

Declaration of Ms. Carmen Rubio

I, Carmen Rubio, declare as follows:

1. I am the Executive Director of Latino Network (“LatNet” or “organization”), in Portland, Oregon. The information in this declaration is based on my personal knowledge and on data that LatNet maintains in its ordinary course of business. As Executive Director, I am responsible for leading our Latino-led education organization, which is grounded in culturally specific practices and services and which lifts up youth and families to reach their full potential. I joined Latino Network as the Executive Director in 2009. Previously, I served on staff for former Multnomah County Commissioner Serena Cruz Walsh, former Portland Mayor Tom Potter, and Portland City Commissioner Nick Fish. I currently serve on the boards of the Oregon Shakespeare Festival, Coalition of Communities of Color and the University of Oregon Alumni Association. I also serve as an appointed Commissioner on the State of Oregon’s Higher Education Coordinating Commission. I am a 2015 Marshall Memorial Fellow, an American Leadership Forum of Oregon Fellow, and a member of the International Women’s Forum.

2. LatNet was founded in 1996 by community leaders concerned about the lack of adequate resources to meet the needs of the growing Latino community in Portland and the surrounding area. Since then, we have evolved to become an organization that also sponsors transformational programs aimed at educating and empowering Multnomah County Latinos. Low achievement scores, unavailability of adequate health services, youth violence, and high drop-out rates undermine the Latino community’s potential. We address these issues with programs and outreach efforts to promote early literacy, encourage parent involvement, work with gang-involved and adjudicated youth and families, and provide academic support and activities to high-school-aged youth. Through LatNet’s community partnerships, we have been

able to guide our members and their families to available health- and job-related services to assist them become self-sufficient as soon as possible. Through our work, we build local youth and adults' leadership skills, positively transform the lives of Latino youth and families, and strengthen vulnerable communities.

3. Like other human rights organizations, LatNet recognizes the monumental importance that family unity plays in an individual's social development and economic integration. Government efforts to prevent individuals from reuniting with children, spouses, parents, and siblings are fundamentally at odds with our mission and values. Likewise, availability of, and access to, health-related benefits plays a vital role in the youth educational development, and is essential for newly arrived immigrant families.

4. Today, LatNet addresses its mission through educational and advocacy programs aimed at helping the Latino community in three key areas. LatNet is dedicated to helping Latino youth and parents: (1) live with dignity and develop social support; (2) sustain physical and mental health; and (3) achieve housing and financial stability.

5. LatNet fulfills its mission by offering various programs and services, including Early Childhood Services, Community-Based Programs, School-Based Programs, Arts & Culture Youth Programs, Health and Wellness Programs, and Civic Leadership Programs. Each of these programs and services are built around the goal of helping our participants become self-sufficient, healthy, and productive members of society. For example, LatNet's health and wellness programs work to eliminate stigma associated with mental illness, sexual orientation, and teen pregnancy, as well as increase conversations around health and sexuality. Together these programs carve out a space for dialogue, strengthen family communication, and broaden

the spectrum of public services in our county. Our Community Healing Initiative (“CHI”) engages at-risk and gang-involved youth and their family members to reduce violence and juvenile justice system involvement. CHI mentors, case managers, and mental health workers work to support entire families as they overcome systemic barriers, build on strengths, and set and achieve goals.

6. Support for immigration and successful integration of immigrants into our community represent fundamental principles of our organization; many of our members are newly arriving immigrants, recently arrived immigrants, or are in the process of sponsoring their family members, many overseas, for immigrant visas. LatNet staff operate as ‘immigration services navigators’ who educate clients and connects them to legal-services providers to assist with family reunification applications through the immigrant visa process.

7. LatNet staff also assist community members and their families in navigating employment services (assessment, job readiness, employment counseling, job placement, and retention), language classes, and other social services, including green card and citizenship applications, healthcare, short-term financial assistance, and other benefit services.

