the President's intention to end the DACA program has caused visible stress, anxiety, anger and fear among our students, parents, siblings and the administrators who support them. Since those actions, students have not only raised concerns about themselves, but also their parents and family members. Some students

have expressed significant concern that just by identifying themselves as DACA-enrollees to the universities, the students have exposed their parents to the risk of arrest or deportation.


11. In fact, in preparation of this Declaration, our own university administrators have been unwilling to discuss - even when in compliance with state and federal privacy laws - the issues faced by DACA-enrolled students for fear that anything they say may expose the students to the possibility of deportation.


12. The students, faculty and staff of the state university community will suffer if the DACA program is eliminated. Some members of this community will be deported, causing them to leave the only home that some of them have known and to suspend – if not conclude - their academic pursuits. Members of this community will lose their ability to work, and, consequently, their ability not only to pay for their education, but to feed and house their families.


13. Moreover, the loss of our DACA-enrollees will undermine the universities' commitment to providing an affordable higher education to all who seek it, regardless of race, national origin, citizenship or immigration status. Diversity is one of our core values; we strive to provide learning and working environments in which the ideas, values, perspectives, and contributions of all students and employees are respected. When we lose the perspectives of any distinct group, our community deteriorates.

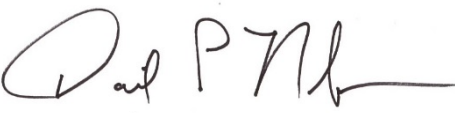
14. On September 5, 2017, only moments after the Attorney General's announcement, our Executive Officer, on our behalf, wrote to the leadership of the Massachusetts legislature to implore them to act immediately to pass legislation that would permit the 29 public institutions of higher education to continue to offer in-state tuition to those undocumented students who have qualified under DACA, regardless of any change to or elimination of the program by the federal government. We are committed to our DACA students, and we are fighting to keep them enrolled.


**SIGNED UNDER THE PAINS AND PENALITES OF PERJURY THIS 22nd DAY OF
SEPTEMBER, 2017,**

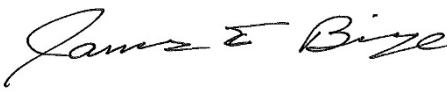
By: 
Frederick W. Clark
President
Bridgewater State University

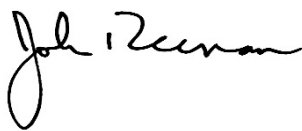
By: 
Richard Lapidus
President
Fitchburg State University


By: 
F. Javier Cevallos
President
Framingham State University

By: 
David P. Nelson
President
Massachusetts College of Art and
Design

By: 
Francis McDonald
President
Massachusetts Maritime
Academy

By: 
James Birge
President
Massachusetts College of
Liberal Arts

By: 
John Keenan
President
Salem State University

By: 
Ramon S. Torrecilha
President
Westfield State University

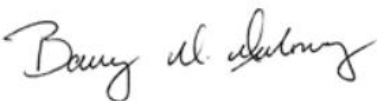
By: 
Barry Maloney
President
Worcester State University

EXHIBIT 147

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF SONYA STEPHENS

I, Sonya Stephens, declare as follows:

1. I am Sonya Stephens, Acting President at Mount Holyoke College, a highly selective, nondenominational, residential, research liberal arts college for women, located in South Hadley, Massachusetts.
2. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from College records by others within the institution.
3. Mount Holyoke was founded in 1837 and is the first of the historic Seven Sisters. Mount Holyoke's mission is to provide an intellectually adventurous education in the liberal arts and sciences through academic programs recognized internationally for their excellence and range; to draw students from all backgrounds into an exceptionally diverse and inclusive learning community with a highly accomplished, committed, and responsive faculty and staff; to continue building on the College's historic legacy of leadership in the education of women; and to prepare students, through a liberal education integrating curriculum and careers, for lives of thoughtful, effective, and purposeful engagement in the world.
4. Our 2,202 students hail from 47 states and 57 countries. Twenty-seven percent of MHC students are international citizens, and 27 percent of domestic students identify as African American, Asian American, Latina, Native American or multiracial. Fifty-seven percent of incoming first-year students were in the top 10 percent of their high school classes.
5. Access for low- and moderate-income students and for students from underrepresented groups is central to Mount Holyoke's mission. In fact, 65 percent of our students this past year received need-based aid, with average packages of grants, scholarships, and loans exceeding \$38,000, and more than 26 percent of our domestic students received Pell Grants. Overall, Mount Holyoke provides its students with more than \$44 million a year in need-based financial aid with funds drawn from the endowment and annual giving to the College. That figure represents nearly one-third of the College's annual budget.
6. We currently have some known DACA students on campus. We have graduated 12 students in the past four years who were undocumented or known participants in the DACA program.
7. At Mount Holyoke College, our mission is to draw students from all backgrounds into an exceptionally diverse and inclusive learning environment and to prepare them for purposeful engagement in the world. Our community is enriched by the experiences and intellectual contributions of talented DACA students who must often overcome great obstacles and demonstrate significant perseverance to pursue their studies and their goals.
8. Elimination of the DACA program will likely bring immediate economic and other hardships to students here who are under DACA protection. These hardships will likely include loss of access to on-campus employment opportunities and educational financing options as well as a possible inability to remain in the nation to continue their Mount Holyoke educations.
9. DACA has proven itself to be of significant benefit not only to hundreds of thousands of students, but also to the nation as a whole. The program provides access to educational and employment opportunities for students, while building pathways for them to pursue the American dream. In the process, they become fully engaged contributors to the economies and communities in which they live and work and demonstrate their dedication to this country and its ideals.
10. Furthermore, in addition to the significant anxieties the Trump Administration's recent announcements about the DACA program have caused for DACA recipients (and for their loved ones, friends, and acquaintances), many members of the Mount Holyoke community, the American public, and the world community are dismayed that rescission of the DACA program represents a profound breaking of faith on the part of our national government with some of the most vulnerable members of our society. Betrayals of this sort do long-term damage to trust in our government and its leaders at a time when wise, humane, and forthright leadership is sorely needed.

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

Executed this 27 day of September, 2017



Sonya Stephens
Acting President
Mount Holyoke College

EXHIBIT 148

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF RALPH C. MARTIN, II


I, Ralph C. Martin, II, declare as follows:

1. I am the Senior Vice President and General Counsel at Northeastern University. In this capacity, I have compiled the information in the statements set forth below through Northeastern University personnel.
2. Founded in 1898, Northeastern University (“Northeastern” or “the University”) is a global, experiential, research university built on a tradition of engagement with the world, creating a distinctive approach to education and research. Northeastern offers a comprehensive range of undergraduate and graduate programs leading to degrees through the doctorate in nine colleges and schools, and select advanced degrees at campuses in Charlotte, Seattle, Silicon Valley, and Toronto.
3. Northeastern is proud to have one of the most diverse university populations in the country. In Fall 2016, 35,696 students were enrolled throughout the University’s five campuses and through its online programs. The student body represents 50 states and 140 countries. International students comprise nearly 30 percent of the overall enrollment—one of the largest international student populations in the country—with less than 20 percent being full-time degree-seeking undergraduates.
4. Experiential learning, anchored by our renowned cooperative education program (“co-op”), lies at the heart of academic life at Northeastern. The integration of study with professional work, research, and service in 136 countries around the world gives students real-world opportunities and responsibilities. Students explore their path, acquire a deeper grasp of their studies, and develop an understanding essential to lifelong achievement.
5. Northeastern encourages all students interested in studying at the University to apply for admission. All admitted students, regardless of immigration status, are considered for private, merit-based scholarships. The University is committed to investing in the success of the Deferred Action for Childhood Arrivals (“DACA”) program. Northeastern provides a dedicated resource office that is available to all students, including DACA students. Through the University’s law school and partnerships with the external community, Northeastern also provides resources to support DACA students in their participation in academic and co-curricular activities.
6. Terminating the DACA program will have a negative impact on our community. Rescission of the DACA program will halt DACA students from receiving the full Northeastern educational experience, centered on experiential and global, lifelong learning. Students without DACA status will be prohibited from enrolling in co-op, global study abroad, or other experiential opportunities, and DACA students who are already enrolled will have their participation disrupted due to the loss of work and travel authorization.

7. Northeastern strongly stands against the elimination of the DACA program. As stated by Northeastern President Joseph E. Aoun on Sept. 4 in a message to the University community, "Our countless different backgrounds, beliefs, and identities are the foundation of Northeastern's excellence and our most precious resource."

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

Executed on this 25th day of September, 2017



Ralph C. Martin, II
Senior Vice President and General Counsel
Northeastern University

EXHIBIT 149



New Mexico Independent Community Colleges

September 8, 2017

Dear :

The New Mexico Council of University Presidents (NMCUP), the New Mexico Association of Community Colleges (NMACC), and New Mexico Independent Community Colleges (NMICC) urges each member of our congressional delegation to stand with our students and employees who are part of the Deferred Action for Childhood Arrivals Program, also known as DACA. Our country has made a promise to these individuals, and we believe promises should be kept. We strongly urge Congress to pass legislation that will authorize deportation protections that DACA provides. Immediate action is necessary to avoid huge disruption to both these students and our colleges.

In all, more than 800,000 individuals are part of the DACA program, which was created more than five years ago as a way to provide protection from deportation to certain individuals who were brought to the United States as children by their parents. For many of our DACA students and employees, the U.S. is the only country they know. They have lived here as long as they can remember, and they are an important part of our culture and our future.

One of our most important responsibilities is to provide a safe and caring community where all students can focus on learning and where all faculty and staff know that they are valued and supported.

We hope Congress can come together swiftly to address this crucial issue. Long-term, we will work with our congressional delegation and others to ensure our DACA students and employees can continue their education and/or employment and participate fully in our universities and our society. Please let us know if there is any way we can be of help in this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Garrey Carruthers".

Garrey Carruthers, Ph.D.
Chair, Council of University Presidents
Chancellor, New Mexico State University

A handwritten signature in black ink, appearing to read "Becky Rowley".

Dr. Rebecca K. Rowley
Chair, New Mexico Independent Community College
President, Clovis Community College

A handwritten signature in black ink, appearing to read "John B. Gratton".

Dr. John B. Gratton
Chair, New Mexico Association of Community Colleges
President, New Mexico State University Carlsbad

EXHIBIT 150

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

**DECLARATION OF CHAOUKI ABDALLAH,
INTERIM PRESIDENT OF THE UNIVERSITY OF NEW MEXICO**

Pursuant to 28 U.S.C. Sec. 1746, I hereby declare:

1. I am over the age of 18 and competent to testify.
2. I am the interim president of The University of New Mexico (UNM), New Mexico's largest research university.
3. As interim president, my office and the departments reporting to me are in frequent consultation with recipients of the benefits of Deferred Action for Childhood Arrivals (DACA), including students, staff and the families of students and staff, a large portion of whom are concerned that a change to their legal status will affect their academic studies or their professional futures.

4. UNM has a total enrollment of approximately 33,000 students at its central and four branch campuses, and employs more than 9,500 individuals.

5. UNM has the support of more than 170,000 active alumni within the United States and almost 2,000 outside the country, a percentage of whom are likely to be DACA-eligible or DACA recipients.

6. UNM sponsors international programs and a degree program in Latin American Studies, which may appeal to DACA students and may be impacted by a loss of DACA as a legal status.

7. UNM's Division of Equity and Inclusion was formed in 2008 to strengthen its organizational capacity to serve UNM's diverse student body. The state of New Mexico includes a 58% minority population, and as its flagship institution, UNM boasts 51% underserved minority students at its main campus. At its branch campuses in Gallup, Taos, Valencia County and Los Alamos, underserved minority students represent 75% of the student population.

8. In 2011, as the UNM Provost, I assembled a 22-member Diversity Council, bringing together broad cross-section of occupations, disciplines and backgrounds from across UNM's academic community to improve the university's performance in diversity, equity and inclusion. The work of the Diversity Council will culminate in 2021 with a re-envisioned actionable Diversity Plan to lead the university in weaving a strategic plan that values diversity into the very fabric of daily operations. The vision of the Diversity Council is to embody diversity, equity, inclusion and excellence as a strength and strategic advantage.

9. New Mexico has a historically diverse population, and today stands as one of four states in the U.S. that can claim minority-majority status by which the minority population of the state outnumbers the non-minority population.

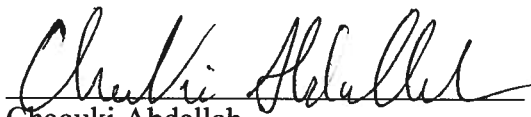
10. A major mission of the University involves helping to provide students with "values, habits of mind, knowledge, and skills that they need to be enlightened citizens."

11. The UNM undergraduate population is comprised of approximately 49% Hispanic or Latino students; 25% Anglo students, 6% Native American students, 4% Asian American students, 3% African American students and 2% international students. In its graduate and professional programs, UNM's student population is 28% Hispanic or Latino, 45% Anglo, 4% Native American, 4% Asian American, 2% African American and 11% international. Among these, it is likely some are DACA recipients or the families of DACA recipients.

12. Last fall, UNM entered a memorandum of understanding with the Mexican consulate to help students succeed in higher education through the IME-Becas Scholarship Program funded in part by the Government of Mexico. The UNM College Enrichment and Outreach Program (CEOP) received \$50,000 from the scholarship and the UNM Center for English Language and American Culture (CELAC) received \$5,000. CEOP works to ensure students equal access to education, while CELAC provides international students with the English language skills they need to succeed.

13. UNM values the diversity of its students, faculty, and staff and believes that the educational process is clearly enriched and strengthened by the fact that ideas arise and are evaluated from such different perspectives.

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



Chaouki Abdallah
Interim President
The University of New Mexico
MSC05 3300
1 University of New Mexico
Albuquerque, NM 87131

9/26/2017
Date

EXHIBIT 151

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF DR. PAUL ROTH, M.D., M.S

Pursuant to 28 U.S.C. Sec. 1746, I hereby declare:

1. I am over the age of 18 and competent to testify.
2. I am the Executive Vice President and Chancellor of the University of New Mexico Health Sciences Center (UNMHSC), the Dean of the University of New Mexico School of Medicine and Chief Executive Officer of the University of New Mexico Health Sciences Center.
3. The UNMHSC employs a total of approximately 8000 individuals, including professional and support staff, and its colleges and schools have an average enrollment totaling 1,966 students, some of whom may be participants in the Deferred Action for Childhood Arrivals (DACA) program. .

4. The Academic programs within the UNMHSC include the College of Nursing, College of Pharmacy, College of Population Health, School of Medicine, and Biomedical Education Research Program.

5. I graduated from George Washington University School of Medicine in 1976 and completed my family practice residency in 1979 at the UNM School of Medicine. I completed a BS in 1969 and an MS in biology in 1972, both at Fairleigh Dickinson University.

6. I am a member of the Liaison Committee on Medical Education, which accredits all U.S. and Canadian medical schools and am a board member of the Association of Academic Health Centers, whose Administrative Board I previously chaired, and a board member of the Association of Academic Health Centers.

7. I have served on the United States Department of Health and Human Services' Public Health Emergency Advisory Council, and was a member of the joint Department of Homeland Security and Department of State "Secure Borders/Open Doors" advisory committee, as well as the Transition Task Force for Homeland Security during the President George W. Bush administration.

8. I am a board member and past chair of the Greater Albuquerque Chamber of Commerce.

9. I also founded the UNM Center of Disaster Medicine and created the nation's first Disaster Medical Assistance Team.

10. I was a founder of UNM's emergency medicine residency program, past chair of the Department of Emergency Medicine, a fellow in the American College of Emergency Physicians, and served as chair of the Association of American Medical Colleges Council of Deans.

11. I oversee four health professional colleges (Medicine, Nursing, Pharmacy and Population Health) and the UNM Health System (UNM Hospitals, UNM Medical Group, Inc., and UNM Sandoval Regional Medical Center). The UNM Health System is New Mexico's largest referral center for complex injuries and diseases and includes the region's only Level I trauma center.

12. The UNM Health Sciences Center is the single most important training ground for New Mexico's physicians, nurses, pharmacists, and other health professionals, some of whom may work and attend classes as beneficiaries of DACA.

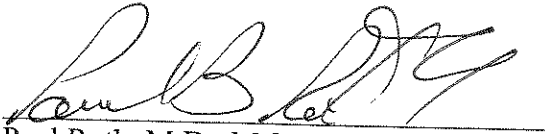
13. The students, faculty and staff who make up the UNMHSC are among our best and brightest. They bring both talent and dedication to the improved health of New Mexico's largely rural and underserved areas.

14. With the contemplated changes to DACA, a DACA student currently enrolled in a four-year or six-year medical program would have to weigh the benefits of continued education and clinical experience against the potential for deportation.

15. In my roles with the Health Sciences Center, I have had the pleasure of knowing UNM students and graduates who are DACA recipients. These individuals are part of a cohort of students have expressed their commitment to practicing as medical professionals in remote areas of New Mexico, where finding medical care is sometimes challenging.

16. New Mexico's population benefits from the training and expertise of all of our students, including DACA recipients; they provide significant health gains, services, and care for New Mexico residents whose medical needs are most complex.

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

A handwritten signature in black ink, appearing to read "Paul Roth", written over a horizontal line.

Paul Roth, M.D., M.S.

Executive Vice President and Chancellor for Health Sciences,
Chief Executive Officer, UNM Health System,
Dean, School of Medicine
University of New Mexico Health Sciences Center
1117 Stanford NE
Albuquerque NM 87131

Dated This 26th of September, 2017

EXHIBIT 152

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF ALFRED MATHEWSON AND SERGIO PAREJA, CO-DEANS OF THE
UNIVERSITY OF NEW MEXICO SCHOOL OF LAW

Pursuant to 28 U.S.C. Sec. 1746, I, Alfred Mathewson, hereby declare:

1. I am over the age of 18 and competent to testify.
2. I was named one of two co-deans of the University of New Mexico (UNM) School of Law in August 2015.
3. I joined the UNM law faculty in 1983 after working as a corporate, securities and banking lawyer in Denver.

4. From 1997 through 2002, I was Associate Dean of Academic Affairs, overseeing the Law School curriculum, clinical law program, faculty appointments, the faculty promotion and tenure process, library, faculty development and related issues. I directed the UNM Africana Studies program from 2009 through 2014.

Pursuant to 28 U.S.C. Sec. 1746 I, Sergio Pareja, hereby declare:

5. I am over the age of 18 and competent to testify.

6. I was named one of two co-deans of the UNM School of Law in August 2015.

7. My career includes nearly nine years in private practice in Colorado and Indiana, including work as a partner in the tax department of a large Denver law firm prior to my tenure at the UNM School of Law.

8. In practice I specialized in federal individual and corporate income tax planning, state and local tax matters, and estate and gift tax planning. These subjects remain the focus of my teaching and scholarly activities.

JOINT CONCERNS OF THE CO-DEANS

9. As the two co-deans of UNM Law School, the only law school in the State of New Mexico, we and our faculty colleagues have consistently and proudly strengthened the diversity of our student body, including diversity of national origin.

10. We regularly admit a cohort of 110 - 120 first-year law students to join a student body totaling approximately 350 students. Our longstanding policy has been to do so without regard to immigration status. This is consonant with our core values of diversity and inclusion on the basis of gender, race, religion, nationality, sexual orientation, physical ability, class background, and political opinion. Such diversity enriches the teaching and learning experience for all our

faculty and students. It also helps ensure that UNM School of Law graduates will have the cultural and legal skills to serve the needs of our diverse state, nation, and world.

11. Our non-discriminatory admissions policy is also required by New Mexico State law, NMSA 1978, Sec. 21-1-4.6. New Mexico post-secondary institutions are prohibited from discriminating on the basis of immigration status. Thus it is our legal duty and our educational mission to ensure that we help all our students succeed academically, professionally, and personally, regardless of citizenship or immigration status.

12. The Law School plays a significant role in the New Mexico legal system. The dean is designated by the constitution of the State of New Mexico to chair the judicial selection process, and by statute to chair the Judicial Compensation Commission. The Law School also has primary responsibility for all judicial education in New Mexico.

13. The School of Law's academic program includes the opportunity to pursue a Joint Degree in Law and Latin American Studies, as well as opportunities to study abroad.

14. We offer exchange programs in Mexico, Canada, and Australia (Tasmania).

15. In addition, the Law School conducts a summer law program in Spain, where we administer the UNM School of Law Program in Madrid, and has been a member of consortium of law schools for a summer program in Guanajuato, Mexico.

16. Because New Mexico shares a border with Mexico, we have established a close relationship with Mexican attorneys, working together to resolve disputes in the areas of international, immigration, and refugee law.

17. Our tuition for the 2017-18 academic year is just over \$16,500 for in-state and \$36,000 for non-residents, making the UNM School of Law an economically accessible opportunity for students.

18. The educational programs and careers of some UNM Law School students may be interrupted if the Deferred Action on Childhood Arrivals (DACA) program is rescinded or limited.

19. If DACA is rescinded or limited, some of our students and other members of their families may face a heightened risk of removal from the United States, or potentially lose employment and/or career opportunities.

20. In September 2017, our Law School organized a Teach-In on the proposed DACA rescission for students, faculty, staff and families. A panel of faculty, staff and local attorneys discussed the impact of the DACA rescission. Panelists and guests expressed and acknowledged the insecurity that certain members of our community face with regard to their legal status, economic livelihood, and emotional health.

21. Our law school community is founded on principles of fairness, due process, equity, and free expression. We also pride ourselves in the mutual respect and compassion we show to one another. We value diversity in multiple dimensions, including political opinion, race and ethnic background, and national origin. The celebration of such diversity is our heritage as a state that shares a national border with Mexico and includes 23 recognized indigenous tribes and nations. The preservation of such diversity is essential to the continuing mission of the UNM School of Law to educate future lawyers who will increase access to justice locally, nationally, and internationally.

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

Executed this 26th day of September 2017.



Alfred Mathewson
Dean and Professor of Law
UNM School of Law
1117 Stanford NE
Albuquerque, NM 87131



Sergio Pareja
Dean and Professor of Law
UNM School of Law
1117 Stanford NE
Albuquerque NM 87131

EXHIBIT 153

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF LACY KARPILO

Pursuant to 28 U.S.C. § 1746(2), I, Lacy Karpilo, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am the Vice President for Student Affairs of Eastern Oregon University (“EOU”), a position that I have held since February 2017. As Vice President for Student Affairs, I serve as one of the President of EOU’s senior staff members and the chief student services officer which includes oversight of the following departments: Admissions, Title IX, Student Conduct, Residence Life, Student Involvement, International Programs, Multicultural Center, Student Health and Counseling, the Learning Center, and TRIO Student Support Services (TRIO programs are federal outreach and student services programs designed to identify and provide services for individuals from disadvantaged backgrounds). I have worked in higher education in several other capacities for approximately the last fifteen years. I was the Associate Vice Chancellor for Student Access, Advising, and Transition, for the University of Alaska Anchorage from 2013 until 2016; the Director of Residence Life at the same institution from 2009 to 2013; the Assistant Director of Residence Life at the University of Puget Sound from 2007 to 2009; and I worked at Colorado State University in Fort Collins from 2005 to 2007 and the Art Institute of Colorado in Denver from 2002 through 2005. I obtained my bachelor’s degree (BA) in psychology from Occidental College in 2000. I obtained a master’s degree (MA) in counseling psychology from the University of Denver in 2002. Finally, I obtained my doctorate (Ph.D.) in education and human resources from Colorado State University in 2008.

3. Eastern Oregon University (“EOU”) is a public university located in La Grande, Oregon. EOU’s mission is to guide students’ inquiry through integrated, high-quality liberal arts and professional programs that lead to responsible and reflective action in a diverse and interconnected world. EOU was founded in 1929 and serves as a regional University and center for education, culture, and scholarship. Enrollment at EOU is 3,176 students.

