

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

HAMEED KHALID DARWEESH and
HAIDER SAMEER ABDULKHALEQ
ALSHAWI,

on behalf of themselves and others similarly
situated,

Petitioners,

Case No. 1:17-cv-00480

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 JAMES T.
MADDEN, New York Field Director, CBP.

Respondents.

I, Yahya Aburomman, declare, under penalty of perjury pursuant to 28 U.S.C § 1746, that the following is true and correct:

1. My name is Yahya Aburomman, and I am a twenty-three-year-old citizen of Jordan. My father is originally from Jordan and my mother is originally from Syria. I was born in Syria while visiting my mother’s family there, but I have lived my entire life in Jordan. I am ineligible, under Syrian law, to become a Syrian citizen or receive a Syrian passport.
2. I came to the United States in order to visit family that live there. My brother Abed Aburomman is a U.S. citizen and studies chemical engineering at the Illinois Institute of Technology. Two of my uncles also live in Illinois and my aunt lives in Maryland. They are all U.S. citizens. My brother Omar also lives in the United States as well, but I do not know exactly where.

3. At the end of January 2017, I graduated from the University of Jordan where I majored in English and Spanish. I will begin a master's degree in English and Spanish at the University of Jordan in May.
4. At on or about 12:40 p.m. central time on Sunday, January 29, 2017, I applied for admission to the United States at the O'Hare International Airport in Chicago, Illinois. I applied on the basis of a B-1/B-2 visa. I was then denied entry, held and questioned, locked up in a cell, and returned to Jordan.
5. After waiting in line, I reached the desk where a Customs and Border Protection ("CBP") officer inspected my passport. He noticed that my Jordanian passport stated that I was born in Syria. He asked about that, and I told him I was born in Syria while my parents were visiting there but I am Jordanian. He knocked on the glass next to him and said to another officer, "This man was born in Syria. We might have trouble with this." The other officer replied that he saw nothing wrong with that and that I should be treated as a Jordanian. However, I was escorted over to an additional officer to show him my passport. The officer asked me to sit and wait while he stepped away. When the officer returned, he said, "Being born in Syria will affect your entry to the United States." I told the officer I was only born in Syria and I am a native Jordanian.
6. The officer was not convinced and asked to search my belongings. He took my phone and asked me for my password. I gave it to him. He walked away. I assume he went through all my e-mails, messages, Facebook conversations, SMS texts, and private images on my cell phone because he referenced some things later that he would not know if he had not done this.
7. Then I was taken to another area in the airport where I was questioned for about 15 minutes. CBP officers asked about my family members in the United States. I told them I have two brothers here, Abed Al Elah and Omar.

8. An officer said, “Abed came to the United States, overstayed illegally, then got married and became a U.S. citizen, right?” Then he added, “And Omar is also an illegal in the United States?” I was scared. I said yes.
9. He kept asking about my brother Omar. He wanted to know where he lived. I told him I did not know where he was. The officer replied, “Do you think that I believe you? I don’t.” I insisted I was telling the truth.
10. The officer said Abed and Omar’s experiences “will affect your entry to the United States because your brothers overstayed illegally and you might do the same.” I asked why I had to be responsible for someone else’s decisions, and Officer Davis said, “because they are family.”
11. I was then escorted to a waiting room full of people, where I was questioned by CBP Officer Davis and his colleagues for six hours and subjected to a secondary inspection. CBP officers searched my belongings, including the contents of my suitcases, multiple times.
12. Officer Davis asked me my reasons for visiting the United States, and I said that I had just graduated from the University of Jordan and my father, a graduate of the University of Illinois, Chicago, encouraged me to spend a few weeks with my relatives in the United States.
13. Officer Davis asked me why I had corresponded with aviation academies around the world. I explained to him that I was interested in scholarship programs for international students.
14. Officer Davis told me he did not believe I was not planning to stay here permanently. He asked me the same questions about my brothers, and I answered them the same way.
15. Officer Davis also said the fact that I was born in Syria would affect my entry to the United States.
16. I was asked to carry my suitcases to another room so CBP officers could search them again. After the search, they asked me how much money I had. I told them \$8,000. Officer Davis said that was too much for a vacation. I reiterated that this was only a visit and I just wanted to get

presents for my relatives in the United States and in Jordan. I also told him my brother Abed told me to bring extra money to help him arrange his wedding. Officer Davis asked me when the wedding would be. I told him maybe next month.

