

**No. 17-15589**

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**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

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STATE OF HAWAI'I; ISMAIL ELSHIKH,  
Plaintiffs-Appellees,

v.

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

Defendants-Appellants.

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On Appeal from the United States District Court  
for the District of Hawaii  
(1:17-cv-00050-DKW-KSC)

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**BRIEF OF *AMICI CURIAE* IMMIGRATION EQUALITY, THE  
NEW YORK CITY GAY AND LESBIAN ANTI-VIOLENCE  
PROJECT, AND THE NATIONAL QUEER ASIAN PACIFIC  
ISLANDER ALLIANCE**

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**CORPORATE DISCLOSURE STATEMENT**

Pursuant to Rule 29(a)(4)(A) of the Federal Rules of Appellate Procedure, *amici curiae* Immigration Equality, The New York City Gay and Lesbian Anti-Violence Project, and The National Queer Asian Pacific Islander Alliance make the following disclosures:

- 1) For non-governmental corporate parties please list all parent corporations: None
- 2) For non-governmental corporate parties please list all publicly held companies that hold 10% or more of the party's stock: None

April 21, 2017

Respectfully submitted,

/s/ Matthew E. Sloan

Matthew E. Sloan

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## **STATEMENT OF INTEREST**

This brief sets forth the legal and policy concerns of *Amici Curiae* Immigration Equality, The New York City Gay and Lesbian Anti-Violence Project, and The National Queer Asian Pacific Islander Alliance (collectively, “*Amici Curiae*”) regarding Executive Order 13780 (Mar. 6, 2017) (the “EO”).<sup>1</sup>

*Amicus curiae* Immigration Equality is the nation’s largest legal service provider for LGBT<sup>2</sup> and HIV-positive immigrants. Each year, the organization provides legal advice to nearly 5,000 individuals and families, actively manages more than 650 immigration cases, and appears in federal circuit courts as counsel or *amicus curiae*.

The New York City Gay and Lesbian Anti-Violence Project (“AVP”) is a non-profit organization founded in 1980 that empowers LGBTQ and HIV-affected communities and allies to end all forms of violence through organizing, education, counseling, direct legal representation, and advocacy. AVP’s legal services include immigration support for LGBTQ immigrants. AVP is also the

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<sup>1</sup> No party to the appeal, nor counsel for any party to the appeal, authored any part of this brief. No party or party’s counsel contributed money that was intended to fund preparing or submitting this brief. The parties have consented to the filing of this *Amicus* brief.

<sup>2</sup> Lesbian, gay, bisexual, transgender and queer (“LGBTQ”) individuals are sometimes also referred to herein as LGBT or LGBTI (lesbian, gay, bisexual, transgender, intersex).

convener for the National Coalition of Anti-Violence Programs, which addresses the needs of LGBTQ communities, including LGBTQ immigration support.

The National Queer Asian Pacific Islander Alliance (“NQAPIA”) is a federation of LGBT Asian American, South Asian, Southeast Asian, and Pacific Islander (“APIs”) organizations. NQAPIA builds the capacity of local LGBT API groups, develops leadership, promotes visibility, educates the community, invigorates grassroots organizing, encourages collaborations, and challenges anti-LGBT bias and racism. NQAPIA has spearheaded an educational and advocacy campaign in support of immigrants’ rights.

*Amici Curiae* are deeply troubled by the impact that the EO would have on LGBT people both in the United States and in the six predominantly Muslim countries from which the EO would drastically restrict, if not ban, immigration. The EO is bad policy made worse because it assaults established United States legal principles and constitutionally protected rights. *Amici Curiae* respectfully urge the Court to affirm the preliminary injunction entered by the district court, and thereby avoid the significant, irreversible harms that the EO would inflict while the litigation proceeds below.

## **INTRODUCTION**

Individuals who identify as lesbian, gay, bisexual, transgender and queer in many countries around the world are in persistent, grave danger. As of October 2016, homosexual conduct was still outlawed in more than 70 countries worldwide, 13 of which made such conduct punishable by death.<sup>3</sup> Some regimes deny the very existence of LGBTQ behavior, making it impossible for LGBTQ individuals to seek government protection from the severe harassment, discrimination, and violence to which they are routinely subjected.<sup>4</sup>

As a result, LGBTQ individuals abroad often seek freedom and safety by immigrating to the United States. People who already have family or partners living in the United States are eligible to apply for visas based on this family status. The process is long and difficult in the best of circumstances and the difficulty is only compounded by the EO. The EO halts visa processing from Iran, Libya, Somalia,

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<sup>3</sup> Aengus Carroll, *State-Sponsored Homophobia: A World Survey of Sexual Orientation Laws*, International Lesbian, Gay, Bisexual, Trans and Intersex Association 36-37 (11th ed. 2016), [http://ilga.org/downloads/02\\_ILGA\\_State\\_Sponsored\\_Homophobia\\_2016\\_ENG\\_WEB\\_150516.pdf](http://ilga.org/downloads/02_ILGA_State_Sponsored_Homophobia_2016_ENG_WEB_150516.pdf) (“World Survey”).

<sup>4</sup> Human Rights Watch, *We Are a Buried Generation* (Dec. 15, 2010), <https://www.hrw.org/report/2010/12/15/we-are-buried-generation/discrimination-and-violence-against-sexual-minorities> (“Buried Generation”) (recounting statement of Iran’s then-President Mahmoud Ahmadinejad in 2007 that “In Iran we don’t have homosexuals like you do in your country. This does not exist in our country.”).

Sudan, Syria, and Yemen (the “Six Countries”) for at least 90 days, with discretion for the Executive Branch to continue the stoppage indefinitely. For LGBTQ individuals, this shutdown is not simply a bureaucratic inconvenience, but potentially a matter of life and death. A visa delayed by the EO is, in effect, a visa denied. Visa approvals that grind to a halt under the EO mean LGBTQ individuals must remain in hostile and unsafe conditions for a longer period of time (and perhaps indefinitely, given the terms of the EO), delaying reunification with their family members in a safe community. The danger is heightened because merely by seeking a visa based on a same-sex relationship through a local consular official, an individual risks revealing their sexual orientation or gender identity to the local community and local government officials.