8. I am familiar with the “Presidential Proclamation on the Suspension of Entry of Immigrants Who Will Financially Burden the United States Healthcare System” (the “Proclamation”). It is my understanding that the Proclamation bans otherwise qualified immigrant visa applicants from receiving visas and entering the United States unless they can establish, “to the satisfaction of a consular officer,” that they either “will be covered by approved health insurance” within 30 days after entry or are wealthy enough “to pay for reasonably foreseeable medical costs.” It is my understanding that the Proclamation seeks to further restrict the ability of visa applicants to obtain a visa by excluding any federal or state means-tested

health insurance benefits, such as tax credits under the Affordable Care Act (“ACA”) or coverage under Medicaid or the Children’s Health Insurance Program (“CHIP”) from the definition of approved health insurance.

9. Because of the Proclamation, many LatNet members have expressed a fear that they will never be reunited with their family members abroad, many of whom live in dangerous and life-threatening situations.

10. Many of LatNet’s clients have increasingly become concerned about sharing the details of their situations publicly, for fear that it could affect their immigration status or applications, or those of their relatives.

11. Given the current political climate, LatNet’s clients are afraid to assert their legal rights through participation in lawsuits or otherwise because they fear possible retaliation from the government or private parties. They also face multiple obstacles to asserting their legal rights, such as language barriers and unfamiliarity with American law and customs.

12. The Proclamation targets immigrant families, and thus our organization’s efforts to lift up our immigrant families, and it will require a reallocation of Latino Network agency resources.

13. The Proclamation has and will continue to severely restrict and frustrate LatNet’s ability to fulfill its organizational mission to counsel and refer our low- and moderate-income immigrant clientele to services that will enable them to obtain adequate health-related benefits.

14. The Proclamation has forced LatNet to divert significant resources to identify what services members of our community may use to adjust to the new rules, comply with the Proclamation, and remain eligible to sponsor family members for immigrant visas.

15. The vague language of what counts as “approved medical care” has caused and will continue to cause LatNet staff members to spend countless hours trying to research what available federal, state, and private health care plans our members and future immigrants who remain abroad may obtain. The time and expense of this research necessarily takes away from other organizational efforts.

16. Prior to the Proclamation, we steered members and clients toward subsidized health-plans to meet their needs and those health needs of their family, when necessary.

17. Now, we have been forced to divert resources to new training and education programs that we felt were necessary to combat the disastrous consequences of the Proclamation for members and their relatives who have or may use a non-approved plan or cannot pay for foreseeable medical costs.

18. For example, since the Proclamation was issued on October 4, 2019, we have allocated thousands of dollars on new, unforeseen education and outreach initiatives to serve our affected and concerned family members. But for the Proclamation, we would have used these precious resources on our previous core functions to assist and guide them to obtain available jobs, job-training, and available health care. The severe alteration of resources was unplanned and is unsustainable, but we have done so due to the need to help mitigate the Proclamation’s severe effects in our community, to the extent we are able.

19. At Latino Network, we must make every available dollar count by investing in quality assurance and program sustainability and expansion, to deliver high quality, effective programs and direct services. This Proclamation has and will continue to squeeze vital resources from our core business and force us to materially shift how we invest our resources and staff time in order to serve our community’s needs to adjust to this Proclamation and its effects. We

must devote dedicated time and money on training the entire staff on the Proclamation's effects and how immigrant families can navigate its requirements. We do not have such health-based staff in the normal course of business, but to appropriately meet our mission we must now do so.

20. For example, we had planned to invest in training our staff on key components of our program quality improvement model and service delivery initiatives in the next few months. We have stopped that investment as a result of the Proclamation. Instead, the Proclamation and its effects will effectively force us to use these resources and that staff development time to ensure all staff are informed and prepared to respond and support community members in navigating the Proclamation's new rules. As staff and community members continue to bring new questions and concerns about the Proclamation, this will increasingly take staff away from their core function of delivering critical direct education and non-health related services to clients.