17. Officer Davis then stepped out to ask my brother Abed about his marriage arrangements. Abed was waiting for me at arrivals. When he came back, he accused me of not telling him the truth because Abed said the wedding is going to be in August, even though Abed confirmed my story about bringing extra money for the arrangements. I told him I was honest about my understanding of the wedding date. It is up to the groom to decide when he wants to get married, and he is entitled to change his mind.
18. After this, I waited again for a while. Then Officer Davis returned and told me he intended to ask me a number of questions, and my answers should only be either "Yes" or "No." He said my answers to these questions would be put into a sworn statement. The questions were about my full name, my place of birth, the reasons I was born in Syria, my nationality, the place of issuance for my passport, my reason for coming to America, the amount of money in my possession, the names of my uncles in the United States, and their jobs in America. Then I was told by Officer Davis to sign five documents. I do not know what all of these documents are, but one of the documents was a sworn statement. He also informed me that he would call the Jordanian Embassy to inform them of my status, telling me that he was about to cancel my visa and put me on a plane to go back to Jordan.
19. I asked him to allow me to call the Jordanian Consulate because I did not know what I was being asked to sign. He insisted that I have to sign the papers first; then I could call. Another officer sarcastically replied, "Yeah go ahead and call them, as if they're going to answer." Then he said, "Or you may send them a Snapchat." Then he and Officer Davis started to laugh. Then

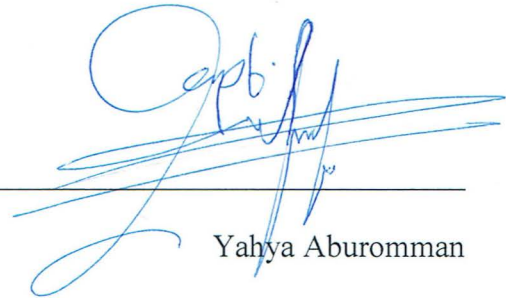
Officer Davis said that if I did not sign the sworn statement and other documents, that I would be banned “from entering the United States for the rest of [my] life.”

20. I signed the documents because I feared that if I did not, I would never be able to visit my family in the United States again and would miss the chance to come back for my brother’s wedding. While I was signing, Officer Davis started dialing the Consulate. When the call went through, the Consulate said there was nothing they could do for me.
21. After this, Officer Davis told me I would receive a copy of the documents I signed, but I never did. Officer Davis told me he would give me a waiver so I could apply for another visa at the American embassy in Jordan, but he did not give me that form either. After I signed the papers, CBP officers took my fingerprints and photographed me.
22. After officers inspected my suitcases for a fourth or fifth time, I was then placed in a locked cell somewhere else in the airport where I remained for almost 20 hours.
23. At some point, I asked CBP officers if I could speak to my brother Abed and they said no. I also asked the officers if I could perform my daily prayer in a clean place since the cell was not a proper place for prayer, and they refused. Later on, I asked the night shift officer, who did not know anything about my case, if I could call my uncle to inform him of the details of my flight back to Jordan. He let me call.
24. The following afternoon, at approximately 3:30 p.m. on Monday, January 30, 2017, I was placed on Lufthansa flight L431 to Frankfurt that departed after 5:00 p.m. The general boarding time was supposed to be around 4:45 p.m., but I was put on the plane early.
25. After I arrived in Frankfurt, my brother called me to tell me that an immigration attorney had tried to help me while I was in O’Hare, but CBP would not let her contact me. He told me that on Monday afternoon, an attorney sent by my family members repeatedly tried to gain access to speak to me or to obtain information about my case. After denying her requests to see me or to

receive information regarding me, a CBP officer asked her to write my name on a piece of paper and he would check on me. Several minutes later, the officer returned and told her that I had “already left” and would not provide further information. This occurred approximately between 3:40 p.m. and 3:50 p.m. Approximately at this time, I was taken out of my cell and placed on an airplane. I realized that the officer who placed me on the airplane had the same name as the officer who told my attorney that I had “already left.”

26. I was not given copies of any of the documents I signed.
27. I was never permitted to speak to an attorney nor my brother Abed who was awaiting me.
28. I was held in a locked cell for 20 hours merely because I was born in Syria.
29. The treatment I received at the hands of the immigration officers at the airport is entirely un-American and contrary to all the impressions that my father instilled in me that America was a land of justice, kindness, equality, and respect.

Executed this 3rd day of February, 2017, in Amman, Jordan.



Yahya Aburomman