LGBTQ individuals who seek admission into the United States as refugees based on persecution in their countries of origin are similarly endangered by the EO. The EO halts admission of *all* refugees to the United States for 120 days, again, with discretion to continue the ban indefinitely. Without this crucial path to safety, refugees are forced to remain in the dangerous environment they seek

to flee or languish in refugee camps that are often no safer for LGBTQ individuals than their countries of origin.

As organizations committed to serving and advocating on behalf of the LGBTQ community in the United States and abroad, *Amici Curiae* believe it is in the public interest to continue to enjoin the EO and honor the United States' long-standing commitment to protecting families, upholding our constitutional values and serving as a place of refuge for persecuted and displaced people from around the world.

### **FACTUAL BACKGROUND**

#### **I. LGBTQ INDIVIDUALS FACE PERSECUTION AND HOSTILE SOCIAL ENVIRONMENTS IN THEIR COUNTRIES OF ORIGIN**

While the U.S. recently has made strides in advancing LGBTQ rights, including the right to form an officially recognized family, the situation in many countries around the globe remains exceedingly dim. Even in countries where LGBTQ status is not considered a crime, LGBTQ individuals are still unable to forge family relationships due to severe harassment, discrimination, and violence because of their sexual orientation or gender identity.<sup>5</sup>

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<sup>5</sup> *Id.* at 27.

To escape this persecution, LGBTQ individuals abroad often leave their countries of origin to either marry, live with family, or seek refuge in the United States. These individuals may apply for admission to the United States with either a visa or through the United States Refugee Assistance Program, a program designed “[t]o offer resettlement opportunities to persons overseas who are of special humanitarian concern.”<sup>6</sup> Because documenting their LGBTQ status in their countries of origin leaves these individuals exposed to continued harassment and violence, many visa-seekers fear persecution as their visa applications are pending and many refugees are moved to camps or similar establishments while they await adjudication of their refugee applications.

While violence and inhumane treatment are common in refugee camps, LGBTQ refugees face risks that other refugees do not.<sup>7</sup>

LGBTQ individuals often “encounter rejection in refugee camps and

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<sup>6</sup> U.S. Citizenship and Immigration Services, The U.S. Refugee Admissions Program 2 (2011), [https://www.uscis.gov/sites/default/files/USCIS/Resources/Resources%20for%20Congress/Congressional%20Reports/2011%20National%20Immigration%20%26%20Consular%20Conference%20Presentations/Refugee\\_Admissions\\_Program.pdf](https://www.uscis.gov/sites/default/files/USCIS/Resources/Resources%20for%20Congress/Congressional%20Reports/2011%20National%20Immigration%20%26%20Consular%20Conference%20Presentations/Refugee_Admissions_Program.pdf).

<sup>7</sup> Human Rights Watch, Lebanon: Syrian Refugee’s Account of Torture (Dec. 21, 2016), <https://www.hrw.org/news/2016/12/21/lebanon-syrian-refugees-account-torture>.



institutionalized homophobia” in their host countries, even those that are considered to be “frontline host countries in the global refugee crisis.”<sup>8</sup> LGBTQ individuals in refugee camps often face “marginalization and hostility,” and “transgender people are particularly vulnerable to violence.”<sup>9</sup> Thus, even after they have fled their countries of origin, many LGBTQ individuals continue to face “extreme risks and persecution” until they are permitted to resettle in the United States.<sup>10</sup>

The EO, if implemented, would block, or at least significantly impair, many LGBTQ individuals’ chances at family unification or resettlement as refugees, dramatically increasing the risk of harm to these applicants in their countries of origin. Each of the six countries targeted by the EO explicitly criminalizes homosexual conduct, some of them authorizing or even mandating the death penalty for such offenses.<sup>11</sup> And in all of these countries, LGBTQ individuals “face a climate of societal and institutionalized homophobia,” many suffering

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<sup>8</sup> Human Rights First, *LGBT Refugees and President Trump’s Refugee Ban Executive Order*, Fact Sheet: March 2017, <http://www.humanrightsfirst.org/sites/default/files/hrf-lgbt-refugees-trump-refugee-ban-eo-march-2017.pdf> (“LGBT Refugees Fact Sheet”).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> World Survey, *supra* n.3 36-37.

persecution from multiple sources, including disapproving family members, government and police forces, and terrorist groups.<sup>12</sup> The treatment of LGBTQ people in the six countries covered by the EO is detailed below:

**Iran.** As the U.N. Human Rights Council has noted and condemned on multiple occasions, LGBTQ people in Iran consistently “face harassment, persecution, cruel punishment, and are denied basic human rights.”<sup>13</sup> Iran criminalizes same-sex relations between consenting adults, and even mandates the death penalty for the “passive” male engaged in “sodomy” and for fourth-time “lesbian” offenders.<sup>14</sup> Authorities conduct many of these executions in public.<sup>15</sup> Those who are not subject to the death penalty may nonetheless be

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<sup>12</sup> LGBT Refugees Fact Sheet, *supra* n.8 (“Halting the refugee admissions program—or the resettlement of refugees from the targeted Muslim-majority countries—leaves vulnerable LGBT refugees awaiting resettlement to face violence, discrimination, and even death.”).

<sup>13</sup> U.N. Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran 20 (Advance Unedited Version, Feb. 28, 2013), [http://www.ohchr.org/Documents/Countries/IR/A-HRC-22-56\\_en.pdf](http://www.ohchr.org/Documents/Countries/IR/A-HRC-22-56_en.pdf).

<sup>14</sup> Mission for Establishment of Human Rights in Iran, Islamic Penal Code of Iran, Part 2, Article 111; Part 3, Article 131 5, 7, [http://mehr.org/Islamic\\_Penal\\_Code\\_of\\_Iran.pdf](http://mehr.org/Islamic_Penal_Code_of_Iran.pdf).