4. EOU is a partner institution of TheDream.US, a non-profit organization that provides scholarships to assist Deferred Action for Childhood Arrivals (“DACA”) recipient students to attend higher education institutions. Recipients of TheDream.US National Scholarship are inherently motivated and resilient students who want to earn a college degree and make a difference in the world. At this time, EOU participates in TheDream.US National Scholarship program only for Oregon-resident students. Currently there are many TheDream.US National Scholarship recipients enrolled at EOU. EOU’s TheDream.US National Scholarships recipients are high achieving students with an average high school GPA of 3.36.

5. EOU does not specifically collect data or track the number of DACA recipient students enrolled at EOU. However, EOU is subject to Oregon’s “tuition equity” law, codified at Or. Rev. Stat. § 352.287. Under that statute, an Oregon public university “shall exempt a student who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment” if the student meets certain criteria. Currently, a number of students at EOU pay in-state tuition and fees, pursuant to the tuition equity law. Although EOU does not know the exact number, I am personally aware that many of those tuition-equity students are in fact DACA recipients.

6. I am aware that EOU currently employs many DACA recipient students as student workers and at least one DACA recipient non-student in a professional level position.

7. The rescission of the DACA program harms EOU in several ways. First, it harms EOU tuition revenues derived from currently-enrolled students. Full-time students at EOU pay in-state tuition of \$7,020 per academic year, and mandatory fees of \$1,449 per academic year, for a total of \$8,469 per academic year. Although some DACA recipient students may choose to continue their education at EOU, it is highly likely that DACA recipient students will discontinue their studies. DACA recipients are unable to access federal student aid. As a result, they must use other means to afford their education which, for most, includes part-time or full-time employment. Without DACA, those students are ineligible for employment which will

significantly impact their ability to pay for college and many will be unable to pursue their education. Accordingly, for every currently-enrolled DACA recipient student that either drops out or is forced out by rescission, EOU will lose significant revenue per academic year.

8. Second, it is likely that rescission will harm EOU's tuition revenues derived from future students, *i.e.*, those who would have qualified for DACA. EOU is a small public institution; therefore, small decreases in recruitment numbers significantly impact EOU's tuition revenue.

9. Third, rescission also harms EOU's offices and/or departments that rely on DACA recipient employees, both as student workers and professional staff members.

10. Fourth, rescission harms EOU's educational mission. EOU believes that cultural diversity introduces EOU students, staff, and faculty to new experiences, enriches and broadens perspectives, and stimulates new ideas and possibilities which is at the heart of our mission. The loss of DACA recipient students represents a loss of diversity at EOU, and, therefore, a harm to EOU's educational mission.

11. Finally, I am aware, from my personal interactions with DACA recipient students, that rescission is a source of tremendous stress, and a grave threat to our students' mental and emotional health. This represents not only a harm to our individual students' wellbeing; it also further undermines EOU's ability to fulfill its educational mission, because it distracts from students being able to focus on their education and successfully completing their degree.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 18, 2017.



LACY KARPILO

EXHIBIT 154

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Alice Cuprill-Comas, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am the General Counsel of the Oregon Health and Science University (“OHSU”) in Oregon.

3. OHSU is committed to equitable student success, which includes a commitment to educational access for Deferred Action for Childhood Arrivals (“DACA”) recipients – also known as “Dreamers.”

4. As Oregon’s only academic medical center, OHSU’s mission is to: (a) educate tomorrow’s health professionals, scientists, engineers and managers in top-tier programs that prepare them for a lifetime of learning, leadership and contribution; (b) explore new basic, clinical and applied research frontiers in health and biomedical sciences, environmental and biomedical engineering and information services, and translate these discoveries, wherever possible, into applications in the health and commercial sectors; (c) deliver excellence in healthcare, emphasizing the creation and implementation of new knowledge and cutting edge technologies; and (d) lead and advocate for programs that improve health for all Oregonians, and extend OHSU’s education, research and healthcare missions through community service, outreach and partnerships.

5. I have confirmed that DACA recipients are registered students in OHSU’s degree-granting programs and that OHSU employs DACA recipients.

6. Rescinding DACA will adversely impact current DACA recipients enrolled at OHSU who will be unable to plan for the future, study abroad, simultaneously work to pay costs and fees, and obtain certain financial aid and scholarships. These harms will damage the educational mission of OHSU and its ability to meet the healthcare workforce needs of the State of Oregon.

7. Make OHSU has encouraged DACA recipients to apply for admission as part of its strong commitment to diversity, equity and inclusion. These students often have had to overcome significant challenges in order to gain acceptance and bring critical perspectives, insights and experience to OHSU. Rescinding DACA will cause many high-achieving students to drop out. As a result OHSU will lose the diversity and enrichment this population brings to our university community.

8. Rescission of the DACA program would affect OHSU's revenues derived from currently-enrolled students. A DACA recipient student enrolled in OHSU's Doctor of Dental Medicine program at the resident tuition rate, for example, pays \$44,324 per academic year. Thus, for each full time DACA recipient student that either drops out, or is force out, as a result of DACA rescission, OHSU will lose annual revenue.

9. If current DACA students are forced to drop out, OHSU will also lose the value of the financial assistance it has granted to and the other resources it has spent educating students who ultimately do not graduate.

10. DACA rescission will likely harm OHSU's future revenues derived from prospective students. The threat of arrest and deportation, and the inability of such students to work in the United States, will strongly disincentivize such students from expending the resources to obtain an education at OHSU. Without DACA, OHSU will likely see a decline in enrollment, exacerbating the shortage of healthcare professionals in Oregon, particularly in rural areas.

11. OHSU has invested significant amounts of time and money to hire and train the DACA recipients that it employs. Stripping DACA recipients of the ability to work legally will adversely affect OHSU as it will lose the value of its investment, as well as the services of qualified and trained employees.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 19th day of September 2017, at Portland, Oregon.



Alice Cuprill-Comas,
General Counsel
Oregon Health & Science University

EXHIBIT 155

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Charlene Alexander, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am employed by Oregon State University (“OSU”) and serve as Vice President and Chief Diversity Officer. Prior to joining OSU, I was a Professor of Counseling Psychology and a Professor in the College of Education at Ball State University. I subsequently directed the School Counseling Program in the Department of Counseling Psychology at Ball State. In 2013, I became Ball State’s Associate Provost for Diversity and Director of the university’s Office of Institutional Diversity. Additionally, I am a naturalized U.S. citizen, coming to the United States to attend college, and understand first-hand the immigration process and the responsibilities of citizenship.

3. Oregon State University is a comprehensive, research intensive public land-grant university whose mission statement provides: “As a land grant institution committed to teaching, research and outreach and engagement, Oregon State University promotes economic, social, cultural and environmental progress for the people of Oregon, the nation and the world. The mission is achieved by producing graduates competitive in the global economy, supporting a continuous search for new knowledge and solutions and maintaining a rigorous focus on academic excellence, particularly in the three Signature Areas: Advancing the Science of Sustainable Earth Ecosystems, Improving Human Health and Wellness, and Promoting Economic Growth and Social Progress.”

4. Oregon State University has a current enrollment population of 30,354 students. OSU is committed to equitable student success, which includes a commitment to educational access for Deferred Action for Childhood Arrivals (“DACA”) recipients – also known as “Dreamers.” OSU does not specifically collect data or track the number of DACA recipient students enrolled at OSU. However, OSU is subject to Oregon’s “tuition equity” law, codified at Or. Rev. Stat. § 352.287. Under that statute, an Oregon public university “shall exempt a student

who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment” if the student meets certain criteria. *Id.* at (1).

5. Currently there are 40 students at OSU who pay in-state tuition and fees, pursuant to the tuition equity law. OSU understands a substantial portion of those students are DACA recipients. OSU expects that DACA students may elect to drop out of the university if they face the imminent threat of arrest and deportation, would be unable to finance their education through work, or would be unable to apply their education in the United States by working after graduation. Additionally, any student who is actually arrested and deported would not be able to continue their education at OSU. Thus, if DACA recipient students were to drop out as a result of the rescission of DACA, the projected financial loss to OSU would be up to and including approximately \$705,000.

6. The mission of OSU as a land grant institution is to promote economic, social, cultural and environmental progress for the people of Oregon. We know the impact that DACA students have had on the economic, social and cultural climate at OSU. The implications of the loss of those students to our university and the state of Oregon are significant. First however, as an institution committed to equity and inclusion, we must examine the impact of this decision on DACA students at OSU personally.

7. These impacts are financial, psychological, and social. DACA students rely on the ability to work to support not only their education, but in many instances family members. Additionally, we are also cognizant of the mental health implications of these actions. Instances of anxiety, depression, feelings of betrayal and PTSD symptoms have been reported. DACA students have developed deep relationships in the state of Oregon and contribute in volunteer hours to the essence of the communities in which OSU has a presence. The distress DACA students experience undermines OSU’s educational mission because it distracts from students’ studies, and in some cases, requires OSU to divert finite counseling and financial or academic

advising resources to assist those students, rendering those resources unavailable to other students who may also need them.

8. OSU understands that we achieve excellence through diversity and this decision impedes our ability to reach our strategic goals. We remain committed to our mission and vision for the state of Oregon and to the success of our DACA students.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 15, 2017.



CHARLENE ALEXANDER

EXHIBIT 156

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Mark Mitsui, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am the current President of the Portland Community College (“PCC”) in Portland, Oregon. I began my tenure as PCC President in August 2016.

3. Before joining PCC, I served as Deputy Assistant Secretary for Community Colleges within the Office of Career, Technical and Adult Education for the U.S. Department of Education from 2013 to 2016.

4. PCC has a commitment to equitable student success, which includes a commitment to educational access for Deferred Action for Childhood Arrivals (“DACA”) recipients – also known as “Dreamers.”

5. PCC provides affordable tuition for all Oregonians, and scholarships to some DACA recipients. These scholarships assist in satisfying PCC’s educational mission and prepare Oregon residents for the workforce.

6. I have confirmed that many DACA recipients are students who attend PCC in Portland, Oregon.

7. Rescinding DACA will harm the ability of PCC to satisfy its educational mission and prepare Oregon residents for the workforce.

8. Rescinding DACA will likely cause some DACA recipients to leave Oregon and PCC. Future DACA students will be prevented from enrolling, either due to deportation or fear of deportation. These harms will damage the educational mission of PCC and affect its tuition revenues.

9. I have confirmed that PCC employs DACA recipients to work in on-campus positions, such as frontline staff.

10. Rescinding DACA will hurt PCC’s on-campus hiring and, as a result, the Oregon economy. Stripping DACA recipients of the ability to work legally will cause PCC students to

lose their student jobs, resulting, among other things, in less tax revenue for the state. It will also result in these students being unable to pay tuition and gain on-the-job experience. The end result will be that DACA recipients will be uneducated and untrained to enter highly skilled jobs, also resulting in less tax revenue for the state.

11. Employers in the Portland metro-area are calling on PCC to train their workers and bridge their skills gap. Without DACA, PCC will likely see a decline in enrollment. Without DACA, PCC will find it more challenging to meet the number of skilled workers needed in this region.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 7th day of September, 2017, at Portland, Oregon.



MARK MITSUI, PCC PRESIDENT

EXHIBIT 157

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Christina Ridder, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge—based on the performance of my professional duties, my training and experience, and upon my review of pertinent business records—of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am the Assistant Vice President for Student Access and Success, Diversity, and Multicultural Student Services at Portland State University (“PSU”). In that capacity, my primary duty is to perform diversity and inclusion work for and with students, with the focus of ensuring that students successfully graduate from PSU. Such work entails holistic, wrap-around advising for students, *i.e.*, providing students with the services they need in order to succeed at PSU. Because students from diverse backgrounds often have unique needs, the diversity and inclusion focus of my work is to provide the unique services needed by students to support them in their growth and development. Some examples include: referrals to Student Health and Counseling, community services, Student Legal Services, Financial Services, or Housing; providing programs regarding their identity; and providing supplemental academic, cultural and community advising. I began my current position at PSU in November 2012. Prior to that, I worked in higher education at the University of Texas at Austin (“UT”) for 16 years. I began at UT as a program coordinator in 1996, I became the diversity recruiter for the UT business school in 1999, the assistant director of student life for the business school in 2005, and I became the director of student life for the business school in 2009. I obtained my bachelor’s degree (BA) in interpersonal communication from Nebraska Wesleyan University in 1993. I obtained my master’s degree (MS) in college student personnel from Kansas State University in 1996. Finally, I obtained my doctorate (PhD) in higher education administration from UT in 2011.

3. PSU is Oregon’s most diverse and affordable public research university. As such, it offers tremendous opportunity to over 27,000 students from all backgrounds. PSU’s core institutional mission is to serve and sustain a vibrant urban region through our creativity,

collective knowledge, and expertise; to be dedicated to collaborative learning, innovative research, sustainability and community engagement; to educate a diverse community of lifelong learners; and to have a global impact through research and teaching. Moreover, PSU is dedicated to the following values: to promote access, inclusion, and equity as pillars of excellence; to commit to curiosity, collaboration, stewardship, and sustainability; to strive for excellence and innovation that solves problems; and to treat everyone with integrity and respect. Through its pursuit of these missions and dedication to these values, PSU serves as an anchor institution—*i.e.*, it provides the Portland region with a highly educated population, it has a substantial economic impact, and it makes distinctive contributions to the Portland region’s culture. It also contributes unique scholarship and research that supports quality of life through problem solving, and it delivers on its access mission of contributing to a highly educated and diverse community.

4. PSU does not specifically collect data or track the number of Deferred Action for Childhood Arrivals (“DACA”) recipient students enrolled at PSU. However, PSU is subject to Oregon’s “tuition equity” law, codified at Or. Rev. Stat. § 352.287. Under that statute, an Oregon public university “shall exempt a student who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment” if the student meets certain criteria. Currently, there are approximately 100 students at PSU who pay in-state tuition and fees, pursuant to the tuition equity law. Although PSU does not know the exact number, I am aware that a certain percentage of those tuition-equity students are in fact DACA recipients. I am also aware that PSU employs DACA recipients in various capacities, including as student employees and graduate assistants.

5. As an urban public university, PSU’s student body includes a significant number of students who are first-generation students, non-traditional students, students with children, returning veterans, and others with significant personal and financial responsibilities. As a

result, a significant number of PSU's students work full-time or part-time while also pursuing their higher education.

6. The rescission of the DACA program harms PSU in a variety of ways. First, it harms PSU's revenues derived from currently-enrolled students. DACA recipient students taking 15 credits per term at the base resident tuition rate pay tuition of \$7,403 per academic year, and mandatory fees of \$1,380 per academic year, for a total of \$8,783 per academic year. Students may also pay for classes outside of the academic year (*i.e.*, during the summer); pay a variety of other fees; and pay for services on campus, such as dining, parking, housing, etc. Although some DACA recipient students may elect to continue their education at PSU, we assess that it is highly likely that some DACA recipient students will drop out, either upon or in anticipation of rescission. It is likely that DACA recipient students who are no longer able to work—either at PSU or elsewhere in the community—will be unable to continue to afford higher education and will leave the university. In addition, it makes little sense for DACA recipient students to continue their education when they are subject to arrest and deportation, and when they cannot apply their education by working in the community. And obviously, any student who actually is arrested and deported will be unable to continue their education at PSU. Thus, for every full time DACA recipient student that either drops out, or is forced out, as a result of DACA rescission, PSU will lose *at least* \$8,783 annually.

7. Second, DACA rescission will likely harm PSU's future revenues derived from prospective students. As an access institution, PSU strives to enroll every prospective student who meets PSU's admission standards and seeks an education at PSU. Accordingly, we assess that PSU's future revenues will be negatively impacted by the fact that students, who would otherwise have qualified for DACA, likely will elect not to apply to PSU in the first place. The threat of arrest and deportation, and the inability of such students to work in the United States, will strongly disincentive such students from expending the resources to obtain an education at PSU.

8. Third, because it will deprive PSU of current and future students, DACA rescission will result in a loss to PSU's alumni community. Such loss may reasonably be expected to result not only in decreased financial contributions from alumni, but also a loss in other contributions, as PSU alumni frequently donate their time and talent to their alma mater. The degradation of PSU's alumni base will also result in a decreased ability to connect current students with alumni, for purposes of mentoring, networking, and career development.

9. Fourth, DACA rescission will harm PSU's offices and departments that rely on student employees. PSU employs students in a variety of capacities, such as office assistants, student mentors, program planners, graduate assistants, *etc.* I am aware that some DACA recipient students work in such capacities. We employ such students for their cultural expertise, talent, and contributions to our offices. Loss of these student employees will harm PSU departments and the services they provide to our students and community.

10. Fifth, DACA rescission will harm PSU by depriving it of non-student employees who are DACA recipients. As both an employer and an institution of higher education, PSU expends significant resources on the training and ongoing professional development of employees. The retention of employees is a core PSU human resources policy and practice, and the federally-required layoff of staff is a harm to the university.

11. Sixth, DACA rescission harms PSU's educational mission. PSU was created specifically as an access institution and quickly developed a social justice mission—one fundamental to, and thus inseparable from, its educational mission. For example, in its early days, PSU's educational and social justice mission was to serve veterans returning from the battlefields of World War II. From its start of 220 students in 1946, to its current role of serving over 27,000 students, PSU has become the most diverse institution in Oregon with 28% of our students identifying as a racial/ethnic minority. That very diversity drives the educational excellence central to the PSU educational mission, in that it allows all students to learn from each other through their in-classroom and out-of-classroom co-curricular experiences. Our

students benefit from guided discussions and difficult conversations about race, history, and contemporary issues, including the issue of immigration. The loss of DACA recipient students would create a loss of nuanced and deep learning for other students. Simply put, those voices and experiences—so critical to our students’ learning and development—will be gone.

12. Seventh, from my recent personal interactions and communications with both returning and prospective students, I know that DACA rescission has already generated significant mental and emotional distress among enrolled and prospective DACA recipient students. In particular, DACA recipient students are tremendously stressed about their ability to plan for their futures, including both immediate plans (for example, finishing their degrees) and long term plans (for example, finding employment). This stress is compounded by the fact that some of our DACA recipient students are first-generation college students, who are counted-upon by their families as a source of future financial stability. Thus, DACA rescission has profound implications for the mental health and functionality of our students—a phenomenon that, in turn, distracts from our students’ learning and grossly undermines our ability to fulfil our educational mission.

13. Finally, it is important to note that PSU’s educational mission is not limited to the work that our students perform in the classroom. The Portland region retains many of our alumni who work and raise families within miles of the university. The motto of PSU, “Let Knowledge Serve the City,” is reflective of the connection that we have to the greater community. The loss of any student harms the ability of PSU to fulfill our mission; however the loss of our DACA students also impacts the economic stability of an entire community of people in Portland.

Many of our students are looking to support their extended families and to bring stability to their neighborhoods. Removing the potential for success for our DACA recipient students will impact future generations, in turn harming our state and region.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 8, 2017.


CHRISTINA RIDDER

EXHIBIT 158

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF MARJORIE TRUEBLOOD-GAMBLE

Pursuant to 28 U.S.C. § 1746(2), I, Marjorie Trueblood-Gamble, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am the Director of Diversity and Inclusion, and Title IX Coordinator, for Southern Oregon University ("SOU"). As Director of Diversity and Inclusion, my duties are to provide strategic advice to senior leadership pertaining to diversity-related issues, especially as they relate to policy and procedure. Through this role I collaborate with others to develop and implement initiatives to foster a more inclusive and equitable campus. As Title IX Coordinator, my duties are to oversee our proceedings, under federal law, related to allegations of sexual and gender-based discrimination and to ensure that such proceedings are fair and impartial. I began my current position three years ago. Prior to that, I was the SOU Associate Director for Student Life and Inclusion for approximately three years. I also worked in higher education prior to that, in Ohio, as the Assistant Director of Multicultural Affairs and Admissions at Kenyon College, a position that I held from 2007 through 2011. Prior to that, I worked throughout 2006 at Earlham College in Richmond Indiana, as an Area Director. I earned my bachelor's degree (BA) in psychology at Earlham College in 2004, and I earned my master's degree (MA) in executive development for non-profit management from Ball State University in 2006.

3. SOU is a public liberal arts college located in Ashland, Oregon. SOU has a most recently tabulated (Fall 2016) student enrollment of 6,088, including 4,295 fulltime students. SOU is an inclusive campus community dedicated to student success, intellectual growth, and responsible global citizenship. SOU is committed to providing its students with a challenging and practical liberal arts education centered on student learning, accessibility, and civic engagement; academic programs, partnerships, public service, outreach, sustainable practices, and economic development activities that address regional needs such as health and human services, business, and education; and outstanding programs that draw on and enrich our unique

arts community and bioregion. According to the most recently available data (2016), 837 of SOU's 6,088 students self-identify as racial or ethnic minorities—539 of which identify as Hispanic.

4. SOU does not specifically collect data or track the number of Deferred Action for Childhood Arrivals (“DACA”) recipient students enrolled at SOU. However, I am aware of several DACA students who have disclosed their status to myself or other SOU employees during the administration of their educational services at SOU. In addition, SOU is subject to Oregon's “tuition equity” law, codified at Or. Rev. Stat. § 352.287. Under that statute, an Oregon public university “shall exempt a student who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment” if the student meets certain criteria. SOU currently has several students who pay in-state tuition and fees pursuant to the exemption provided under the tuition equity law. Although SOU does not know the exact number of its DACA students, I am aware that at least half of SOU's tuition-equity students are in fact DACA recipients.

5. SOU also employs DACA recipients. Currently, there is at least one DACA recipient employed by SOU.

6. The rescission of the DACA program harms SOU in a variety of ways. First, it harms SOU's revenues derived from currently-enrolled students. DACA recipient students taking 15 credits per term at the base resident tuition rate pay approximately \$9,266 in tuition and mandatory fees per academic year. Although some DACA recipient students may elect to continue their education at SOU, it is highly likely that some DACA recipient students will drop out, either upon or in anticipation of rescission. It is likely that DACA recipient students who are no longer able to work—either at SOU or elsewhere in the community—will be unable to continue to afford higher education and will leave the university. In addition, it makes little sense for DACA recipient students to continue their education when they are subject to arrest and deportation, and when they cannot apply their education by working in the community. And

obviously, any student who actually is arrested and deported will be unable to continue their education at SOU. Thus, for every full time DACA recipient student that either drops out, or is forced out, as a result of DACA rescission, SOU will lose at least \$9,266 annually.

7. In recent years, SOU has frequently experienced either flat enrollment or lower enrollment. For this reason, SOU's financial stability relies in part on the retention and completion of its entire student population. The revenue lost due to the departure of one or more DACA students would not likely be replaced by the enrollment of a non-DACA student; rather it would instead likely result in a loss of the revenue otherwise provided by the departing DACA student.

8. Second, it is likely that DACA rescission will harm SOU's future revenues. Prospective students who lose their DACA recipient status are likely to be deterred from applying to and enrolling at SOU. Such students likely will elect not to expend the resources to obtain an education at SOU when they are unable to finance their education through work, or to apply their education by working in the United States after graduation. The threat of arrest and deportation likely will also deter such students from expending the resources to seek higher education.

9. Third, DACA rescission harms SOU's educational mission. SOU is an inclusive campus dedicated to student success, intellectual growth, and responsible global citizenship. We believe that without diversity, including the diversity citizenship and perspective that our DACA students add to our campus, the educational process and experience for all of our students will be diminished.

10. Fourth, DACA rescission is likely to harm SOU's relationship with its non-DACA tuition equity students. We know that many students on our campus are greatly concerned about the increase of xenophobic behaviors on college campuses and beyond. The rescission of DACA not only heightens the concerns felt by our DACA students, but it causes emotional distress to other students concerned that their culture, lifestyle or perspective will be

the next one slated to be marginalized by government action, and it leaves them questioning SOU's willingness and ability to support students born outside and within the United States.

