UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

D.V.D., *et al.*,
Individually and on behalf of all others similarly situated,

Plaintiffs,

v.

U.S. Department of Homeland Security, *et al.*,

Defendants.

Civil Action No. 1:25-cv-10676-BEM

DECLARATION OF DEPUTY ASSISTANT ATTORNEY GENERAL DREW C. ENSIGN

Pursuant to 28 U.S.C. § 1746, I, Drew C. Ensign, declare as follows:

1. I am a Deputy Assistant Attorney General within the Civil Division of the U.S. Department of Justice (DOJ). I am an attorney of record in this matter.
2. I provide this declaration under the pains and penalties of perjury, based on my personal knowledge, reasonable inquiry, and information obtained from the U.S. Department of Homeland Security (DHS).
3. Pursuant to this Court's Order (ECF No. 122), I certify that DHS has provided notice of this Court's orders (ECF Nos. 64, 86, 118) and their contents, including the clarified preliminary injunction's requirement that the alien "must be given a meaningful opportunity, and a

minimum of ten days, to raise a fear-based claim for CAT protection prior to removal" to all individuals involved in the removal process as follows: The notice was sent to all personnel in U.S. Immigration and Customs Enforcement (ICE). Furthermore, DHS has also notified U.S. Customs and Border Protection (CBP) Office of Field Operations, and CBP U.S. Border Patrol by having the headquarters offices of both the Office of Field Operations and US Border Patrol cascade the clarified preliminary injunction and its contents to field leadership, who are responsible for dissemination to all officers and agents in the field. Furthermore, DHS has notified all these personnel that failure to comply with the terms of the preliminary injunction may result in civil or criminal contempt.

4. DHS Acting General Counsel Joseph Mazzara provided notice of the Court's Orders (ECF Nos. 64, 86, 118), as well as the Court's admonition that failure to comply with the terms of the preliminary injunction may result in civil or criminal contempt, to the U.S. Department of State, Office of the Legal Adviser, and the U.S. Department of Defense, Office of General Counsel. DHS has also provided this information to ICE's flight contractors.

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

Signed on the 28th day of May, 2025

Drew C. Ensign
Deputy Assistant Attorney General
U.S. Department of Justice