

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF NANCY ABARCA

I, Nancy Abarca, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a U.S. citizen, age 67, who has lived in the United States for more than 40 years. My husband, Ernesto Abarca, is also a U.S. citizen. We live in Maryland Heights, Missouri.
2. My brother, Renato Gawat, is a citizen and current resident of the Philippines. On February 7, 1995, I filed a Form 1-130 family-based immigrant visa petition for Renato as a fourth-preference sibling of a United States citizen (F-4 visa). The visa was approved on December 13, 1995. Due to the backlog for Philippine families to immigrate and reunite here in the United States, particularly those in the F-4 visa preference category, Renato and his family have been waiting more than 25 years for their chance to immigrate. A visa is now current for Renato.
3. Renato is married with two children. His wife is Christita Tesaluna Gawat. His children were not even born when I filed the petition for him and his family to immigrate. During the time that they have patiently waited for the visas to become current, Renato's oldest daughter, born in 1996, unfortunately has become too old to

immigrate as a dependent. His younger daughter, Maria Andrea Tesaluna Gawat, was born on November 26, 1999. She, too, will lose her opportunity to immigrate with her father if she turns 21 years old before she can immigrate. That will happen on November 26, 2020.

4. Because Maria stood to lose the ability to immigrate as a derivative beneficiary on November 26, 2020, on March 25, 2020, we received approval from the State Department to expedite processing of the visa applications for my brother and his family. My brother submitted everything required for an interview and made preparations for medical exam appointments at St. Luke's hospital in Manila. Unfortunately, the Embassy did not schedule an interview prior to April 22, 2020, when the President issued Proclamation 10014, which banned immigrants like my brother from immigrating to the United States.
5. While I hoped the Proclamation would last for only 60 days, in late June 2020, President Trump signed Proclamation 10052, extending the ban for the rest of the year. This means that my brother and his family cannot immigrate to the United States until January 1, 2021 at the earliest. But in this scenario, our family would remain divided leaving us with terrible regret and emotional pain. Renato does not have until January 1, 2021, because his daughter, as a derivative beneficiary, has only until November 26, 2020, to enter the United States with an immigrant visa.
6. Renato, as the principal beneficiary of my visa petition, must receive his visa prior to November 26, to save his daughter. If he does not, Renato may immigrate some time in the future, but he would have to leave his daughter behind. At the very least, our family will remain indefinitely separated unless Renato and his daughters are

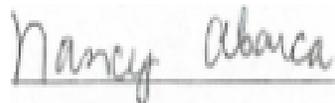
allowed to immigrate prior to November 26.

7. The Embassy granted our request for an expedited interview in March to prevent this from happening.
8. Although the Proclamation now allows for a national interest exemption for children who are about to age out of their visa eligibility, there is nothing to indicate that there is any exemption for my brother or that the parents of “national interest” children are allowed to immigrate. Because my brother is the principal beneficiary, the ban on immigrant visas applies to Renato and will prevent Maria, as the derivative, from being issued an immigrant visa before she ages out.
9. There is no reason that our family should have to face the prospect of indefinite separation. I do not understand how Renato would impede economic recovery in the United States, as the President’s proclamations suggests that they might. Renato and his wife are retirement age and have sufficient assets to live in the U.S. without working. My niece Maria is a college student studying architecture. She will enroll to complete her college studies in the United States and the family will pay her tuition.
10. If my brother and his family lose the chance to immigrate, I may never see them again. I used to travel to see them, but my husband and I are getting older. At our age, we are not ready or able to make 10,000-mile trips any longer. Furthermore, although I am a registered nurse, I have a history of asthma, which means that with the COVID-19 pandemic I cannot continue full-time care of my patients. I also suffer from arthritis and diabetes, and my husband, Ernesto, has high blood pressure and diabetes. For all of those reasons, we simply cannot travel like we used to, and therefore cannot visit close family who live so far away.

11. My brother and I have done everything that has been required of us and waited so patiently for the chance to reunite in this country. The ban on immigration has caused me unspeakable stress and anxiety. I do not know how the law could change at the last moment. It's heartbreaking and wrong. There are strict rules about who can come to the United States and those of us, particularly, from the Philippines, know the rules and the burden of waiting 20 years or longer just for the chance to immigrate. Now we have waited 25 years and we are on the verge of my brother having to give up his life-long ambition to come to the United States with his family. We should not have to suffer another 10 years or more before my brother and his family can come together to the United States.
12. Other than the Proclamation, I know of no ground of inadmissibility, or any other reason why a visa could be denied to my brother and his family members.
13. I am joining the lawsuit so that I, along with other individuals who are in the same position, can receive the visas on behalf of our family members that the U.S. laws have guaranteed.
14. I am willing to serve as a class representative on behalf of those who are similarly situated to me.
15. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair ban on immigration and the government's implementation of the ban.

I swear, under penalty of perjury under the laws of the United States that the foregoing is true and

correct. Signed on July 28, 2020, in Maryland Heights, Missouri.

A handwritten signature in cursive script that reads "Nancy Abarca". The signature is written in dark ink on a light-colored background.

Nancy Abarca

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Civil Action No. 1:20-cv-01419

DECLARATION OF MD NAZIF ALAM

I, MD NAZIF ALAM, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a United States Lawful Permanent Resident originally from Bangladesh. I received my green card on October 2, 2016.
2. I currently live in Queens Village, New York and am employed full time as an essential Food Service Distribution employee with Harold Levinson Associates LLC. My brother and parents also live in the United States. I have had stable full-time employment ever since I have lived in the United States and have been a resident. The United States has given me a sense of hope and happiness for the future.
3. I have sponsored an immigrant visa application in the “F-2A” preference category for my wife so that I can reunite with her here.
4. My wife is 28 years old and currently resides in Bangladesh. She is a national of Bangladesh.
5. I submitted a family-based visa petition, Form I-130, to United States Citizenship and Immigration Services (“USCIS”) on March 29, 2019 to start the process of sponsoring my wife to come to the United States. USCIS

approved the I-130 petition on February 14, 2020.

6. In or around March of 2020, USCIS sent the approved visa petition to the National Visa Center to proceed with consular processing through the Department of State.
7. My wife and I collected and submitted all the necessary information and documents that accompanied her online visa application, the DS-260, on April 8, 2020. The “F-2A” family preference category is “current” at the moment, which means that visas are immediately available to individuals in this preference category and there is no queue to receive a visa.
8. When I learned of April’s Presidential Proclamation banning the entry of most immigrants, including my wife, unless they can show that they qualify for a national interest exception, I was devastated.
9. Initially, I believed that the ban would only last 60 days, but on June 22, we learned that the President extended the ban until at least December 31, 2020. I cannot tell you how emotionally traumatizing this news is to me, my wife, and my family. We have been waiting for my wife’s visa application to become current for almost two years, and now it appears our wait will go on for at least another six months, and possibly indefinitely. Being separated from my wife has been extraordinarily difficult. We are two young adults who are on the cusp of beginning our American dream together in this great land but unfortunately, because of this Presidential proclamation, we do not know how long we will have to stay apart. Our second anniversary is in a few months and I fear that because of this suspension, I will not be able to spend that day with my wife. We do not know when we will be able to start our lives together as a married

couple.

10. Moreover, my wife was accepted for a Masters in Management program for the Fall of 2020 at Cornell University. Because Cornell has decided on a hybrid fall semester with in-person and online classes, she must be here in the United States to attend; if the Proclamation remains in effect and prevents her from coming to the United States, her admission may be rescinded. This will be morally and financially devastating for my family. It is a rare opportunity for any person, and more so for a woman, from a country like Bangladesh to be accepted into an esteemed institute for higher learning like Cornell University. Her acceptance came at a steep cost of dedication, effort, and sleepless nights in order to get good scores on standardized tests and writing exceptional essays. After being so happy and overwhelmed when she was accepted, it has been crushing for my wife to realize that she may now be blocked from this precious opportunity. Her effort should not go in vain simply because this administration decided to change the rules of immigration without any compassion and forethought.
11. Our family stand to lose much more than the initial monetary deposit that was made to Cornell to secure my wife's admission. Indeed, my wife's inability to attend Cornell would also severely restrict her earning potential and ability to contribute economically to this country when she is finally here and ready to enter the job market, thereby severely harming our effort in pursuing the American dream. This will create an unimaginable financial hardship to our family, as my family's future earning potential will be directly impacted if my wife cannot receive her education from Cornell.