11. Fifth, DACA rescission is likely to impact outreach programs for students not yet enrolled in higher education. We have a number of outreach programs that support Southern Oregon's growing Hispanic population, including DACA students and students who have members of their families that are DACA recipients. SOU has spent the past six years cultivating educational programs that serve the region's growing Hispanic population. This includes our Pirates to Raiders, Bulldogs to Raiders, Cesar Chavez Leadership Conference, and Academia Latina programs, among others. Each of these programs is designed, in part, to teach young Hispanic students that attending college is achievable and to connect them with SOU as a college of choice. I noticed during our summer outreach programs that there was increased anxiety amongst the prospective students—they were questioning what educational opportunities they might have and whether they would truly be welcomed at SOU. The rescission of DACA has the potential of causing these prospective SOU students, with whom we have fostered relationships for up to six years, to be diverted away from SOU and entirely away from higher education.

12. Sixth, I am aware that DACA recipient students at SOU have been very distressed since the election and inauguration of President Trump. Although I have not personally met with DACA recipient students since President Trump announced the discontinuation of the DACA program, such students are certain to be even more distressed now. This distress not only harms

our DACA recipient students' subjective wellbeing—it also further harms SOU's educational mission, because it distracts them from their studies.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 20, 2017.


MARJORIE TRUEBLOOD-GAMBLE

EXHIBIT 159

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Dennis Galvan, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am employed by the University of Oregon (“U of O”) and serve as Vice Provost for International Affairs and Professor in the Political Science and International Studies Departments. I am also the Executive Director of the Global Studies Institute, which promotes international research, teaching, and outreach at the University of Oregon.

3. The University of Oregon is a public research university whose mission statement includes the U of O’s “devotion to educating the whole person, and fostering the next generation of transformational leaders and informed participants in the global community. Through these pursuits, we enhance the social, cultural, physical, and economic wellbeing of our students, Oregon, the nation, and the world. * * * We value our diversity and seek to foster equity and inclusion in a welcoming, safe, and respectful community. * * *”

4. The University of Oregon has a current enrollment of approximately 23,630 students. U of O is committed to equitable student success, which includes a commitment to educational access for Deferred Action for Childhood Arrivals (“DACA”) recipients – also known as “Dreamers.” The University of Oregon does not specifically collect data or track the number of DACA recipient students enrolled at U of O. However, U of O is subject to Oregon’s “tuition equity” law, codified at Or. Rev. Stat. § 352.287. Under that statute, an Oregon public university “shall exempt a student who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment” if the student meets certain criteria. *Id.* at (1).

5. Currently there are approximately 20 students at U of O who pay in-state tuition and fees, pursuant to the tuition equity law, and U of O believes most if not all of those students are DACA recipients. U of O estimates at least 100 additional students may also be DACA

recipients. If those students were to drop out as a result of the rescission of DACA, U of O would experience a loss of their tuition revenue.

6. In addition to the loss of DACA recipient students, the University of Oregon expects it would see a chilling effect on future enrollment at U of O of students who would have been DACA eligible, as the risk-benefit calculation of attending university shifts. Fear-based dropping-out of college depresses human capital development, undermines the overall skill level of the Oregon workforce, and diminishes the ability of Oregon to meet its growing need for skilled positions which require higher education. Decreasing college education opportunities weakens economic development in a state in which 25% of all jobs are international trade dependent and thereby require global education skills.

7. The cancellation of DACA may also create a secondary chilling effect on the enrollment of students who have various kinds of ambiguous documentation status. These students may also eschew university enrollment in order to avoid risky exposure. For example, potential students who are asylum seekers, recipients of official asylum status, those born in the United States (but to undocumented parents), or who come from a family of mixed documentation status, may avoid engagement with the U of O altogether.

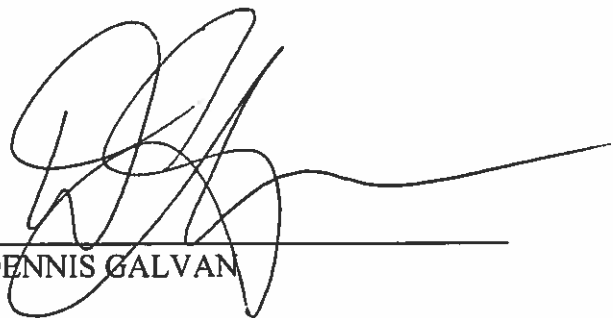
8. The University of Oregon has been working hard to expand diversity in our student population, with considerable outreach to the state's growing Latino population, which is numerically largest in the Portland area. We can expect worried families and students, both DACA recipients, and from populations that feel profiled and targeted by current policies (e.g., Latinos, African-Americans, Muslims, immigrants in general) to take steps to lower their risk exposure. This may include avoiding contact with government entities, such as public universities, and staying closer to home for schooling (for many potential U of O students from populations mentioned above, home is the Portland area). Excellent students who might benefit from programs only found in Oregon at the University of Oregon – such as sustainable

agriculture, sports business, and certain science disciplines – will be prevented from pursuing their educational dreams, and the U of O will be deprived of those students.

9. DACA cancellation weakens the educational mission of the University of Oregon because it saps one of our most critical resources: diversity. Our classrooms, labs, formal debates and informal discussions will be less well-informed, less engaged with the real world, and less educationally effective. Consequently, the rest of our student body will be less well-prepared for the reality of a multicultural workforce as a result of the systemic exclusion of students raised in the United States by non-documented parents. As the University of Oregon’s President Schill noted, “our many differences enrich this institution’s learning environment, enhance the student experience, and are essential to our mission of teaching, research, and service.” Michael H. Schill, *Statement on DACA and Support for Students* (Sept. 4, 2017), available at <https://president.uoregon.edu/statement-daca-and-support-students>. DACA cancellation undermines that mission.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 15, 2017.



DENNIS GALVAN

EXHIBIT 160

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF RYAN JAMES HAGEMANN

Pursuant to 28 U.S.C. § 1746(2), I, Ryan James Hagemann, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am Vice President and General Counsel of Western Oregon University (“WOU”). In that capacity, I serve as the chief legal officer of WOU. I am also the Secretary to the Board of Trustees of WOU. In that capacity, I serve as the chief administrative officer to the Board of Trustees, and I oversee WOU’s public affairs, governmental affairs, strategic initiatives, human resources, and institutional research. In performing my duties related to institutional research, I am responsible for overseeing WOU’s efforts to collect and analyze data pursuant to its institutional research goals—*i.e.*, on any matters that impact the university and its functioning. That includes, as pertinent here, data related to student enrollment and tuition.

3. In addition to my current service at WOU, I have been involved in higher education in Oregon since 2001. I started at the Oregon Department of Justice as an Assistant Attorney General assigned to both the Education and Labor & Employment Sections where I represented Oregon’s public universities. In 2004, I was employed by the then-Oregon University System (“OUS”)—a legal entity, since dissolved, that was comprised of all of Oregon’s public universities. I served as General Counsel of OUS from 2007 until it was dissolved in June 2015, at which point I began my current duties at WOU in July 2015. Finally, I obtained my bachelor’s degree in politics from Whitman College in 1994, and my juris doctorate from the University of Oregon School of Law in 2001.

4. WOU is a public university located in Monmouth, Oregon. WOU includes both the College of Education and the College of Liberal Arts and Sciences, and has a total enrollment of approximately 6,000 students. WOU creates lasting opportunities for student success through transformative education and personalized support. As the first public institution of higher education established in Oregon, WOU upholds an enduring commitment to the value of

teaching and learning. WOU's academic and co-curricular activities enhance the economic, cultural, and intellectual vitality of this region and the world at large. To serve the greater good, WOU educates individuals in an accessible and supportive environment. WOU's students enjoy a personalized experience in a comprehensive, mid-sized public university. The knowledge and abilities cultivated in WOU's graduate programs also meet compelling needs for work, service, and leadership beyond its campus. WOU empowers its students, employees, and alumni to lead meaningful, responsible lives.

5. As part of its educational mission, WOU is firmly committed to the values of accessibility, accountability, collaboration, community, diversity and respect, empowerment, excellence, and sustainability and stewardship. In particular, WOU's commitment to diversity and respect represents not merely a commitment to abstract ideals, but rather, a commitment to the concrete and vital educational goals of fostering equity and inclusion; appreciation for the complexity of the world; and strength drawn from the variety of our students' backgrounds, abilities, cultural experiences, identities, knowledge domains, and means of expression. To that end, WOU relies on the diversity of its student body in order to foster an educational community that is trustworthy, caring, and a safe environment for the cultivation of peace, civility, and social justice. WOU also relies on the diversity of its student body in order to form connections extending beyond the classroom, across campus, and into the local and global communities.

6. WOU also is a partner institution of TheDream.US project, a non-profit organization that assists non-citizens to attend institutions of higher learning in the United States by offering tuition assistance. WOU partners with TheDream.US for both in-state and out-of-state students. For out-of-state students who qualify for assistance from TheDream.US, WOU is able to charge 150% of current resident tuition rates. Such out-of-state students receive up to \$80,000 from TheDream.US for four years of education. This academic year (2017-18) is the first year that WOU has participated in the TheDream.US program for out-of-state students, and WOU has accepted five such students. If those students withdraw from WOU as a result of the

DACA rescission—as it is expected that they would—WOU would lose nearly \$65,000 in revenue from combined tuition and mandatory fees for this academic year alone. WOU’s total projected loss for those five students over the next four years, at current rates, would be nearly \$260,000. It is reasonable to expect that WOU would lose tuition and fee revenue from its partnership with TheDream.US project because, in order to be eligible for a TheDream.US scholarship, scholars must either be DACA recipients, or have applied for DACA, or be in Temporary Protected Status (TPS) with the U.S. Citizenship and Immigration Services (USCIS).¹

7. WOU does not specifically collect data or track the number of DACA recipient students enrolled at WOU. However, WOU is subject to Oregon’s “tuition equity” law, codified at Or. Rev. Stat. § 352.287. Under that statute, an Oregon public university “shall exempt a student who is not a citizen or a lawful permanent resident of the United States from paying nonresident tuition and fees for enrollment” if the student meets certain criteria. Currently, there are 42 students at WOU (separate from the five out-of-state students who are registered to start at WOU in Fall 2017 through the above-described TheDream.US project) who pay in-state tuition and fees, pursuant to the tuition equity law. WOU is aware that a substantial number of those 42 students are DACA recipients. If only half of those 42 students drop out as a result of the DACA rescission—a conservative estimate—then WOU will suffer a loss of revenue from combined tuition and mandatory fees, for the current academic year, of nearly \$200,000, as well as an additional amount of lost revenue from those students that live on-campus in student residence halls. When a student lives on-campus, there are separate fees for room and board that would be lost if any or all of WOU’s tuition equity students left the university due to the rescission of

¹ In-state students, including those who receive tuition assistance from a TheDream.US scholarship, are eligible for tuition equity under Oregon law. This declaration addresses such tuition equity students—as well as the relationship between tuition equity students, DACA recipients, and estimated loss in tuition revenue—in Paragraphs 7 and 8, *infra*.

DACA. If all 42 students were to leave, losses from tuition and mandatory fees would total nearly \$400,000.

8. It is reasonable to expect that DACA rescission will cause many of the 42 tuition-equity students, and the five TheDream.US scholarship recipient students, to cease their education at WOU because of cost. Although the Oregon Opportunity Grant—the need-based state grant program for postsecondary education—could in theory help to alleviate the financial burden of attending higher education for some Oregon resident DACA recipient students, the rescission of DACA—a clear pathway for such students to demonstrate eligibility for state financial aid programs—could mean that the cost of a public college education in Oregon would be prohibitive. Moreover, with DACA’s rescission being ultimately effective in March 2018, the confusion generated by rescission occurring in the middle of an academic year, in addition to the demographic realities of enrollment trends in Oregon, makes it substantially likely that lost enrollment would not be replaced and would, in fact, lead to substantial loss in tuition and fee revenue. WOU, as many universities in Oregon and beyond, has experienced modest enrollment declines in each of the past two years, demonstrating the difficulty in simply replacing the loss of up to 47 students (42 in-state tuition equity students, and five non-resident TheDream.US scholarship recipients). The loss of approximately \$450,000 in revenue in the middle of the academic year, as well as residence halls with numerous empty rooms, would be profound.

9. I am aware, through my administrative duties as well as my personal interactions with our student body and faculty, that actions such as the DACA rescission cause tremendous psychological and emotional distress to our undocumented students, and to our university community at large. This distress is not limited to feelings of discomfort; it in fact has profound implications for the mental health and functionality of our students. This, in turn, distracts from our students’ learning and grossly undermines our ability to fulfil our educational mission, the specifics of which are detailed in Paragraph 5, above. As Vice President & General Counsel, I have participated in several campus panel discussions and forums at which undocumented

students share personal stories of the psychological and emotional distress caused by the uncertainty and actions of the Trump administration. I have worked closely with faculty members assisting and advocating for undocumented students who, in turn, share stories of psychological and emotional distress experienced by WOU's tuition equity and DACA students.

I hereby declare that the above statement is true to the best of my knowledge and belief, and that I understand it is made for use as evidence in court and is subject to penalty for perjury.

DATED September 21, 2017.



RYAN JAMES HAGEMANN

EXHIBIT 161

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)



Richard M. Locke
Provost
Professor of Political Science and
International and Public Affairs

DECLARATION OF RICHARD M. LOCKE, PROVOST, BROWN UNIVERSITY

My name is Richard M. Locke, and I am professor of political science and international and public affairs at Brown University and currently serve as Provost of Brown.

Brown University takes great pride in cultivating a diverse and inclusive community of highly talented students, faculty and staff who are essential to fulfilling our mission at the highest levels, which is:

To serve the community, the nation, and the world by discovering, communicating, and preserving knowledge and understanding in a spirit of free inquiry, and by educating and preparing students to discharge the offices of life with usefulness and reputation.

The intellectual rigor of our academic community is both enhanced by and dependent upon the contributions of exceptionally promising individuals with different viewpoints, experiences and intellectual pursuits. Having students from diverse races, ethnicities, nationalities, cultural heritages and perspectives is central to our quest to engage in research and teaching that yields solutions to some of the most pressing societal issues that we confront in our increasingly complex world.

Brown University enrolls approximately 9400 students, each with a different personal story, but who share a common goal – to use their substantial intellectual assets and educational experience to make a difference in the world, locally and globally. Although Brown University does not keep centralized records of students who are participating in the Deferred Action for Childhood Arrival (DACA) program, we are aware that there are DACA students in both the undergraduate and graduate programs, including the School of Public Health and Warren Alpert Medical School. We estimate that Brown has approximately 12 students enrolled in DACA.

DACA students contribute a variety of perspectives, knowledge, skills and life experiences to our academic community, and to all educational and social aspects of Brown University. Many of the DACA program students are the first in their families to attend college. These students strengthen and enrich our community, both within and outside the classroom.

The ability to work legally is essential for many DACA students, since they are not eligible for federal financial aid and may need to work to supplement any

other sources of aid. For those students, the loss of the ability to support themselves or gain valuable experience while studying will jeopardize their opportunities to complete their studies and move into the world of employment.

While it is critical to understand the value and importance the students participating in the DACA program bring to campus life at Brown University, it is just as crucial to understand the consequences of their absence. With the end of DACA, students would be at risk for deportation. This would bring a level of fear and uncertainty to the campus and create a tense, unhealthy environment for our entire community. The discontinuance of DACA would jeopardize the capacity of these individuals to contribute to and take full advantage of their Brown education; significantly reduce the academic and social experience at Brown University for all associated with this distinguished institution; and it would undermine our nation's ability to benefit fully from these smart, skilled and highly capable individuals.

The repeal of the DACA would have a profound adverse impact on the academic and social community at Brown University. Students who, in good faith, pursued this program to enable them to join our community would suddenly be at risk of losing educational, employment and personal opportunities that are possible only if the DACA program is continued.

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

Date this 21 of September, 2017.



Richard M. Locke, Provost, Brown University

EXHIBIT 162



COMMUNITY COLLEGE
OF RHODE ISLAND
Office of the President

September 28, 2017

Statement of Meghan Hughes, Ph.D

I am the President of the Community College of Rhode Island (“CCRI”) and have held this position since February 2016. I am deeply committed to the mission of CCRI and am proud of one of our greatest strengths – the diversity of our students, many of whom are low-income and the first in their families to attend college.

CCRI stands proudly and firmly in support of our community members and their families who are affected by the revocation of the Deferred Action for Childhood Arrivals (DACA) program.

Equity and inclusion are at the core of our community’s values. Last fall, CCRI joined more than 600 colleges and universities in signing a letter supporting the DACA program. Our college once again reaffirms our passionate commitment to equity and inclusion. To know our mission statement is to know the depths of this commitment:

“The Community College of Rhode Island is the state’s only public comprehensive associate degree-granting institution. We provide affordable open access to higher education at locations throughout the state. Our primary mission is to offer recent high school graduates and returning adults the opportunity to acquire the knowledge and skills necessary for intellectual, professional and personal growth through an array of academic, career and lifelong learning programs. We meet the wide-ranging educational needs of our diverse student population, building on our rich tradition of excellence in teaching and our dedication to all students with the ability and motivation to succeed. We set high academic standards necessary for transfer and career success, champion diversity, respond to community needs, and contribute to our state’s economic development and the region’s workforce.”

We serve almost 15,000 thousand students. For many, the opportunity to seek postsecondary education is unprecedented in their families. Many are the first members of their families to attend college. Many are first generation Americans, making them part of our country’s strong tradition of immigration. This tradition defines the very heart of who we have been and who we must continue to be.

Our students come from diverse backgrounds, cultures, and life experiences. They come to CCRI to obtain an affordable education that will improve their lives and the lives of their families. This diversity makes CCRI, both socially and academically, a dynamic and inspiring educational and work environment. Our students and employees benefit from the diversity of experiences and perspectives from the classroom to the lunchroom.

Knight Campus

400 East Avenue, Warwick, RI 02886-1807 P: 401.825.2188 F: 401.825.2166

We believe that a diverse and educated workforce results in a stronger state that is poised for continued growth. CCRI contributes significantly to that diverse and educated workforce-nearly 90% of our students stay in Rhode Island and raise their families here after graduation. Our students and graduates contribute economically and personally to communities throughout the state. They are an integral part of the state's social, employment, and economic fabric. They are Rhode Island.

CCRI is in the early days of reaching even more Rhode Islanders through Rhode Island Promise, a state-funded program that would increase the number of educated Rhode Islanders. This program provides two years of free education at CCRI for first-time, full-time Rhode Island high school graduates. The goal of the program is to develop a more educated workforce contributing to Rhode Island's economy, which would include those with DACA status.


Rescinding DACA also means the state loses the economic benefits of this educated workforce. As an example, the Center for American Progress' earlier study, "The Economic Impacts of Removing Unauthorized Immigrant Workers," found that the economic impact of passing the Dream Act, and placing all of the potentially immediately eligible workers on a path to legal status, would be significant. Over a decade, the GDP gains from the Dream Act could be as high as a cumulative \$400 billion. If individuals completed the educational requirements, the gains could be as high as a cumulative \$1 trillion. While that study looked at the impact of the Dream Act, it is a helpful analysis for considering the economic impact of DACA.

The rescinding of DACA has wide-ranging impact on our CCRI community: it has impacted our current DACA students because their planned futures are no longer possible; it has also impacted DACA alumni who are living and working in the state; and it has impacted those who had not yet become DACA eligible, and are not yet at CCRI, but whose futures would have included DACA and higher education. These are individuals who would likely have contributed to the state's educated workforce and to the state's economy, but will be unable to do so.

The rescinding of DACA has impacted, and will continue to impact, all of our incredible students whose personal and intellectual growth has benefitted by learning from, and interacting with, their DACA peers.

The rescinding of DACA has impacted our committed employees who believe in our mission. Our employees are dedicated to the personal and intellectual growth of our DACA students. We believe in these amazing students and mourn the contributions we know they would have made to our community and to our state.

The rescinding of DACA has caused us to pause and reflect on our mission statement. By doing so, we affirm those words and strengthen our dedication to our community and to the mission of the college, which is more relevant and important than ever.



Meghan Hughes, Ph.D.
President

EXHIBIT 163

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)



RHODE ISLAND COLLEGE

OFFICE OF THE PRESIDENT

DECLARATION OF FRANK SANCHEZ, PRESIDENT, RHODE ISLAND COLLEGE

I am the President of Rhode Island College (RIC), a four-year public college located in Providence, Rhode Island. RIC was founded in 1854 as the first public college in Rhode Island and has, since that time, been a leader in providing quality, affordable education to students from Rhode Island and beyond. RIC has a history of delivering quality higher education in innovative ways, with programs and practices well ahead of its time.

At RIC, our goal is to prepare students to be engaged citizens, able to meet tomorrow's workforce demands by ensuring they have the support, skills and opportunities necessary to thrive. We know that an extraordinary collegiate experience includes top-notch academic programs, significant learning opportunities beyond the classroom and state-of-the-art facilities. Moreover, a quality student experience must offer an environment in which all ideas, experiences, thoughts and backgrounds are valued and welcomed.

More than 8,000 students attend RIC in nearly 90 undergraduate and graduate programs, 32 percent of whom are students of color. Nearly 15 percent of our student body is LatinX. We are proud that nearly 50 percent are first generation college students, and we place a special emphasis on attracting and retaining these students who enrich and enhance our campus, our community, our state and, our nation. It is our firm belief that education elevates individuals and society, fosters innovation and progress and, ultimately is responsible for the leadership position the United States has attained among nations.

RIC has a diverse student body, made up of a lively, curious, passionate, interested blend of students from a wide variety of circumstances. This diversity is in the DNA of the college -- we celebrate our differences and learn from them. Every RIC student benefits from this diversity and we believe our graduates leave college with a better understanding of our collective differences, with an empathy that elevates civil discourse generally and embodies all of the principles this country holds dear.

Among our student body are a number students who participate in the Deferred Action for Childhood Arrivals program (DACA), or Dreamers. Our systems do not permit us to provide an exact number of enrolled DACA students, but I am aware that we have such students at RIC. These Dreamers are valuable members of our community and our family. Our college is enriched by the presence of these young people and proud to play a part in their efforts to better themselves and their adopted home. These students exemplify dedication and hard work and are an integral and vital part of the fabric of our college. We are proud to play a part in their pursuit of the American Dream.



RHODE ISLAND COLLEGE

OFFICE OF THE PRESIDENT

Our Dreamer graduates contribute to society in positive and beneficial ways as responsible, informed and enlightened citizens. We are especially proud, as a state school, that a majority of RIC graduates remain in Rhode Island and contribute to our economy, political processes, and the intellectual and civil discourse in the state by instilling in their families the same core values that RIC celebrates.

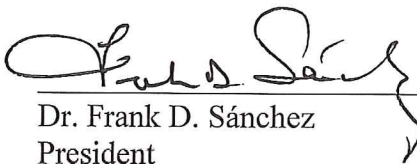
Given the importance of our Dreamer students to the college, the consistency of the DACA program with RIC's core values, mission and objectives, and the benefit to the state and the nation that these students' presence provides, I am deeply concerned by the potential negative consequences of a discontinuation of the DACA program. Such an event would be anathema to RIC's core values and would directly conflict with our effort to be an inclusive, welcoming campus that represents hope and opportunity to all individuals.

The exclusion of any such student deprives the college of important perspective, has financial impacts in loss of scholarship and other financial aid support, and negatively impacts enrollment of existing and potential Dreamers who would be unable to enroll without fear of negative consequences, including potential deportation and otherwise. It is our earnest and fervent hope, both on the college's behalf and on behalf of potentially affected students, that the DACA program's protection not be interrupted.


Beyond the college, termination of the DACA program will negatively impact potential students and deprive our state and nation of the benefits young Dreamers who graduate from college provide, with lasting and impactful consequences for future generations.

