

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

ARGHAVAN LOUHGHALAM and  
MAZDAK POURABDOLLAH TOOTKABONI

*Plaintiff-Petitioners,*

FATEMEH YAGHOUBI MOGHADAM,  
BABAK YAGHOUBI MOGHADAM,  
ALI SANIE, ZAHRASADAT MIRRAZI  
RENANI, LEILY AMIRSARDARY, and  
OXFAM AMERICA, INC.

*Plaintiffs,*

and

No. 17-cv-10154-NMG

COMMONWEALTH OF MASSACHUSETTS  
and UNIVERSITY OF MASSACHUSETTS,

*Plaintiff-Intervenors,*

v.

DONALD TRUMP, President of the United  
States; U.S. DEPARTMENT OF HOMELAND  
SECURITY (“DHS”); U.S. CUSTOMS AND  
BORDER PROTECTION (“CBP”); JOHN  
KELLY, Secretary of DHS; KEVIN K.  
MCALEENAN, Acting Commissioner of CBP;  
and WILLIAM MOHALLEY, Boston Field  
Director, CBP,

*Defendants.*

**DECLARATION OF MARCELLETTE G. WILLIAMS, Ph. D.**

I, Marcellette G. Williams, hereby declare and affirm,

1. I am Senior Vice President for Academic Affairs, Student Affairs, and International Relations at the University of Massachusetts (“UMass”). UMass is public land grant university with five campuses located in Amherst, Boston, Dartmouth, Lowell and Worcester Massachusetts, with administrative offices in Shrewsbury and Boston. I have been

employed at the University in this capacity since 2005; prior to this position, I served for ten years as Deputy and interim Chancellor of the Amherst campus. My duties include oversight of all the University's academic programs, the offices that serve and support students, and the offices which support and promotion of the University's many international associations and opportunities for both students and faculty. I have personal knowledge of the matters set forth below. In those matters for which I don't have personal knowledge, I have reviewed information gathered from University records by others within organization, including the numbers of students and employees and their various home countries.

2. The January 27, 2017 Executive Order entitled "Protecting the Nation from Terrorist Entry into the United States" ("EO") will negatively affect the ability of the University to continue to offer excellent education in undergraduate, graduate, and professional programs at affordable rates. This in turn will affect UMass' ability to provide a well-educated workforce for the Commonwealth, reducing the significant amount of business and tax revenue these UMass-educated workers provide to the Commonwealth. UMass is the only public land-grant university in the Commonwealth, and the only public university authorized to award doctoral degrees. Additionally, the UMass Medical School at Worcester is the only public medical school in the Commonwealth, and UMass School of Law at the Dartmouth campus is the only public law school in the Commonwealth.

3. The University has approximately 160 employees and approximately 300 students from the countries referenced in the EO namely: Syria, Iraq, Iran, Somalia, Sudan, Libya, and/or Yemen (the "affected countries"). These include individuals who are lawful permanent residents ("LPRs") or who have immigrant or non-immigrant visas or status.

4. Specifically, the approximately 160 employees from the affected countries are employed in academic positions including, but not limited to, Professor, Lecturer, Researcher/Fellow, Post-Doc, Graduate Research Assistant, and Graduate Teaching Assistant. These academic employees are located on all of our campuses and in a wide variety of academic departments.

5. Since the EO was announced, there has been widespread confusion and uncertainty regarding the ability of LPRs to re-enter the U.S., both nation-wide and specifically at Logan Airport in Boston. To date, numerous UMass faculty with LPR status who are from the affected countries, have cancelled or are cancelling travel abroad, including travel for academic purposes. The Administration's statements over the past few days have been unclear and often conflicting regarding impact to LPRs, contributing to an atmosphere of uncertainty and concern.

6. Non-immigrant visa holders at UMass, including students, faculty, researchers, and staff, have additional concerns regarding the EO even if they do not travel. One of our immediate needs is to maintain work authorization for employees currently at UMass. The U.S. Citizenship and Immigration Service (USCIS) has stopped adjudication of, among others, work permits, for 90 days for individuals from the affected countries. Personnel on all our campuses have been scrambling in the week since the EO to determine impact and attempt mitigation. Current preliminary estimates is that 42 cases of UMass employees will need to be adjudicated by USCIS over the next 12 months.

7. USCIS action also affects UMass students from the affected countries who are preparing to graduate in the next several months but may be unable to obtain the Optional Practical Training (OPT) work authorization needed to transition into their first professional

position. This is peak offer, job acceptance, time and delays in obtaining work authorization will likely result in job offers being rescinded.