12. I simply cannot understand why the President believes my wife would be harmful to this country's economic recovery. She will not be competing for jobs because she will be studying full time for the first 18 months after she immigrates. With the assets that we have and my earnings from my job, she will not become a public charge.
13. I have waited for nearly two years to the day to reunite with my wife in the United States. The law allows my wife, as my spouse, to obtain a visa, and we have patiently endured the wait. There is nothing left for us to do and the only thing standing in the way of our happy family reunification is the June 22 Presidential Proclamation. The President's ban deprives me of my right as a Lawful Permanent Resident to sponsor my spouse. He should not have the authority to change the law without Congress's acceptance.
14. I believe it is cruel and inhumane to separate families in this way, and I believe this Proclamation should not adversely affect honest, tax-paying residents. Please note that I am an essential employee in the food-service distribution industry in New York City. While the pandemic allowed many to work from home, I had to go outside all throughout the worst part of the outbreak in order to ensure that grocery store shelves of all the convenience stores that I cover were stocked with much-needed supplies.
15. To be separated from my wife for so long, particularly during this pandemic, has made me feel alone in this country. It breaks my heart to have undergone this ordeal and not have my wife here to run to and ask for help, and to have endured so many horrible and beautiful moments without her.
16. The impact of the Proclamation is particularly hard for me to bear because her

visa preference category is current, and if it were not for this ban, the Consulate could expedite her visa interview in time to start her Master's program at Cornell. Apart from the Proclamation, I am not aware of any reason why she would be considered inadmissible and denied a visa. I also understand that, like the April Proclamation, the June Proclamation could be extended at the end of the year if the President decides that the country has not recovered economically from the coronavirus, further prolonging my separation from my wife. It is hard to have hope that the President will allow the Proclamation to expire on December 31; it is my understanding that under the new Proclamation, I am effectively unable to reunite with my wife for an indefinite period of time. When I learned that our separation will be prolonged indefinitely, I felt devastated. To have gone through many awful moments and then having hope to finally reunite with your wife is a feeling that cannot be explained. All those hopes were crushed by the uncertainty of how much longer it would take with the Proclamation.

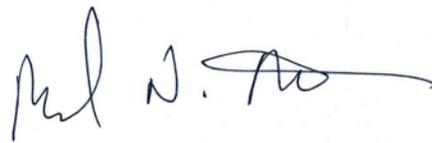
17. On June 24, 2020, I contacted the US Consulate in Dhaka, Bangladesh to inquire about an interview being scheduled for my wife. I received a response stating that the Department of State had suspended routine visa services.
18. On July 11, 2020 I again contacted the US Consulate in Dhaka Bangladesh to inquire about scheduling an interview for my wife. The Consulate replied that the case had not yet been sent to them by the National Visa Center. However, I spoke to the National Visa Center on July 12, 2020 and they informed me that they were awaiting approval from the Consulate in Bangladesh to approve forwarding of the case. It is clear that the Consulate in Bangladesh is refusing

to process my case due to the Proclamation. On July 27, 2020, I again wrote to the Consulate in Bangladesh, and this time I specifically requested an emergency interview and a national interest exemption to the executive order because my wife's program at Cornell will start soon. To date, I have not received a response.

19. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the June 22 Proclamation.

20. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair restrictions on visas imposed by this Administration.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Queens Village, NY on July 27, 2020.

A handwritten signature in black ink, appearing to read 'MD Nazif Alam', with a long horizontal flourish extending to the right.

MD NAZIF ALAM

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DECLARATION OF FATMA BUSHATI

I, FATMA BUSHATI, upon my personal knowledge, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I was born on August 4, 1992, in Shkodra, Albania. I currently live in Shkodra with my husband, Eldis Bushati, who was born on November 8, 1989, and my 3-year-old daughter Alia Bushati.
2. I have a master's degree in Business Administration, and I work for the Office of the Operations of Health Care Services for the northern region of Albania. In that role, I am responsible for fulfilling the personnel needs—including support staff, doctors, and nurses—of more than 80 healthcare facilities. I am proficient in the English language; I have a Test of English for International Communication (TOEIC) Certificate of Achievement and my International English Language Test System (IELTS) score is B2, which means that I have the necessary level of fluency to communicate without effort with native speakers, can understand the main ideas of complex text and concrete and abstract topics, and can engage in technical

discussions in my field of specialization.

3. My husband was also born and raised in Shkodra. He has a bachelor's degree in Finance, but because he could not find a job in finance, he works as a plumber. He has satisfied all the three levels of plumbing certification and runs a plumbing supply store owned by his father. When customers buy plumbing supplies, he often offers to perform the installation for them. He is also proficient in English and his IELTS test score is also B2.
4. During the COVID-19 crisis, I have worked, and continue to work, tirelessly, day in and day out, to make sure Albania's healthcare facilities remain fully staffed. This has been both extremely difficult and extremely rewarding. Every day I am challenged to exercise my professional judgment and, in some cases, rely on my best instincts, under intense and challenging circumstances. I have learned so much about managing human resources needs during a crisis.
5. Despite our education and skill level, my family and I have experienced a lot of hardship. Albania is a very poor country with a struggling economy. My salary can barely pay our electric bill and a portion of the food that we need. My job is also very unstable, and I may lose it when we have new election. Business at my husband's family's store is very slow, and all of his professional knowledge is going to waste because he is unable to work in his profession—finance. We also both come from poor families and therefore have no political connections or other means to help better our livelihoods.
6. My husband and I have dreamed of living in the United States all our lives. We know

that living in the United States would provide great opportunities for people like us, who understand and can speak English, who are educated, and who have skills that we can use to contribute to our community when we arrive.

7. In pursuit of those dreams, my husband and I have entered the Diversity Visa Lottery every year since we were 18 years old. We have worked so hard in Albania—by improving our education and our skills—all with the hope of one day being selected for a diversity visa. We understand that the Diversity Visa Lottery is never a sure thing, but for us, it is our only chance of legally entering and living in the United States. And we understand that the Diversity Visa Lottery is designed for people like me and my family, who come from countries with a proportionally small number of immigrants to the United States.
8. Many of my family members and friends in Albania have applied for the Diversity Visa Lottery. Some have never been selected, and others were selected after applying for a decade or so and have since immigrated to the United States.
9. My husband's aunt, Aferdita, who is like a second mother to him, won the Diversity Visa Lottery and immigrated to the United States in 1998. My husband grew up living in her building and spent much of his childhood at her house. She refers to him as "my son." She is now a naturalized U.S. citizen and has made a good life for herself in the States. She used to come visit us all the time in Albania, but she is now 70 years old and cannot travel as much as she used to. Now, we dream of reuniting with her in the United States.
10. In the hopes that we would win the Diversity Visa Lottery, my husband's aunt has

already provided us with sponsoring affidavits and proof of her financial records. Throughout the years, she aspired for us to be with her, and she has even put aside furniture and home goods for us to use to get a head start. She just purchased a new condo so we could reside comfortably and focus on finding fitting jobs without worrying about housing.

11. On May 11, 2019, we checked the Diversity Visa Lottery results, as we do every year. I was so anxious to see the results. We could not believe our eyes when we did—we read it so many times, and called our aunt in the United States, because we could not believe that our dream was coming true. Our aunt read it, we read it again, and we cried and cried tears of joy. It was one of the happiest days of our lives. Our parents were thrilled and congratulated us, and word spread so fast among our family and friends in our community. We would go out and be congratulated by people that we did not even know.

12. The initial notice that we received informing us that we had been selected stated that we had “been randomly selected for further processing in the Diversity Visa Program for the fiscal years 2020.” Because it also said that we would “not be scheduled for an interview until a visa is available,” we began to worry about our chances of visa availability, even though we had been told that our chances were good. The visa number that we were assigned was 2020EU00027717.

13. We immediately hired and paid for the services of a local notary to make sure we completed the visa application properly. As part of the visa applications, we submitted our biographical information, education, and work history. After we

submitted our applications, we received a confirmation email say that our DS-260 had been sent to the Kentucky Consular Center for review. The confirmation email also set forth our next steps, which were (1) obtain “required supporting civil documents,” (2) “obtain photographs that meet the Department of State’s visa requirements,” and (3) “review the information specific to the U.S. Embassy/Consulate General where your visa interview will occur.” The email further stated that, once review of our application was complete, a visa number became available, and our interviews were ready to be scheduled, we would receive another email notification. After this email, we all started worrying about whether a visa number would become available for us. We understood that if we did not receive a visa this fiscal year, our opportunity as a lottery selectee would be lost.

14. Every 15th day of each month, we checked the Visa Bulletin to see whether a visa was going to become available for us. This of course created an emotional roller coaster for our family.

15. In January 2020, we received an email instructing us that we would “only be scheduled for an interview at an overseas consular post after you have completed your DS-260 and submitted all documents required for your case and your visa rank number has become current.” After we received that email, we contacted the notary we had hired and she instructed us on how to obtain our court records, police records, and other required civil documents. We paid the necessary filing and service fees and submitted all requested documents to the Kentucky Consular Center.

16. In response to our documentary submission, we received another email on March 12,

2020, indicating that we were ready to be scheduled for an interview once our case number became current. The email stated that interviews would occur numerically based on case numbers, and would begin in October 2019 and conclude on September 30, 2020. The email directed us to the Visa Bulletin to check the status of the scheduled interviews.

17. On March 15, 2020, we looked at the April Visa Bulletin. According to that bulletin, our visa numbers were current, and our interviews would be scheduled, as of May 1, 2020. We were overwhelmed with feelings of relief and joy. We had done everything necessary to be interviewed for our immigrant visas and, as indicated in all of the email correspondence from the State Department, we would finally have our interviews. We celebrated and began making plans for our future in the United States. We also started calling the U.S. Embassy and the Kentucky Consular Center on a weekly basis requesting an interview date.

18. Even though we called on a weekly basis, we never received an interview date. Initially, the Kentucky Consular Center reported that our case would be scheduled as soon as they received available dates from the U.S. Embassy in Tirana, which had closed due to the COVID-19 pandemic. Over the course of the following weeks, however, they suggested that we should instead check travel.state.gov for embassy reopening dates.

19. Although the global pandemic has disrupted consular services, we never imagined that our one shot at immigrating to the United States would be taken from us. But in April 2020, I learned that there was a Proclamation from the U.S. President requiring

that immigration to the United States be severely limited for 60 days due to the economy. I also learned that come June, the ban on immigration could be extended.

