EXHIBIT 1

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Attorneys for Defendants

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STATE OF OREGON, *et al.*, Plaintiffs, v. KRISTI NOEM, in her official capacity as Secretary of Homeland Security, *et al.*, Defendants.	Case No. 6:26-cv-186-AA (Lead) Case No. 6:25-cv-2396-MC (Trailing) **SECOND DECLARATION OF RALPH FERGUSON**

I, Ralph Ferguson, pursuant to 28 U.S.C. § 1746 and in my official capacity, hereby declare the following:

1. I am the U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removals Operations (ERO) acting Assistant Director for the Operations Support Division. In this role, I oversee the Human Resources Management Division, Mission Support Division, and Fiscal Management.

2. I joined ICE in 2016 as a Supervisory Accountant. I was assigned to ERO in 2017 and served in several supervisory positions within ERO from 2019 to the present. In 2024,

I was promoted to the position of ERO's Deputy Assistant Director of the Fiscal Management Division. On January 2, 2025, I was promoted to be the Acting Assistant Director of ERO Operations Support.

3. The Office of Asset and Facilities Management, Parole and Law Enforcement Programs Unit (OAFM-PPMU) within ICE had begun environmental compliance activities necessary to allow the United States Coast Guard (USCG) Air Facility at Newport, Oregon to be utilized by ICE-ERO as a proposed temporary holding/processing facility until notice was received on December 4, 2025, that the Commandant for the USCG was removing the site from ICE-ERO's availability. Upon receipt of this determination, the OAFM-PPMU ceased further action on the environmental preparations for this site.

4. Only initial steps were taken toward completing the Environmental Due Diligence Analysis (EDDA) between USCG and ICE environmental staff, which entailed preparing the Draft Categorical Exclusion Evaluation in DHS's system of record and sending out Historic and Tribal Consultation letters on November 23, 2025. As a preliminary matter, ERO also reached out to the Oregon Department of Land Conservation and Development on November 20, 2025. Furthermore, USCG and ICE environmental staff completed an EDDA checklist per American Society for Testing and Materials 1527.

5. Environmental compliance activities had only just begun when USCG withdrew the Newport AIRFAC site from consideration. No construction has taken place and there had been no irretrievable commitment of resources during their initial assessment of the site.

6. ICE has made no decision to begin construction of a temporary holding/processing facility. At present, ICE has no plan or intention to begin construction or to open a temporary holding/processing facility in or around the City of Newport, Oregon or anywhere within Lincoln County, Oregon.

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

Signed this 26th day of February 2026.

RALPH F FERGUSON

Digitally signed by RALPH F FERGUSON
Date: 2026.02.26 14:45:40 -05'00'

Ralph Ferguson
Acting Assistant Director, Operations Support Division
Enforcement and Removal Operations
U.S. Immigration and Customs Enforcement