<sup>15</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Iran 3, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265496>.

punished by up to 100 lashes for engaging in same-sex relations.<sup>16</sup>

Because LGBTQ individuals may face prosecution under Iranian law if they seek help from authorities, the law “creates a ‘chilling effect’ on the ability (and desire) of victims to report abuses against them, and renders them more vulnerable to harassment, abuse, blackmail, and extortion by private actors.”<sup>17</sup>

LGBTQ people in Iran also face pervasive harassment, abuse, and violence “at the hands of private actors, including members of their family and society at large,” as well as “members of Iran’s police, security, and intelligence forces in public spaces.”<sup>18</sup> The Penal Code does not include hate crime laws or other criminal justice mechanisms to aid in the prosecution of bias-motivated crimes.<sup>19</sup>

**Libya.** Libya’s Penal Code criminalizes consensual same-sex sexual acts, which are punishable by up to five years in prison for both

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<sup>16</sup> Mission for Establishment of Human Rights in Iran, Islamic Penal Code of Iran, Part 2, Article 112, 113; Part 3, Article 129 5-7, [http://mehr.org/Islamic\\_Penal\\_Code\\_of\\_Iran.pdf](http://mehr.org/Islamic_Penal_Code_of_Iran.pdf).

<sup>17</sup> Buried Generation, *supra* n. 4.

<sup>18</sup> *Id.*

<sup>19</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Iran 43-44, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265496>.

partners.<sup>20</sup> “In the Libyan society, to be gay [is] considered against Islam.”<sup>21</sup> Indeed, sources have reported that in 2012, the Libyan representative to the U.N. stated in a meeting with the U.N. Human Rights Council that “gays threaten the continuation of the human race.”<sup>22</sup>

As a result of these social mores, official and societal discrimination, harassment, and violence against LGBTQ individuals in Libya is widespread,<sup>23</sup> and there is no legislation in place to protect LGBTQ individuals against such mistreatment.<sup>24</sup> In its 2016 report on human rights in Libya, the State Department noted several reports of physical violence, harassment, and blackmail based on sexual orientation and gender identity. “Militias often policed communities

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<sup>20</sup> Libya: Penal Code of 1953 as amended by Law 70 of 2 October 1973, Article 407(4), 408(4).

<sup>21</sup> U.N. Human Rights Council, Summary Prepared by the Office of the United Nations High Commissioner for Human Rights (February 23, 2015), [http://www.ecoi.net/file\\_upload/1930\\_1453302677\\_g1503174.pdf](http://www.ecoi.net/file_upload/1930_1453302677_g1503174.pdf).

<sup>22</sup> Canada: Immigration and Refugee Board of Canada, Libya: Situation of sexual minorities, including legislation; treatment by society and authorities; state protection and available services (2011-July 2014), July 17, 2014, LBY104913.E, <http://www.refworld.org/docid/54ca12544.html> (“Libya: Situation of Sexual Minorities”).

<sup>23</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Libya 28, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265510> (“Libya’s Human Rights Practices”).

<sup>24</sup> Libya: Situation of Sexual Minorities, *supra* n. 22.

to enforce compliance with militia commanders' understanding of 'Islamic' behavior, and harassed and threatened with impunity individuals believed to have LGBTI orientations and their families."<sup>25</sup> For example, in 2013, reports emerged that 12 men, believed to be homosexual, were detained and threatened with execution by an armed group seeking to enforce a strict form of Islamic Sharia law.<sup>26</sup> Other individuals have reported being arrested and raped by Libyan police on account of their sexual orientation.<sup>27</sup>

**Somalia.** Homosexual conduct is outlawed in Somalia. In northern Somalia, where the Somalian Penal Code governs, homosexual intercourse is punishable by imprisonment from three months to three years.<sup>28</sup> In southern Somalia, under the control of militants, consensual same-sex sexual acts are punished by flogging or by death.<sup>29</sup>

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<sup>25</sup> Libya's Human Rights Practices, *supra* n.23 at 28.

<sup>26</sup> United Kingdom: Foreign and Commonwealth Office, Human Rights and Democracy: The 2012 Foreign & Commonwealth Office Report - Libya (April 15, 2013), [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/408376/Cm\\_8593\\_Accessible\\_complete.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408376/Cm_8593_Accessible_complete.pdf).

<sup>27</sup> Libya: Situation of Sexual Minorities, *supra* n.22.

<sup>28</sup> Somalia: Penal Code, Legislative Decree No.5/1962, Article 409.

<sup>29</sup> Amnesty International, Making Love a Crime, Criminalization of same-sex conduct in Sub-Saharan African (June 24, 2013).

Society in Somalia considers sexual orientation and gender identity to be taboo topics.<sup>30</sup> Thousands of LGBTQ individuals in Somalia keep their sexual orientation a “closely guarded secret,” knowing that bringing it out into the open could attract potential retribution from terrorist groups or armed gangs.<sup>31</sup> As one source described it, “LGBT people in Somalia are silent and invisible, often facing violence and rejection from their families and communities that results in honour killings and suicides.”<sup>32</sup>

Violence against members of the LGBTQ community in Somalia is rampant. For example, the U.N. Human Rights Council reported a 2013 incident in which a gay Somali 18-year-old teen was blindfolded, buried up to his waist, and then stoned to death for

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<sup>30</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Somalia 38 (Mar. 3, 2017), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265300>.

<sup>31</sup> Catarina Stewart, *Young Somali activist sentenced to death for being a lesbian*, The Independent (Jan. 30, 2016), <http://www.independent.co.uk/news/world/Africa/young-somali-activist-sentenced-to-death-for-being-a-lesbian-a6844216.html>.