20. Since we had met every requirement to obtain an immigrant visa and had submitted all the required documentation, we held out hope and believed that the State Department would issue us a diversity visa. We understood that federal law requires the State Department to issue a visa in these circumstances, without imposing the ban upon us or requiring us to meet any further requirements. We never imagined that the President and the State Department would stop the diversity visa program altogether—either by not issuing this year’s visas or by refusing to issue visas unless we satisfied new requirements that were imposed without notice.

21. On June 22, 2020, I received news that the President had extended the immigration ban for the rest of this year, which would end our one chance at immigrating to the United States. We contacted the Kentucky Consular Center, which reported that no interviews would be scheduled due to the travel ban. On July 12, 2020, I emailed the U.S. Embassy in Tirana, Albania, to request an emergency interview and to seek an exception to the Proclamation. No interview date was provided to me. I received only an email reply that stated that “the Presidential Proclamation 10014 suspended the issuance of several categories of immigrant visas, including diversity visas. This proclamation was recently extended until December 31, 2020. Applicants for immigrant visas covered by the proclamation, including Diversity Visa 2020 (DV-2020) applicants, who have not been issued an immigrant visa as of April 21, 2020, are subject to the proclamation’s restrictions. The September 30, 2020, deadline to

obtain an immigrant visa for DV-2020 has not been extended.” On July 28, 2020, we reached out to the U.S. Embassy in Tirana, Albania, again, to request an emergency interview and to seek an exception to the Proclamation based on the DOS new Guidance issued on 7/22/2020, regarding the National Interest Exception to the Presidential Proclamation. No interview date was provided to me.

22. Our family is devastated, and I am now suffering from severe mental anguish, anxiety, and emotional distress as a result of this life-changing news. We have been diligently working on this process for more than 14 months, and now, with one stroke of the President’s pen, my life, and the lives of my family members, will be forever changed. I cannot understand why the President thinks that I will harm the U.S. economy. I have always worked in my home country and provided for my family. We had made plans to work as soon as we moved to the United States. I am highly employable and will seek a healthcare administration job in the United States. My husband has been studying to sharpen his plumbing skills. He dreams of building a business and creating jobs in the United States, and eventually pursuing a career in finance and finally putting his expertise to good use. We do not consider ourselves a financial burden or harmful to American workers. But for the Proclamation, I am aware of no other reason why an immigrant visa would not be issued for our family.
23. After so much hardship in my home country, words cannot explain how harmful the ban on immigration is for all of us. It is tough to make sense of all that is happening. It is hard to fathom that the dream of winning the lottery was somehow not real.
24. I will lose my chance at a visa if it is not issued on September 30—if this happens, I

will certainly continue to suffer from the mental anguish, anxiety, and despair that this has caused.

25. In my country we hold the U.S. legal system in the highest regard and view it as a model system for justice. If the U.S. President can wreck the dreams of thousands of people like me without any notice whatsoever, that high regard will be lost, and our disappointment will be immense.

26. I am joining the lawsuit because my family and my fellow diversity visa applicants who are also in this position should receive their immigrant visas, which U.S. law has provided for us before September 30, 2020.

27. I am willing to serve as a class representative on behalf of those who are similarly situated to me, who will either lose the chance for an immigrant interview prior to September 30, or who have to meet an exception to the Presidential Proclamation because of the current restrictions on immigrant visas issued by the President and enforced by the consulates.

28. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair ban on immigration and the government's implementation of the ban.

I swear, under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed on July 29, 2020 in Shkodra, Albania.

Dated: July 29, 2020


Signed: Fatma Bushati

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Defendants.

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DECLARATION OF IWUNDU ÉPOUSE KOUADIO IJEOMA GOLDEN

I, Iwundu épouse Kouadio Ijeoma Golden, upon my personal knowledge, declare as follows:

1. I was born on March 24, 1988 and am a citizen of Cote D'Ivoire. I currently live in the city of Abidjan with my immediate family: my husband, Kouadio Kouassi Constant, and my two minor daughters, Kouadio Moaye Deborah Roxanne Chidinma, age 3, and Kouadio Akachi Kenora Rébecca, 10 months. I am a chemist by training but currently work as a receptionist at the Raddison Blu Hotel in Abidjan.
2. I applied for the Diversity Visa Lottery on November 2, 2018, on behalf of myself and my immediate family. I applied for the Diversity Visa Lottery because of the limited economic opportunities available to me and my family in the underdeveloped nation of Cote D'Ivoire. Although my husband and I have built a decent life for ourselves, we have been unable to put our education and professional skills to the best use. We were eager to take advantage of the far greater opportunities available to both us and to our children in the United States.
3. On May 7, 2019 I won the Diversity Visa Lottery. I was ecstatic. Immigrating to the United States would improve our lives immeasurably. I immediately gathered the necessary documents and submitted my Diversity Visa application on January 7, 2020.

4. Only two days later, on January 9, 2020, the Department of State notified me that I had “submitted all required documentation to the Kentucky Consular Center and [was] ready to be scheduled for an interview when [my] case number becomes current.”
5. The U.S. Embassy in Abidjan informed me that I was scheduled for a visa interview on April 28, 2020. But that interview never happened. On April 7, 2020, the Embassy cancelled the April 28 interview because of the COVID-19 pandemic. The interview has not been rescheduled.
6. In late April 2020, I learned about the Presidential Proclamation that suspended the entry of potential immigrants into the United States. I understood that this Proclamation applied to immigrants like myself with pending visa applications, but heard that it might expire in a few months. I hoped that it would not affect our ability to immigrate to the United States. But I later learned in late June 2020, that the immigration ban had been extended to the end of the year, if not longer. I was heartbroken.
7. Although I am a chemist by training, there are few jobs here in Cote D’Ivoire that allow me to put my professional skills to use. Instead, because I speak English well, I got a job at a five-star hotel, the Radisson Blu, where I am working as a receptionist. I enjoy my job, but I was very much looking forward to going to the United States, where I can use my chemistry background to pursue a profession as a pharmacist and obtain other higher education. My husband was also very much desiring to go to the United States. My husband is self-employed and runs his own real-estate business and a digital-printing business. However, business opportunities here in Cote D’Ivoire are limited for him too, given the relatively small economy of our country. He had hopes of putting his entrepreneurial skills to use on a larger scale.

8. I was also looking forward to moving to the United States because I wanted to expand the education opportunities for my two young daughters. The educational opportunities in Cote D'Ivoire are limited, and pale in comparison to what would be available to my daughters in the United States. It is devastating to have dreamed big dreams of seeing my daughters reach their maximum potential through the highly reputed and meritocratic American educational system, only to have those dreams dashed.
9. When I heard that the ban on immigration to the United States had been extended until the end of the year, I was struck by the extreme injustice of this decision. I had a particularly low visa preference number, which meant that my chances of receiving a diversity visa in 2020 were very good. For this reason, my husband and I had begun making concrete plans to move to the United States. We sold our car to help pay for the visa processing fees and upcoming travel costs. We also put aside plans to invest in a restaurant in Cote D'Ivoire, so that we could preserve those resources to start our new lives in the United States.
10. Given all that we would lose if we were not able to immigrate to the United States like we had planned, I decided to see if there was any possibility of seeking an exception to the immigration ban. On July 13, 2020, I contacted the U.S. Embassy to request an emergency interview in order to seek an exception to the Proclamation. On July 14, 2020, I received a form response, stating in part: "As of March 17, 2020, the United States Embassy in Abidjan has cancelled all routine nonimmigrant and immigrant visa appointments, as well as DNA testing. We will resume routine visa services as soon as possible, but are unable to provide a specific date at this time For immigrant visas, including Diversity Visas, you will be contacted once your visa appointment is able to be re-scheduled." The next day, I received a more clear rejection of my request. The Embassy sent an email stating:

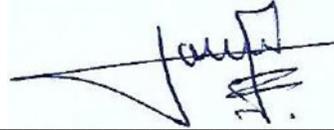
“It will not be possible to schedule your DV interview before September 30, 2020 due to the restrictions in the Presidential Proclamation on Suspension of Entry of Immigrants Who Present a Risk to the United States Labor Market During the Economic Recovery Following the 2019 Novel Coronavirus Outbreak. On June 22, the President extended these restrictions through December 30, 2020. At this time, applicants for the Diversity Visa do not meet the criteria provided for a national interest exception. We understand your request and desire for an interview, but unfortunately will not be able to facilitate this under the current immigration laws.”

11. These words were heartbreaking to me, but I was unable to give up on my dream to immigrate to the United States. I continued to monitor the U.S. State Department and Embassy websites, to see if there might still be a glimmer of hope. Within the last week, I learned of further guidance from the State Department. This guidance, which was published on the State Department website, said: “Travelers who believe their travel . . . is otherwise in the national interest may request a visa application appointment at the closest Embassy or Consulate and a decision will be made at the time of interview as to whether the traveler has established that they are eligible for a visa pursuant to an exception. Travelers are encouraged to refer to the Embassy/Consulate website for detailed instructions on what services are currently available and how to request an appointment.” After reading that guidance, I contacted the Embassy in Abidjan on July 27, 2020, again seeking an exception to the immigration ban, so that my family and I could obtain visas prior to the September 30, 2020 deadline. That same day I received two form responses. The first stated: “The Embassy is closed at the moment. All interviews have been suspended until further notice. Please check our website for further information. Thank

you.” The second stated in relevant part: “On April 22, President Trump signed a proclamation suspending entry into the United States of certain immigrants. The restrictions in the proclamation were extended by President Trump on June 22, and will expire on December 31, 2020, unless continued. Applicants for immigrant visas covered by the proclamation, including Diversity Visa 2020 (DV-2020) applicants, who have not been issued an immigrant visa as of April 23, are subject to the proclamation’s restrictions.”