RIC is deeply committed to educating Dreamers, students with extraordinary drive, heart and soul who seek to become valuable and contributing members of our society, in turn bettering themselves and their families. As part of our RIC family, these students are cherished, welcomed and encouraged. The negative consequence of terminating the DACA program would be a painful loss to the college, the state and the nation.

At RIC, serving DACA students is not a political issue. It is our educational mission.



Dr. Frank D. Sánchez
President



Date

EXHIBIT 164

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF DONALD J. FARISH, Ph.D., J.D.

I, DONALD J. FARISH, Ph.D., J.D., state as follows:

1. I am over the age of eighteen and competent to testify herein.
2. I am the President of Roger Williams University and have held this position since June 2011. Prior to holding this position, I served as President at Rowan University in Glassboro, New Jersey from 1998 to 2011; and prior to 1998, I held various academic and administrative positions at Sonoma State University, University of Rhode Island, and University of Missouri.
3. As President of Roger Williams University (“University”), I am responsible for developing and implementing the strategic plan for the University, in consultation with the Board of Trustees. The University offers studies through its undergraduate, graduate, law, and continuing studies programs, and has a current enrollment of approximately 6,500 students.
4. The University’s vision draws its inspiration from our namesake, Roger Williams, who advocated for freedom of conscience, equality and tolerance to help improve his community. The University prides itself on being an innovative, forward-thinking institution devoted to strengthening society through engaged teaching and learning.
5. Among the University’s goals and missions is to make a quality education possible through investments in excellence in faculty, facilities and technology; working with local and global communities to address problems that matter most to society; preparing all our students to fulfill their potential as lifelong learners, professionals and citizens; hiring faculty and staff, and recruiting students, who mirror the diversity of our region; and welcoming and valuing all expressions of identity and diversity, and actively promoting inclusion and preparing students to challenge societal norms and to thrive in a culturally diverse and global society.
6. While the University does not keep centralized records of students who may be eligible for or registered in the Deferred Action for Childhood Arrivals (“DACA”) program, based on interaction that I have had with staff and students, I have personal knowledge of six students presently enrolled at the University during the 2017-2018 academic year who are DACA participants.
7. It is my understanding that if the DACA program is discontinued, many of the currently enrolled students who are participating in (or eligible to participate in) the DACA program will likely not be able to continue with their studies at the University. They will lose their ability to work legally, and therefore lose the ability to support themselves while studying. Many will also have an understandable fear that they may be deported. (Even a delayed termination of the program will obviously greatly heighten this fear). If the DACA program is discontinued, I would also expect that persons who are presently DACA-eligible will not enroll in the University.

8. Terminating the DACA program will have a negative impact on the University, its students and faculty. DACA recipients enrolled at the University are eligible for various scholarships or other financial assistance. Without access to this financial assistance, and with the likelihood that they will not be able to work legally upon graduating, some DACA beneficiaries may not apply or may discontinue their enrollment in the University.
9. If new DACA students do not enroll, or current DACA students are forced to drop out, the University will lose the benefit of the special contributions and perspectives that these young adults bring to our campus as both students and alumni. If current DACA students are forced to drop out, the University will also lose the value of the financial assistance and other resources the University has invested in educating students who ultimately are not able to graduate.
10. In the course of my career, I have witnessed many times the negative effects that this type of stress can have on a student's ability to thrive in a rigorous academic environment like the University. All these students have had to work incredibly hard just to get here, and the University's academic programs are challenging. The prospect of having all that effort go to waste would be devastating, and may cause many of these students simply to discontinue their educational pursuits.
11. Based on my years of experience as an education administrator engaged in the development of higher education policies, I have come to recognize the value of having in every class, students who bring a variety of perspectives and life experiences in the academic community. Having a student body with a diversity of viewpoints and backgrounds fosters a robust learning environment for all. DACA eligible students inherently have a set of life experiences and perspectives that are very different from those of other students, and thus contribute to the diversity and education of the University community. Many, if not most, of the DACA-eligible students, are the first in their families to attend college, and they enrich our community by being able to share with their classmates their experiences and the unique understanding they have gained by virtue of those experiences. These experiences enhance the University mission.
12. Overall, repealing DACA would undermine the University's unwavering commitment and mission to diversity, equality, and inclusion and would cause the University harm.

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

Date this 18th day of September, 2017.

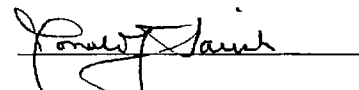

Donald J. Farish, Ph.D., J.D.

EXHIBIT 165

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Robyn Linde, Ph.D.

I, Robyn Linde, Ph.D., state the following:

1. I am over the age of eighteen and competent to testify herein.
2. I am an associate professor of political science at Rhode Island College, a position that I have held since June 2016. From 2011 until June 2016, I was an assistant professor of political science at Rhode Island College. I am also the director of the college's International Nongovernmental Organizations Studies (INGOS) program, a position that I have held since 2011.
3. As a professor and the director of an academic program, I teach undergraduate students about global politics, human rights, INGOS, social movements, and international law. I also serve as a representative to the Faculty Council, advise many student organizations, and serve as an academic adviser to students in the Department of Political Science and INGOS.
4. As an educator at Rhode Island College, I have many students that have been and are currently affected by federal immigration policies. The most recent announcement by the Trump administration that the DACA (Deferred Action for Childhood Arrivals) program will end has had an impact on my students' lives by creating an atmosphere of insecurity, both among students and among their families and friends. If these students' DACA status is revoked, they will lose the ability to be legally employed or obtain financial aid, and may be forced to end their formal education at the college.
5. I am committed to supporting all of my students regardless of their documentation status. I am committed to educating all students that enroll in my courses. I believe that Rhode Island College and the state at large benefit greatly from the ingenuity, hard work, and intellectual contributions of immigrants, and that ending DACA goes against both our values and our interests.

Robyn Linde

Robyn Linde, PhD

EXHIBIT 166

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF TOM SULLIVAN

Pursuant to 28 U.S.C. § 1746(2), I, E. Thomas Sullivan, hereby declare as follows:

1. I am the President of the University of Vermont and State Agricultural College (“UVM”). I have served in this role since 2012.

2. I have either personal knowledge of the matters set forth below or, with respect to those matters for which I do not have personal knowledge, I have reviewed information gathered from UVM records and other publicly available information.

3. UVM is a public land grant university located in Burlington, Vermont. It is the largest institution of higher education in the State. UVM offers more than 100 majors in 7 undergraduate schools and colleges, 50 master’s degree programs, 27 doctoral programs, and an M.D. program through the Robert Larner College of Medicine. There are currently more than 10,500 undergraduate students, 1,500 graduate students, 800 certificate and continuing education students, and 450 medical students enrolled at UVM.

4. UVM’s mission as a public research university is to educate students, create and disseminate knowledge, and prepare our students to be leaders, change agents, and global citizens. To be successful in this charge, we must educate our students about the world in which they live and help them acquire the knowledge and skills necessary for successful and productive lives. Essential to achieving these goals are: having diversity among our faculty, staff and students to add intellectual and social vibrancy to the community; cultivating a respectful climate for all members of our community; supporting the development of cultural competency; providing a curriculum that teaches critical thinking and engages learners of different multicultural perspectives across all disciplines; and having co-curricular experiences that provide community members with opportunities to engage across differences, as well as to

develop and deepen critical life skills. For these reasons, a diverse and inclusive UVM community is a compelling institutional interest that is indispensable to achieving our goal of inclusive excellence.

5. UVM is committed to ensuring the safety, wellbeing, and educational success of all of its students, including those who may be undocumented immigrants. It is the practice of UVM to protect undocumented students to the maximum extent that federal law permits. UVM does not collect or maintain records regarding whether its students are undocumented immigrants, or more specifically, whether any students have been granted Deferred Action for Childhood Arrivals (DACA).

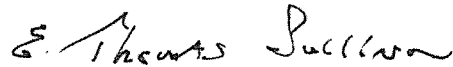
6. The repeal of DACA may affect students who are attempting to start, continue, or complete their education at universities and colleges in this country, including UVM. If DACA grantee students lose their work authorizations, they risk losing their jobs and their ability to pay for their education. DACA students who are enrolled in an educational program that requires employment in order to complete elements of the program, such as research or teaching assistant positions, may be impacted by the loss of work authorizations and they may be unable to meet the requirements of their degree program.

7. The impact from repeal of DACA would be felt at UVM. For example, as reported in a recent Vermont Public Radio interview, Juan Conde, a first-year medical student at the Larner College of Medicine identified himself publicly as a DACA recipient. *See* Kathleen Masterson, Vt. Public Radio, *Despite Risk, UVM Medical Student Comes Forward to Defend DACA Program* (Sept. 11, 2017).¹ In statements to the press, Mr. Conde indicated that his mother brought him to this country from Mexico when he was 9 years old and that he had

¹ Available at <http://digital.vpr.net/post/despite-risk-uvvm-medical-student-comes-forward-defend-daca-program#stream/0> (last visited Sept. 21, 2017).

dreamed of becoming a doctor ever since his mother died of cancer in 2007. *Id.* Mr. Conde further explained in his statement that, when his undocumented status prevented him from applying to medical school, he initially earned a Ph.D. in biochemistry in order to become a cancer researcher. *Id.* According to Mr. Conde, the DACA program enabled him to pursue his dream of attending medical school, and he recently began his studies at the Larner College of Medicine at the University of Vermont. *Id.* Repealing the DACA program would threaten the professional medical opportunities of Mr. Conde, and in so doing, could cause harm to UVM and the UVM community.

Executed on this 26 day of September, 2017

A handwritten signature in cursive script that reads "E. Thomas Sullivan". The signature is written in black ink and is positioned above a horizontal line.

E. Thomas Sullivan

EXHIBIT 167

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF W. TAYLOR REVELEY, III

Pursuant to 28 U.S.C. § 1746 (2), I, W. Taylor Reveley III, hereby declare as follows:

1. I am President of the College of William Mary (“William & Mary” or “the university”), and have served in that capacity since September 2008. I had previously served as interim president of the university for six months, and as dean of William & Mary Law School for almost a decade. Before joining William & Mary, I practiced law at Hunton & Williams LLP for 28 years, including nine years as the firm’s managing partner. As President, I serve as the chief executive officer of William & Mary. I have personal knowledge of the matters set forth below or have knowledge of those matters based on my review of information and records gathered by members of my staff.
2. William & Mary is a public, liberal arts university with over 6,000 undergraduate students and over 2,300 graduate students.¹ William & Mary recruits and attracts a diverse student body. Our students come from all 50 states, the District of Columbia, and 60 foreign countries. William & Mary is dedicated to a diverse student and faculty population. Among the university’s goals, as set out in its Mission Statement, are to attract outstanding students from diverse backgrounds and to develop a diverse faculty which is nationally and internationally recognized for excellence in both teaching and research.²

¹ See <http://www.wm.edu/about/wmataglance/index.php>.

² See William & Mary Mission Statement at <http://www.wm.edu/about/administration/provost/about/mission/index.php>.

3. William & Mary has approximately 23 students enrolled across the university in 2017 who are participants in the Citizenship and Immigration Services' Deferred Action for Childhood Arrivals ("DACA").³
4. William & Mary DACA-enrolled students make valuable contributions to the university, through their classroom participation, their extra-curricular engagements, and their commitment to independent study and research. The DACA program provides meaningful benefits to its DACA student population and the rest of the university community. For instance, the DACA program provides its William & Mary students with legal protections and financial opportunities that have enhanced their ability to take full advantage of our educational programs.⁴ The DACA program has also benefitted William & Mary as a whole because DACA students contribute their unique perspectives inside and outside the classroom and help the university foster a culture of inclusion.
5. For as long as they have active DACA protection, DACA students enrolled at William & Mary can pursue their courses of study and fully invest themselves in their educational endeavors, without fear of sudden detention or removal. Discontinuance of DACA would withdraw the educational opportunities these students enjoy and subject them to deportation.
6. The elimination of the DACA program would also lessen the effect of William & Mary's investment of significant financial and human resources in its students and in preparing a

³ This calculation reflects students who opted to self-identify. William & Mary estimates that actual numbers are higher.

⁴ DACA students domiciled in Virginia are eligible to apply for in-state tuition. See <http://www.schev.edu/docs/default-source/tuition-aid-section/financial-aid/dacafaqs.pdf>.

well-trained workforce. Most significantly, the elimination of the DACA program would hinder William & Mary's pursuit of diversity and inclusion and cut against its core goal of attracting outstanding students and faculty from diverse backgrounds.

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

Executed on: September 29, 2017

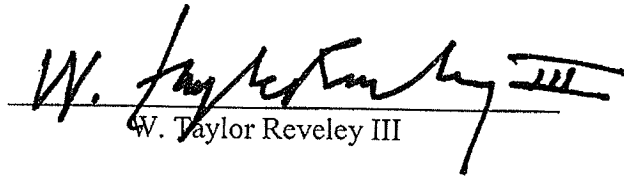

W. Taylor Reveley III

EXHIBIT 168

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

DECLARATION OF ÁNGEL CABRERA

Pursuant to 28 U.S.C. § 1746 (2), I, Ángel Cabrera, hereby declare as follows:

1. I am the President of George Mason University (“GMU” or “University”), a position I have held since 2012. As President, I serve as the chief executive, educational and administrative officer of GMU. I have personal knowledge of the matters set forth below or have knowledge of those matters based on my review of information and records gathered by members of my staff.
2. GMU is the largest public research university in Virginia and ranked the most diverse university in Virginia by U.S. News and World Report.¹ With its home in Virginia’s most diverse region, GMU recruits and attracts a student body that is extraordinarily diverse by any measure, including in country of origin, language, culture, race, ethnicity, religion, geography, family income, age, and educational background. GMU serves students of all ages, nationalities, and backgrounds enrolling nearly 36,000 students from 130 countries and all 50 states. GMU is situated in a region with the largest immigrant populations in the state, and has a historic tradition of educating immigrants. GMU is committed to admitting, enrolling, and teaching students regardless of their national origin or immigration or citizenship status. GMU’s core mission is to be an innovative and inclusive academic community committed to creating a more just, free, and prosperous world.

¹ Cristodero, D. (2017, January 12). Mason Named Most Diverse University in Virginia. Retrieved from <https://www2.gmu.edu/news/452276>.

3. GMU has approximately 245 students presently enrolled across the University who are participants in Citizenship and Immigration Services' Deferred Action for Childhood Arrivals ("DACA").² Of these students, 223 are registered for Fall 2017 classes, and 18 are wage employees.
4. GMU's DACA-enrolled students make real, valuable, and lasting contributions to the University, through their classroom participation, their extra-curricular engagements, and their commitment to independent study and research.
5. The DACA program provides real, meaningful benefits to GMU, its DACA student population, and the rest of the University community. The DACA program has provided an important cohort of GMU students with legal protections and financial opportunities that have enhanced their ability to take full advantage of education programs at GMU.³ DACA students with work permits employed at GMU, support and learn from GMU faculty and scholars as part of their paid work. DACA work permits further enable these students to work and earn money during and between terms, to put toward their tuition and living expenses at GMU, and the DACA allowance gives these students an assurance that they may put their talents and learning to use in the United States job market after graduation. The DACA program has benefitted Virginia residents with employment opportunities at GMU. The DACA program has also benefitted GMU, as DACA students

² This calculation reflects students who opted to self-identify. GMU estimates that actual numbers are higher.

³ DACA students domiciled in Virginia are eligible to apply for in-state tuition. See <http://www.schev.edu/docs/default-source/tuition-aid-section/financial-aid/dacaFAQs.pdf>.

and employees contribute their unique perspectives inside and outside the classroom, thereby supporting GMU's core institutional characteristics of diversity and accessibility: an open and welcoming community bringing together a multitude of people and ideas, and fostering a culture of inclusion that makes the University community more effective educators and scholars.⁴

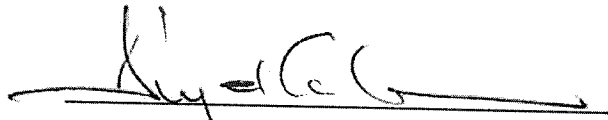
6. For as long as they have active DACA protection, DACA participating students enrolled in GMU can pursue their courses of study and fully invest themselves in their educational endeavors, without fear of sudden detention or removal. Discontinuance of DACA will withdraw these educational opportunities, and reintroduce fear and uncertainty into their lives. DACA-enrolled students would be subject to deportation and likely lose their sense of educational purpose which would impact their retention and academic success. The employment status of DACA-enrolled students at GMU would also be jeopardized.

7. The elimination of the DACA program would negatively affect GMU's investment of significant financial and human resources in teaching all of its students and preparing a well-trained workforce. Most significantly, the elimination of the DACA program will undermine GMU's unwavering commitment to diversity and inclusion.

⁴ The Mason Idea – Our Core Institutional Characteristics. Retrieved from <https://vision.gmu.edu/the-mason-vision/our-goal/>.

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

Executed on: September 27, 2017



Ángel Cabrera

EXHIBIT 169

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), Adam Greenberg hereby declares as follows:

1. I am over the age of eighteen and competent to testify.
2. I am Head of Legal and Public Policy for JAND, Inc. d/b/a Warby Parker (“Warby Parker”). I oversee Warby Parker’s legal, regulatory, governmental, and public policy affairs, including the impact of immigration law on Warby Parker employees. I have been employed by Warby Parker since March 2014.
3. Warby Parker employs more than 450 individuals in the State of New York; more than 1,200 in the United States; and more than 30 in Canada. Warby Parker’s employees work at the company’s corporate offices in New York, New York and Nashville, Tennessee; the company’s optical laboratory in Sloatsburg, New York; and the company’s retail locations in Alabama, Arizona, California, Colorado, District of Columbia, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, New York, North Carolina, Oklahoma, Oregon, Pennsylvania, Tennessee, Texas, Virginia, Washington, Wisconsin, and Ontario, Canada.
4. Warby Parker was founded in 2010 upon a mission to offer designer eyewear at affordable prices and to act as a leader among socially conscious businesses. Our co-founders set out to prove that businesses can scale and be profitable while also making decisions that consider the interests of multiple stakeholders—our customers, employees, community, environment, and shareholders.
5. Consistent with our mission is the belief that everyone has the right to see. Two and a half billion people around the world need glasses but don't have access to them; of these, 624 million cannot effectively learn or work due to the severity of their visual impairment. To help address this problem, Warby Parker works with nonprofit partners and government agencies in the United States and abroad to ensure that for every pair of glasses we sell, a pair is distributed to someone in need (“Buy a Pair, Give a Pair program”). To date, we have distributed over 3 million pairs of glasses to people in need around the globe through our Buy a Pair, Give a Pair program.
6. In 2015, we expanded our Buy a Pair, Give a Pair program to include the distribution of glasses to public schoolchildren in New York City (“Pupils Project”). In partnership with the City of New York and the New York City Department of Education’s Office of Community Schools and Office of School Health, Pupils Project has provided free vision screenings—and for those who need them, free eye exams and free prescription glasses—to 65,000 low-income students in more than 130 New York City Community Schools during each of the 2015-16 and 2016-17 academic school years. We have expanded Pupils Project to cover almost double that amount during the 2017-18 academic school year. Pupils Project has undoubtedly benefited children and their families who have been granted, or who would have been eligible for, the protections afforded by the Deferred Action for Childhood Arrivals Program (“DACA”). We believe that almost half of the children who will be covered by Pupils Project during the 2017-18 school year come from families who recently arrived in the United States.

7. Additionally, we are aware of at least one Warby Parker employee who is a grantee under DACA. However, because we have a policy of not inquiring whether our employees are DACA grantees, it is possible that Warby Parker currently employs—or will in the future employ—other grantees. We believe it is also likely that Warby Parker has sold prescription eyewear to DACA grantees across the United States, and we do so proudly.
8. Since Warby Parker's founding, we have deliberately built an inclusive community of employees and customers who have diverse backgrounds and perspectives. We strive to build a community of individuals from all walks of life, both internally at our offices, stores, and optical laboratory and externally with our customers and Buy a Pair, Give a Pair recipients. And we continually strive for improvement by giving our various stakeholders a voice within our organization and exploring opportunities to support their diverse interests.
9. Our commitment to inclusion and diversity does not stop at individuals who were born in the United States. Several Warby Parker employees and their family members were born outside of the United States and immigrated to this country as children, including our co-founder and co-CEO Dave Gilboa.
10. We firmly believe that protecting the future of young, undocumented immigrants is vital to our country's economy. Dreamers represent the best of American society—for instance, many have started their own businesses and give back to their communities—and their continued contributions to this country are critical to a thriving economy.
11. The decision to end DACA will harm our customers, our employees, our business, and our community. We believe that protecting the future of Dreamers is good business for Warby Parker and organizations like us; and it is simply the right thing to do.

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

Executed this 29th day of September, 2017.

A handwritten signature in black ink that reads "Adam Greenberg". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Adam Greenberg

EXHIBIT 170

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Jonathan Schwartz

Pursuant to 28 U.S.C. § 1746(2), I, Jonathan Schwartz, hereby declare as follows:

1. I am over the age of eighteen and competent to testify.
2. I am the Chief Legal & Corporate Affairs Officer at Univision Communications Inc. (Univision). I have been employed by Univision since 2012. In my role, I oversee the Legal & Corporate Affairs Department, which includes the following areas: Legal and Business Affairs, Corporate Compliance, Government Relations, Corporate Social Responsibility, Community Empowerment, Global Security, Media Rights Management & Content Protection, Standards & Practices, and Advertising Review.
3. Univision is the leading media company serving Hispanic America and the rising multicultural mainstream of the United States. Univision's workforce reflects the audience it serves, including DACA beneficiaries, their families, and their communities. The government's decision to terminate DACA means that a segment of Univision's employees will eventually lose their work authorization. As a direct consequence of the government's decision, therefore, Univision will lose the benefit of these employees' immeasurable contributions to the Company. And because these employees uniquely contribute to Univision's operations, the Company cannot adequately replace them. Moreover, in hiring and training replacements, Univision will incur both business disruptions and financial losses. Additionally, the loss of DACA beneficiaries in our workforce will result in significant harm in the form of diminished connection with the communities we serve and reduced diversity of thought and point of view in the content we produce.
4. Univision employs approximately 800 employees in the state of New York, and a total of approximately 4,630 employees across the country in our corporate, network, local TV, radio, and digital operations. Univision's mission is to inform, empower, and entertain the Hispanic American population and rising multicultural mainstream.
5. Univision began as a small Spanish-language TV station in San Antonio, Texas. Over its more than 50-year history, Univision's broadcast and cable TV, digital, and radio offerings have grown to become the foremost destination for Hispanic America and the rising multicultural mainstream, reaching an estimated 108 million average monthly-unduplicated media consumers. We engage audiences via our portfolio of 123 local TV and radio stations (in Arizona, California, Florida, Illinois, New York, North Carolina and Texas, among other states), and 17 broadcast, cable and digital networks and partnerships. In recent years, we have expanded our efforts to reach English speaking Hispanics and young multicultural audiences through our investment in the El Rey network and the launch of the Fusion Media Group, which includes such properties as FusionTV, the Gizmodo Media Group (and its digital-first platforms Gizmodo, Jalopnik, Jezebel, Deadspin, Liferhacker, Kotaku, Splinter, and the Root), and a stake in The Onion.

