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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

PINEROS Y CAMPESINOS UNIDOS DEL NOROESTE; AUGUSTANA LUTHERAN CHURCH; OUR LADY OF GUADALUPE PARISH; SAN FRANCISCO INTERFAITH COUNCIL; WESTMINSTER PRESBYTERIAN CHURCH; NATIONAL EDUCATION ASSOCIATION; AMERICAN FEDERATION OF TEACHERS; AMY LOMANTO; HANNA MAE ANDERSON; LAUREN FONG; and CAROLINE KEATING MEDEIROS,

Plaintiffs,

v.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; TODD LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; RODNEY S. SCOTT in his official capacity as Commissioner of Customs and Border Protection; U.S. CUSTOMS AND BORDER PROTECTION,

Defendants.

Civil Action No.: 6:25-cv-699-AA

DECLARATION OF RHONDA WEINGARTEN, AFT PRESIDENT, IN SUPPORT OF PLAINTIFFS NATIONAL EDUCATION ASSOCIATION AND AMERICAN FEDERATION OF TEACHERS' MOTION FOR STAY UNDER 5 U.S.C. § 705

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I, Rhonda Weingarten, upon my personal knowledge, hereby declare as follows:

1. I am the elected President of the American Federation of Teachers (AFT). I was first elected as an AFT President in 2008. Prior to that time, I served as an AFT Vice President from 1997 through July 2008. I also served as the President of the United Federation of Teachers, AFT's largest local union affiliate, from 1998 until 2009. I was a teacher from 1991 until 1997 at Clara Barton High School in Brooklyn, NY where I taught high school students classes, including Street Law, AP Political Science, and U.S. History and Government.
2. As president, I am the chief executive officer of the AFT. I administer all of the affairs of the federation and execute policies of the federation as determined by the AFT convention and the AFT executive council.

AFT Members and Mission

3. The AFT is a national labor union that was founded in Chicago, with eight locals signing on as AFL President Samuel Gompers welcomed the union into its fold in 1916. It grew quickly and now boasts almost 3,500 local unions and over 1.8 million members who work in every U.S. state, the District of Columbia, Puerto Rico, Guam, and the U.S. Virgin Islands. AFT is now headquartered in Washington, D.C.
4. Some state and local affiliates of AFT are merged affiliates of both AFT and the National Education Association. For instance, Education Minnesota is a merged affiliate and the members of Education Minnesota are members of both AFT and NEA.

5. Five divisions within the AFT represent the broad spectrum of AFT's membership: pre-K through 12th-grade teachers; paraprofessionals and other school-related personnel; higher education faculty and professional staff; federal, state and local government employees; and nurses and other healthcare professionals.

6. The AFT's mission is to champion fairness, democracy, and economic opportunity in and through high-quality public education, as well as healthcare and public services for students, their families, and communities their members serve. The AFT does so by ensuring its members receive fair pay and benefits for their crucial work, by fighting for safe working conditions that also benefit students, patients and all those who use public services, by providing professional development and resources to member educators to improve student achievement, and by fighting for civil rights.

7. The AFT believes that high-quality public education is an economic necessity, an anchor of democracy, a moral imperative and a fundamental civil right. Without the foundation a strong education provides, our other rights can never be fully realized. We believe in and stand ready to fight for public education because it is the means by which we help all children dream their dreams and achieve them. All children—those who have abundant advantages, and those for whom every day is a struggle; those who worry about getting into a good college, and those who worry about their parents getting deported—deserve the opportunity to succeed. The people who work in schools help students build lives of great purpose and potential by instilling essential knowledge and skills, including critical reasoning, problem solving and the ability to work with others, and by promoting civic participation.

8. AFT Public Education is the union's oldest and largest unit. It has more than 1 million members and encompasses both the AFT Teachers division and the AFT Paraprofessionals and School-Related Personnel (PSRP) division. AFT Higher Education encompasses over 400 affiliates across the United States which collectively represent approximately 400,000 academic workers (full-time and part-time faculty, academic professionals and graduate employees) at public and private colleges and universities in all 50 states.

9. AFT members occupy a broad range of positions in education, including but not limited to: pre-K through 12th-grade teachers, early childhood educators, classroom aides, counselors, school nurses, paraprofessionals, and other school-related personnel; higher education faculty and professional staff at community colleges, colleges and universities.

10. AFT Nurses and Health Professionals—first known as the Federation of Nurses and Health Professionals and later as AFT Healthcare—was created in 1978 when the AFT constitution was amended to allow organizing and affiliation of healthcare workers. Since its creation, the division has grown to represent over 250,000 health professionals across a wide variety of disciplines in hospitals and other healthcare settings AFT represents healthcare professionals across the nation, with a significant presence in Alaska, Connecticut, Maryland, Michigan, Montana, New Jersey, New Mexico, New York, Ohio, Oregon, Vermont, Washington, and Wisconsin.

