The Honorable Richard A. Jones

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ABDIQAFAR WAGAFE, et al.,		No. 2:17-cv-00094-RAJ
	Plaintiffs,	
v.		Declaration of Anthony J. Kassekert In Response to The Court's February 27, 2019 Order
TRUMP, et al.,		
	Defendants.	

I, Anthony Kassekert, do hereby declare and say:

1.   I am a statistician within the Reports and Analysis Branch of the Fraud Detection and National Security ("FDNS") Directorate of United States Citizenship and Immigration Services ("USCIS"), Department of Homeland Security ("DHS"). I have served in this position since June 13, 2013, and previously served as a statistician in the Office of Immigration Statistics within DHS.

2.   I hold an undergraduate degree in mathematical statistics, economics, and political science from Iowa State University and a Ph.D. in public policy analysis from Florida State University.

3.   As a statistician, my responsibilities include, but are not limited to: extracting and reviewing data from the Fraud Detection and National Security data system ("FDNS-DS"), an internal case management system; reviewing analytic work across the agency; analyzing fraud,

DECLARATION OF ANTHONY KASSEKERT - 1
(2:17-cv-00094-RAJ)

1   public safety, and national security trends; and working with the Office of Information

2   Technology to improve data quality and the functionality of FDNS-DS.

3   4.   The matters contained in this declaration are based upon my personal knowledge,

4   background, training, and experience, including as a statistician, and information provided to me

5   by USCIS employees, and my understanding of the case of *Wagafe, et al., v. Trump, et al.,* Case

6   No. 2:17-cv-00094 in the United States District Court for the Western District of Washington.

7   5.   I understand that on February 27, 2019, the Court ordered Defendants "to produce

8   a randomly-selected sample of 10 documents from Paragraph 17 of the Emrich Affidavit for *in*

9   *camera* review for this Court." ECF 224, at 3.

10   6.   I understand that Paragraph 17 of the Emrich Affidavit identifies 122 documents

11 by bates number. I further understand that four of those documents have previously been

12 provided to the Court.

13   7.   On March 1, 2019, the FDNS Reports and Analysis Branch was asked to pull a

14 random sample of ten documents from the documents identified in Paragraph 17 of the Emrich

15 Affidavit, excluding the four documents that had been previously produced to the Court.

16   8.   I ran a simple random sample of ten documents from the sampling frame by

17 uploading the list of documents to the statistical program SAS, and entering the commands I

18 know, based on my mathematical statistical training and my familiarity with the SAS program, to

19 create a random sample in that program. This means that each of the ten documents selected in

20 the sample had an equal probability of being selected from the 118 documents.

21   9.   In order to ensure that this particular sample could be reproduced if necessary, a

22 random seed value was needed. In the code this is represented by seed = 03032018. This number

23 ensures that if the code is rerun, it will pick the same random ten observations from the sample.

24   10.   After I ran the sample, Kenneth L. Cannon, a second statistician within the FDNS

25 Reports and Analysis Branch, reviewed the code I used to generate the random sample and the

26 data to verify its accuracy. Mr. Cannon verified the code I used to generate the random sample,

27 and determined that the sample was correctly taken.

28   11.   The SAS code used to create the sample was:

DECLARATION OF ANTHONY KASSEKERT - 2
(2:17-cv-00094-RAJ)

```
proc surveyselect
    data=wagafe_docs
    n=10
    out=wagafe_sample
    method=srs
    seed=03032018;
    run.
```

12.   On March 3, 2019, I provided the random sample data to USCIS Office of Chief Counsel. The random sample of ten documents identified by bates numbers drawn from Paragraph 17 of the Emrich Affidavit are:

- DEF-00010895,
- DEF-00010901,
- DEF-00010903,
- DEF-00011124,
- DEF-00011238,
- DEF-00011247,
- DEF-00011271,
- DEF-00011356,
- DEF-00000817 to DEF-00000834, and,
- DEF-00000699 to DEF-00000713.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this ⎩⎩ day of March, 2019 at Washington, D.C.

Anthony Kassekert, Ph.D.
Statistician
U.S. Citizenship and Immigration Service
Washington, D.C.

DECLARATION OF ANTHONY KASSEKERT - 3
(2:17-cv-00094-RAJ)