12. Other than the Proclamation, I know of no ground of inadmissibility that apply to my family, or any other reason why me or my family’s Diversity visas could be denied. I do not understand why the President thinks that families like mine should be banned. We want to contribute to the United States economy, not harm it.
13. I am joining the lawsuit because my family and my fellow diversity visa applicants that are also in our position should receive their immigrant visas, which U.S. law has provided for us, before September 30.
14. I am willing to serve as a class representative on behalf of those who are similarly situated to me, who will either lose the chance for an immigrant interview prior to September 30, or who have to meet an exception to the Proclamation because of the current restrictions on immigrant visas issued by the President and enforced by the consulates.
15. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair ban on immigration and the government’s implementation of the ban.

I swear, under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed on July _28_, 2020 in Abidjan, Cote D'Ivoire.

A handwritten signature in black ink, appearing to read 'Iwundu', is written over a horizontal line. The signature is stylized and somewhat cursive.

Iwundu épouse Kouadio Ijeoma Golden

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

**DECLARATION OF CLAUDIO ALEJANDRO
SARNIGUET JIMENEZ**

I, Claudio Alejandro Sarniguet Jimenez, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a Lawful Permanent Resident ("LPR") of the United States, originally from Chile. I obtained LPR status on September 20, 2017, as the parent of a U.S. Citizen. My oldest child, Ansley Godwin (née Ansley Alejandra Sarniguet Jerez), after she became a U.S. Citizen through her spouse, filed an I-130 petition for me in the immediate relative of a U.S. citizen" category, which allowed me to adjust status to that of an LPR relatively quickly. My youngest son, Claudio, however, was not able to adjust his status through this same petition because the wait time to gain permanent residency through a petition filed by a sibling is much longer (now over 14 years).
2. I currently live in Hoover, Alabama with my wife. I work as a CNC Machine Operator at M.D. Henry Company in Pelham, Alabama, where I have worked for 15 years. My wife and two of my three children are currently here in the United

States. One son lives in Texas and is currently applying to medical school. My daughter lives in Ozark, Alabama, and is a high school teacher. I have sponsored my third child, my son Claudio, for an immigrant visa, and he is currently stranded in Chile as a result of President Trump's proclamation.

3. Claudio was born on March 16, 2001 in Santiago, Chile, and is 19 years old. He arrived at the United States with my spouse on July 24, 2004 on a B-2 Tourist Visa. I was already here in the United States. We overstayed the validity period of our status.
4. On December 20, 2017, shortly after I became an LPR, I filed the Form I-130, Petition for Alien Relative, for Claudio, seeking classification for him in the F2A family preference category for an immigrant visa. This petition took a long time to process and was finally approved on August 22, 2019, after more than two years. So that he would avoid accruing more than 180 days of unlawful presence in the United States after turning 18 years old, Claudio left the United States for our native Chile on August 23, 2019. It was a very tearful separation, but I was confident that would be reunited with my son soon enough after his immigrant visa processing was complete.
5. The National Visa Center (NVC) took about 1.5 months to create an Immigrant Visa case for Claudio, finally creating the case on or about October 2, 2019. After the NVC created the case, we worked as quickly as we could to complete the online Form DS-260 and submit the required documents. All of the documents were submitted on or about November 22, 2019. Two months later, on January 22,

2020, the NVC informed us that Claudio's case was documentarily qualified.

6. I was ecstatic when Claudio was scheduled for an immigrant visa interview at the U.S. Consulate in Santiago, Chile on March 20, 2020. I thought that I would finally have the chance to be reunited with my son.
7. Unfortunately, this was when the Coronavirus started ramping up all across the world. Claudio's interview was rescheduled for March 30, 2020.
8. Then, in the days leading up to March 30, I was informed that Claudio's interview would be postponed indefinitely as a result of the Coronavirus.
9. On April 22, 2020, President Trump issued his Presidential Proclamation suspending travel to the United States of essentially everyone but the spouses and children of U.S. citizens. Given the fact that I am an LPR, Claudio is affected by this Proclamation. I decided to wait and hope that the Presidential Proclamation would expire on June 22, 2020 as was initially stated.
10. Then President Trump extended his Proclamation until at least December 31, 2020
11. On July 14, 2020, through my legal counsel, I contacted the U.S. Embassy in Santiago, Chile to request an emergency interview in order to seek a national interest exception to the Proclamation. They responded: "Thank you for your email. Unfortunately, nothing has changed until this date. The availability of resources, local regulations and other restrictions related to a suspension, including the health and safety of Embassy staff and visa clients, may limit or delay visa processing, even in emergencies. We will resume routine visa services as soon as possible, but we cannot provide a specific date at this time. The

Embassy will publish any announcement regarding the resumption of visa interviews. We understand your frustration, but the embassy is unable to start to schedule interviews now.”

12. On July 24, 2020, through my legal counsel, I contacted the U.S. Embassy in Santiago, Chile to request a national interest exception to the proclamation in light of the new Department of State guidance indicating that we could request visa application appointment at the closest Embassy or Consulate to request a national interest waiver. The Embassy responded with the following: “Thank you for your email. Your client’s case is affected by Presidential Proclamation. Unfortunately, your client will need to wait until December for any updates to this regulation.”
13. The president’s proclamation has broken our hearts. Claudio was planning on applying to start at Auburn University or Troy University in Alabama in the fall of 2020. My wife has contacts at Auburn University and my daughter has contacts at Troy University; both schools had expressed interest in providing Claudio with a full scholarship, which would be a huge financial relief for our family. But it's unclear whether he will be able to go to college any time soon.
14. While his visa preference category is current, and neither Claudio nor I is aware of any reason why he might be deemed inadmissible and denied a visa, the Proclamation would block him from getting his visa even if the consulate in Chile opens for normal visa processing tomorrow. There are no words to express just how emotionally devastating this news is to me and my family. My son and I have been separated from one another for almost one year now, and it appears our wait

will go on for at least another five months, and possibly indefinitely – all because the president thinks that Claudio will take a job from a United States worker. Nothing could be further from the truth. Claudio was about to start college and would not be entering the job force for at least as long as it takes to get his degree. He has expressed interest in studying Nuclear Engineering so that, one day, he may enlist in the U.S. Navy and, eventually, NASA. As a parent, it is heartbreaking to see your child's dreams fall to pieces.

15. At this point, it has been almost three years since we filed the initial petition in my son's case, and we have been living apart for almost a year. The separation has been incredibly difficult. We can only communicate around once a week because of phone service issues. At one point, Claudio got sick in Chile and we had to pay for his medical expenses out of pocket because he has no health insurance there. Apart from the burden of these costs, it is heartbreaking to be unable to care for your child when he is ill.

16. I don't understand what the immigration laws in this country are for if the President can simply sign a piece of paper and deprive people like me of the rights the laws give them to sponsor their children for visas. The separation from my son has also placed significant financial strain on our family. I must send him money to cover all his living expenses in Chile, and we have also spent thousands of dollars on an immigration attorney and on government fees in connection with his immigration process. We thought that he would obtain a visa this year – that he would have a quick trip out of the country to attend his immigrant visa interview

and then come right back as a permanent resident, especially since he is a minor child and does not have any other immigration issues. But now he is stranded in Chile indefinitely, and the financial and emotional strain have been extremely difficult for me to handle.

17. My son is unable to receive any other form of visa, like a student visa because, through this process, he has now expressed his intent to immigrate to the United States.

18. I also fear that my separation from Claudio will be virtually indefinite because the President will extend the current visa ban yet again, for who knows how long. When I learned that the 60-day “suspension” had turned into an eight-month ban, with the possibility of being extended even longer at the end of the year, I felt absolutely terrible. Being separated from your child is something I would not wish on my worst enemy.

19. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the current Proclamation's restrictions.

20. I know that if the class is certified I will be representing more than just myself in

21. this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair restrictions on refugee admissions imposed by this Administration.

22. I declare under penalty of perjury and under the laws of the United States that the

foregoing is true and correct.

Executed on July 29, 2020 in the State of Alabama.



Claudio Alejandro Sarniguet Jimenez

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF JODI LYNN KARPES

I, Jodi Lynn Karpes, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I was born on December 10, 1973, in Pretoria, Gauteng, South Africa. I currently live in Johannesburg, Gauteng, South Africa. I established my business, GreenQueen Communications, in August 2007, where I currently work as a Public Relations Specialist. The business was registered as a Close Corporation in March 2008 as Crib Notes Communications and is traded as GreenQueen Communications. GreenQueen Communications is a company that specializes in launching and implementing successful public relations campaigns for consumer and lifestyle brands and entrepreneurs. We help build brand recognition and create a positive public image for clients' product or service.
2. My career prior to opening my own business was primarily in communications roles in different companies, spanning over 20 years in positions including a Marketing Manager, Senior Account Manager, Office Manager and Customer Relations and Systems Administrator. In 2005, I graduated from the University of South Africa with a Bachelor's

degree in Business Administration. In 1996, I obtained a Speech and Drama Teaching Diploma from Trinity College of London, and in 2015, I received a Diploma in Digital Marketing from the Digital Marketing Institute through Vega School of Brand Advertising. I was also enrolled for a spring semester at the Scottsdale Community College in Arizona, United States. It was there that I fell in love with America, and it became my dream to live in the United States.