<sup>32</sup> Swedish International Government Cooperation Agency, The Rights of LGBTI People in Somalia 1 (Nov. 2014), <http://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/lgbti/rights-of-lgbt-persons-somalia.pdf> (“LGBTI People in Somalia”).

allegations of homosexuality.<sup>33</sup> There have been reports of gangs of armed men searching the streets of Somalia for people suspected of being LGBTQ.<sup>34</sup>

**Sudan.** Sudan’s Penal Code also criminalizes sodomy, with punishment ranging from 100 lashes to life imprisonment or even death.<sup>35</sup> Additionally, the Penal Code provides that anyone who carries out acts considered indecent or inappropriate to the public morals will be punished by flogging not exceeding 40 times, a fine, or both.<sup>36</sup>

As a result of the criminalization of “sodomy” and “indecent” acts, anti-LGBTQ sentiment is pervasive among members of society in Sudan. Many LGBTQ individuals have expressed concern for their safety. Vigilantes frequently target suspected gay men and lesbians for violent abuse, and public demonstrations against homosexuality

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<sup>33</sup> U.N. Human Rights Council, Universal Periodic Review second cycle, Summary of stakeholders’ information 3 (Jan. 22, 2016).

<sup>34</sup> LGBTI People in Somalia, *supra* n. 32 at 1.

<sup>35</sup> European Country of Origin Information Network, Sudan Penal Code 1991, Chapter 15, Section 148, [https://www.ecoi.net/file\\_upload/1329\\_1202725629\\_sb106-sud-criminalact1991.pdf](https://www.ecoi.net/file_upload/1329_1202725629_sb106-sud-criminalact1991.pdf).

<sup>36</sup> *Id.* Section 151.

are commonplace.<sup>37</sup> The State Department has documented such abuse, including by reporting that an individual was detained, beaten, and harassed by authorities due to his suspected affiliation with LGBTQ-friendly groups.<sup>38</sup>

**Syria.** The Syrian Penal Code prohibits “carnal relations against the order of nature,” and provides for at least three years’ imprisonment for violations.<sup>39</sup> Though the law does not specifically address LGBTQ activity, police have used this provision to persecute members of the LGBTQ community.<sup>40</sup> Police also frequently target LGBTQ individuals by arresting them without basis on trumped-up charges such as abusing social values; selling, buying, or consuming illegal drugs; and organizing and promoting “obscene” parties.<sup>41</sup>

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<sup>37</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Sudan (Feb. 27, 2014), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265306>.

<sup>38</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Sudan (Mar. 3, 2017), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265306>.

<sup>39</sup> Syria: Penal Code of 1949, Articles 517, 520.

<sup>40</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Syria (Mar. 29, 2017), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265520>.

<sup>41</sup> *Id.*



The State Department has recognized “overt societal discrimination based on sexual orientation and gender identity in all aspects of [Syrian] society.”<sup>42</sup> Throughout the past year, Syrian media reported numerous examples of government and police forces using accusations of homosexuality as a pretext to detain, arrest, and torture members of the LGBTQ community.<sup>43</sup> It is difficult to determine how common this conduct is since police rarely report the basis for their arrests. Moreover, because of the social stigma surrounding LGBTQ identity, many victims of such abuse are hesitant to come forward to report it.<sup>44</sup>

Members of the Syrian LGBTQ community also face extreme threats of violence at the hands of militant Islamist groups. For example, last year, one group’s media office issued a “photo report about the imposition of [] punishment” on those suspected of being gay. The photographs included images of a boy being pushed from the top of a building.<sup>45</sup> Human Rights Watch has documented similar violence, including a 15-year-old boy who was stoned to death after

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<sup>42</sup> *Id.*

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

he was accused of being gay, and three men—one of whom was just 17 years old—accused of homosexuality were “sentenced” to death by shooting. An observer of the shooting described the horrific scene: “When I approached the crowd, I saw the body of the boy shot twice . . . A man standing there told me that he was shot . . . in front of all the people because he was gay.”<sup>46</sup> According to the Syrian Observatory for Human Rights at least 25 Syrian men were murdered in 2016 by extremist groups “on suspicion of homosexuality or for sodomy.”<sup>47</sup>

**Yemen.** “Yemen is a conservative Arab state where homosexuality is seen as a taboo and is condemned under the country’s strong Islamic beliefs.”<sup>48</sup> Yemen’s Penal Code outlaws same-sex relations, with punishments ranging from 100 lashes to

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<sup>46</sup> Amnesty International: Torture was my Punishment: Abductions, Torture and Summary Killings Under Armed Group Rule in Aleppo and Idleb, Syria (July 2016), [http://www.amnestyusa.org/sites/default/files/embargoed\\_5\\_july-\\_torture\\_was\\_my\\_punishment-final\\_version.pdf](http://www.amnestyusa.org/sites/default/files/embargoed_5_july-_torture_was_my_punishment-final_version.pdf).

<sup>47</sup> Human Rights Watch, World Report 2017: Events of 2016, [https://hrw.org/sites/default/files/world\\_report\\_download/wr2017-web.pdf](https://hrw.org/sites/default/files/world_report_download/wr2017-web.pdf).

<sup>48</sup> International Refugee Rights Initiative, Rights In Exile Programme, Yemen LGBTI Resources, <http://www.refugeelegalaidinformation.org/yemen-lgbti-resources> (“Yemen LGBTI Resources”).

death by stoning.<sup>49</sup> Yemen’s laws similarly do not protect against discrimination or hate crimes against LGBTQ individuals.<sup>50</sup> Indeed, “the most serious issue connected to the ban on homosexuality is that victims of hate crimes cannot seek help from the authorities.”<sup>51</sup>

Because of the risk of criminal prosecution and severe punishment, as well as the societal and social condemnation they face, most LGBTQ individuals in Yemen choose to live in hiding, and few LGBTQ people are open about their sexual orientation or gender identity.<sup>52</sup> As a result, “homosexuality in the State is both ‘unseen and unheard’. It is kept underground, hidden from authorities and a disapproving society.”<sup>53</sup>

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<sup>49</sup> International Labour Organization, Republican Decree for Law No 12 for the Year 1994 Concerning Crimes and Penalties, Section 11, Article 264, <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/83557/92354/F1549605860/YEM83557.pdf>.