11. AFT advocates for protecting and expanding access to high-quality healthcare for all, addressing health inequities, developing a strong and diverse healthcare workforce, safe staffing levels, addressing workplace violence and other workplace safety issues, and scope of practice and licensure issues, among other issues impacting health professionals.

Harm to AFT Members

12. I first learned about the rescission of the sensitive locations memo shortly after it was publicly reported on January 20, 2025. I was heartbroken and immediately became fearful for the safety and wellbeing of our members and the students, patients, and families they serve. In response, on January 22, I wrote a letter to President Trump urging him to reverse the rescission of the sensitive locations policy warning him that this policy change will traumatize children and families and damage their trust that schools and hospitals can keep children and patients safe. These warnings unfortunately have proved to be prescient. On January 30, 2025, AFT also organized and hosted a townhall to address the fear and uncertainty this decision created – particularly concerns that workplaces where AFT members serve the public were no longer safe spaces – and to help members understand the implications of the policy change.

13. AFT members include Deferred Action for Childhood Arrivals (DACA) recipients, Temporary Protected Status (TPS) holders, visa holders, permanent residents (or green card holders), and individuals in households with mixed immigration status. Due to the rescission of the sensitive locations memo, many of these members—and members of color who are U.S. citizens—now have to contend with fear that they or their loved ones may encounter ICE enforcement actions when they show up at work to serve their communities. Some AFT members have even reported that they now carry with them documentation proving their status as citizens or otherwise lawfully present in case they are profiled and detained.

14. As an organization dedicated to providing access to high quality education and healthcare to all, it is imperative that all students, patients, and families, regardless of immigration status, feel safe at schools and healthcare facilities. AFT members relied on the sensitive

locations policy to keep themselves, their students, their patients, and the families of those they serve safe while they do their jobs.

15. AFT member educators have dedicated their professions and their lives to educating children to ensure that they have the knowledge and critical thinking skills to achieve their goals and be engaged citizens in our democracy. When parents drop their children off at school, educators are acting in loco parentis throughout the school day. AFT member educators have an obligation to keep all children in their care safe—regardless of immigration status. AFT members take this duty to their students extremely seriously.

16. The rescission of the sensitive locations policy and the resulting actions of immigration enforcement agents has severely threatened AFT members' ability to keep their students and their families safe. This has taken an enormous emotional toll on AFT members. We have received consistent reports from our membership that over the past year they have suffered from heightened anxiety from worrying about the safety and wellbeing of their students and anguish over the harms enforcement actions in or near schools have caused.

17. The actions of immigration enforcement agents since the rescission of the sensitive locations policy have proven that AFT members' fear for the physical safety of themselves, their students, and their students' families are well founded. As just one example, armed immigration enforcement agents at Roosevelt High School in Minneapolis showed up to school dismissal on Wednesday, January 7. While on school property, they tackled individuals, handcuffed two staff members, and released chemical irritants. Every day AFT members go to work without the sensitive locations policy in place, they know that their school could be next.

18. Since the rescission of the sensitive locations memo, we have received numerous reports from our educator members that the presence of ICE officers at or near schools is causing many students to stay home out of fear. AFT members are unable to do their job of providing students with a quality education if those students are not present to learn, and missing key lessons often means those students fall behind as they are missing foundational knowledge necessary for future lessons.

19. I am aware that some educators are offering virtual classes to students who are afraid to attend school due to fears of immigration enforcement activity on or near school campuses. While remote learning can be a temporary solution, it has clear limitations and cannot replicate the academic and social benefits of in-person education. AFT members have shared that remote learning does not provide the same academic experience as being in the classroom and that it places significant additional demands on educators, as they adapt lesson plans, manage technology, and provide individualized support to those who cannot attend class in-person.

20. These declines in attendance risk compounding harms to members and students as school funding formulas are driven by enrollment numbers. Accordingly, school districts most impacted by ICE enforcement actions at or near schools due to the rescission of the sensitive locations policy are at risk of losing essential funds, likely resulting in fewer services for students. And AFT members' workplace evaluations, which can have impacts on job security, pay and promotions, will be harmed as absenteeism causes students to perform poorly on standardized tests.

21. AFT members have also reported that since the rescission of the sensitive locations policy, they are less able to teach effectively because some students are unable to focus in class

due to anxiety that they or their families will be detained by ICE agents. AFT members have had to adapt and develop strategies to address the emotional needs of these students who are suffering, which takes time away from teaching curriculum.

22. Students have the best educational outcomes when parents take an active role in their child's education. However, the rescission of the sensitive locations policy has damaged the ability of many parents to do so out of fear that they will be subject to arrest or detainment. Many AFT members have reported that since the rescission of the sensitive locations policy and the resulting presence of ICE agents at or near schools, attendance of parents at school events, parent teacher conferences, and even high school graduations has decreased. This severing of communication between educators and parents makes it more difficult for AFT members to address students' needs in collaboration with their families, meaning AFT members are less able to teach effectively.