6. Univision has a unique relationship with its audience, whose members rely on us for news and information on critical matters such as immigration and DACA. Univision's news content has often been described as a "lifeline" for the Hispanic community. In addition, Univision provides a platform for—and gives a voice to—traditionally underrepresented communities in America. We do this through not only our media properties, but also through our Corporate Social Responsibility (CSR) and Social Impact initiatives. Among Univision's CSR priorities are several projects focused on education and youth development, informing and empowering Hispanic America through a multitude of health and wellness initiatives, increasing diversity in media, and providing training opportunities for young people to learn coding and other necessary skills to enter STEAM (science, technology, engineering, art, and math) careers.
7. Univision may have up to 60 employees, ranging across our entire company, who are beneficiaries of the DACA program and affected by the government's decision. (Like many other companies, Univision has not yet been able to confirm the exact number of its employees who have DACA status.) From the talent in front of and behind the camera, to the sharp creative minds that make our business run, to energized interns who are the Company's future – hard-working DACA beneficiaries are essential to creating and disseminating the news, entertainment, and services that Univision provides to millions of Americans every day.
8. Univision engages in expressive activity and depends on the unique perspectives and creative contributions of its content producers and the employees who support them. Some of Univision's DACA beneficiary employees are directly involved in producing content that helps shape Univision's expressive activity. These employees provide a distinct perspective both as individual voices and because their experiences as individuals who first came to the United States as children give them valuable insights into the culture and issues of interest to many of Univision's viewers. Their experiences as young immigrants help Univision better serve both the immigrant and non-immigrant communities that make up Univision's core audiences. The value of these employees to Univision thus goes well beyond their economic contributions.
9. As a news operation, Univision will be harmed by the elimination of DACA. The ending of the program will make DACA beneficiaries, including DACA beneficiaries with family members who may be in the United States without status, less likely to come forward to appear on news programs, provide commentary on public affairs, and otherwise speak up on such issues as social justice and community affairs for fear that they or their families may be deported. This would not only hamper news coverage but, as seen in other countries, create a dearth of reliable information, lead to the dissemination of misinformation, and stifle the award-winning efforts of Univision's investigative journalism teams.

10. Congress has recognized the unique importance of having the world's most talented journalists working in the United States, regardless of their country of birth, in providing for media and employment-based visas. Univision can avail itself of these visa processes if it seeks to hire a journalist from any other country in the world. But with the rescission of DACA, Univision will not be able to avail itself of these processes with respect to the skilled young persons who are already living in the United States with DACA status, even though they have unique talents and abilities and have been trained at our colleges and universities and have received U.S. journalism degrees. Without DACA, Univision would be unable to hire journalists from this talented set of individuals.

11. For all these reasons, Univision stands by the hundreds of thousands of young people—including our own DACA beneficiary employees—who are impacted by the government's decision to terminate DACA. They have done everything asked of them by the government under DACA; they are active and contributing members of society who go to school, serve in the military, and work in thousands of civilian jobs—including at Univision—across our nation. Simply put, they should be able to stay in the United States—the only country most of them have ever known.

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

Executed on this 3rd day of October 2017.

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

Jonathan Schwartz, Esq.

EXHIBIT 171

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Declaration of Stephanie Park

Pursuant to 28 U.S.C. § 1746(2), I, Stephanie Park, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I am a 24-year-old New York City resident.
3. In 1998, I came to the United States from South Korea on a tourist visa. My visa expired in 1999.
4. I was five years old at the time of my arrival in the United States. I moved with my family to Riverdale, New York, and I have lived in New York City ever since.
5. I first learned of my undocumented status while in middle school. For the next several years, I experienced significant amounts of anxiety. While my peers were considering colleges and careers, I was uncertain whether I would be able to go to college, or whether I could pursue a career when the only jobs available to me paid less than minimum wage.
6. I kept my immigration status secret. At that time, I did not think I could speak out about what it meant to be undocumented, and I did not think that I could advocate for myself.
7. As I was completing my schooling in Riverdale, I began applying to colleges. I found that many colleges I wanted to attend could not provide me with financial assistance or scholarships because of my undocumented status. As a result of these financial constraints, I found that I could not attend those colleges.
8. Fortunately, the Macaulay Honors College awarded me a full tuition scholarship to attend the City University of New York (“CUNY”), Hunter College. The Macaulay Honors College awards full tuition scholarships to New Yorkers with outstanding academic and personal achievements.

Obtaining this full tuition scholarship was essential to ensuring that I could go to college and pursue my dreams.

9. At Hunter, I majored in English, History, and Media Studies. The Deferred Action for Childhood Arrivals (“DACA”) program did not exist until my sophomore year at Hunter College. During my first year, I had no social security number, limited resources and limited job opportunities. I couldn’t obtain an internship or employment, and I was nervous that even after I graduated I would not be able to work.
10. DACA was enacted in 2012, and I applied for the program that same year. After I obtained DACA status, I received a social security number and work authorization. For the first time in my life, I found that I could apply for and obtain the employment and internship opportunities that I really wanted.
11. In 2015, I graduated from Hunter College with a bachelor’s degree in English, History and Media Studies. While at Hunter, I discovered that I wanted to pursue a career fighting for immigrants’ rights and justice. I wanted to help undocumented immigrants come out of the shadows.
12. After graduation, the Immigrant Justice Corp. (“IJC”) awarded me a two-year Community Fellowship. IJC fellowships place exceptional college graduates at host organizations across New York City, and trains those fellows to provide guidance and advocacy to immigrant communities at those organizations. The fellowships also provide full salary and health insurance.
13. Through the Community Fellowship I was placed at MinKwon Center for Community Action, a non-profit designed to provide a range of advocacy, social, cultural and legal services to Korean American, Asian American and other immigrant communities in New York. My role at MinKwon involved working with and helping to resolve immigration issues of undocumented

Asian Americans, and to oversee all DACA related cases in the organization. To that end, I obtained accreditation from the Board of Immigration Appeals (“BIA”) to provide legal services.

14. In addition to this direct legal service work, I have also worked on grassroots organizing while at MinKwon. I have become a core member of the Asian American Dream Coalition (“AADC”). AADC works to empower and organize undocumented Asian American youth, and to encourage that population to speak out against inequities. As a core member of the AADC, I was involved in developing the organization’s mission statement, and putting out monthly newsletters.
15. In 2016, I also became the Secretary of the Board of United We Dream (“UWD”), the largest immigrant youth led organization in the nation. UWD organizes and advocates for the dignity and fair treatment of immigrant youth and families, regardless of immigration status. I joined UWD because I wanted to encourage undocumented immigrant youth not to be afraid or ashamed, and I wanted to work on organizing this diverse population so that we can effectively make our voices heard. While at UWD I have worked on planning the organization’s biennial conference, and I will continue participating in organization’s various activities.
16. My two-year fellowship with IJC is ending in September 2017. I plan to continue working on immigrants’ rights and justice issues. I want to continue organizing immigrant groups, and to encourage undocumented individuals to be unashamed and unafraid of their status.
17. I renewed my DACA status in June 2017 for the duration of at least the next two years.
18. Revoking DACA will significantly impact my life. Without DACA status, I will lose my employment authorization. I will be unable to pursue a career furthering immigrants’ rights

and justice, despite having worked hard to obtain a college degree and fellowship to reach that goal. I will be subject to financial insecurity, as the only jobs that will be available for me are those that pay under the table, most likely for less than minimum wage. I will be unable to obtain health insurance from my employer, and I will likely be uninsured.

19. The United States is the only home I've ever known. I want to work hard to make my community here a better one. DACA gave me a chance to do that. Even without DACA, I will continue fighting for immigrant justice. However, without DACA there will be far more uncertainty in my life.

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

Executed on this 6th day of September, 2017

_____/s_____

Stephanie Park

EXHIBIT 172

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. §1746(2), I, Anarely Morales Sanjuan, hereby declare as follows:

1. I am 25 years old. I was born in Mexico, but have lived in the United States since the age of 7, first in North Carolina, and since 2009, in New York City.
2. On January 16, 2014, and then again on February 9, 2016, the United States Department of Homeland Security granted me Deferred Action for Childhood Arrivals (DACA), along with work authorization.
3. I am the mother of two children, both of whom were born in the United States and are United States Citizens. I am also the partner-for the past three years-of a United States Citizen.
4. I work as a manager at Bluestone Lane, where I am responsible for payroll, stocking and staffing. The store I manage is one of the busiest in our company, with average earnings of approximately \$152,000 per month.
5. At Bluestone Lane, I manage fourteen employees. I have just been informed that, in two weeks, my employer will be promoting me to managing an additional store. I was also recently honored as Manager of the Quarter.
6. I earn approximately \$65,000 per year. These earnings allow my family to live in a two-bedroom apartment in New York City, and to send our children to Catholic School. I am proud that my long hours and commitment to hard work allow my children access to a safe life and a good education.
7. If DACA is terminated, I will lose the right to work lawfully in the United States. This will cause me to lose my job, and my employer to lose a valuable employee. I have been with the company for four years, and have risen through the ranks after first working in the kitchen.

8. Also, if I lose my job, our children will have to leave their school, and our family will lose our home and our health insurance. We will be unable to survive financially without my income.

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

Executed on this 6th day of September, 2017



Anarely Morales Sanjuan

EXHIBIT 173

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

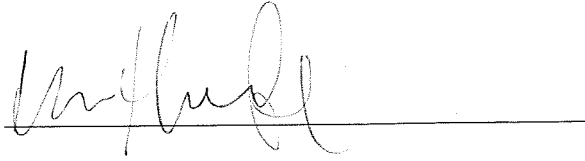
CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. §1746(2), I, Windy Dejesus Hidalgo Hernandez, hereby declare as follows:

1. I am 27 years old. I was born in the Dominican Republic, but have lived in the United States since 2003, when I was 13, first in Connecticut, and, since 2006, in New York City.
2. On March 14, 2016 the United States Department of Homeland Security granted me Deferred Action for Childhood Arrivals (DACA), along with work authorization.
3. I work as a cook at Cuevas Deli & Grocery in Bronx, NY. I have been working there for over a year, but have over 6 years of experience working in delis. I work an average of 48 hours a week, and earn approximately \$22,000 per year. I live alone, but help to support my mother, a United States Lawful Permanent Resident, with my income.
4. My hope is to be able to continue working so that, in the future, I can save enough money to be able to open my own deli.
5. If DACA is terminated, I will lose the right to work lawfully in the United States. This will cause me to lose my job, my employer to lose a valuable employee, and my mother to lose my financial support.
6. Also, losing DACA means that I will potentially face removal from the United States and permanent separation from my mother and the country that has been my home for the last fourteen years.

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

Executed on this 12 day of September, 2017

A handwritten signature in black ink, appearing to read "Windy Dejesus Hidalgo Hernandez", is written over a solid horizontal line.

Windy Dejesus Hidalgo Hernandez

EXHIBIT 174

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Kathryn Wylde hereby declares as follows:

1. I am over the age of eighteen and competent to testify.
2. I have been the President and CEO of the Partnership for New York City (the "Partnership") since 2001.
3. The Partnership is a nonprofit organization representing the city's business leadership and its largest private sector employers. The Partnership focuses on research, policy formulation and issue advocacy at the city, state and federal levels. We work together with government, labor and the nonprofit sector to promote economic growth and maintain the city's position as a global center of commerce and innovation.
4. The Partnership's members come from a wide variety of industries including accounting, advertising, arts and entertainment, consulting, hospitality and retail, education, energy, engineering, financial services, health care, insurance, law, manufacturing, media, real estate, technology, telecommunications and transportation. In 2014, the latest year for which data is available, Partnership members contributed more than five percent (\$900 billion) of the national Gross Domestic Product, 19 percent (\$254 billion) of the Gross State Product of New York and 24 percent (\$158 billion) of the Gross City Product of New York City.¹ Partnership members also employed more than four percent (7 million) of the workforce in the United States, as well as 14 percent (1.5 million) in New York State and 17 percent (839,000) in New York City.²
5. Our membership appreciates the business need for diversity in the workplace, recognizing that it enables them to best serve their increasingly diverse customers and clients. Companies understand that a diverse workforce enhances corporate performance, drives growth and allows them to be competitive in attracting the best talent. Many of the Partnership's members are at the forefront of efforts to eliminate discrimination in hiring, promotion and compensation.
6. There are nearly 42,000 grantees of the Deferred Action for Childhood Arrivals program ("DACA") in New York State,³ 30,000 of whom are in New York City.⁴ Many Fortune 500 companies employ DACA recipients. Partnership members comprise 10 percent of the Fortune 500 and New York City is home to the most Fortune 500 headquarters of any U.S. city.⁵

¹ PwC, *Contributions of the Partnership for New York City Members to the New York City, State, and U.S. Economies* (March 2015).

² *Id.*

³ N.Y. State Office of the Att'y Gen., *A.G. Schneiderman Files Lawsuit To Protect Dreamers and Preserve DACA* (September 6, 2017)..


⁴ Laura Figueroa and Ivan Pereira, *DACA Recipients, Allies in NYC Protest Trump's Repeal of Program*, amNY (September 6, 2017).

⁵ Fortune, *Fortune 500* (2017), available at <http://fortune.com/fortune500/list/>.

7. Partnership member companies depend on New York City's position as a global center of commerce and economic opportunity. This requires a strong New York economy. Ending DACA would cost an estimated \$2.6 billion in lost Gross Domestic Product each year in New York State.⁶ Our members depend on the public safety, sanitation, transportation and other services provided by New York State and New York City and funded by state and local taxes. DACA recipients contribute \$140 million of these funds annually.⁷
8. Currently, 44 percent of New York City's private sector employees are foreign-born.⁸ The Partnership believes that ending DACA would be a signal to the rest of the world that America is no longer a place that embraces talent, hard work and the energy of immigrants. That message would harm the efforts of our member companies to recruit talented employees with diverse skills from across the globe and make it more difficult for New York companies to compete with foreign companies. Furthermore, losing New York's DACA recipients will create a significant burden on the businesses in which they work. The cost to recruit, hire and train their replacements would be considerable.

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

Executed this 3rd day of October 2017.



Kathryn Wylde

⁶ Nicole Prchal Svajlenka, Tom Jawetz, & Angie Bautista-Chavez, Ctr for Am. Progress, *A New Threat to DACA Could Cost States Billions of Dollars* (July 21, 2017), available at <https://www.americanprogress.org/issues/immigration/news/2017/07/21/436419/new-threat-daca-cost-states-billions-dollars/>.

⁷ Misha E. Hill & Meg Wiehe, Inst. on Taxation & Econ. Policy, *State & Local Tax Contributions of Young Undocumented Immigrants* (April 2017), available at <https://itep.org/wp-content/uploads/2017DACA.pdf>.

⁸ U.S. Census Bureau, *American Community Survey* (2015).

EXHIBIT 175

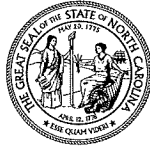


Exhibit 6 to
Thomas Declaration

State of North Carolina

ROY COOPER
ATTORNEY GENERAL

Department of Justice
PO Box 629
Raleigh, North Carolina
27602

REPLY TO: Grayson G. Kelley
(919) 716-6400
FAX: (919) 716-0135

January 17, 2013

J. Eric Boyette
Acting Commissioner
Division of Motor Vehicles
3101 Mail Service Center
Raleigh, North Carolina 27699-3101

Dear Commissioner Boyette:

Former Commissioner Michael Robertson has asked this office for a legal opinion as to whether, under North Carolina law, drivers licenses can be issued to individuals who have been granted deferred action under the Deferred Action for Childhood Arrivals ("DACA") program announced by the Department of Homeland Security on June 15, 2012. Commissioner Robertson's letter states the Division of Motor Vehicles ("DMV") will not issue licenses to individuals participating in the DACA program unless North Carolina law requires them to be issued.

North Carolina's Uniform Driver's License Act is codified as Chapter 20, Article 2 of the North Carolina General Statutes. General provisions concerning the issuance of driver's licenses are set out in N.C. Gen. Stat. §20-7. Subsection (b1) of that section contains the requirements for a license application, which must include proof of residency in the state and the applicant's valid social security number. Subsections (b3) and (b4) describe types of documentation that are considered acceptable proof of residency.

Subsection (f), which delineates the requirements for duration and renewal of licenses, states that a license of shorter than normal duration should be issued "when the applicant holds valid documentation issued by, or under the authority of, the United States government that demonstrates the applicant's legal presence of limited duration in the United States. In no event shall a license of limited duration expire later than the expiration of the authorization for the applicant's legal presence in the United States." Subsection (s) further states, in part:

(s) Notwithstanding the requirements of subsection (b1) of this section that an applicant present a valid social security number, the Division shall issue a drivers license of limited duration, under subsection (f) of this section, to an applicant

Commissioner J. Eric Boyette
January 17, 2013
Page 2

present in the United States who holds valid documentation issued by, or under the authority of, the United States government that demonstrates the applicant's legal presence of limited duration in the United States if the applicant presents that valid documentation and meets all other requirements for a license of limited duration.

These provisions, read together, reflect a legislative intent that, assuming all other statutory requirements are met, DMV is required to issue licenses of limited duration to applicants presenting valid documentation demonstrating the applicant's legal presence of limited duration in the United States. It is therefore necessary to review the legal posture of individuals participating in the DACA program to respond to the question posed.

The DACA program was initiated through a policy directive dated June 15, 2012, from Director of Homeland Security Janet Napolitano to U.S. Customs and Border Protection, U.S. Citizenship and Immigration Services and U.S. Immigration and Customs Enforcement regarding the exercise of prosecutorial discretion in the enforcement of immigration laws against certain young people brought to the United States as children. Under the criteria established, individuals who came to the United States under the age of sixteen and are presently under the age of thirty; have continuously resided in the United States for five years; are currently in school, graduated from high school, or an honorably discharged veteran; have not been convicted of any serious criminal offense; and meet several other requirements are now eligible for classification as low priority individuals for whom removal action will be deferred for two years. Individuals who are approved for deferred action under the DACA program may also apply for employment authorization in accordance with 8 C.F.R. §274a.12 and a Social Security number and card. Deferred action under the DACA program does not provide lawful, permanent, immigrant status or lawful nonimmigrant status such as a tourist visa. See U.S. Citizenship and Immigration Services, "Frequently Asked Questions About DACA" - Questions 1, 6 and 7.

The specific question posed is whether individuals accorded deferred status pursuant to the DACA program, and present valid documentation issued by the United States government that demonstrates "legal presence of limited duration in the United States," must be issued a North Carolina drivers license of limited duration in accordance with N.C. Gen. Stat. §20-7(s). Based upon our review of the historical background and legal concepts applicable to prosecutorial discretion and deferred status in the enforcement of immigration laws, we believe that individuals who present documentation demonstrating a grant of deferred action by the United States government are legally present in the United States and entitled to a drivers license of limited duration, assuming all other criteria are met.

Commissioner J. Eric Boyette
January 17, 2013
Page 3

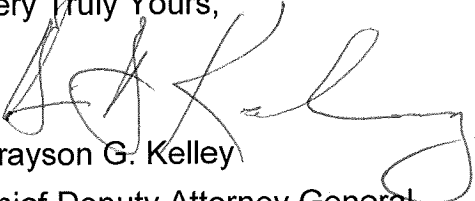
This conclusion should not be construed to suggest that individuals granted deferred status under the DACA program have “lawful status” in the United States. Lawful immigration status is generally understood to refer to specific formal classifications for immigrants who have been granted permanent resident status, or temporary, non-immigrant status for certain purposes. Secretary Napolitano’s memorandum, in fact, specifically states: “This memorandum confers no substantive right, immigration status or pathway to citizenship.”

There exists, however, a recognized legal distinction in immigration law between “lawful status” and “lawful presence.” See U.S. Citizenship and Immigration Services, “Frequently Asked Questions” - Question 6 (“There is a significant difference between “unlawful presence” and “unlawful status”). Formal lawful immigration status is generally considered to refer to specific classifications through which individuals are granted permanent immigrant status; temporary permission to be in the United States for specified purposes; or other limited classifications established by law. Deferred status, on the other hand, is a grant of permission to remain in the country for a specified period of time without receiving formal immigration status. The grant of deferred status therefore establishes lawful presence for the period of deferment. An informative description of this distinction is included in the Expert Report and Declaration of Former Immigration and Naturalization Service General Counsel Bo Cooper, and that of Professor Stephen W. Yale-Loehr, which were prepared in connection with the lawsuit *Arizona Dream Act Coalition, et al. v. Brewer, et al.* (U.S. District Court for the District of Arizona, No. 2:12-cv-02546-DGC).

It is therefore our opinion that individuals who have been granted deferred action under the Deferred Action for Childhood Arrivals policy directive are lawfully present in the United States during the period of deferment. As such, N.C. Gen. Stat. §20-7(s), which states that DMV shall issue a drivers license of limited duration to persons who present valid documentation demonstrating deferment and meet all other statutory requirements, requires that such licenses be issued.

Please contact me if we can provide additional assistance.

Very Truly Yours,



Grayson G. Kelley
Chief Deputy Attorney General

GGK/ml

EXHIBIT 176

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

Pursuant to 28 U.S.C. § 1746(2), I, Judy Kennedy, hereby declare as follows:

1. I am the Mayor of the City of Newburgh (the “City”), with offices at City Hall, 83 Broadway, Newburgh, NY. I have been the City’s Mayor since January 1, 2012.
2. The City of Newburgh is located in the Hudson Valley region of New York State, and is home to approximately 28,200 residents, according to the U.S. Census Bureau.
3. The City has significantly benefited both socially and economically from its diverse immigrant population. Approximately 25% of the City’s residents are foreign-born. These residents live, work, go to school and meaningfully contribute to the Newburgh community.
4. The City of Newburgh has long been committed to maintaining an inclusive and welcoming community for all its residents, regardless of immigration status. For example, in March 2017, the City Council of Newburgh passed a resolution declaring the City a “Safe and Welcoming” jurisdiction, meaning that our local police department and government will not do more than is legally required to enforce federal immigration law.
5. On September 5, 2017, the Department of Homeland Security announced that it would end the Deferred Action for Childhood Arrival (“DACA”) program. Terminating DACA will have a profound irreparable impact on the City of Newburgh.
6. I know of at least 24 DACA recipients who currently live, work, or attend school in the City of Newburgh. The City is likely home to many other DACA.
7. Several DACA recipients attend public school in the Newburgh Enlarged City School District. I am aware of DACA recipients at the local high school who are high achieving, who volunteer with local non-profits, and who plan to attend college and pursue careers in healthcare and education.
8. Without DACA, these students will find it more difficult to pursue these goals. They will have difficulty obtaining financial aid for college, and obtaining internships and employment to further their careers. Terminating DACA may lead these students to forgo college altogether.
9. Moreover, terminating DACA will prevent these students from working at non-profits to improve their communities, and may separate these students from their school

communities. The City of Newburgh has an interest in reaping the benefits of a diverse and inclusive community.

10. I know of at least one DACA recipient in the City of Newburgh who currently works in public service, specifically in education. Without DACA that individual would no longer be eligible to work for community, and her employer, a public entity that spent time and resources to train her, would lose the benefit of her services.
11. In addition, DACA recipients in Newburgh work in a variety of additional sectors. Among others, DACA recipients in Newburgh work in healthcare, construction and education.
12. In Newburgh the healthcare, construction and education sectors has a substantive impact on the local economy. In addition, DACA recipients work at non-profits that work hard to improve the Newburgh community and ensure justice for all the City's residents.
13. These sectors in Newburgh depends on highly trained and qualified employees. With the termination of DACA, DACA recipients will no longer have work authorization. Employers in healthcare, construction and education will thus lose the services of the highly qualified and trained DACA recipients currently working in those sectors. Moreover, the applicant pool for those sectors will also lose qualified and trained applicants.
14. Losing trained and qualified staff in these industries will not only hurt the particular companies in those sectors, it will also harm the economic outlook of the City of Newburgh.
15. The DACA recipients working in Newburgh earn incomes on which they pay local income taxes. Terminating the DACA program, will result in the loss of this tax income to the City of Newburgh.
16. Moreover, DACA recipients in Newburgh own homes, and pay local property taxes on those properties.
17. Beyond the detrimental economic impact, the DACA rescission would have a destructive effect on the social fabric of the City of Newburgh. Immigrants, including DACA recipients, live throughout Newburgh's various neighborhoods and communities.