<sup>50</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Yemen 44 (2016), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dlid=265528>.

<sup>51</sup> Ben Gladstone, *For Yemen’s gay community social media is a savior*, The Irish Times (Aug. 22, 2015), <http://www.irishtimes.com/news/world/middle-east/for-yemen-s-gay-community-social-media-is-a-saviour-1.2324447> (“Yemen’s Gay Community”).

<sup>52</sup> U.S. Dep’t of State, Bureau of Democracy, H.R. and Lab., 2016 Country Reports on Human Rights Practices – Yemen 44 (2016), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dlid=265528>.

<sup>53</sup> Yemen LGBTI Resources, *supra* n. 48.

The plight of LGBTQ individuals in Yemen has been exacerbated by the ongoing civil war there.<sup>54</sup> Although “[t]he situation is very bad for people in general,” the war “has a particularly severe effect on sexual minorities.”<sup>55</sup> “Even in peacetime, however, homosexuality in Yemen has always been suppressed. Whatever the outcome of the civil war, the country’s gay community has a tough battle ahead before any semblance of widespread acceptance can be achieved.”<sup>56</sup>

## ARGUMENT

### **I. IT IS IN THE PUBLIC INTEREST TO PREVENT THE UNIQUE HARDSHIPS THE EO CREATES FOR LGBTQ POPULATIONS**

“A plaintiff seeking a preliminary injunction must establish [1] that he is likely to succeed on the merits, [2] that he is likely to suffer irreparable harm in the absence of preliminary relief, [3] that the balance of equities tips in his favor, and [4] that an injunction is in the public interest.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). An injunction benefits the public interest where it prevents

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<sup>54</sup> Collin Stewart, *Yemen’s hidden gay community under siege*, Erasing 76 Crimes (Aug. 19, 2015), <https://76crimes.com/2015/08/19/yemens-hidden-gay-community-under-seige>.

<sup>55</sup> *Id.*

<sup>56</sup> Yemen’s Gay Community, *supra* n.51.

the violation of federal law or constitutional rights. *See Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (“[I]t is always in the public interest to prevent the violation of a party’s constitutional rights.”) (citation omitted); *Valle del Sol Inc. v. Whiting*, 732 F.3d 1006, 1029 (9th Cir. 2013) (“[I]t is clear that it would not be equitable or in the public’s interest to allow the state . . . to violate the requirements of federal law, especially when there are no adequate remedies available.”) (citation omitted). When constitutional rights are at stake, the public interest supports granting a preliminary injunction to preserve the status quo, even where other important interests are at issue. For example, in *Awad v. Ziriax*, 670 F.3d 1111, 1118, 1131-32 (10th Cir. 2012), the court issued a preliminary injunction blocking an amendment to a state constitution that would “forbid courts from looking at . . . Sharia Law when deciding cases” until plaintiff’s Establishment Clause claim was decided on the merits. The court held that there was a “more profound and long-term interest in upholding an individual’s constitutional rights” where the law the voters seek to enact is likely unconstitutional than in giving effect to the voting process. *Id.* (citation omitted).

Here, the United States' commitment to providing safe harbor for refugees and protecting the rights and dignity of LGBTQ individuals is embodied in constitutional and federal law, but are undermined and violated by the EO.

**A. Constitutional And Federal Law Emphasize The Importance Of Family Reunification And Marriage**

The public interest in protecting family units, both LGBTQ and otherwise, is well enshrined in constitutional law. As the Supreme Court has long recognized, the right to marry is fundamental. *See Zablocki v. Redhail*, 434 U.S. 374, 384 (1978) (“[T]he right ‘to marry, establish a home and bring up children’ is a central part of the liberty protected by the Due Process Clause.” (citation omitted)). In *Obergefell v. Hodges*, 135 S. Ct. 2584 (2015), the Court made it clear that these rights extend to LGBTQ persons. 135 S. Ct. at 2604 (“The right to marry is a fundamental right inherent in the liberty of the person, and under the Due Process and Equal Protection Clauses of the Fourteenth Amendment couples of the same-sex may not be deprived of that right and that liberty.”).

The right to marry regardless of sexual orientation inheres in all persons within the United States, not just U.S. citizens. *See Meyer v. Nebraska*, 262 U.S. 390, 399 (1923) (the right “to marry, establish a

home and bring up children” is a central part of the liberty protected by the Due Process Clause); *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001) (“the Due Process Clause applies to all ‘persons’ within the United States, including aliens, whether their presence here is lawful, unlawful, temporary, or permanent”).

The United States’ commitment to enabling families to live together is also embodied in its visa policies, which provide special allowances for family-sponsored visas. *Cf.* 8 U.S.C. § 1151(b)(2)(A) (geographically defined limits on immigration do not apply to immigration by “immediate relatives” of U.S. citizens); 8 U.S.C. § 1151(c)(1) (providing a base limit of 480,000 family-sponsored immigrants, subject to certain deductions); 8 U.S.C. § 1153(a)(2) (allowing legal permanent residents to sponsor spouses, children, and unmarried sons or daughters).