23. AFT healthcare members have also reported that since the rescission of the sensitive locations policy, noncitizen patients are skipping appointments and even foregoing essential medical procedures and medications due to fear of immigration enforcement activities at the healthcare facility. Delaying or foregoing medical treatment can result in substantial harm to patients, including long-term or permanent health consequences, and when patients eventually do seek treatment, they often require more intensive care and longer hospital stays. The fear among patients is severely harming AFT healthcare members' ability to effectively do their jobs of providing high quality healthcare to their communities.

24. The rescission of the sensitive locations policy has also taken a tremendous emotional toll on AFT healthcare members. Nurses and other medical professionals have dedicated their

lives to healing patients, yet they now have to contend with a credible fear that they will be unable to keep their patients safe while in their care.

25. Nurses and healthcare professionals must abide by a strict code of ethics to protect the health, dignity, and privacy of their patients. The actions of immigration enforcement agents in healthcare facilities, which are now possible due to the rescission of the sensitive locations policies, are also forcing AFT healthcare members to confront difficult ethical dilemmas, which could put their licenses at risk. For instance, we have received reports that immigration enforcement agents have entered hospitals and made demands to identify patients in a manner that would violate HIPAA.

26. In reaction to these policy changes, many AFT members have also invested extra time beyond their working hours to attend Know Your Rights trainings to understand how they can support and protect their students and patients. We have also received reports that some AFT members are showing up to work early and staying late so that their presence may help students and families feel safer coming to and leaving school despite potential presence of ICE agents.

27. AFT pursues its mission primarily through organizing, advocacy, and protests and demonstrations—core First Amendment-protected activities. Under the sensitive locations policy, sites of protests and demonstrations were protected from immigration actions. However, since this policy was rescinded, we have received reports from our locals that many members are too fearful of ICE agents to attend rallies, picket lines, or demonstrations. This is especially true of noncitizen members, despite having lawful work authorization, and even members of color who are U.S. citizens.

28. For instance, a higher education AFT affiliate in Oregon received reports from members that they were too afraid of immigration enforcement to exercise their rights under the National Labor Relations Act (NLRA) to engage in concerted activities to improve their working conditions. And a higher education AFT affiliate in New York has reported a decrease in attendance at public actions, which they attribute to the rescission of the sensitive locations policy.

29. The rescission of the sensitive locations policy is hampering the First Amendment rights of those members who are now too fearful to express themselves and advocate for themselves and their colleagues at union events. It is also interfering with the associational rights of those members who are willing to attend actions by denying them the ability to have all their colleagues at their side in solidarity as they demand justice.

Harm to AFT

30. Since the rescission of the sensitive locations policy, AFT has diverted substantial time and resources to respond to the enfolding crisis it has caused.

31. Since January, 2025, AFT has developed and distributed numerous professional development resources to members, including lesson plans, blog posts, and webinars focused on the current status of immigration enforcement. These resources were designed and intended to help our members create safe and inclusive classrooms and create space for students to develop critical thinking skills as they explore and discuss the issue of immigration in this moment.

32. AFT has also produced and distributed numerous Know Your Rights materials to members to help them understand the change in the sensitive locations policy, what rights they, their students, and patients have when interacting with immigration enforcement agents, and

what they may lawfully do to support and protect the students, patients, and families they serve.

33. AFT has also conducted numerous trainings and town halls for members to teach the content of these Know Your Rights materials, answer members' questions, and listen to members' concerns about immigration enforcement practices.

34. Since the sensitive locations policy was rescinded, AFT has received reports from our locals that many members are silencing themselves out of fear that they will be targeted by immigration enforcement at rallies, picket lines, or other demonstrations held at their worksites, including schools and hospitals. AFT's advancement of its interests requires the full democratic participation of its members through organizing and advocating, which includes attending public demonstrations where members can mobilize and influence the public on various workplace, social, and political issues. AFT relies on members' speech about the issues that matter to them in order to effectively advocate for their interests and represent them in their workplaces.

35. AFT believes that education and healthcare are critical institutions for a healthy democracy. Therefore, these institutions must be safe and welcoming places for all—regardless of immigration status. AFT also vigorously upholds the rights of members to associate freely and speak out to improve their working conditions and their communities. By subjecting AFT members and the communities they serve to risk of encountering immigration enforcement agents at their places of work and where they choose to collectively engage in political speech, the rescission of the sensitive locations policy has chilled AFT members' speech and ability to do their jobs effectively, thus undermining the mission of the AFT.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Executed in New York, NY on 2/10/2026.

/s/ Rhonda Weingarten

RHONDA WEINGARTEN

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