3. I decided to enter the Diversity Visa Lottery because there are not many opportunities for career growth in South Africa, and it is also an increasingly dangerous country riddled with crime and poverty. South Africa's official unemployment rate has remained above 20 percent for the last two decades and is unofficially closer to 50 percent. I live with a constant sense of fear and vigilance. Every day there are endless news stories related to crimes such as murder, robbery, carjacking, rape, identity theft, and drug-related crimes. The news is also full of stories regarding income inequality, dire poverty, the lack of educational opportunity and poor standard of education, and civil unrest.
4. I have applied many times for the Diversity Visa Lottery, and I was so overjoyed and excited when I was notified that I had been selected for the 2020 Diversity Visa Lottery. I was certain that my life in the United States would change for the better, as I would be provided with new opportunities and would live in a community far safer than my community in South Africa. It was a dream come true for me as living in the United States represents hope and freedom. I immediately started looking for an immigration attorney in the United States because I wanted to submit everything properly and in a timely manner.
5. My plan after receiving my visa was to enter the United States within a few months or as

soon as possible and to initially stay with my friend, Miranda Kaiser, in Tulsa, Oklahoma. My sister and her husband live in Coppell Texas and I have cousins and an aunt who live in California. I have been developing a business plan to open a new business that will help non-fiction authors obtain reviews of their books. I plan to employ several independent contractors to review books. The actual number of contractors will depend on the number of authors I obtain as clients.

6. As part of the Diversity Visa Lottery application, I had to submit a lot of paperwork before I could receive a visa number and be scheduled for an immigrant visa interview. Among other documents, I had to submit my passports from South Africa and Israel as I am a citizen of both countries, my birth certificate, and police-clearance letters from Israel and South Africa. I worked diligently with my immigration attorney to collect and submit all of this required documentation so that I would have the best chance of promptly receiving a visa. I knew that the window for immigration visa interviews closes on September 30, 2020, and that if I didn't receive a visa by then, my opportunity to receive a visa as a 2020 lottery winner would be lost.
7. After I received my visa number, which was on May 7, 2019, I was apparently scheduled for a consular interview though neither I, nor my attorney, ever received notification. We only learned of the interview when the KCC DV Lottery Section sent us an email on March 20, 2020 that the interview had been cancelled. Nevertheless, I have completed every step necessary to be scheduled for an interview in a timely and efficient manner.
8. Unfortunately, to this day, I have not had an interview. My attorney received an email from KCC DV Lottery Section on March 20, 2019 stating that “[a]s *result of the worldwide*

outbreak of COVID-19, your immigrant visa appointment scheduled for May has been cancelled. We apologize for this inconvenience". Neither my attorney or I, have ever actually received a date or notification for an interview.

9. In April 2020, I learned that President Trump had issued an order limiting immigration to the United States for 60 days. I also learned that this ban on immigration could be extended even longer. I learned that the President's immigration ban was intended to protect and preserve the U.S. economy, but I did not understand how that could be.
10. I remain sad and confused and, quite frankly, heartbroken. I never thought that my one and only chance to immigrate to the United States would be lost, and I did not understand how anyone could take it away from me.
11. On June 22, 2020, I heard that the President had extended the immigration ban for the rest of this year. Because I also learned that he was not extending the September 30 deadline to receive a diversity visa, I realized that I would likely lose my chance at immigrating entirely.
12. After the President announced that he was extending the immigration ban, My attorney contacted the U.S. Consulate in Johannesburg, South Africa on July 13, 2020 to request an emergency appointment. The Consulate stated in an automatic email response to my attorney on July 13, 2020 that All routine visa processing has been suspended until 30 December 2020 due to the Presidential Proclamation for coronavirus". On July 28, my attorney again requested an interview be scheduled in the National Interest but to date has not received a response. I do not understand how or why the President thinks that I will harm the U.S. economy. I am an entrepreneur, and I planned to come to the United States to start a

business and employ Americans. I would not take jobs from U.S. workers; rather, I would do my best to create them. I certainly would not be a financial burden on the American economy.

13. I will lose my chance at an immigrant visa if it is not issued on or before September 30, 2020. If I lose my chance to immigrate to the United States, I will be devastated. I feel that my dreams to continue to grow my business will be out of reach.

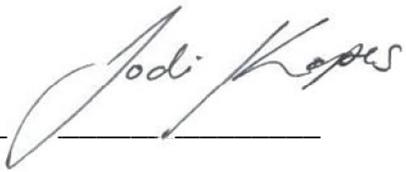
14. Other than the Presidential Proclamation, I know of no ground of inadmissibility, or any other reason why my diversity visa could be denied.

15. I am joining the lawsuit so that I, along with other diversity visa applicants who are in the same position, can receive the visa that the U.S. laws have guaranteed for us.

16. I am willing to serve as a class representative on behalf of those who are similarly situated to me and who will either lose the chance for an immigrant interview before September 30 or be required to meet an exception provided in the President's proclamation.

17. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair ban on immigration and the government's implementation of the rule.

I swear, under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed on July 28, 2020 in Johannesburg, Gauteng, South Africa.

Signed  _____
Jodi Lynn Karpes

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF AJA TAMAMU MARIAMA KINTEH

I, **Aja Tamamu Mariama Kinteh**, upon my personal knowledge, declare as follows:

1. I was born on October 7, 1987, and am a citizen of The Gambia, where I live in the city of Banjul. I live with my immediate family, including my husband, Cherno Aboubacarr Jagne, age 34; my stepson, Modou Lamin Jagne, age 15; my daughter, Neima Aisha Jagne, age 3; and my daughter, Fatimah Dagga Jagne, age 1. I work as a statistician at The Gambia Bureau of Statistics.
2. On October 4, 2018, I and my husband separately applied for a diversity visa including our immediate family as derivatives to increase our chances of winning, but I was the only one selected for further processing. This was the second time we had applied for the Diversity Visa Lottery, and I was ecstatic to have been selected for further processing. On May 7, 2019, I received notification from the U.S. Department of State that my application was approved, and on February 19, 2020, I received notification from them that I had submitted all necessary documentation such that my visa interview was ready to be scheduled. The U.S. Embassy in neighboring Dakar, Senegal, then scheduled the interview for April 21, 2020, at 8:40 am, but after a series of postponements , the Embassy later scheduled an

interview appointment for me and my family on August 6, 2020, due to the COVID pandemic.

3. I entered the Diversity Visa Lottery to seek better professional and educational opportunities for myself, my spouse and my children. My educational training is in economic theory, and I have a good job as a statistician, analyzing data for the Gambian Bureau of Statistics, which supports the country's economic development. But my training has taught me about the intricate relationship between human resource development and economic growth, and that the limited human resource development in The Gambia will always be an impediment to its growth and a limit on the potential of its people. I feel that the United States, with its vast opportunities, is a far better place for me to truly achieve my dreams. I have instilled my hopes and dreams for bigger and better opportunities in my young children, who are especially excited about the prospect of coming to America. For example, my daughter, Neima Aisha, wants to study medicine and become a doctor when she grows up. My husband works for himself and runs a software and web design company. He too is looking to use his skills to expand his business in the United States, and ideally create jobs there.
4. In late April 2020, I learned about the Presidential Proclamation suspending immigration to the United States, which made me very nervous. However, I held out hope that it would not impact our ability to immigrate, as we had until September 30, 2020 to obtain visas, and we had interviews scheduled for August 6, 2020. When I later learned, in late June 2020, that the Proclamation was being extended through at least the end of the year, if not longer, I was devastated.

5. Since hearing about the Proclamation and its potential to permanently end our plans to immigrate to the United States, my whole family has become heartbroken and sorely disappointed. We had already been making firm plans to move to Seattle, Washington, to live near my uncle. He runs an adult-care facility in Everett, Washington, and offered jobs to me and my husband there, until we could gain our own professional footing. He also provided affidavits of support for our immigration petitions, and has committed to provide us room and board in the United States until we can support ourselves. Knowing that our earnings would not be enough to pay for our travel bills, we sold property, including a car and other items, to secure the necessary resources for our journey. The news was particularly painful for our children, who had already begun to plan their own new lives in the United States. They have dreams of building a snowman during the Christmas season in Washington state. My children also want to visit Disneyland once we get to the United States.
6. Because I was not ready to give up on my dream of immigrating to the United States with my family, on July 12, 2020, I contacted the U.S. Embassy in Dakar, Senegal to inquire about the status of my August 6, 2020, interview, which at that time had not been canceled. Having received no response, on July 13, 2020, I requested an emergency interview, in order to seek an exception to the Proclamation. That same day, the U.S. Embassy in Dakar responded, asking me to “explain my matter of urgency,” and “[w]hat exception to the Presidential Proclamation” I believe I fall under. I immediately responded, explaining that the deadline to obtain a diversity visa was fast approaching on September 30, 2020, and seeking guidance on what else the United States requires me to present to meet an exception to the Proclamation. On July 15, 2020, the Embassy responded, stating: “We regret that

we are unable to approve your emergency IV request. Please continue to monitor our website for updates on our operating status. <https://sn.usembassy.gov/visas/>.”