8. The EO has a significant negative impact on the ability to UMass to operate its core business: education and research. The impact is financial as well as reputational. UMass is a top-ranked research institution and must hire highly qualified research faculty to continue our significant research enterprise. UMass spent over 650 million dollars last year in its research enterprise. The time required to identify, review, and negotiate with potential new faculty and researchers takes many months. Ideally, new teaching faculty will start in the fall semester so that offers will need to be made and finalized months prior to August. Prospects who accept offers will also need to move family and secure housing by summer. UMass needs to fill dozens of tenure track positions, per campus, each academic year. The level of uncertainty about our ability to actively recruit faculty and related personnel will likely translate into thousands of additional dollars for each campus. Uncertainty in the process under the EO will delay and may prevent the University from pursuing prospects, resulting in delays in research efforts and potential delay or loss of federal funding for new research. UMass operates in a very competitive research environment but does not have the financial resources of many of our sister institutions in the Commonwealth. We have limited financial resources to provide affected faculty incentives to come to Massachusetts, or to offer other support or resources which might mitigate the impact of the EO on them or their families.

9. The EO will also negatively affect the University's ability to continue to attract and enroll students from the "seven countries." Indeed, UMass has already extended offers of admission for the 2017-2018 academic year to prospective undergraduate and graduate students who are nationals of these countries. Higher education is highly international. Students and

faculty regularly travel all over the world to participate in conferences, exchange programs, seminars, symposia, or connect with fellow students abroad. The way the EO was issued: as an abrupt ban, with no advance notice and with no guidance, without notice of visa revocations, has made all travelers who are not US citizens concerned about whether they can continue to move about the world. Prospective students and faculty have many options besides the U.S., they can certainly elect to attend or work at schools in the UK, Africa, or the EU, rather than risk travel to the U.S. In the week since the EO was issued UMass has received accounts from employees of travel difficulties, including a Ph.D. student who travelled to an affected country to get married and is now unable to board a return flight to U.S., despite having a copy of the Massachusetts federal court's Temporary Restraining Order in hand, and an affected faculty member who must attend an international conference needed for tenure who is now unsure of the ability to leave and return. The inability to travel may result in a delay of the tenure decision, significantly affecting employment.

10. It has been a challenge to mitigate impact when the federal action is so immediate and constantly changing. Efforts to identify affected UMass individuals outside the U.S. started within hours of notice of the EO. In the days since, UMass has been continually gathering data on the impact from a variety of sources: official federal statements, news reports, internal immigration updates prepared and sent to senior administrators, outreach to international campus community in the form of legal resources and discussions with retained immigration counsel. For academic institutions, the timing of the EO is particularly challenging. UMass campuses have been issuing offers to admissions for some weeks and will continue to do so for the next several months. Students have a short time to review offers and make decisions. Generally, students will be required to confirm their acceptance by paying a fee to secure their space so

some may be hesitant to do so in light of concern about the EO. In turn, the University's calculation of whom to admit is now jeopardized by having to take into account whether a student from an affected country would be willing to accept or at some point will decide not to attend UMass. Campuses are attempting to adjust to the current environment, but are limited in what they can do while the actual terms of the EO remain unclear.

11. These concerns all speak to potential long term financial and reputational damage to UMass – the quality of its students, researchers, faculty and staff will drop, UMass' reputation as a top research institution will drop, federal funding for research will drop, enrollment will drop. The financial loss to the University will in turn affect the Commonwealth's finances. A decrease in applications or enrollments to UMass will reduce revenue to the Commonwealth.

12. UMass, an institution with over 150 years of service to the Commonwealth, years of continued growth and a strong commitment to its mission, is very seriously concerned about the long-term impact of the EO on its future. The EO significantly impairs the University's commitment to recruit and retain a diverse faculty and staff, and to teach and support a diverse student body, enriched by a culture of inclusiveness and high quality of international research participants. It would take years for UMass to recover from the financial and reputational damage due to the loss of personnel, students, programs, grants.

13. UMass is united in its commitment to do whatever it can to retain and continue its growth.

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

/s/ Marcellette G. Williams

Marcellette G. Williams, Ph.D, Senior Vice President for  
Academic Affairs, Student Affairs, and International  
Relations, University of Massachusetts

Executed this 2nd day of February, 2017