Due to recent advances in U.S. law protecting LGBTQ rights, including the Supreme Court’s decision in *Obergefell v. Hodges*, providing constitutional protection for same-sex marriage, members of the LGBTQ community may normally avail themselves of family reunification visas to assist family members living abroad, including those suffering persecution in countries that discriminate against the

LGBTQ community. For example, LGBTQ individuals might apply for admission on a K-1 “fiancé(e)” visa, which requires the K-1 visa applicant’s sponsor in the United States to petition the U.S. Customs and Immigration Service (“USCIS”) to bring the applicant to the United States to be married.<sup>57</sup>

Family unity and reunification also affect the way the United States considers the status of immigrants, lawful or otherwise. In *Solis-Espinoza v. Gonzales*, 401 F.3d 1090 (9th Cir. 2005), the Ninth Circuit observed that immigration enforcement must take family unity into account because “[p]ublic policy supports recognition and maintenance of a family unit.” *Id.* at 1094 (“The Immigration and Nationality Act (‘INA’) was intended to keep families together. It should be construed in favor of family units and the acceptance of responsibility by family members.”). *See also Kaliski v. Dist. Dir. of INS*, 620 F.2d 214, 217 (9th Cir. 1980) (noting that the “humane

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<sup>57</sup> *See* U.S. Department of State Bureau of Consular Affairs, *Nonimmigrant Visa for a Fiancé(e) (K1)*, <https://travel.state.gov/content/visas/en/immigrate/family/fiance-k-1.html> (last visited April 20, 2017); USCIS, *K-1 Process: Step by step*, <https://www.uscis.gov/family/k-1-process-step-step> (last visited April 20, 2017). Once approved, the applicant must submit substantial documentation, including proof to substantiate the applicant’s relationship with his or her fiancé(e) in the United States, to a U.S. Consulate or Embassy, participate in an in-person interview and submit to a medical examination. *Id.*



purpose of the [Immigration and Nationality] Act to reunite families would be frustrated” by an overly strict interpretation of who is considered a family member).

Moreover, the value of family unification is an important limitation on deportation proceedings, wherein the government is required to consider “humanitarian or public interest considerations,” including the “compelling humanitarian interest in keeping families united.” *United States v. Raya-Vaca*, 771 F.3d 1195, 1207-08 (9th Cir. 2014) (citing cases); *see also Cerrillo-Perez v. INS*, 809 F.2d 1419, 1423 (9th Cir. 1987) (noting that “the preservation of family unity is recognized as a critical factor in admitting refugees to a country”).

The United States has recognized that the public interest includes consideration of LGBTQ families by its ratification of the International Covenant on Civil and Political Rights (“ICCPR”) in 1992. 138 Cong. Rec. S4781-01 (daily ed. Apr. 2, 1992).<sup>58</sup>

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<sup>58</sup> Despite asserting that the ICCPR is not a self-executing treaty and thus does not create any enforceable private rights, the United States declared that “U.S. law generally complies with the Covenant[.]” Senate Executive Report 102-23 (102d Cong., 2d Sess.). Ratified treaties—even without implementing legislation—remain the supreme law of the land. *See* U.S. Const. art. VI, cl. 2. Thus, the ICCPR may be a “useful guide” as to the values the United States has deemed consistent with domestic law. *See Khan v. Holder*, 584 F.3d 773, 783 (9th Cir. 2009) (holding that treaty at issue did not have force of law in U.S. courts but could serve as “useful guide” in interpreting other

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Specifically, in ratifying the ICCPR, the United States recognized that its domestic law incorporates the fundamental precept that “the family is the natural and fundamental group unit of society and is entitled to protection by society and the State.” ICCPR, art. 23, § 1. The Human Rights Committee of the United Nations has interpreted this provision to include the right of a family to live together, which obligates states to adopt appropriate measures “to ensure the unity or reunification of families, particularly when their members are separated for political, economic or similar reasons.”<sup>59</sup>

Thus, the public has a strong interest in maintaining personal and familial relationships for persons within the United States and those seeking to immigrate to the United States.

**B. Federal Law Reflects The United States’ Commitment To Accept LGBTQ Refugees**

As a matter of both historic practice and commitment, the United States accepts and resettles refugees into the United States.<sup>60</sup>

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provisions of law so as to avoid violation of law of nations) (citing *Murray v. Schooner Charming Betsy*, 6 U.S. 64, 118 (1804)).

<sup>59</sup> Human Rights Committee, General Comment No. 18, para. 6, U.N. Doc. HRI/GEN/1Rev.1 at 26 (1994).

<sup>60</sup> See U.S. Dep’t of State, Homeland Sec., & Health & Human Servs., Proposed Refugee Admissions For Fiscal Year 2016 ii (2015) (“On the occasion of World Refugee Day, June 20, President Obama re-affirmed our nation’s commitment to helping refugees and our leading role in providing safe haven”),

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In fiscal year 2016, the United States accepted and resettled 84,994 refugees from around the world.<sup>61</sup>

When the United States ratified the Protocol on the Status of Refugees in 1968, *see* 19 U.S.T. 6223, T.I.A.S. No. 6577, and enacted the Refugee Act of 1980, it sought to conform domestic law to its international obligations. Pub. L. No. 96-212, 94 Stat. 102; *see INS v. Cardoza-Fonseca*, 480 U.S. 421, 436 (1987) (“[O]ne of Congress’ primary purposes [in enacting the Refugee Act of 1980] was to bring United States refugee law into conformance with the 1967 United Nations Protocol . . .”). Those obligations include accepting LGBTQ refugees who are fleeing state-sanctioned persecution on account of their sexual or gender identities.

Establishing the United States’ policy toward refugees, the Refugee Act expanded the legal definition of refugees to include those subject to “persecution on account of . . . membership in a particular social group.” 8 U.S.C. § 1101(a)(42)(A). It is now well established

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<https://www.state.gov/documents/organization/247982.pdf>; *see also* 8 C.F.R. § 207 (specifying the maximum number of refugees who may be admitted to the United States on an annual basis, subject to modification by the president based on humanitarian concerns).