7. Thereafter, on July 22, 2020, I received two notifications from the U.S. Embassy in Dakar. One of the notices was specific to my case, and stated our August 6, 2020 interviews were being canceled, without providing any reason. The other notice was generic, stating: “In response to significant worldwide challenges related to the COVID-19 pandemic, the Department of State has temporarily suspended routine visa services at all U.S. Embassies and Consulates. The Embassy in Dakar has canceled all routine immigrant and nonimmigrant visa appointments through August, 2020, but will continue to provide emergency and mission-critical visa services as resources and local conditions allow. We will resume routine visa services as soon as possible but are unable to provide a specific date at this time. Please see these notices which contain detailed information about the current status of visa services worldwide and visa restrictions related to the COVID-19 global pandemic: <https://travel.state.gov/content/travel/en/traveladvisories/ea/covid-19-visa-services-and-restrictions.html>.”
8. All of this news was heartbreaking to me, but I unable to give up on my dream to immigrate to the United States. I continued to monitor the U.S. State Department and Embassy websites, to see if there might still be a chance that we could immigrate to the United States. Within the last week, I learned of further guidance from the State Department regarding exceptions to the Proclamation. The guidance says: “Travelers who believe their travel . . . is otherwise in the national interest may request a visa application appointment at the closest Embassy or Consulate and a decision will be made at the time of interview as to whether the traveler has established that they are eligible for a visa pursuant to an

exception. Travelers are encouraged to refer to the Embassy/Consulate website for detailed instructions on what services are currently available and how to request an appointment.”

So on July 27, 2020, I contacted the Embassy in Dakar, again seeking an exception to the immigration ban, so that my family and I could obtain visas prior to the September 30, 2020 deadline. On July 28, 2020, the Embassy responded stating that, “Unfortunately, we are unable to grant you an exemption from the presidential nor offer you an emergency visa appointment.”

9. Other than the Proclamation, I know of no ground of inadmissibility, or any other reason why my diversity visa could be denied.
10. If I am not able to get my visa to come to the United States with my family by September 30, 2020, my dreams will be crushed and the plans that I have made will be shattered. There will be no way to undo the harm to my family from this Proclamation—I could apply every year for a diversity visa, but I likely would never win again in my lifetime. I do not understand why the President thinks my family will hurt the country’s economic recovery. We have good skills and plan to work to support ourselves and our family, and we hope to create more jobs in the United States.
11. I am joining the lawsuit so that I, along with other diversity visa applicants who are in the same position, can receive the visa that the U.S. laws have guaranteed for us.
12. I am willing to serve as a class representative on behalf of those who are similarly situated to me and who will either lose the chance for an immigrant interview before September 30 or be required to meet an exception provided in the President’s proclamation.
13. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative

means. I want to help everyone in my situation because we are all suffering due to the unfair ban on immigration and the government's implementation of the ban.

I swear, under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed on July 30, 2020, in Banjul, The Gambia.



Aja Tamamu Mariama Kinteh

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF SHYAM SUNDAR KOIRALA

I, Shyam Sundar Koirala, upon my personal knowledge and pursuant to 28 U.S.C. § 1746, declare as follows:

1. I was born on October 27, 1987, and am a citizen of Nepal, where I currently reside in the city of Kathmandu. I live with my wife, Bhumika Shrestha. I am a microbiologist by training, and I work at an India-based pharmaceutical company.
2. I applied for the diversity visa on November 4, 2018, and learned on May 7, 2019, that I had been selected to participate in the 2020 Diversity Visa Program, which brought me one step closer to realizing my dream of improving life for me and my family. On December 16, 2019, I received notification from the State Department that I had “submitted all required documentation to the Kentucky Consular Center and [was] ready to be scheduled for an interview when [my] case number becomes current.”
3. I have entered the Diversity Visa Lottery each year for the last ten years so that I could come to the United States and build a new life for my wife and me, and the family we hope to have one day. I grew up with modest means—both of my parents are farmers—but I strived to better myself by exceling in my studies and by working hard work to achieve academic success. I obtained a Bachelor of Science degree in microbiology and later

started working at the India-based pharmaceutical company, RPG Life Sciences. Over the course of the last seven years, I have advanced in the company to my current position as a territory business manager.

4. My wife is also a professional, working for the past eight years as a banking assistant at a bank in Kathmandu. We have become established in our careers, but there are few paths to further upward mobility, especially given that Nepal continues to be an underdeveloped country with a struggling economy.
5. After I was selected for a diversity visa, I began to make concrete plans to start a new life in the United States. I saved money and forewent investment opportunities in Nepal. I had plans to buy land in Nepal, but I put those plans on hold to ensure that I had enough money to start our new life in the United States. Upon immigrating to the United States, I hoped to continue my career in the pharmaceutical industry. My wife also had planned to continue her career in the banking and finance industry.
6. My hopes and plans were put on hold in late April 2020, when I learned about the Presidential Proclamation, which imposed a 60-day ban on immigration. My dreams were later shattered in late June 2020, when I learned that the U.S. President had extended the immigration ban through the end of the year, if not indefinitely. Because the diversity visa program requires that I secure our visas by September 30, 2020, I understood that the Presidential Proclamation meant that my opportunity to immigrate to the United States was likely gone. The news has been devastating to me and my wife, as we had long been dreaming of starting a new life in the United States. For the last ten years we have been diligently applying to the Diversity Visa Lottery, in the hopes that our number would finally come up. It is truly heartbreaking to have come so close, and to have allowed

ourselves to believe that our dreams were finally coming true, only to have the opportunity so unfairly taken away.

7. On July 14, 2020, in an attempt to resurrect our dream to come to America, I contacted the U.S. Embassy in Kathmandu to request an emergency interview to seek an exception to the Proclamation. I received a form response that failed to address my request for an emergency interview. The U.S. Embassy stated, "Please be informed that as of March 17, 2020, the United States Embassy in Kathmandu is canceling routine Diversity visas and nonimmigrant visa appointments. From March 23, 2020, the U.S. Embassy is canceling all routine immigrant visa appointments. We will resume routine visa services as soon as possible but are unable to provide a specific date at this time." These words were heartbreaking to me.
8. Unable to give up on my dreams of immigrating to the United States, I have continued to monitor the U.S. State Department and Embassy websites, to see if there might still be a glimmer of hope. Within the last week, I learned of further guidance from the State Department website, which said: "Travelers who believe their travel falls . . . is otherwise in the national interest may request a visa application appointment at the closest Embassy or Consulate and a decision will be made at the time of interview as to whether the traveler has established that they are eligible for a visa pursuant to an exception. Travelers are encouraged to refer to the Embassy/Consulate website for detailed instructions on what services are currently available and how to request an appointment." Following that guidance, on July 26, 2020, I contacted the U.S. Embassy in Kathmandu, again seeking an exception to the immigration ban, so I my wife and I could obtain visas prior to the September 30, 2020 deadline. On July 27, 2020, the Embassy responded as follows: "We

understand that you have a query regarding the emergency appointment. In response to your question, we would like to inform you that as of March 17, 2020, the United States Embassy in Kathmandu is cancelling routine Diversity visas and nonimmigrant visa appointments. From March 23, 2020, the U.S. Embassy is cancelling all routine immigrant visa appointments. We will resume routine visa services as soon as possible but are unable to provide a specific date at this time. Further, please continue visiting our website <http://www.ustraveldocs.com/np/> and refer the red banner for latest updates on resumption of our services.” Other than the Presidential Proclamation, I know of no ground of inadmissibility, or any other reason why my diversity visa could be denied.

9. I am joining the lawsuit so that I, along with other diversity visa applicants who are in the same position, can receive the visa that the U.S. laws have guaranteed for us.
10. I am willing to serve as a class representative on behalf of those who are similarly situated to me and who will either lose the chance for an immigrant interview before September 30 or be required to meet an exception provided in the President’s proclamation.
11. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because I are all suffering due to the unfair ban on immigration and the government’s implementation of the ban.

I swear, under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed on July 28, 2020 in Kathmandu, Nepal.



Shyam Sundar Koirala

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF JUAN CARLOS ROSARIO LEBRON

I, Juan Carlos Rosario Lebron upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a Lawful Permanent Resident of the United States, originally from the Dominican Republic. I have been a Permanent Resident since September 18, 2013.
2. I currently live in Lawrence, Massachusetts with my long-term girlfriend and her daughter, who is not my biological child. I am the only father figure that my girlfriend's daughter knows. She even calls me "dad". In the United States, I also have a son with my ex-wife. He resides primarily with his mother, but I see him on a regular basis. I have stable employment working as a barber and I am optimistic about my future in the United States. I have a level of stability I never would have enjoyed in the Dominican Republic
3. I also have two minor daughters, twelve and seventeen years old, who currently reside in the Dominican Republic. They are nationals and citizens of the Dominican Republic and my mother is their primary caregiver. However, I provide essentially all of the financial support for them. They do see their mother from time to time, but have resided with my mother since I immigrated to the United States.