18. Termination of the DACA program may result in the relocation of DACA recipients, now subject to deportation, from Newburgh. Several DACA recipients in Newburgh are part of mixed-status families, in which a DACA recipient is the parent, spouse or sibling to a U.S. Citizen. In some cases the DACA recipient is the primary caregiver. The termination of DACA will likely threaten the stability of these mixed-status families.
19. Moreover, rescinding the DACA program may result in the fracturing of communities as residents flee or become subject to federal government deportation.
20. Thus, rescinding DACA will negatively impact economic growth, reduce tax revenues, harm the City's interest in diversity and inclusion, and threaten the stability of families and communities in the City of Newburgh.

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

Executed on this 3 day of October, 2017.

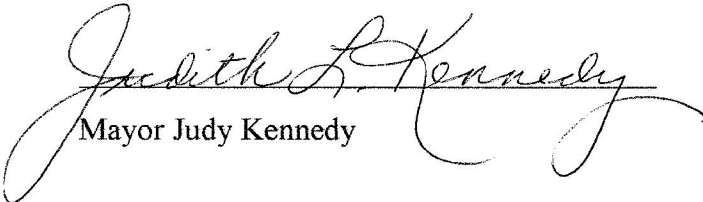

Mayor Judy Kennedy

EXHIBIT 177



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

June 29, 2017

The Honorable Jeff Sessions
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Re: *Texas, et al. v. United States, et al.*, No. 1:14-cv-00254 (S.D. Tex.)

Dear Attorney General Sessions:

The State plaintiffs that successfully challenged the Obama Administration's DAPA and Expanded DACA programs commend the Secretary of Homeland Security for issuing his June 15, 2017 memorandum rescinding, in large part, his predecessor's November 20, 2014 memorandum creating those DAPA and Expanded DACA programs.

As you know, this November 20, 2014 memorandum creating DAPA and Expanded DACA would have granted eligibility for lawful presence and work authorization to over four million unlawfully present aliens. Courts blocked DAPA and Expanded DACA from going into effect, holding that the Executive Branch does not have the unilateral power to confer lawful presence and work authorization on unlawfully present aliens simply because the Executive chooses not to remove them. Rather, "[i]n specific and detailed provisions, the [Immigration and Nationality Act] expressly and carefully provides legal designations allowing defined classes of aliens to be lawfully present." *Texas v. United States*, 809 F.3d 134, 179 (5th Cir. 2015), *aff'd by an equally divided court*, 136 S. Ct. 2271 (2016) (per curiam). "Entirely absent from those specific classes is the group of 4.3 million illegal aliens who would be eligible for lawful presence under DAPA." *Id.* Likewise, "[t]he INA also specifies classes of aliens eligible and ineligible for work authorization . . . with no mention of the class of persons whom DAPA would make eligible for work authorization." *Id.* at 180-81. Thus, "DAPA is not authorized by statute," *id.* at 184, and "DAPA is foreclosed by Congress's careful plan," *id.* at 186.



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

For these same reasons that DAPA and Expanded DACA's unilateral Executive Branch conferral of eligibility for lawful presence and work authorization was unlawful, the original June 15, 2012 DACA memorandum is also unlawful. The original 2012 DACA program covers over one million otherwise unlawfully present aliens. *Id.* at 147. And just like DAPA, DACA unilaterally confers eligibility for work authorization, *id.*, and lawful presence without any statutory authorization from Congress.¹

Nevertheless, the Secretary of Homeland Security's June 15, 2017 memorandum provided that "[t]he June 15, 2012 DACA memorandum, however, will remain in effect," and some "Expanded DACA" permits will also remain in effect.

We respectfully request that the Secretary of Homeland Security phase out the DACA program. Specifically, we request that the Secretary of Homeland Security rescind the June 15, 2012 DACA memorandum and order that the Executive Branch will not renew or issue any new DACA or Expanded DACA permits in the future. This request does not require the Executive Branch to immediately rescind DACA or Expanded DACA permits that have already been issued. This request does not require the Secretary to alter the immigration enforcement priorities contained in his separate February 20, 2017 memorandum.² And this request does not require the federal government to remove any alien.

If, by September 5, 2017, the Executive Branch agrees to rescind the June 15, 2012 DACA memorandum and not to renew or issue any new DACA or Expanded DACA permits in the future, then the plaintiffs that successfully challenged DAPA and Expanded DACA will voluntarily dismiss their lawsuit currently pending in the Southern District of Texas. Otherwise, the complaint in that case will be amended to challenge both the DACA program and the remaining Expanded DACA permits.

¹ *See, e.g.*, USCIS, DACA Frequently Asked Questions, <https://www.uscis.gov/humanitarian/consideration-deferred-action-childhood-arrivals-process/frequently-asked-questions> (last visited June 29, 2017) (DACA recipients "are considered to be lawfully present").

² *See* DHS, Enforcement of Immigration Laws to Serve the National Interest, https://www.dhs.gov/sites/default/files/publications/17_0220_S1_Enforcement-of-the-Immigration-Laws-to-Serve-the-National-Interest.pdf.



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

We appreciate the opportunity to continue working with you, and the entire Presidential Administration, to cooperatively enforce federal immigration laws.

Sincerely,

Handwritten signature of Ken Paxton in blue ink.

Ken Paxton
Attorney General of Texas

Handwritten signature of Jeff Landry in blue ink.

Jeff Landry
Attorney General of Louisiana

Handwritten signature of Steve Marshall in black ink.

Steve Marshall
Attorney General of Alabama

Handwritten signature of Doug Peterson in blue ink.

Doug Peterson
Attorney General of Nebraska

Handwritten signature of Leslie Rutledge in black ink.

Leslie Rutledge
Attorney General of Arkansas

Handwritten signature of Alan Wilson in black ink.

Alan Wilson
Attorney General of South Carolina

Handwritten signature of Lawrence G. Wasden in black ink.

Lawrence G. Wasden
Attorney General of Idaho

Handwritten signature of Herbert Slatery III in black ink.

Herbert Slatery III
Attorney General and Reporter of
Tennessee

Handwritten signature of C.L. "Butch" Otter in black ink.

C.L. "Butch" Otter
Governor of Idaho

Handwritten signature of Patrick Morrissey in black ink.

Patrick Morrissey
Attorney General of West Virginia

Handwritten signature of Derek Schmidt in black ink.

Derek Schmidt
Attorney General of Kansas

EXHIBIT 178

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

RECEIPT NUMBER [REDACTED]		CASE TYPE I821D CONSIDERATION OF DEFERRED ACTION FOR CHILDHOOD ARRIVALS	
RECEIPT DATE November 19, 2014	PRIORITY DATE	APPLICANT [REDACTED]	
NOTICE DATE July 15, 2017	PAGE 1 of 1		
[REDACTED]		Notice Type: Notice of Action	

This notice is to advise you of action taken on this case. The official notice has been mailed according to the mailing preferences noted on the Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative. Any relevant documentation was mailed according to the specified mailing preferences.

IF YOU HAVE ALREADY SUBMITTED YOUR REQUEST TO RENEW DEFERRED ACTION UNDER DACA, PLEASE DISREGARD THIS NOTICE.

Our records indicate that U.S. Citizenship and Immigration Services (USCIS) granted DACA in your case and that your current period of deferred action will expire in less than 180 days. If you wish to avoid a lapse in your period of deferred action and employment authorization, you must file a DACA renewal request with USCIS between 150 days and 120 days before the expiration date located on your current Form I-797 DACA approval notice and Employment Authorization Document (EAD). Form I-821D, Consideration of Deferred Action for Childhood Arrivals, was recently updated to allow for renewal filings and is available online at <http://www.uscis.gov/i-821d>. This form must be completed, properly signed and accompanied by a Form I-765, Application for Employment Authorization, and Form I-765WS, I-765 Worksheet.

Please be aware that if your current period of deferred action expires before you receive a renewal of DACA, you will accrue unlawful presence and will not be authorized to work. If you have not already done so, USCIS encourages you to submit your renewal request as soon as possible.

Deferred action is a discretionary determination to defer removal action of an individual as an act of prosecutorial discretion and each case will be considered on an individual, case-by-case basis. USCIS will notify you of its decision in writing.

For additional information on DACA, including documentation requirements for renewal or to download the required forms, please visit www.uscis.gov/childhoodarrivals. If you have already filed your renewal request with USCIS, please disregard this notice. You can check your case status online by visiting <https://egov.uscis.gov/cris/Dashboard.do>.

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EXHIBIT 179



School Leader’s Guide to the 2017 Accountability Determinations

This guide is intended to help district and school leaders understand Massachusetts’ accountability measures, and provides an explanation of the information contained in 2017 district and school accountability reports. For questions, please call (781) 338-3550 or email esea@doe.mass.edu.

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Overview of Massachusetts' accountability measures

In February 2012, Massachusetts was granted flexibility from certain No Child Left Behind (NCLB) requirements. Prior to seeking this flexibility, the Commonwealth's districts and schools were assessed based on both the state's five-level framework for accountability and assistance and the requirements of NCLB. The 2012-13 school year marked the first year of Massachusetts' implementation of a unified system for classifying districts and schools.

Massachusetts' accountability system measures each district and school's progress toward the goal of reducing proficiency gaps by half between the 2010-11 and 2016-17 school years. Massachusetts uses the Progress and Performance Index (PPI) and school percentiles to classify schools into one of five accountability and assistance levels. Schools making sufficient progress toward narrowing proficiency gaps are classified into Level 1, while the state's lowest performing schools are classified into Levels 4 and 5.

Changes to 2017 accountability reporting

In November 2015, the Board of Elementary and Secondary Education voted to launch development of the next-generation student assessment program for Massachusetts, building upon the best elements of the legacy MCAS (Massachusetts Comprehensive Assessment System) and PARCC (Partnership for Advancement of Readiness for College and Careers) tests that were previously administered. In spring 2017, Massachusetts schools administered Next-Generation MCAS assessments in English language arts (ELA) and mathematics for the first time to all students in grades 3-8.

Anticipating the shift to the new assessment, the Board's vote included the requirement that districts and schools administering Next-Generation MCAS assessments in grades 3-8 in spring 2017 would not have their accountability results negatively impacted based on those test scores. That decision is reflected in the amended state accountability regulations¹ that the Board adopted at its [April 2017 meeting](#). The regulations allow ESE to refrain from placing certain schools into Levels 1-3 at the beginning of the 2017-18 school year, as described in detail below.

Accountability determinations for schools and districts administering Next-Generation MCAS assessments

The amended regulations change the way accountability determinations are made for districts and schools that administered 2017 Next-Generation MCAS tests in grades 3-8. Also impacted are those districts and schools that serve a combination of grades 3-8 and 9-12 (e.g., middle/high schools or K-12 schools that administered Next-Generation MCAS tests in grades 3-8 *and* legacy MCAS tests in grade 10).

¹ Among other matters, the regulations (*603 CMR 2.00: Accountability and Assistance for School Districts and Schools*) describe Massachusetts' framework for district accountability and assistance and the process for placing schools into Levels 1-5.

Classification of schools

Schools administering Next-Generation MCAS tests are assigned a 2017 accountability and assistance level according to the following rules:

- *Schools with assessment participation rates below 90 percent are placed into Level 3.* Participation rates are calculated separately for English language arts (ELA), mathematics, and science for schools and subgroups that enroll 20 or more students in tested grades, and include student participation in MCAS and ACCESS for English language learners (ELLs) tests. In 2017, participation is calculated two ways for use in accountability determinations. First, the 2017 participation rate for each subgroup in each subject area test is calculated. If the actual 2017 participation rate is lower than 90 percent for any group in any subject, that rate is compared to the average of the most recent two years of assessment participation data for that group and subject. The higher of the two resulting rates is factored into the school's 2017 accountability determination.
- *Schools that serve a combination of grades 3-8 and 9-12 that have persistently low graduation rates are placed into Level 3.* "Persistently low" is defined as a 2016 four-year cohort graduation of less than 67 percent and 2015, 2014, and 2013 five-year cohort graduation rates of less than 70 percent. This applies to the school as a whole and to individual subgroups.
- *Current Level 4 and Level 5 schools that administered the new assessment that meet the required exit criteria in 2017 are eligible to be exited, but will not be assigned a new accountability and assistance level.* Level 4 and 5 schools that do not meet exit criteria will maintain their accountability and assistance level. New Level 4 and Level 5 school designations may still be made at the discretion of the Commissioner of Elementary and Secondary Education.

All other schools that administered Next-Generation MCAS tests that meet participation and graduation rate requirements are not assigned an accountability and assistance level, school percentile, or PPI. Accountability determinations for schools that administered Next-Generation MCAS tests in 2017 are presented in the table below.

Table 1: 2017 School classifications and potential reasons

Level	Reason	Description
No level	<i>Students in grades 3-8 participated in 2017 Next Generation MCAS tests</i>	Schools administering the Next-Generation MCAS assessment in grades 3-8 that do not otherwise meet the criteria for Levels 3-5
Level 3	<i>Very low assessment participation (less than 90%)</i>	Schools with less than 90 percent participation for any group in any subject that do not otherwise meet the criteria for classification into Levels 4-5
	<i>Persistently low graduation rates for one or more groups</i>	Schools in which one or more groups in the school has a 2016 four-year cohort graduation of less than 67 percent and 2015, 2014, and 2013 five-year cohort graduation rates of less than 70 percent that do not otherwise meet the criteria for classification into Levels 4-5
Level 4	<i>Among lowest achieving and least improving schools</i>	Schools classified into Level 4 by the Commissioner
Level 5	<i>Chronically underperforming school</i>	Schools classified into Level 5 by the Commissioner

Classification of districts

Districts that administered Next-Generation MCAS tests in grades 3-8 will not be assigned an accountability and assistance level in 2017, with the following exceptions:

- *Districts with assessment participation rates below 90 percent are placed into Level 3.* Participation rates are calculated separately for ELA, mathematics, and science for districts and subgroups that enroll 20 or more students in tested grades, and include participation in MCAS and ACCESS for ELLs tests. The same two-step approach to calculating school-level participation rates is also applied to district participation.
- *Districts that were previously classified into Level 4 or Level 5 by the Board of Elementary and Secondary Education will maintain their designation until further action is taken by the Board.* New Level 4 and Level 5 designations may still be made at the discretion of the Board.

District accountability determinations for 2017 are presented in the table below.

Table 2: 2017 District classifications and potential reasons

Level	Reason	Description
No level	<i>Students in grades 3-8 participated in 2017 Next Generation MCAS tests</i>	Districts administering the Next-Generation MCAS assessment in grades 3-8 that do not otherwise meet the criteria for Levels 3-5
Level 3	<i>Very low assessment participation (less than 90%)</i>	Districts with less than 90 percent participation for any group in any subject that do not otherwise meet the criteria for classification into Levels 4-5
Level 4	<i>Underperforming district</i>	Districts classified into Level 4 by the Board
Level 5	<i>Chronically underperforming district</i>	Districts classified into Level 5 by the Board

Accountability determinations for high schools

Accountability reporting for schools in which the only tested grade is grade 10 (hereafter referred to as “high schools”) and any school that did not administer Next-Generation MCAS assessments in 2017 remains unchanged. Progress and performance index (PPI) data, school percentiles, accountability and assistance levels, and other related accountability indicators are reported according to normal rules, as described in the remainder of this document.

Progress and Performance Index (PPI)

The PPI combines information about narrowing proficiency gaps, growth, and graduation and dropout rates into a number between 0 and 100. A PPI of 75 or higher indicates that a group or school is on track toward meeting its proficiency gap-narrowing goals. All high schools and groups with sufficient data are assigned an annual PPI based on two years of data and a cumulative PPI based on at least three annual PPIs. The cumulative PPI generally represents a performance trend over four years.

Reporting groups

High school accountability reports include PPIs for the “all students” group and for eleven subgroups, including: high needs students, economically disadvantaged students, students with disabilities, current and former English language learners (ELLs), and up to seven racial and ethnic groups.

The Massachusetts Department of Elementary and Secondary Education (ESE) began reporting data for the economically disadvantaged subgroup in 2015. Unlike the low income subgroup, which was reported through 2014 and was determined based on a student’s eligibility for free or reduced-price lunch, the economically disadvantaged group only includes those students who participate in one or more of the following state-administered programs: the Supplemental Nutrition Assistance Program (SNAP); Transitional Assistance for Families with Dependent Children (TAFDC); the Department of Children and Families’ (DCF) foster care program; and MassHealth (Medicaid). Students in the economically disadvantaged subgroup are also included in the high needs subgroup.

The high needs group is an unduplicated count of all students in a school or district belonging to at least one of the following individual subgroups: students with disabilities, ELL and Former ELL students, and economically disadvantaged students. The inclusion of the high needs group in accountability determinations holds more schools accountable for the performance of students belonging to historically disadvantaged groups.

If a particular student group does not meet the minimum size (20 students in the aggregate or for a given subgroup), a PPI will not be reported for that group. ESE determines student groups based on enrollment information provided by districts through the [Student Information Management System \(SIMS\)](#) data collection process.

Annual PPI

Indicators and targets

A high school or subgroup’s annual PPI is a measure of improvement toward its own targets over a two-year period on up to seven core indicators:

- *Narrowing proficiency gaps in English language arts (ELA), mathematics, and science:*

A school or subgroup’s “proficiency gap” is the distance between the group’s 2011 Composite Performance Index (CPI) and a CPI of 100. The goal for all schools and groups is to halve that gap in the six-year period between 2011 and 2017.

The CPI is a 100-point index that assigns 100, 75, 50, 25, or 0 points to each high school student participating in MCAS and MCAS-Alternate Assessment tests based on their achievement. The CPI is a measure of the extent to which all students are progressing toward proficiency. When all students in a group score Proficient or Advanced, the group’s CPI will be 100. CPIs are generated separately for ELA, mathematics, and science, and at all levels – state, district, school, and subgroup. The CPI is calculated by first multiplying the number of students at each MCAS/MCAS-Alt achievement level by the number of points corresponding to that level. The total points for each achievement level are then added together, and divided by the total number of students in the group. The result is a number between 0 and 100, which constitutes the CPI for that subject and group. The table below shows a sample CPI calculation for a group of 40 students.

Table 3: Sample CPI calculation

MCAS Achievement Level (Scaled Score Range)	MCAS-Alt Achievement Level	Points per Student	# of Students	Total Points
<i>Proficient or Advanced</i> (240-280)	<i>Progressing</i> (certain disabilities) ²	100	25	2500
<i>Needs Improvement – High</i> (230-238)	<i>Progressing</i> ³ or <i>Emerging</i>	75	5	375
<i>Needs Improvement – Low</i> (220-228)	<i>Awareness</i>	50	5	250
<i>Warning/Failing – High</i> (210-218)	<i>Portfolio Incomplete</i>	25	4	100
<i>Warning/Failing – Low</i> (200-208)	<i>Portfolio not Submitted</i>	0	1	0
		Total	40	3225
		CPI (3225 ÷ 40)		80.6

Table 4 below demonstrates how to calculate the proficiency gap-narrowing targets for two sample student groups. Group 1’s starting point is a 2011 baseline CPI of 64. A CPI of 100 represents

² Students with the following disabilities who score *Progressing* on MCAS-Alt may be awarded 100 CPI points: Intellectual, Sensory/Deaf and Blind, Multiple Disabilities, Autism, and Developmental Delay

³ Students with the following disabilities who score *Progressing* on MCAS-Alt may be awarded 75 CPI points: Sensory/Hard of Hearing or Deaf, Communication, Sensory/Vision Impairment or Blind, Emotional, Physical, Health, Specific Learning Disabilities, Neurological

proficiency for all students in the group. Therefore, the group’s proficiency gap is represented by 100 minus 64, or 36 CPI points. Half of that figure is 18 points. The state goal is to halve proficiency gaps by the 2016-17 school year; consequently, the CPI for Group 1 must, at a minimum, increase by 3 points each year to be on track toward a CPI of 82 by 2016-17 ($64 + 18 = 82$). A similar calculation is also shown for Group 2.

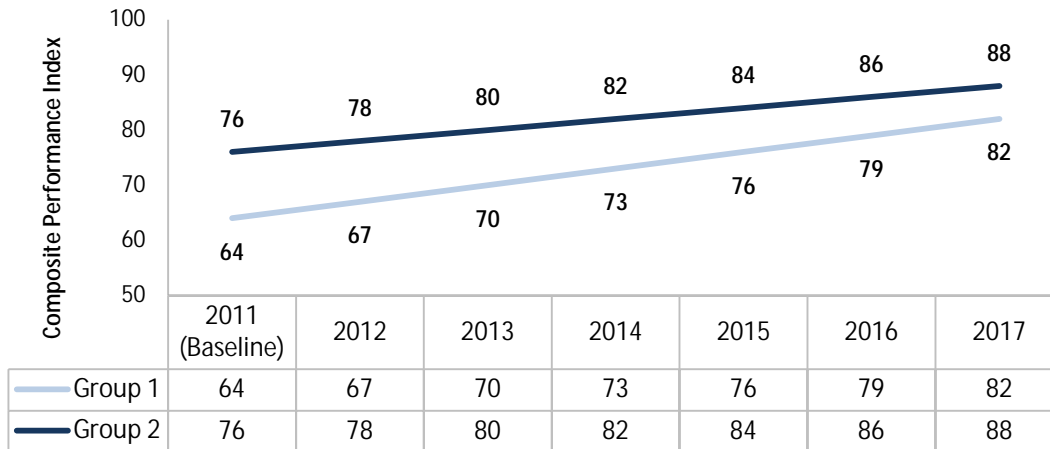
Table 4: Sample proficiency gap-narrowing target calculation

Calculating the gap-narrowing target	Group 1	Group 2
1. Obtain the group’s 2011 CPI (the baseline for the 2017 target)	64	76
2. Calculate the proficiency gap (100 minus 2011 CPI)	36	24
3. Calculate the gap-narrowing target (proficiency gap divided by 2)	18	12
4. Calculate the 2017 target (2011 CPI plus gap-halving target)	82	88
5. Calculate annual targets* (gap-halving target divided by 6 years)	3	2

* A group’s annual targets between 2011 and 2017 are fixed; interim targets between 2011 and 2017 are not adjusted based on the group’s actual achievement across those years.

Table 5 provides a visual representation of the student achievement targets calculated for both groups in Table 4 above. Note that if both groups successfully halve proficiency gaps in six years, the distance between the groups – the achievement gap – will also be reduced by half.

Table 5: Sample proficiency gap-narrowing targets



Growth in ELA and mathematics:

All high schools and subgroups are expected to demonstrate growth in student achievement each year between 2011 and 2017. ESE uses median Student Growth Percentiles (SGPs) to measure how achievement for a group of students has grown or changed over time.

ESE reports transitional SGPs for schools that administered ELA and mathematics PARCC tests in 2015 and 2016. Transitional SGPs are calculated separately for ELA and mathematics, and are used in the calculation of state, district, school, and subgroup results. Transitional SGPs measure the growth of all grade 10 students who took MCAS in spring 2017 based on the grade 8 MCAS and PARCC scores of their academic peers.

The goal for all groups is to achieve or exceed a transitional SGP of at least one point above the historical state median of 50. Groups with a median transitional SGP of 51 or higher receive full credit for this PPI indicator.

Groups can also earn full credit for decreasing the percentage of students who are not proficient by 10 percent or more from the previous year. Known as *Safe Harbor*, this calculation is done separately for ELA and mathematics, and is similar to the extra credit calculation for reducing the percentage of student scoring *Warning/Failing* described later in this document.

