

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
SOUTHERN DIVISION

EBLAL ZAKZOK, *et al.*,

*Plaintiffs,*

v.

DONALD TRUMP, in his official  
capacity as President of the United  
States, *et al.*,

*Defendants.*

Civil Action No.: 1:17-cv-02969-TDC

**DECLARATION OF STEVEN C. HERZOG**

I, Steven C. Herzog, to the best of my knowledge, information and belief, hereby submit this declaration pursuant to 28 U.S.C. §1746 and declare as follows:

1. I am Counsel with the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, counsel for Plaintiffs in the above-captioned action.
2. A true and correct copy of the September 13, 2017 New York Times article by Ron Nixon entitled “*Trump Administration Punishes Countries that Refuse to Take Back Deported Citizens*,” is attached hereto as Exhibit 1. The article can also be found at <https://www.nytimes.com/2017/09/13/us/politics/visa-sanctions-criminal-convicts.html>.
3. A true and correct copy of the May 16, 2017 Washington Times article by Stephen Dinan entitled “*Trump Presses More Countries Take Back U.S. Deportees in Immigration Success*,” is attached hereto as Exhibit 2. The article can also be found at <http://www.washingtontimes.com/news/2017/may/16/countries-refusing-us-deportees-cut-from-20-to-12/>.

4. A true and correct copy of the October 9, 2017 CATO Institute article by David Bier entitled “*Travel Ban is Based on Executive Whim, Not Objective Criteria*,” is attached hereto as Exhibit 3. The article can also be found at <https://www.cato.org/blog/travel-ban-based-executive-whim-not-objective-criteria>.

5. A true and correct copy of the International Civil Aviation Organization (“ICAO”) webpage entitled “*ICAO PKD Participants*,” is attached hereto as Exhibit 4. The webpage can also be found at <https://icao.int/Security/FAL/PKD/Pages/ICAO-PKDParticipants.aspx>.

6. A true and correct copy of the INTERPOL webpage entitled “*Border Management*,” is attached hereto as Exhibit 5. The webpage can also be found at <https://www.interpol.int/INTERPOL-expertise/Border-management/SLTD-Database>.

7. A true and correct copy of the September 27, 2017 NPR article by Scott Neuman entitled “*Why is Chad on Trump's Travel Ban List?*” is attached hereto as Exhibit 6. The article can also be found at <http://www.npr.org/sections/thetwo-way/2017/09/27/553967424/why-is-chad-on-trumps-travel-ban-list>.

8. A true and correct copy of the 2017 Brennan Center for Justice report by Harsha Panduranga, Faiza Patel, & Michael W. Price entitled “*Extreme Vetting & The Muslim Ban*,” is attached hereto as Exhibit 7. The report can also be found at [https://www.brennancenter.org/sites/default/files/publications/extreme\\_vetting\\_full\\_10.2.pdf](https://www.brennancenter.org/sites/default/files/publications/extreme_vetting_full_10.2.pdf).

9. A true and correct copy of the March 2009 American Civil Liberties Union (“ACLU”) report by Michael German and Michelle Richardson entitled “*Reclaiming Patriotism: A Call to Reconsider the Patriot Act*,” is attached hereto as Exhibit 8. The report can also be found at [https://www.aclu.org/files/pdfs/safefree/patriot\\_report\\_20090310.pdf](https://www.aclu.org/files/pdfs/safefree/patriot_report_20090310.pdf).

10. A true and correct copy of the U.S. Embassy Baghdad's webpage entitled "*Guidelines for Completing the DS 160 Non Immigrant Visa Application*," is attached hereto as Exhibit 9. The webpage can also be found at <http://blogs.worldlearning.org/iylep/files/2012/03/DS-160-NIV-Instructions-IYLEP-World-Learning.pdf>.

11. A true and correct copy of the presentation by U.S. Embassy Kingston, Jamaica entitled "*DS-160 Nonimmigrant Visa Application Form, a Complete Step-by-Step Instructional Guide*," is attached hereto as Exhibit 10. The presentation can also be found at <https://photos.state.gov/libraries/jamaica/231771/PDFs/DS-160%20Instructions.pdf>.

12. A true and correct copy of the Department of Homeland Security Draft Report entitled "*Citizenship Likely an Unreliable Indicator of Terrorist Threat to the United States*," is attached hereto as Exhibit 11. The report can also be found at <http://www.aila.org/infonet/dhs-report-citiz-unreliable-indicator-of-threat>.

13. A true and correct copy of the March 2017 Department of Homeland Security intelligence assessment entitled "*(U//FOUO) Most Foreign-born, US-based Violent Extremists Radicalized after Entering Homeland; Opportunities for Tailored CVE Programs Exist*," is attached hereto as Exhibit 12. The assessment can also be found at <http://www.msnbc.com/rachel-maddow-show/trms-exclusive-dhs-document-undermines-trump-case-travel-ban>.

14. A true and correct copy of the January 25, 2017 CATO Institute article by Alex Nowrasteh entitled "*Little National Security Benefit to Trump's Executive Order on Immigration*," is attached hereto as Exhibit 13. The article can also be found at <https://www.cato.org/blog/little-national-security-benefit-trumps-executive-order-immigration>.

15. A true and correct copy of the September 26, 2017 Washington Post article by David Bier entitled "*The Basic Premise of Trump's Travel Ban is Wrong*," is attached hereto as Exhibit 14. The article can also be found at [https://www.washingtonpost.com/opinions/the-basic-premise-of-trumps-travel-ban-is-wrong/2017/09/26/7cb868b0-a2d5-11e7-8cfe-d5b912fab99\\_story.html](https://www.washingtonpost.com/opinions/the-basic-premise-of-trumps-travel-ban-is-wrong/2017/09/26/7cb868b0-a2d5-11e7-8cfe-d5b912fab99_story.html).

I declare under penalty of perjury that the foregoing is true and correct. Executed at Brooklyn, New York on October 14, 2017.

  
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Steven C. Herzog