4. I submitted the I-130 family-based visa petitions in the F-2A preference category to the United States Citizenship and Immigration Services (“USCIS”) on or around April 25, 2018 so that I can sponsor my daughters for green cards and bring them to be with me here in the United States. The USCIS approved the I-130 petitions on or around August 31, 2019.
5. USCIS sent the approved visas petitions to the National Visa Center to proceed with the consular processing and the fee bills were issued around November 2019. It took extra time to receive one of the sets of fee bills because, instead of emailing them to me, the National Visa Center mailed them to my daughter in the Dominican Republic. Since I wanted the two cases to hopefully be processed simultaneously, I waited to prepare both cases until I had the documents for both. After the petitions were approved, I knew I would need assistance with the consular processing so I retained an attorney to help with the process.
6. We collected and submitted all the necessary information and documents that accompanied the online DS-260 visa application on or about December 24, 2019 for both cases. The National Visa Center determined that the cases were documentarily qualified on or about February 26, 2020. Then, in mid-March 2020, consulates worldwide were closed to routine visa processing and my daughters were never scheduled for their immigrant visa interviews.
7. When I learned of April’s Presidential Proclamation banning the entry of immigrants, including my daughters, unless they could show they qualified for a national interest exemption, my heart broke. My attorney explained to me at the time that there were no details in the Proclamation about how someone might

qualify for the national interest exception. We also knew that the consulates remained closed at the time due to COVID-19.

8. However, once we found out that the consulate in the Dominican Republic was accepting and processing emergency cases, my attorney, through Congresswoman Lori Trahan's office, submitted a request for expedited processing of my daughters' visa applications. This request was submitted on or about June 17, 2020. After several follow-ups with Congresswoman Trahan's office, my attorney finally received the following response on July 27, 2020: *Thank you for your email concerning the immigrant visa petitions filed by Juan C Rosario on behalf of Senya Maria Rosario Camilo and Maria Liz Rosario Camilo. The National Visa Center (NVC) received these immigrant visa petitions and assigned case numbers SDO2019818055 and SDO2019817225. Due to COVID-19 concerns, the U.S. Embassy in Santo Domingo, Dominican Republic has suspended visa services. We are unable to forward your expedite request to the U.S. Embassy for review. The U.S. Embassy will resume visa services as soon as possible but cannot provide a specific date. For the most up-to-date information about the U.S. Embassy's operating status, please visit the Embassy's website at <https://usembassy.gov>. You may wish to resubmit your request once the U.S. Embassy resumes routine services.*
9. On or about July 14, 2020, my attorney also made a request directly to the National Visa Center, via the online inquiry system, to have the case expedited and to schedule an interview so that my daughters could request an exemption to the Presidential Proclamation. Apart from the Proclamation, I know of no reason that my daughters would be found ineligible to immigrate to the United States.

10. In an initial response from the National Visa Center, dated July 17, 2020, my attorney was informed of the following: *Exempt visa classes will be scheduled for visa appointments based on local conditions and available resources of each U.S. Embassy or Consulate General. Applicants that are not exempt from this proclamation cannot be scheduled by the National Visa Center (NVC) until the proclamation is lifted.*
11. Thereafter, on July 22, 2020, the National Visa Center informed my attorney that it had forwarded the request for an expedite to the U.S. Consulate in Santo Domingo to determine if an expedite would be granted. However, this request made no mention of the ability to request an exemption, which was the second part of my attorney's request. On July 27, 2020, my attorney received the following response from the National Visa Center regarding the expedite request: *Thank you for your patience. We sent your request to the U.S. Embassy in Santo Domingo, Dominican Republic. However, they cannot expedite this case. To be fair to all applicants, the Department of State schedules immigrant visa interview in the order that the cases complete processing at the NVC. We will continue to work with you on this case. We will schedule a visa interview appointment.*
12. Neither my immigration attorney nor I understand how the Congressional Office can receive one response stating that the request for an expedite cannot be made because the consulate is closed, while the direct response from the National Visa Center states that the request was forwarded and denied. In addition, the National Visa Center specifically stated that unless the case satisfied an exemption it would not be scheduled for an interview. But, one week later, they said that an

appointment would eventually be scheduled. The fact that the entirely contradictory responses to the Congresswoman's office and the one to my attorney were received on the exact same day only adds further confusion about how the inquiries were processed.

13. Furthermore, on July 22, 2020, after the above inquiries were already initiated, the Department of State announced specifically that applicants who believe they qualify for an exemption to the Proclamation should contact the U.S. Consulate and request a visa appointment. In light of this new information, on July 24, 2020, my immigration attorney once again requested that my daughters be scheduled for an immigrant visa interview so that they could request the national interest exemption.
14. We made these requests because my mother is the primary caregiver for my daughters. Due to her now advanced age and several health complications she has suffered, she is no longer in a condition to continue to care for the children for much longer. My mother is sixty-two years old and suffers from high blood pressure. The stress associated with caring for my daughters makes that worse. In addition, she has undergone several surgeries. In a letter to the consulate in support of the expedite request, her doctor specifically requested that my children be issued their visas as soon as possible so that she no longer has this burden.
15. Although the April Proclamation said it would only last 60 days, we learned that the President signed another Proclamation in June and extended the ban until at least December 31, 2020. When I found out about the June Proclamation, I broke down. I have been waiting for my daughters' visas to become current and be issued

for more than two years. Now it appears our wait will go on for at least another six months, and possibly indefinitely.

16. The immigrant visa process involves two steps. First, you file the petition proving the qualifying relationship between the petitioner and the beneficiary with the USCIS. Once the petition is approved and a visa is close to being available, the National Visa Center requests the fees and documents relative to the immigrant visa application so that the interview can be timely scheduled. The ultimate visa availability—and, consequently, the ability of the consulate to approve the visas—is controlled by the date that of the I-130 petition filing and the dates published in the monthly Department of State Visa Bulletin. I filed the I-130s for my daughters in April 2018, and their cases were current and eligible for the filing of the immigrant visa documents as of June 1, 2019. Their cases were current and eligible for visa issuance as early as July 1, 2019. However, since the USCIS had not acted on the petitions, nothing could be done relative to the ultimate visa applications. My attorney even tells me that it is not uncommon for the National Visa Center to request and accept visa application documents even before the case is current under the Visa Bulletin based on the anticipated forward movement in visa availability.
17. The delays in adjudication by the USCIS have caused a snowball effect of delays throughout the entire process. Had the USCIS decided the petitions sooner and not left them pending for 16 months, I could have filed the visa applications and other documents sooner. And, if the cases had been filed earlier last year, perhaps we would not even be in this situation because my daughters would already be here.

18. I am deeply concerned that my mother will no longer be able to continue to care for my daughters for an additional six months. It is very trying on her and highly detrimental to her health. I also cannot imagine the possibility that I would have to move back to the Dominican Republic to care for my daughters, thereby giving up my career and the stability I have built over the years in the United States. In addition, a prolonged departure to care for my daughters until the ban lifts – especially if it extended yet again - would also put my Permanent Resident status in jeopardy. As a father, I would have to do what is necessary, but that could also mean losing everything I have fought to achieve.
19. It is now my understanding that, under the new Proclamation, I will be unable to reunite with my daughters until at least January of next year, unless they can somehow qualify for the national interest exemption or the Proclamation is blocked by the courts. I have become very depressed by the uncertainty of how much longer it will take to get my daughters their visas. It makes planning for their arrival and for their lives almost impossible since I have no idea of when they might arrive. Every day of a child's life is precious, and I have already missed many days with my daughter that I cannot get back.
20. I financially planned for my daughters to arrive this year. I have been saving to purchase a house where we could live more comfortably as a family. In addition, I felt like I could not file for them as soon as I received my Permanent Resident status because I was in a very unhealthy and unstable relationship. My now ex-wife sponsored me on a fiancé visa and I became a Permanent Resident. However, she was very violent against me to the point that eventually I had to seek a restraining

order against her so that she could not come around me. I could not possibly bring my minor daughters to the United States and put them in that abusive situation. So I had to wait until the divorce was closer to being finalized before I could take that step. Now, the situation is dire because of my mother's health and her ability to continue to care for them in my absence.

21. I am very disturbed and emotionally devastated that my children will now be harmed because I made what I felt was a responsible decision to wait to bring them until I knew they would have a safe and stable life here in the United States.

22. It is also extremely difficult for me to understand why my daughters are being banned because, under the Proclamation, they would somehow prevent the country from recovering economically after the coronavirus pandemic. The President stated that the primary purpose of the Proclamation was to protect jobs for U.S. workers. However, neither of my two young daughters is coming to the United States to work. They will come and enroll in school. In fact, the younger one is not even of a legal age to seek employment at all. At best, my older daughter might seek a job for a few hours per week after school, but I doubt she will even do that until she is more settled in her life in the United States.

23. I have spent well over two years preparing the necessary paperwork and have waited anxiously for the day when I could bring my daughters to the United States so that I can give them the life that they deserve and to which they are legally entitled. The only delays in the process were due to government processing times. At no time was additional evidence or documents requested in either case. The law

allows me to sponsor my daughters for green cards, and we have patiently endured the wait time mandated by the processing backlog and the visa quotas.

24. It has been incredibly difficult to be separated from my daughters and be unable to give them my love and support for so much of their childhoods. The hardship on me and my daughters will only persist and will likely worsen if they are not granted their visas very shortly. We are in a position where they could find themselves without someone to care for them; my mother's poor health and advanced age no longer allow her to take on the primary caregiver responsibilities as she was able to do in the past. I was also hoping to enroll my daughters for the next school year in the United States, even if that is only online, and it is heartbreaking that this process has been delayed even further. In addition, I have great anxiety and stress over the impact that their ongoing care will have on my mother's health. I cannot imagine how devastated I would be if something were to happen to my mother because I could not finish this visa process for my daughters.