<sup>61</sup> *See* Dep’t of State, Bureau of Population, Refugees, & Migration, *Summary of Refugee Admissions as of 31-March-2017*, [http://www.wrapsnet.org/s/Refugee-Admissions-Report-2017\\_03\\_31.xls](http://www.wrapsnet.org/s/Refugee-Admissions-Report-2017_03_31.xls) (“2016” worksheet) (last visited April 19, 2017).

that LGBTQ individuals are deemed to belong to such a “particular social group” entitled to refugee status because of their frequent persecution in other countries, as discussed in Section I, *supra*. See *Karouni v. Gonzales*, 399 F.3d 1163, 1172 (9th Cir. 2005) (holding that “*all* alien homosexuals are members of a ‘particular social group’” for asylum purposes); see also *Pitcherskaia v. INS*, 118 F.3d 641, 646-47 (9th Cir. 1997) (remanding denial of an asylum application of a Russian lesbian who cited fear of conversion therapy); *Boer-Sedano v. Gonzales*, 418 F.3d 1082, 1089 (9th Cir. 2005) (holding that “homosexual men in Mexico” constitute a particular social group for the purposes of asylum); accord *Avendano-Hernandez v. Lynch*, 800 F.3d 1072, 1082 (9th Cir. 2015) (remanding a denial of relief under the Convention Against Torture and noting that “unique identities and vulnerabilities of transgender individuals must be considered in evaluating a transgender applicant’s asylum, withholding of removal, or CAT claim”). Consequently, the United States has a well-developed policy in favor of accepting LGBTQ refugees, regardless of their country of origin.

## **II. THE EO CONTRAVENES U.S. LAW AND POLICY TO ACCEPT LGBTQ INDIVIDUALS AS IMMIGRANTS AND REFUGEES**

Many LGBTQ individuals apply for visas to permanently relocate to the United States, including the spouses, parents, children, and fiancés of U.S. citizens, residents, and asylees. LGBTQ individuals who cannot obtain family reunification visas may seek to enter the United States as refugees in order to avoid persecution in their countries of origin. The EO would foreclose both avenues.

The EO shuts down visa processing for 90 days for anyone seeking a visa from Iran, Libya, Somalia, Sudan, Syria, or Yemen. EO §§ 2(c), 3(a). After 90 days, the government *may* reinstitute the visa application process, although the EO contemplates that the president may proclaim that certain categories of foreign nationals are permanently prohibited from entry. EO § 2(e). The EO allows for certain case-by-case exceptions to the ban on issuing visas, including “to visit or reside with a close family member” in the case of “undue hardship.” EO § 3(c). The waiver provisions, as discussed in Section IV, *infra*, provide little guidance—and no guarantee—on whether LGBTQ individuals will be able to obtain visas under the EO.

In addition, Section 6 of the EO suspends travel of refugees into the United States and orders the Secretary of Homeland Security to

“suspend decisions on applications for refugee status for 120 days” while the Executive Branch determines “what additional procedures should be used to ensure that individuals seeking admission as refugees do not pose a threat.” EO § 6(a). Significantly, the EO does not identify any known problems with the current screening process or any facts that suggest a problem may exist.

The EO permits the Executive Branch to make exceptions to the ban on refugee admissions and allow refugees on a case-by-case basis where entry is in “the national interest.” After 120 days, decisions on applications may only begin again if the relevant government agencies “jointly determine[] that the additional procedures implemented pursuant to this subsection are adequate to ensure the security and welfare of the United States.” *Id.*

**A. The EO Prevents LGBTQ Individuals From Accessing The Mechanisms In Place For Family Reunification**

The public policy goal of family reunification would be thwarted if the EO were to take effect by preventing U.S. citizens and residents from sponsoring U.S. visa applications of LGBTQ family members located in the six countries. The EO would deprive those U.S.-based family members of the fundamental right to family

reunification, the very policy the INA was designed to accomplish.

*See Solis-Espinoza*, 401 F.3d at 1094.

For example, the EO would impair residents and citizens whose fiancés or partners are located in the six countries from exercising the fundamental right to marry, as their partners would be prohibited from obtaining a K-1 “fiancé(e)” visa to visit the United States. *See* EO § 2(c); *see also Int’l Refugee Assistance Project v. Trump*, No. 8:17-CV-00361-TDC, ECF No. 91-9 (S.D. Md. Mar. 10, 2017) (declarant U.S. citizen expressed concern for the safety of his male, Iranian fiancé and doubt as to whether his fiancé will be able to travel to the United States for their marriage). That harm is exacerbated for same-sex couples because those individuals cannot travel to one of the six countries to get married, as those countries do not recognize same-sex marriages. By the same token, U.S. children and family members of same-sex couples, unable to marry because they are stranded in one of the six countries, would be uniquely deprived of the ability to form a legally recognized family, and are thus forced to bear “the stigma of knowing their families are somehow lesser” because their families receive unequal treatment under the EO. *See Obergefell*, 135 S. Ct. at 2600.

Moreover, those U.S.-based family members would be forced to watch and wait as their LGBTQ loved ones are persecuted in the six countries. The EO indefinitely delays the ability of LGBTQ foreign nationals to leave the six countries, even though many of these individuals would have strong cases to obtain visas by virtue of their familial relationships with U.S. citizens or residents. If LGBTQ visa applicants in the six countries are forced to wait an indefinite period of time for the visa process to begin again, they will be waiting in hostile political and social environments. Each day the EO suspends the processing of visa applications, meritorious visa-applicants will be exposed to the likelihood of violence—and the certainty of discrimination—in the six countries.

By refusing to accept visa applications from any individual in the six countries, many LGBTQ individuals may find themselves forced to seek refugee status instead of the visa they otherwise might lawfully obtain. However, as discussed in Section III.B, *infra*, applying for refugee status presents unique challenges and perils to LGBTQ individuals, many of whom reasonably fear that “outing” themselves could put them or their loved ones in danger.



**B. The EO Increases LGBTQ Refugees' Exposure To Dangerous Conditions**

Suspending adjudication of refugee and immigrant visa applications for admission to the United States prolongs an already lengthy and arduous process for LGBTQ individuals escaping persecution and seeking to reunite with their families. Even apart from the EO, LGBTQ individuals are often unable to obtain the records necessary to demonstrate their abuse in the six countries to obtain refugee status.<sup>62</sup> Likewise, because consular staff in the six countries may include both U.S. citizens and foreign nationals, LGBTQ individuals often have well-founded fears of revealing their sexual or gender orientation in applying for refugee status. News of an LGBTQ person's sexual or gender identity might be spread by personnel working in consulates in the six countries, provoking violence and discrimination towards such individuals.