- *Cohort graduation rate:*

In 2017, the four-year cohort graduation rate target is 80 percent and the five-year cohort target is 85 percent. For accountability determinations in any given year, the cohort graduation rate from the prior school year is used. For example, 2017 accountability determinations for the four-year rate use data from 2016; determinations for the five-year rate use data from 2015. Graduation rates from 2016 and 2015 cohorts are used in accountability determinations because this allows ESE to use a data set that has been thoroughly reviewed by district and ESE staff. ESE will not have complete graduation rate data for the 2017 cohort until late 2017, after the October SIMS reporting period and the 2017 cohort data review period have closed.

High schools and subgroups will be awarded PPI points if they meet the Commonwealth’s annual targets in a given year for either the four- or five-year cohort graduation rate, whichever is higher. If, in a given year, a group is below the annual target but improves from the prior year by 2.5 percent or more, it will receive partial credit. Graduation rates are only used in PPI calculations for schools serving grades 9-12.

- *Annual dropout rate:*

All high schools and subgroups are expected to halve the gap between their 2010 annual dropout rate, if one exists, and a rate of zero percent by the 2016-17 school year. For accountability determinations in any given year, the annual dropout rate from the prior year is used. For example, 2017 accountability determinations for the dropout rate use data from 2016. A group’s annual target is calculated by halving the group’s 2010 annual dropout rate and dividing by six. Dropout rates are only used in PPI calculations for schools serving grades 9-12.

Table 6: Sample dropout rate target calculation

Calculating the dropout rate target	Group 1
1. Obtain the group’s 2010 dropout rate (the baseline for the 2017 target)	6.0
2. Calculate the 2017 target (2010 rate divided by 2)	3.0
3. Calculate annual targets* (2010 rate divided by 6 years)	0.5

*A group’s annual targets between 2010 and 2017 are fixed; interim targets are not adjusted based on the group’s actual rates across those years.

Awarding PPI points

An annual PPI is calculated for all groups that assessed a sufficient number of students in ELA and mathematics in the most recent year and one of the two prior years. This means that at a minimum, groups must have a sufficient number of students to calculate a CPI in ELA and math.

Groups are awarded 0, 25, 50, 75, or 100 points based on making improvement relative to the group’s own annual target, with a score of 75 considered to be “on target” for a given indicator. The annual PPI is then calculated by dividing the sum of the points earned for all indicators by the number of core indicators (2-7).

Table 7: Awarding PPI points

Points awarded	Rating
100	<i>Above Target</i>
75	<i>On Target</i>
50	<i>Improved Below Target</i>
25	<i>No Change</i>
0	<i>Declined</i>
-	<i>(Insufficient data or not applicable)</i>

Each indicator comprising the PPI has criteria designed to provide credit to high performing schools or schools with high performing groups. For example, a school or group that has a CPI of 97.5 or higher, or met the CPI of the 90th percentile for all groups in the school type category, is automatically awarded 100 PPI points and an “On Target” rating even if the group’s CPI declined from the prior year. Similarly, a school or group with a high graduation rate or a low dropout rate also receives credit.

Extra credit

There are several ways in which a group can earn extra credit toward its annual PPI calculation:

- *Improving student achievement:*

A group is awarded extra credit for reducing the percentage of students scoring *Warning/Failing* and/or by increasing the percentage of students scoring *Advanced* by 10 percent or more on ELA, mathematics, or science MCAS tests.

- *Reengaging dropouts:*

Schools serving high school grades can also earn extra credit points if they reengaged two or more dropouts in the previous school year. The dropout reengagement number is the count of high school dropouts that re-enroll in school for at least two consecutive SIMS collection periods or graduate or obtain a certificate of high school completion. This metric is a calculation of the official number of

high school dropouts⁴ statewide from the previous four school years who returned to school in the 2015-16 school year. The reengaged student is credited to the school that re-enrolls/graduates them regardless of which school the student originally dropped out from. Extra credit points can be earned by the all students and high needs students groups only, and only at the school level.

- *Demonstrating strong growth in English language acquisition:*

Extra credit is available to districts and schools serving English language learners (ELLs) who demonstrate strong growth on the ACCESS for ELLs English language proficiency assessment. With several years of ACCESS results available, student growth percentiles based on ACCESS (SGPAs) can be calculated using the same methodology currently used for student growth percentile (SGP) calculations based on our statewide ELA and mathematics assessments. Median SGPAs provide a clear signal as to how the ELLs in a particular school or district are increasing their English language proficiency compared to other ELLs statewide, with SGPAs of 60 or higher on the 100-point SGPA scale representing particularly strong gains as compared to other ELLs who have similar ACCESS score histories. Extra credit is awarded if the ELL subgroup in the school obtains a median SGPA of 60 or higher. Points are awarded to the ELL subgroup, the high needs subgroup, and the aggregate group. In order to receive this additional credit, the ELL subgroup must meet minimum group size requirements.

Due to a delay in the availability of 2017 data, extra credit points for high growth on the ACCESS for ELLs assessment have not been awarded to any district, school, or group in the preliminary accountability reports. Extra credit points, if earned, will be included in official district and school accountability reports in fall 2017.

An additional 25 points are added to the total number of points for meeting each of these goals – up to 200 points – before dividing by the number of core indicators. Because of the potential to earn extra credit, the annual PPI for a group in a given year may exceed 100 points.

A sample extra credit calculation is in the table below.

Table 8: Sample calculation of change in *Advanced* percentage

Calculating the percent change in students scoring <i>Advanced</i> on MCAS	Value
2016 % Advanced	25.0
2017 % Advanced	28.0
Difference (2017 % minus 2016 %)	3.0
Difference divided by 2016 %	0.12
Percentage change (Answer multiplied by 100)	12.0
Extra credit earned?	Yes

⁴ Dropouts are those students who dropped out of school between July 1 and June 30 of a given year and who did not return to school, graduate, or receive a GED by the following October 1.

Cumulative PPI

A school or subgroup’s cumulative PPI is the average of its annual PPIs over the most recent four year period, weighting recent years the most (1-2-3-4). For a school to be considered to be making progress toward narrowing proficiency gaps, the cumulative PPI for all students and high needs students must be 75 or higher.

A cumulative PPI is calculated for a group if it has at least three annual PPIs, including an annual PPI for the most recent year. If a group is missing an annual PPI for one year, that year is left out of the weighting (e.g., 1-X-3-4). While a group’s annual PPI can exceed 100 points, the cumulative PPI is always reported on a 100-point scale.

Table 9: Sample PPI calculation

Indicators		2014	2015	2016	2017
English Language Arts	Narrowing proficiency gaps (CPI)	50	50	75	100
	Growth (SGP)	0	25	50	75
	Extra credit for decreasing % <i>Warning/Failing</i> (≥ 10%)	0	25	0	0
	Extra credit for increasing % <i>Advanced</i> (≥ 10%)	0	0	25	0
Mathematics	Narrowing proficiency gaps (CPI)	75	50	100	75
	Growth (SGP)	50	50	75	100
	Extra credit for decreasing % <i>Warning/Failing</i> (≥ 10%)	0	0	0	25
	Extra credit for increasing % <i>Advanced</i> (≥ 10%)	0	0	0	0
Science	Narrowing proficiency gaps (CPI)	50	50	50	100
	Extra credit for decreasing % <i>Warning/Failing</i> (≥ 10%)	0	0	25	25
	Extra credit for increasing % <i>Advanced</i> (≥ 10%)	0	0	0	25
High School	Annual dropout rate	75	100	75	100
	Cohort graduation rate	75	75	75	75
	Extra credit for reengaging dropouts (2 or more)	0	0	0	25
English Language Acquisition	Extra credit for high growth on ACCESS for ELLs assessment (Student Growth Percentile on ACCESS)	-	0	0	25
Points awarded for achievement, growth, and high school indicators		375	400	500	625
Points awarded for extra credit		0	25	50	125
Total points awarded		375	425	550	750
Number of achievement, growth, and high school indicators		7	7	7	7
Annual PPI		54	61	79	107
Cumulative PPI (2014*1 + 2015*2 + 2016*3 + 2017*4) ÷ 10		84			

Accountability reporting and the economically disadvantaged subgroup

Since 2015, ESE no longer reports data for the low income student group, and instead reports data for the economically disadvantaged group. Because the State is the early years of using a new system for collecting poverty information, ESE has made a few adjustments to accountability calculations for both the economically disadvantaged and high needs subgroups.

Data related to achievement, improvement, and high school measures are reported for the economically disadvantaged group in 2015, 2016, and 2017. With three years of data for this group, 2016 and 2017 annual PPIs are calculated for any group that meets the minimum group size requirements. However, since the calculation of the cumulative PPI requires at least four years of data, cumulative PPIs for the economically disadvantaged group are not reported in 2017.

In 2015 ESE applied a “hold harmless” provision when calculating the annual PPI for the high needs group. The group’s 2015 data was used to calculate the 2015 annual PPI, which was then compared to the high needs group’s 2014 annual PPI. ESE assigned credit for whichever annual PPI was higher to the high needs group for 2015 and used that value in the 2015 cumulative PPI calculation. A 2015 annual PPI with an asterisk on the group-level detail of the accountability report signals that the 2014 annual PPI was higher than the 2015 annual PPI, and is used for both 2014 and 2015 in the cumulative PPI calculation.

Percentiles

School percentiles

School percentiles (1-99) are reported for high schools with at least four years of data. This number is an indication of the school’s overall performance relative to other schools that serve the same or similar grades. State law requires ESE to classify a school into Level 3 if it is among the lowest performing 20 percent of schools relative to other schools of the same school type (percentiles 1-20).

The role of school types in calculating school percentiles

All schools are classified into one of six school type categories based on the grades served by the school in the most recent year: (1) *Early Elementary*, usually schools ending in grades 1 or 2; (2) *Elementary*, usually schools serving grades K-5 or K-6; (3) *Elementary/Middle*, usually schools serving grades K-8; (4) *Middle*, usually schools serving grades 6-8 or 7-8; (5) *Middle/High or K-12*, usually schools serving grades 7-12 or K-12; and (6) *High*, usually schools serving grades 9-12. These categories are used to calculate percentiles and place schools into Level 3 if they are among the lowest performing 20 percent of schools within that school type category. School percentiles are not calculated for early elementary schools, schools ending in grade 3, or any school that administered the 2017 Next-Generation MCAS tests in grades 3-8.

Calculating school percentiles

A high school must have four years of valid data, meaning that the school must have assessed at least 20 students in the aggregate over the most recent four year period to receive a school percentile. For each high school with valid data, ESE (A) calculates percentile ranks (1-99) for each achievement, improvement, and high school indicator as compared to other schools of the same school type, (B) calculates a mean (average) rank across each of the achievement, improvement, and high school indicators that places progressively more weight on data from more recent years (i.e., 1-2-3-4), (C) standardizes the relative value of the achievement, improvement, and high school means within each school type category so that they are comparable, and (D) combines these means, with the achievement

mean weighted more heavily than the improvement and high school means. A more detailed description of the school percentile calculation can be found in [Appendix B](#) of this document.

Comparing cumulative PPIs and school percentiles

While they share the same indicators (i.e., CPI, growth, graduation and dropout rates, and percent *Warning/Failing* and *Advanced*), school percentiles and cumulative PPIs are calculated differently because they are used for different purposes. The cumulative PPI is used to measure whether a school is on track towards reducing its proficiency gaps. Accordingly, PPI points are awarded to a school based on its *own* improvement toward its *own* state-set targets on each of the PPI indicators. On the other hand, percentiles are used to compare schools to other schools serving the same or similar grades. As such, percentiles are calculated by comparing each of these components for a school to other schools of the same school type. Because high schools are only being compared to other schools within the same school type category, it would not be accurate to use a school percentile to determine where a school falls relative to all other schools in the state.

Every school's percentile and PPI tell a different story. For example, high schools with lower percentiles but higher PPIs for all student groups are showing improvement over time. Schools with higher percentiles but lower PPIs are high performing in relation to other schools, but have more work to do to support student success.

Subgroup percentiles

Subgroup percentiles are used to determine a group's overall performance relative to groups in other schools that serve the same or similar grades. There are two kinds of subgroup percentiles, and both are calculated using the same methodology used to calculate school percentiles. The "in-group" percentile measures a group's overall performance relative to the performance of the same subgroup statewide within the same school type category (e.g., comparing the students with disabilities subgroup in one high school to all other students with disabilities subgroups in high schools statewide). The "all-subgroup" percentile measures a group's overall performance relative to the performance of all subgroups statewide within the same school type category (e.g., comparing the students with disabilities subgroup in one high school to all other subgroups in high schools statewide). Any school with one or more groups having both in-group and all-subgroup percentiles of 20 or lower are eligible for classification as a Level 3 *focus* school.

Framework for accountability and assistance

The state's framework for accountability and assistance is a coherent structure for linking the state's accountability and assistance activities with districts based on their level of need.

Classification of high schools

All high schools with sufficient data, including charter schools, are classified into Levels 1-5, with schools that are meeting their gap-narrowing goals in Level 1 and those that require the most intervention and

assistance in Levels 3, 4, and 5. "Sufficient data" means that, at a minimum, at least 20 students in a school were assessed on ELA and mathematics MCAS tests.

Performance

Approximately eighty percent of high schools are classified into Level 1 or 2 based on the cumulative PPI for all students and high needs students. For a school to be classified into Level 1, the cumulative PPI for all students and high needs students must be 75 or higher. If either or both of these two groups have a cumulative PPI of less than 75, the school is classified into Level 2.

A high school is classified into Level 3 if it is among the lowest performing 20 percent relative to other schools in its school type category statewide as measured by the school percentile, or if one or more subgroups in the school are among the lowest performing 20 percent of subgroups relative to all subgroups statewide. A high school with one or more very low performing subgroups is referred to as a Level 3 *focus* school. The lowest achieving, least improving Level 3 schools are candidates for classification into Levels 4 and 5, the most serious designations in Massachusetts' accountability system. The decision to classify a school into Level 4 or 5 is made by the Commissioner of Elementary and Secondary Education.

A small number of high schools each year are not classified into a level, including very small schools and schools without four years of sufficient data.

Graduation rates

Beyond the performance-based reasons for classifying schools into Levels 1-5, any school serving grade 12 may also be automatically placed into Level 3 if it has persistently low graduation rates for any student group. "Persistently low" is defined as a 2016 four-year cohort graduation of less than 67 percent and 2015, 2014, and 2013 five-year cohort graduation rates of less than 70 percent.

Assessment participation

In 2017, assessment participation is calculated two ways for use in high school accountability determinations. First, the 2017 participation rate for each subgroup in each subject area test is calculated. If the actual 2017 participation rate is lower than 95 percent for any group in any subject, that rate is compared to the average of the most recent two years of assessment participation data for that group and subject. The higher of the two resulting rates is factored into the assignment of the high school's 2017 accountability and assistance level according to the rules below.

Any high school with less than 95 percent participation for any student group on any of the assessments is ineligible for classification into Level 1 and is, at a minimum, classified into Level 2. Any high school with less than 90 percent participation for any student group is ineligible for classification into Levels 1 and 2. For accountability purposes, participation calculations include school and subgroup participation in MCAS and ACCESS for English language learners (ELLs) tests.

Participation requirements for each of the assessments are as follows:

- *Legacy and Next-Generation MCAS:*

State law requires that all students in the tested grades who are educated with Massachusetts public funds participate in grade-level MCAS tests that correspond with the grade in which they are reported to the Department's Student Information Management System (SIMS). This includes students with disabilities, English language learners (ELLs), and out-placed students. As such, any student who is absent for one or more test sessions will be reported as a nonparticipant and will count against the participation calculation in the aggregate and in any subgroup of which the student is a member, with one exception: for students who are in their first year of U.S. schooling, schools have the option of administering ELA MCAS tests to first-year ELL students. However, first-year ELL students must participate in mathematics and science MCAS tests for diagnostic purposes. Their achievement results are not included in accountability calculations.

- *ACCESS for ELLs:*

To comply with federal and state laws, all ELL students are required to participate in the ACCESS for ELLs English language acquisition assessment. ACCESS participation is required for all ELL students in addition to each of the MCAS tests scheduled for their grades, regardless of the program and services they are receiving. This includes first-year ELL students, who may be exempt from ELA MCAS testing in their first year of U.S. schooling. Any students designated in SIMS as an ELL or first-year ELL student that does not take ACCESS will be reported as a nonparticipant and will count against the participation calculation in the aggregate and in any subgroup of which the student is a member.

Table 10: High school classifications and potential reasons

Level	Reason	Description
Insufficient data	<i>Insufficient data</i>	Very small schools or new schools
Level 1	<i>Meeting gap narrowing goals</i>	Schools for which the cumulative PPI for all students and high needs students is 75 or higher that do not otherwise meet the criteria for classification into Levels 2-5
Level 2	<i>Not meeting gap narrowing goals</i>	Schools for which the cumulative PPI for all students and/or high needs students is 74 or lower that do not otherwise meet the criteria for classification into Levels 3-5
	<i>Low assessment participation (less than 95%)</i>	Schools with less than 95 percent participation for any group in any subject that do not otherwise meet the criteria for classification into Levels 3-5
Level 3	<i>Among lowest performing 20% of schools</i>	Schools with school percentiles between 1 and 20 that do not otherwise meet the criteria for classification into Levels 4-5
	<i>Among lowest performing 20% of subgroups</i>	Schools with one or more student subgroups (A) placing in the 20th percentile or lower relative to all subgroups in the state, and (B) placing in the 20th percentile or lower relative to that particular subgroup within the school type category, that do not otherwise meet the criteria for classification into Levels 4-5; designated <i>focus schools</i>
	<i>Among lowest performing 20% of schools and subgroups</i>	Schools meeting both of the above criteria that do not otherwise meet the criteria for classification into Levels 4-5; designated <i>focus schools</i>
	<i>Persistently low graduation rate for one or more groups</i>	Schools in which one or more groups in the school has a 2016 four-year cohort graduation of less than 67 percent and 2015, 2014, and 2013 five-year cohort graduation rates of less than 70 percent that do not otherwise meet the criteria for classification into Levels 4-5
	<i>Very low assessment participation (less than 90%)</i>	Schools with less than 90 percent participation for any group in any subject that do not otherwise meet the criteria for classification into Levels 4-5
Level 4	<i>Among lowest achieving and least improving schools</i>	Level 3 schools classified into Level 4 by the Commissioner
Level 5	<i>Chronically underperforming school</i>	Level 4 schools classified into Level 5 by the Commissioner

Commendation schools

A subset of Level 1 high schools are recognized as *Commendation schools* for their academic accomplishments. Commendation schools are identified for high achievement, high progress, and narrowing proficiency gaps. Schools that administered Next-Generation MCAS tests in grades 3-8 or reconfigured in any of the last four school years are not eligible for a commendation. Commendation schools are identified each fall when official district and school accountability results are released to the public.

Movement between levels

In general, high schools can move between levels from year to year based on their PPIs for all students and high needs students, and their school percentile. A Level 4 or 5 school is designated as such by the

Commissioner of Elementary and Secondary Education, and can only be removed from Level 4 or 5 by the Commissioner. A Level 3 school can move to Level 2 or 1 if its school percentile is greater than 20, unless it is a Level 3 focus school. A Level 3 focus school, identified for the low performance of student subgroups, must meet the following criteria in order to exit Level 3:

- a) the school's aggregate percentile is higher than 20;
- b) identified subgroups have an annual PPI of 75 or higher for the current year;
- c) identified subgroups have an in-group percentile of 21 or higher for the current year; *and*
- d) no other groups in the school have been newly identified as focus groups.

Understanding district and school accountability reports

Accountability reports for the state and its districts and schools are updated annually. They can be found on ESE's [District and School Profiles](#) website.

School accountability reports

Accountability results for schools that administered 2017 Next-Generation MCAS tests in grades 3-8 are reported on a single page. The report gives general information about the school, including: the type of school (e.g., elementary), region, grades served, and Title I status; the school's accountability and assistance level; and the reason for the level classification. Detailed assessment participation rate data are also included for each subgroup and in each subject. School percentiles and cumulative PPI data are not reported for these schools. Once published, data related to the schools' MCAS results can be found on the school's assessment reports on the [School and District Profiles](#) website.

Accountability results for high schools are reported in three layers:

- The first layer gives general information about the school, including: the type of school (e.g., high school), region, grades served, and Title I status; the school's accountability and assistance level and the reason for the level classification; a percentile from 1-99 indicating the school's overall performance relative to other schools that serve the same or similar grades; the cumulative PPI for each group served by the school; and a notation indicating whether the group met or did not meet its PPI target.
- The second layer shows how the annual and cumulative PPIs for a particular group in the school were calculated, the subgroup percentiles for the selected group, and a summary of the group's ELA, mathematics, and science assessment participation rates over the last four years. This information can be accessed by clicking the name of a particular group on the first page of the report.
- The third layer shows detailed data for each indicator that comprises the PPI: narrowing proficiency gaps (ELA, mathematics, and science); growth (ELA and mathematics); the annual dropout rate; the cohort graduation rate; and extra credit (ELA, mathematics, and science achievement, dropout reengagement, and English language acquisition). The third layer also shows detailed ELA, mathematics, and science assessment participation rates for all groups in the school. To view this layer of the report, click the link titled "View Detailed 2017 Data" from the first layer, the link titled "View Detailed 2017 Data for Each Indicator" from the second layer, or the column heading for 2017

from the second layer. Detailed 2014, 2015, and 2016 data can also be accessed by clicking on the individual column headings on the second layer of the report.

District accountability reports

Accountability results for districts will be reported the same way as for schools that administered Next-Generation MCAS tests, with three important differences:

- *Each district's report displays the district's determination of need for special education technical assistance or intervention.* The U.S. Department of Education requires Massachusetts to determine which districts (including single school districts) have specific needs for technical assistance or intervention in the area of special education. A district's determination is based on six categories: *Meets Requirements – Provisional (MRP); Meets Requirements (MR); Meets Requirements – At Risk (MRAR); Needs Technical Assistance (NTA); Needs Intervention (NI); and Needs Substantial Intervention (NSI)*. For 2017 reporting, each district's special education determination has been held constant from 2016. This designation helps signal whether outcomes for all students in the district indicate progress, including that of students with disabilities, or whether technical assistance and/or intervention is needed to improve outcomes for all children, especially students with disabilities.
- *A percentile is not displayed.* ESE currently does not report district percentiles.
- *Summary information for each school in the district is listed at the bottom of the page.* The inclusion of this information allows interested parties to quickly access individual school reports.

In addition, there may also be a difference in some of the figures displayed in the district accountability report from those in the school accountability report(s). District accountability reports typically include data for more students than school reports:

- District reports include the assessment results of all students in the district, including those who are placed in private settings and educational collaboratives for the purpose of receiving special education or other services, while school reports only include students enrolled in the school.
- In some cases, a subgroup in a school may not qualify for an accountability determination because fewer than 20 students in the group were assessed on ELA, mathematics, or science tests, but when the assessment results for all of the students in the group across the district are combined, the group is large enough to be included on the district's report.
- District reports include all students enrolled in the district during the testing window, while calculations for an individual school only include students enrolled in the school as of October 1, 2016 and tested in the same school during the testing window (the period between the March and June SIMS submissions).

District and school reconfigurations and accountability determinations

Each year a number of Massachusetts schools open, close, merge, split, and otherwise change the grades they serve, the typical student populations they serve, and/or their teaching staffs. With less frequency, districts may merge or be newly created. ESE has established business rules that govern how districts and schools that are new or have reconfigured grades are included in the state's accountability

system. In general, ESE aims to ensure that accountability data accurately represent the past and present performance of an organization, and to report accountability data for as many districts and schools as possible in a given year.

ESE uses data from pre-existing districts and schools wherever possible to establish baselines upon which to measure performance and issue accountability determinations. When there is no valid and reliable way to establish baseline data, as in the case of a new Commonwealth charter school, a school is as having “insufficient data” in accountability reporting until such time that sufficient data exist.