21. In order to respond to the questions and concerns from community members, program participants and partners, we have and will continue to invest considerable staff time to research restrictions and regulations arising from this Proclamation, identify acceptable health insurance options under the new rules, train our direct service staff on the details of the restrictions and acceptable options for families, develop informational materials in multiple languages to inform our community, and field questions and concerns from our participants.

22. Our regular practice is to ensure our front line staff is trained to refer community members to low cost, subsidized, and free health insurance resources, through our local state Medicaid expansion program. Additionally, we were preparing to partner with other statewide organizations to conduct outreach and enrollment in our state health insurance program for immigrant children and their families. This Proclamation has disrupted our core business and

forced us to develop new programs to respond to these policy changes. This represents a completely new and unanticipated challenge and hardship for our organization and our staff.

23. We estimate that it will cost us \$9,784.00 to train all of our staff on the Proclamation's new rules and restrictions. Additionally, we estimate that it will cost LatNet \$3,963.00 to conduct the necessary research, develop informational materials for staff and community members, and identify acceptable options for health insurance that would satisfy the Proclamation's terms. These estimated costs, however, do not represent the full extent to which the Proclamation frustrates LatNet's ability to carry out its mission and divert resources. The estimates, for example, do not account for the likely decrease in service delivery in our vital, direct service programs that will result from diverting staff to address this Proclamation and associated questions and concerns.

24. I am aware of no mechanism in the Proclamation or any federal program by which LatNet could be compensated for lost productivity or increased costs, and many of the expected impacts to LatNet and its clients and even its other programs could not be mitigated financially in any event.

25. Beyond the burdens that the Proclamation places on LatNet's budget, operations, and organizational mission, the Proclamation will undoubtedly require us to divert resources to address inquiries and concerns arising out of its implementation. We estimate that a significant percentage of staff members' time—up to 15% of paid staff members' weekly time during business hours—will be spent responding to client concerns and inquiries in the coming weeks and months as knowledge and fear of the Proclamation grows, and as further future effects materialize.

26. The family separation that this Proclamation intends to cause will strain our resources in other ways as well. Our clients and their families will have fewer income-earning adults in their households, which will exacerbate existing financial and housing issues in our low- and moderate-income immigrant community. LatNet will have greater future demand for our other core services while at the same time having to divert resources from those services to address the Proclamation's more immediate effects for immigrants and their families seeking admission to the United States.

27. Furthermore, the emotional and developmental toll that family separation exacts from our vulnerable community members cannot be overstated. Without the support and presence of stable, unified families, our community's vulnerable children and youth will face greater obstacles in their efforts to (1) live with dignity and develop social support; (2) sustain physical and mental health; and (3) achieve housing and financial stability. As such, our community and clientele will have greater need than before for our core programs and services, including Early Childhood Services, Community-Based Programs, School-Based Programs, Arts and Culture Youth Programs, Health and Wellness Programs, and Civic Leadership Programs. But because our resources have been and will be diverted to respond to the Proclamation's immediate effects on immigration, LatNet will have fewer resources to devote to that increased need.

28. As such, the Proclamation has caused much more than a mere setback to LatNet's abstract interests. We have experienced and will experience real harm to our capacity to carry out our organization purpose: (a) we have been forced to alter our resource base to respond to and attempt to mitigate the Proclamation's immediate effects; (b) those diverted resources would have been allocated in a balanced manner toward our core services and programs; (c) devoting

staff and resources to meeting and assisting affected families with health-care options in light of the Proclamation diminishes our ability to support our education-based and youth-based community outreach and programs; and (d) we have devoted and will necessarily continue to devote time to monitor our membership and educate our community about the Proclamation and its effects.

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I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Latino Network on 10/29/19

A handwritten signature in black ink, appearing to read "Alex R.", is written over a horizontal line.