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<sup>62</sup> See U.S. Citizenship & Immigration Services, RAI0 Directorate – Officer Training, Guidance for Adjudicating LGBTI Refugee & Asylum Claims 38-46 (2011), <https://www.uscis.gov/sites/default/files/USCIS/Humanitarian/Refugees%20%26%20Asylum/Asylum/Asylum%20Native%20Documents%20and%20Static%20Files/RAIO-Training-March-2012.pdf> (instructing USCIS officers that “reliable information regarding the treatment of LGBTI individuals may sometimes be difficult to obtain and that the absence of such information should not lead [an officer] to presume that LGBTI individuals are not at risk of mistreatment.”).

The EO also imposes arbitrary additional hurdles on LGBTQ immigrants from the six countries and elsewhere. Notwithstanding the already comprehensive security measures in place, applicants for admission to the United States will be forced to wait several more months while the Administration determines “whether, and if so what, additional information will be needed” to determine that individuals seeking admission to the United States do not pose a security or public-safety threat. EO § 2(a). The EO does not state how current procedures are deficient, or even whether they are deficient, nor does it provide any assurance that refugee programs will resume after the 120-day suspension.

During this indefinite delay, LGBTQ people will continue to be exposed to the ever-present risks to their safety in resettlement camps and other manifestly hostile environments. As described in Section I, *supra*, the immigration process for LGBTQ people in the six countries is uniquely fraught with danger, and the risks they face are aggravated every additional day that they have to remain in conditions where public exposure of their sexual orientation or gender identity could lead to harm and possibly death.

### **III. THE EO'S WAIVER PROVISIONS DO NOT LESSEN THE IMPACT OF THE EO ON LGBTQ INDIVIDUALS**

The EO's waiver provisions for visa-seekers and refugees do little to mitigate the harms LGBTQ individuals would face if the EO were allowed to go into effect. The EO suggests that waivers of its bar on travel by nationals of the six countries might be available "on a case-by-case" basis in cases of "undue hardship" and where the foreign national's entry into the United States "would not pose a threat to national security and would be in the national interest." EO §§ 3(c), 6(c). Whether to grant a waiver, however, is entirely discretionary and administered by individual consular officers located in the six countries. *Id.*

Moreover, the EO provides visa-seekers with little guidance on the criteria used to consider their waiver applications. Instead, the EO vaguely suggests that "[c]ase-by-case waivers *could* be appropriate" in certain circumstances, including an applicant having "previously established significant contacts with the United States," "significant business or professional obligations," or "if the foreign national is . . . someone whose entry is otherwise justified by the special circumstances of the case." *Id.* (emphasis added). There are no waiver provisions for LGBTQ individuals seeking reunification with a

fiancé(e), and it is not clear whether LGBTQ familial relationships would be recognized by consular officers deciding whether to grant each waiver on a “case-by-case basis.” Rather, the limited and ambiguous conditions provide scant guidance as to whether LGBTQ persons would be able to avail themselves of the waiver provisions, and therefore offer little to no assurance when considering the unique risks they face in exposing themselves to consular officers located in the six countries.<sup>63</sup>

Nor does EO define what conditions are “in the national interest” or what would constitute “undue hardship” under section 3(c), creating further uncertainty as to whether LGBTQ persons would be able to avail themselves of the waiver provisions. The guidance from the Departments of State and Homeland Security is also silent on the waiver application process.<sup>64</sup> The State Department’s Q&A only states that “[a]n individual who wishes to apply for a waiver should

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<sup>63</sup> Neither the EO nor the guidance provided by the Departments of State and Homeland Security discusses whether the waivers would apply to LGBTQ persons seeking admission to the United States on account of their romantic or familial relationships. *See* Excerpts of Record Vol. 1 (“E.R.”) at 85-87; U.S. Dep’t of Homeland Sec., Office of Public Affairs, *Q&A: Protecting the Nation From Foreign Terrorist Entry to the United States* (Mar. 6, 2017), <https://www.dhs.gov/news/2017/03/06/qa-protecting-nation-foreign-terrorist-entry-united-states>.

<sup>64</sup> *Id.*

apply for a visa and disclose during the visa interview any information that might qualify the individual for a waiver.”<sup>65</sup> But it is unclear whether and under what circumstances new visa interviews would be conducted for nationals of the six countries while the EO is in effect.

Even assuming an LGBTQ individual would qualify for a waiver, LGBTQ individuals would likely be deterred from applying for one. To qualify for many of the exceptions, an LGBTQ person would be required to reveal information about their sexual orientation and activities to consular officers, and possibly the consulate’s staff of foreign nationals, posing additional dangers beyond those typically faced by LGBTQ persons seeking to travel to the U.S. For example, LGBTQ persons who are seeking a waiver based on their familial relationship with a U.S. citizen or resident of the same sex would be forced to reveal their sexual orientation, gender identity, or other potentially compromising facts about themselves rather than simply obtaining a visa based on some other criteria. The resulting chilling effect on LGBTQ persons’ desire to apply for admission to the United States would only compound their suffering in the six countries. The waiver provisions therefore do not diminish any of the special risks

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<sup>65</sup> *See* E.R. at 86.

and dangers imposed by the EO on LGBTQ persons from the six countries seeking either a visa or applying for refugee admission.

**CONCLUSION**

For all the reasons stated above, *Amici Curiae* respectfully request that the Court affirm the District Court's order preliminarily enjoining the government from enforcing the EO.

April 21, 2017

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 21, 2017, I caused the foregoing document to be electronically filed with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

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**CERTIFICATE OF COMPLIANCE**

I hereby certify that this brief complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type style requirements of Rule 32(a)(6). It was prepared in a proportionately spaced typeface in Microsoft Word using 14-point Times New Roman typeface, and with the type-volume limitation. As determined by this software, the brief, exclusive of the cover pages, application, and tables, contains 6,993 words.

April 21, 2017

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