Discrepancies and appeals

ESE has a discrepancy reporting system in place which allows districts the opportunity to review their preliminary assessment data for accuracy before it is included in official accountability reports and released to the general public. In certain circumstances, ESE will also consider a school or district’s appeal of their accountability determination.

Discrepancies

Upon the release of the preliminary MCAS and accountability data, principals and schools leaders have the opportunity to review their schools’ data and report potential discrepancies to ESE. Accountability calculations are performed using MCAS data aggregated by ESE’s Student Assessment office. District and school leaders should review their preliminary accountability data with their MCAS and MCAS-Alt data. If a potential MCAS discrepancy is identified and is believed to negatively impact accountability results, it should be reported directly to ESE’s Student Assessment Office and Measured Progress (ESE’s assessment contractor) using the online MCAS discrepancy reporting tool available on the [MCAS Service Center website](#). Before reporting any apparent discrepancies, district and school staff should carefully review the guidance materials posted on ESE’s [accountability](#) and [assessment](#) web pages. The following information is *not* reportable via the MCAS discrepancy reporting tool:

- *ACCESS for ELLs data*. The reporting windows for these data closed in spring 2017; further corrections to these data will not be accepted.
- *Cohort graduation rate data and annual dropout rate data*. The reporting windows for these data closed in winter 2016; further corrections to these data will not be accepted.

The deadline for reporting assessment discrepancies was Thursday, August 24, 2017. Questions regarding MCAS should be directed to ESE’s Student Assessment office at mcas@doe.mass.edu. Questions or concerns regarding preliminary accountability data should be directed to ESE’s accountability reporting staff at esea@doe.mass.edu.

Appeals

Beyond the correction of discrepancies, ESE has established a process for appealing a district or school’s accountability determination. An appeal is a formal request to change an accountability determination that is based on factually correct data. Appeals should *not* be filed if:

- Related assessment discrepancies were previously reported to ESE's Student Assessment office, or
- The acceptance of the appeal will not improve the district or school's accountability and assistance level.

Appeals must be filed by the superintendent or a designee via email to esea@doe.mass.edu. Appeals submitted by September 30, 2017 will likely be addressed prior to the public release of accountability data; appeals filed after September 30 will be addressed when ESE updates official accountability reports in late fall. The final deadline for filing an accountability appeal is Tuesday, October 31, 2017.

Resources

Accountability guidance, lists, & tools	http://www.mass.gov/edu/government/departments-and-boards/ese/programs/accountability/reports/school-and-district-reports.html
Accountability reports	http://profiles.doe.mass.edu/state_report/accountability.aspx
ESE Security Portal	https://gateway.edu.state.ma.us/
School/District Profiles	http://profiles.doe.mass.edu/

Appendix A: Criteria for awarding Progress and Performance Index (PPI) points (high schools only)

Core Indicators (up to 7)				
	(A) Achievement	(B) Growth/Improvement	(C) Cohort Graduation Rate	(D) Annual Dropout Rate
	A1, A2, A3 (ELA, Math, Science)	B1, B2 (ELA, Math)	High Schools	
<i>Above Target (100 Points)</i>	<ul style="list-style-type: none"> CPI of 97.5 or higher; or Met CPI of 90th percentile for all students in the school type category statewide; or Exceeded CPI target by more than 1.25 points 	<ul style="list-style-type: none"> Median SGP of 60 points or higher; or Median SGP improvement of 15 or more points from prior year 	Four-or five-year rate of 95 percent or higher	<ul style="list-style-type: none"> Dropout rate of 0 percent; or Met dropout rate of 90th percentile for all students in the school type category statewide; or Dropout rate of 3 or more percentage points below annual gap-halving target
<i>On Target (75 Points)</i>	<ul style="list-style-type: none"> Within +/- 1.25 points of CPI target; or Met CPI of 90th percentile for the group in the school type category statewide; or Met CPI of 80th percentile for all students in the school type category statewide 	<ul style="list-style-type: none"> Median SGP between 51-59; or 10-14 median SGP point improvement; or Decreased non-proficient percent by 10 percent or more from prior year 	<ul style="list-style-type: none"> Met four-year rate target of 80 percent but was below 95 percent; or Met five-year rate target of 85 percent but was below 95 percent 	<ul style="list-style-type: none"> Met annual gap-halving target; or Met dropout rate of 90th percentile for the group in the school type category statewide; or Met dropout rate of 80th percentile for all students in the school type category statewide
<i>Improved Below Target (50 Points)</i>	Improved from prior year but below CPI target minus 1.25 points	<ul style="list-style-type: none"> Median SGP of 41-50; or 1-9 point median SGP improvement from prior year (reported as Below Target) 	Improvement in the four-year or five-year rate of 2.5 percentage points or more from prior year, but below target	Decrease of more than 0.5 percentage points from prior year, but below annual gap-halving target
<i>No Change (25 Points)</i>	<ul style="list-style-type: none"> No change from prior year; or Up to 2.5 CPI point decline from prior year 	Median SGP of 31-40 (reported as Below Target)	Within +/- 2.5 percentage points of prior four-year or five year rate	Within +/- 0.5 percentage points of prior year rate
<i>Declined (0 Points)</i>	Decline of more than 2.5 CPI points from prior year	Median SGP of 1-30 (reported as Below Target)	Decline of more than 2.5 percentage points from prior year	Increase of greater than 0.5 percentage points

Extra Credit Indicators (up to 7)

	(E) Progress at the Warning/Failing Level	(F) Progress at the Advanced Level	(G) English Language Proficiency	(H) Dropout Reengagement
	E1, E2, E3 (ELA, Math, Science)	F1, F2, F3 (ELA, Math, Science)	(All students, high needs, and ELL/Former ELL only)	High Schools (All students and high needs only)
<i>Met Criteria (+25 Points)</i>	Decrease the percent of students scoring Warning/Failing by 10 percent or more from the prior year	Increase the percent of students scoring Advanced by 10 percent or more from the prior year	Demonstrate high growth on ACCESS for ELLs (SGPA of 60 or higher)	Reengage 2 or more students who dropped out of school in any of the previous four years

Calculating the Annual and Cumulative PPI

Annual PPI Formula:	Cumulative PPI Formula:
Sum of points earned A-H divided by the number of indicators A-D	(Year 1 PPI + Year 2 PPI*2 + Year 3 PPI *3 + Year 4 PPI *4) / 10

Appendix B: Methodology for identifying Level 3, 4, and 5 high schools

State context

In accordance with state law, the Department of Elementary and Secondary Education (ESE) annually classifies the lowest performing 20 percent of schools into Level 3. The lowest achieving, least improving Level 3 schools are candidates for classification into Level 4 or 5, the most serious levels in the state’s accountability system.⁵

Federal context

Some schools are also classified into Level 3 for low subgroup performance or persistently low graduation rates. As a condition of Massachusetts’ flexibility from certain No Child Left Behind (NCLB) requirements, ESE must identify schools with low subgroup performance over four years as well as schools with persistently low graduation rates. The U.S. Department of Education refers to these schools as “focus schools.” Massachusetts schools meeting the federal definition of focus schools are classified into Level 3 and are known as Level 3 focus schools.

1. Identifying the pool of schools eligible for Level 3

In general, a school is included in the Level 3 eligibility pool if it has four years of sufficient achievement and improvement data in English language arts (ELA) and mathematics, including the most recent year, and serves one or more tested grades (3-8 and 10). Schools ending in grades PK, K, 1, 2, or 3 and schools without four years of data are excluded from the pool. Twenty percent of the pool of eligible schools in a given year are classified into Level 3 for the low performance of students in the aggregate. In 2016 that number was 312:

Total schools open in 2015-2016	=	1854
Less 161 early elementary schools	=	1693
Less 133 small or new schools	=	1560
20 percent of 1560 (rounded)	=	312

Because schools may also be classified into Level 3 for: (a) low performance of one or more student subgroups; (b) persistently low graduation rates; or (c) very low assessment participation rates, the total number of Level 3 schools in a given year may exceed 20 percent of all eligible schools. See section 5 below.

2. Classifying the pool of eligible Level 3 schools into school types

ESE classifies all eligible schools into one of six school type categories:

⁵ See M.G.L. Ch. 69 (1)(J) for statutory requirements and 603 CMR 2.00 for regulations.

- *Early Elementary* (usually schools ending in grades 1 or 2)
- *Elementary* (usually schools serving grades K-5 or K-6)
- *Elementary/Middle* (usually schools serving grades K-8)
- *Middle* (usually schools serving grades 6-8 or 7-8)
- *Middle/High/K-12* (usually schools serving grades 7-12 or K-12)
- *High* (usually schools serving grades 9-12)

The figures shown in the table below represent the number of schools that could be classified into Level 3 for low aggregate performance by school type in 2016. Level 4 and 5 schools within the lowest performing 20 percent of schools are counted toward the total. Note that in 2017, only high schools are eligible for a Level 3 classification based on performance.

School type	# Schools	Percent	20 Percent
Elementary (ES)	808	52	162
Elementary/Middle (ESMS)	117	7	23
Middle (MS)	290	19	58
Middle/High/K-12 (MSHS/K-12)	87	6	17
High (HS)	258	16	52
Total	1560	100	312

3. Identifying achievement and improvement data included in Level 3 calculations

In 2017, school percentiles are calculated for high schools. School administering Next-Generation MCAS test in grades 3-8 are not assigned a school percentile.

The achievement data included in Level 3 calculations are:

- 2014, 2015, 2016, 2017 Composite Performance Index figures (ELA, mathematics, science)
- 2014, 2015, 2016, 2017 Percent Advanced (ELA, mathematics, science)
- 2014, 2015, 2016, 2017 Percent Warning/Failing (ELA, mathematics, science)

The improvement data included in Level 3 calculations are:

- 2014, 2015, 2016, 2017 Median Student Growth Percentiles (ELA, mathematics)

The high school data included in Level 3 calculations are:

- 2013, 2014, 2015, 2016 Annual Dropout Rate⁶
- 2016 Four-Year Cohort Graduation Rate⁷
- 2013, 2014, 2015 Five-Year Cohort Graduation Rate

⁶ Annual dropout rates are incorporated into Level 3 calculations for schools serving any combination of grades 9-12.

⁷ 4-and 5-year cohort graduation rates are incorporated into Level 3 calculations for schools ending in grade 12.

4. Ranking achievement and improvement data by school type

For each high school, percentile ranks (1-99) are calculated separately for each of the achievement and improvement indicators as compared to other high schools, with progressively more weight placed on data from more recent years (4-3-2-1). Percentile ranks (1-99) are also calculated separately for each of the graduation and dropout rate indicators as compared to all other high schools statewide, with progressively more weight placed on data from more recent years (4-3-2-1 for annual dropout rate indicators and 3-4-2-1 for graduation rate indicators). The averages of each school's achievement, improvement, and high school indicator percentiles are standardized separately. To calculate the overall school percentile, these three figures are combined, with achievement weighted at 50 percent, and the improvement and combined high school indicators each weighted at 25 percent. Schools with a mean rank at or below the 20th percentile (1-20) are classified into Level 3 for low aggregate performance.

The methodology described above is the same for identifying Level 3 high schools for low subgroup performance, with three exceptions. First, the subgroups identified must place among the lowest 20 percent of all subgroups in the school type as well as the lowest 20 percent of that particular subgroup within the school type. Second, all subgroups meeting these criteria are identified in proportion to their representation within their school type category. Third, all subgroups meeting these criteria must also be among the lowest performing 20 percent of all subgroups statewide.

5. Classifying schools into Level 3, 4, and 5

High schools are classified into Level 3 for low aggregate performance if they are among the lowest performing 20 percent relative to other schools of the same school type statewide. In addition, high schools are classified into Level 3 for low subgroup performance if one or more subgroups in the school are among the lowest 20 percent of subgroups statewide or one or more subgroups in the school has persistently low graduation rates over four consecutive years (2016 four-year cohort graduation rate less than 67 percent; 2015, 2014, and 2013 five-year cohort graduation rates less than 70 percent).

Schools can also be classified into Level 3 for very low participation rates on statewide tests. Any school that assesses less than 90 percent of any group in the school on the ELA, mathematics, or science tests cannot be classified higher than Level 3.

The state's lowest achieving, least improving Level 3 schools are candidates for classification into Level 4 at the discretion of the Commissioner of Elementary and Secondary Education. A Level 4 school may be classified into Level 5 by the Commissioner on behalf of the Board of Elementary and Secondary Education if it fails to improve, or if district conditions make it unlikely that the school will make significant improvement without a Level 5 designation.

Appendix C: Accountability and assistance levels and required actions

Based on their accountability and assistance level, districts and schools must meet a number of annual planning, parent/guardian notification, and fiscal requirements. The tables below outline schools and district responsibilities at each level of the framework for district accountability and assistance.

Required actions for districts and schools with insufficient data

Insufficient data			
Occurs when	Planning requirements	Parent/guardian notification requirements	Fiscal requirements
<p>A <i>school</i> is classified as having insufficient data if it is small, ends in grades 1 or 2, or does not have at least 4 consecutive years of assessment data</p> <p>A <i>district</i> is classified as having insufficient data if it is small, ends in grades 1 or 2, or does not have at least 4 consecutive years of assessment data, unless the district was independently classified into Level 4 or 5 as a result of Board action.</p> <p>Absent significant non-compliance issues, a district with insufficient data will have a determination of need for special education technical assistance or intervention of <i>Meets Requirements – Provisional (MRP)</i>.</p>	<p>Analyze disaggregated data for all student groups to ensure interventions and supports are appropriately aligned to address needs.</p> <p>Review and revise district and school improvement plans with respect to the level of implementation of Massachusetts' <i>District Standards and Indicators</i> and the <i>Conditions for School Effectiveness</i>.</p> <p>Consider using online district analysis, review, and assistance tools or feedback from a district review if the district was reviewed by ESE in 2016-17.</p>	<p>Disseminate the school report card to parents/guardians of all children once available. The notification must include the accountability and assistance level of the child's district and school; an explanation of what this designation means; an explanation of how parents can become involved in district and school improvement activities; and information about teacher quality and right-to-know requirements regarding teacher qualifications.</p>	<p>The district has no specific fiscal requirements linked to its accountability and assistance level if the district has insufficient data.</p>

Required actions for districts and schools classified into Level 1

Level 1			
Occurs when	Planning requirements	Parent/guardian notification requirements	Fiscal requirements
<p>A <i>school</i> is classified into Level 1 if the school's aggregate <i>and</i> high needs cumulative PPIs are 75 or higher and the assessment participation rate for all groups in the school is 95 percent or greater.</p> <p>A <i>district</i> is classified into Level 1 if the most serious level of any school in the district is Level 1 and the assessment participation rate for all groups in the district is 95 percent or greater, unless the district was independently classified into Level 4 or 5 as a result of Board action.</p> <p>Absent significant non-compliance issues, a Level 1 district's determination of need for special education technical assistance or intervention is <i>Meets Requirements (MR)</i>, indicating that outcomes for the district as a whole indicate positive progress.</p>	<p>Analyze disaggregated data for all student groups to ensure interventions and supports are appropriately aligned to address needs.</p> <p>Review and revise district and school improvement plans with respect to the level of implementation of Massachusetts' <i>District Standards and Indicators</i> and the <i>Conditions for School Effectiveness</i>.</p> <p>Consider using online district analysis, review, and assistance tools or feedback from a district review if the district was reviewed by ESE in 2016-17.</p>	<p>Disseminate the school report card to parents/guardians of all children once available. The notification must include the accountability and assistance level of the child's district and school; an explanation of what this designation means; an explanation of how parents can become involved in district and school improvement activities; and information about teacher quality and right-to-know requirements regarding teacher qualifications.</p>	<p>The district has no specific fiscal requirements linked to its accountability and assistance level if the district is classified into Level 1.</p>

Required actions for districts and schools classified into Level 2

Level 2			
Occurs when	Planning requirements	Parent/guardian notification requirements	Fiscal requirements
<p>A <i>school</i> is classified into Level 2 if the school's aggregate <i>or</i> high needs cumulative PPIs are less than 75 or the assessment participation rate for any group in the school is between 90 and 94.9 percent.</p> <p>A <i>district</i> is classified into Level 2 if the most serious level of any school in the district is Level 2 or the assessment participation rate for any group in the district is between 90 and 94.9 percent, unless the district was independently classified into Level 4 or 5 as a result of Board action.</p> <p>Absent significant non-compliance issues, a Level 2 district's determination of need for special education technical assistance or intervention is <i>Meets Requirements – At Risk (MRAR)</i>, indicating that the district is considered to be making progress, but is "at risk" for not meeting the needs of students with disabilities.</p>	<p>Analyze disaggregated data for all student groups to ensure interventions and supports are appropriately aligned to address needs; review the performance of students with disabilities and consider improvement or capacity building activities, as appropriate.</p> <p>Review and revise district and school improvement plans with respect to the level of implementation of Massachusetts' <i>District Standards and Indicators</i> and the <i>Conditions for School Effectiveness</i>.</p> <p>Consider using online district analysis, review, and assistance tools or feedback from a district review if the district was reviewed by ESE in 2016-17.</p>	<p>Disseminate the school report card to parents/guardians of all children once available. The notification must include the accountability and assistance level of the child's district and school; an explanation of what this designation means; an explanation of how parents can become involved in district and school improvement activities; and information about teacher quality and right-to-know requirements regarding teacher qualifications.</p>	<p>Prioritize schools based on need and spend a prescribed portion of the district's Title I, Part A allocation (between 5 and 20 percent on a sliding scale determined by ESE) on interventions and supports that address the needs of the district's lowest-achieving students in its lowest-performing schools, either through an additional allocation of funds directly to schools, through a district reservation, or both, or both, as determined by the district.</p>

Required actions for districts and schools classified into Level 3

Level 3			
Occurs when	Planning requirements	Parent/guardian notification requirements	Fiscal requirements
<p>A <i>school</i> is classified into Level 3 if it places in the lowest 20 percent in the aggregate relative to other schools in the same school type category statewide; one or more subgroups in the school is among the lowest performing subgroups statewide; one or more subgroups in the school has persistently low graduation rates; or assessment participation rate for any group in the school is below 90 percent.</p> <p>A <i>district</i> is classified into Level 3 if the most serious level of any school in the district is Level 3 or the assessment participation rate for any group in the district is less than 90 percent, unless the district was independently classified into Level 4 or 5 as a result of Board action.</p> <p>A Level 3 district's determination of need for special education technical assistance or intervention is <i>Needs Technical Assistance (NTA)</i>, indicating that while areas of the district's performance may be positive, one or more schools are experiencing poor outcomes for students with disabilities and/or are having compliance issues.</p>	<p>Analyze disaggregated data for all student groups to ensure interventions and supports are appropriately aligned to address needs; review the performance of students with disabilities and consider improvement or capacity building activities, as appropriate.</p> <p>Use the <i>Conditions for School Effectiveness Self-Assessment</i> or the <i>District Standards Self-Assessment</i> to review and revise district and school improvement plans with respect to the level of implementation of Massachusetts' <i>District Standards and Indicators</i> and the <i>Conditions for School Effectiveness</i>.</p> <p>Consider using online district analysis, review, and assistance tools or feedback from a district review if the district was reviewed by ESE in 2016-17.</p> <p>Consult with the District and School Assistance Center (DSAC) regarding the district's proposed supports and interventions for low-performing schools.</p>	<p>Disseminate the school report card to parents/guardians of all children once available. The notification must include the accountability and assistance level of the child's district and school; an explanation of what this designation means; an explanation of how parents can become involved in district and school improvement activities; and information about teacher quality and right-to-know requirements regarding teacher qualifications</p>	<p>Prioritize schools based on need and spend 20 percent of the district's Title I, Part A allocation on interventions and supports that address the needs of the district's lowest-achieving students in its lowest-performing schools, either through an additional allocation of funds directly to schools, through a district reservation, or both, or both, as determined by the district.</p> <p>ESE approves interventions and supports as proposed in district's Title I, Part A grant application.</p> <p>ESE may direct funds under Individuals with Disabilities Education Act (IDEA) grant programs for specific improvement activities for students with disabilities.</p>

Required actions for districts and schools classified into Level 4

Level 4			
Occurs when	Planning requirements	Parent/guardian notification requirements	Fiscal requirements
<p>A <i>school</i> may be classified into Level 4 if it is among the lowest-achieving and least-improving Level 3 schools statewide based on common grade levels and has been declared Level 4 by the Commissioner on behalf of the Board.</p>	<p>Implement (existing Level 4 schools) or develop for ESE approval (newly-identified Level 4 schools) a redesign plan that addresses rapid implementation of the <i>Conditions for School Effectiveness</i>.</p>	<p>Disseminate the school report card to parents/guardians of all children once available. The notification must include the accountability and assistance level of the child's district and school; an explanation of what this designation means; an explanation of how parents can become involved in district and school improvement activities; and information about teacher quality and right-to-know requirements regarding teacher qualifications.</p>	<p>Prioritize schools based on need and spend 25 percent of the district's Title I, Part A allocation on interventions and supports that address the needs of the district's lowest-achieving students in its lowest-performing schools, either through an additional allocation of funds directly to schools, through a district reservation, or both, as determined by the district.</p>
<p>A <i>district</i> is classified into Level 4 if the most serious level of any school in the district is Level 4. In addition, the Board may classify a district into Level 4 upon recommendation of the Commissioner.</p> <p>A Level 4 district's determination of need for special education technical assistance or intervention is <i>Needs Intervention (NI)</i>, indicating that the district has been identified as having significantly poor outcomes for students with disabilities and/or significant compliance issues requiring direct attention from ESE.</p>	<p>Collaborate with ESE to implement (existing Level 4 districts) or develop (newly-identified Level 4 districts) a Level 4 district plan to accelerate district improvement and strengthen its support and intervention efforts in its lowest-performing schools.</p>		<p>A Level 4 district will have its use of the flexibility available under the maintenance of effort provisions of the IDEA prohibited and will be required to budget for special education at least as much state and/or local funds in the aggregate or per/pupil as it budgeted in the prior year.</p>

Required actions for districts and schools classified into Level 5

Level 5			
Occurs when	Planning requirements	Parent/guardian notification requirements	Fiscal requirements
<p>A <i>school</i> may be classified into Level 5 by the Commissioner on behalf of the Board at the expiration of its redesign plan if the school has failed to improve as required by the goals, benchmarks, or timetable of its turnaround plan; or if district conditions make it unlikely that the school will make significant improvement without a Level 5 designation.</p> <p>A <i>district</i> is independently eligible for classification into Level 5 on the basis of a district review; the report of an ESE-appointed accountability monitor; a follow-up review report; quantitative indicators set out in state regulations; or failure of a Level 4 district to meet the ESE-approved benchmarks or goals in its improvement plan in a timely manner.</p> <p>A Level 5 district's determination of need for special education technical assistance or intervention is <i>Needs Substantial Intervention (NSI)</i>, indicating that the district has persistent poor outcomes for students with disabilities and/or significant compliance issues requiring direct attention from ESE.</p>	<p>Operate under joint district-ESE governance.</p>	<p>Disseminate the school report card to parents/guardians of all children once available. The notification must include the accountability and assistance level of the child's district and school; an explanation of what this designation means; an explanation of how parents can become involved in district and school improvement activities; and information about teacher quality and right-to-know requirements regarding teacher qualifications.</p>	<p>Prioritize schools based on need and spend 25 percent of the district's Title I, Part A allocation on interventions and supports that address the needs of the district's lowest-achieving students in its lowest-performing schools, either through an additional allocation of funds directly to schools, through a district reservation, or both, as determined by the district and the receiver.</p> <p>ESE may withhold, in whole or in part, any federal special education funds that it deems necessary until specific improvement actions are conducted.</p> <p>A Level 5 district will have its use of the flexibility available under the maintenance of effort provisions of the IDEA prohibited and will be required to budget for special education at least as much state and/or local funds in the aggregate or per/pupil as it budgeted in the prior year.</p>