25. I have already been living apart from my family member for seven years, and the separation has been traumatizing. Now that they are older, I can more easily and regularly communicate with them. But I cannot provide the daily care and guidance the children require from such a distance. I try to travel to visit them when I am able, but it is not the same as having a steady parental figure. Besides my son, I have no immediate family here in the United States. I have yearned for the day that I would have my family together again. To have overcome the domestic violence situation with my ex-wife to then create a stable home here in the United States has given me hope and aspirations for the future. I knew that I could have a stable life

in the United States because of how the authorities reacted to the domestic violence situation in recognizing that my ex-wife was an aggressor. It showed me that law and order prevail here. I had hoped to create more beautiful moments in the future with my daughters by my side. The fact that I am looking at a minimum of five more months without them here is absolutely heartbreaking.

26. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the June 22 Proclamation.

27. I know that if the class is certified, I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all harmed by the unfair Presidential Proclamations imposed by this Administration.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Manchester, New Hampshire on July 29, 2020.

 _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF AYA NAKAMURA

I, Aya Nakamura, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I was born on September 26, 1986 in Hiroshima, Japan. I currently live in Tokyo, Japan.
2. I have entered the United States' diversity visa lottery for the past four years – once for each year I have been in the United States to pursue a college education.
3. I first entered the United States on January 30, 2015 as an F-1 student to pursue studies at Zoni Language Center, Inc. in New York, NY. On September 8, 2015, I transferred to the American Language Communication Center in New York, NY, and on September 2, 2016, I transferred to ASA College in New York, NY. I earned an Associate in Applied Science Degree in Business Administration on May 28, 2019. On August 23, 2019, I began a one-year post-completion Optional Practical Training (“OPT”) period. I loved my time in the United States and entered the lottery every year in the hopes that I would win a green card and be able to live in the United States long-term.
4. My dream came true on May 7, 2019 when I finally won the lottery. When I received the letter from the State Department informing me that I had been selected, I almost couldn't believe it – the odds of winning are so incredibly low, and I know of many people from my country who enter for years and never win. It is my understanding that the annual diversity

visa program is intended for people like me who come from countries that have historically sent a small number of immigrants to the United States.

5. But incredibly, against all odds, I had won the lottery, and I would be able to come and build a life in the United States, like I have always wanted. Although my OPT period was still valid and I could have remained longer in the country, I decided to submit all the paperwork for the diversity visa as quickly as I could, and then return home to visit family and do the necessary consular processing for my immigrant visa.
6. After winning the lottery, I had to gather a lot of documentation before I would be eligible to schedule a consular interview: information about my education and work history; a list of places where I'd lived before; information about my family and my social media; a contact person for me in the United States; a birth certificate with translation; a police certificate; and other security and background information. I had to get copies of my college and high school graduation certificates, plus information about my assets, including bank balances. I also had to try to arrange health insurance and a place to work in the United States.
7. I submitted some of this information in the DS-260, the Immigrant Visa Electronic Application, which I completed for myself on June 2, 2019 while I was in the United States in F-1 status.
8. I left the United States on January 1, 2020 to return to Japan. My F-1 visa expired on January 5, 2020 and I forfeited nearly eight months remaining in my OPT period when I left the country. When I departed, I knew that I would not likely be able to obtain a new F-1 visa because I had already submitted my DS-260.
9. I incurred financial burdens to return home when I did—I had to buy a plane ticket, give up the lease on my apartment, and give away belongings I wouldn't be able to bring back with me on the plane. I also hired and paid a New York immigration attorney to help advise

me in pursuing my diversity visa. But I knew it would be worth it because I would be able to obtain a green card to return to the United States and pursue the life I wanted to build in New York City.

10. After I submitting additional documents and information to the Kentucky Consular Center, I received confirmation on June 19, 2020, that I had completed every step necessary for an interview to be scheduled.
11. Although the global pandemic has disrupted consular services, I hoped that this was only temporary and that somehow I would still be able to have my interview and get my visa before the end of the fiscal year. I have met all the requirements for a diversity visa and I am not aware of any reason why a consular officer might decide that I am inadmissible and refuse to issue me a visa. It is also my understanding that the United States' immigration laws require a consular officer to issue a visa to a diversity visa lottery winner if the winner shows that she is eligible for the diversity visa, as I have done. But in April 2020, I learned that the president had signed a proclamation suspending most immigration to the United States for 60 days, unless visa applicants could show that they qualified for a national interest exception. I also learned that this immigration ban could subsequently be extended—but when and for how long, no one knew.
12. Hearing about the April presidential proclamation was extremely disappointing, but I held out hope that the State Department would still be able to issue me a diversity visa before the end of the fiscal year in September because I had submitted all the required paperwork showing that I am eligible.
13. On June 22, 2020, however, I received the news that the President had extended the proclamation to restrict immigration through December 31, 2020, and that most immigrants were banned unless they could show that they qualified for a national interest exception. Unless I could satisfy this new requirement and show that I was eligible for a national

interest exception, the president's proclamation would end my one chance at immigrating to the United States. It would be as if I had never even won the diversity visa lottery.

14. It was horrible to hear this news. I had never dreamed that the President would effectively get rid of the diversity lottery program for the rest of the year. It never even crossed my mind that the government could simply refuse to issue diversity visas to winners who have shown that they are eligible and meet all the requirements, or impose an entirely new "national interest" requirement for people to receive their visas. I do not even understand why diversity visa winners should be required to show that their entry is in the "national interest" when it seems that the United States Congress, in creating the diversity visa program, has already decided that it is important for the United States to have people like me immigrate to the country. But the U.S. Consulate in Tokyo, Japan has indicated on its website that as of June 22, 2020 most immigrant visa categories are suspended through December 31, 2020, and being a diversity visa applicant is not currently listed as an acceptable reason to be scheduled for an emergency visa interview.
15. On July 13, 2020, my attorney, Michael Dunn, contacted the U.S. Consulate in Tokyo on my behalf to request an emergency interview to allow me to complete my interview before the end of the fiscal year. The Consulate created case number (Case-2020- 07-13-013894511), responded that "All diversity (DV) immigrant visa appointments have been cancelled at this time," and then proceeded to close the case.
16. On July 13, 2020, Mr. Dunn also contacted the Kentucky Consular Center ("KCC") to confirm whether my case was missing any documents and why my case has not yet been scheduled for an interview. The KCC responded, "Due to the novel COVID-19 outbreak all interviews for the DV program have been suspended, it is undetermined when scheduling will resume."

17. On July 16, 2020, Mr. Dunn contacted the U.S. Consulate in Tokyo again on my behalf to request an emergency interview in order to specifically seek an exception to the proclamation. The Consulate created a case number for this inquiry (Case-2020- 07-16-013903676). As of today's date, he has not received a response to this request.
18. On July 28, 2020, Mr. Dunn contacted the U.S. Consulate in Tokyo again on my behalf to request an emergency interview in order to specifically seek a national interest exception to the proclamation. He has not received a response to this request.
19. Some U.S. consulates in Japan have since reopened and have begun to resume normal operations – but the Consulate in Tokyo has still refused to schedule me for an interview. I don't understand why I cannot even have the interview, because I meet all the requirements for a diversity visa and a consular officer should be required under U.S. immigration law to issue the visa to me.
20. The immigration ban has left me heartbroken. I have studied hard to learn English and have invested a lot of time, money, and effort in the United States to earn an Associate's Degree. I had plans to move to New York after receiving the diversity visa to become a U.S. Certified Public Accountant ("CPA"). I had dreams of opening my own accounting firm and creating jobs in the United States. I do not consider myself a financial burden or harmful to American workers, and I do not understand why the President thinks that I will harm the country's economic recovery after the pandemic. I think I will help the U.S. economy.
21. It is incredibly hard for me to make sense of all that is happening and I still have a hard time accepting that my dream of winning the lottery is somehow no longer real. If I do not get a visa on or before September 30, I will have wasted so much time and money I spent on my U.S. education, and I will never be able to reach my dream of becoming a CPA or opening an accounting firm in the United States. I will lose all hope. If I had not won the

diversity lottery, I would still be in the United States preparing to enter a university to complete a four-year degree in accounting.

22. It is impossible for me to describe how harmful the president's immigration ban is for me, or how my life will never be the same because of it. After four years in the United States, I had become accustomed to living there, with its more open, more dynamic, and more diverse society. People in the United States have more opportunities to pursue their dreams and become whoever they want to be. Japan is almost completely the opposite. I do not believe I will be able to fit back into Japanese society—but I will never be able to immigrate to the United States if I lose the opportunity I should have right now.
23. I am joining the lawsuit because my fellow diversity visa applicants and I who qualify for diversity visas should be issued visas before September 30, so we receive the visas that the U.S. laws provide for us.
24. I am willing to serve as a class representative on behalf of those who are similarly situated to me who will either lose the chance for an immigrant interview prior to September 30 or have to meet any exception outlined in the Proclamation because of the current restrictions on immigrant visas issued by the President and unlawfully enforced by the consulates.
25. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all hurt by the same unfair ban on immigration and the government's implementation of the Proclamation.

Dated: July 28, 2020

Signed:  _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF DANIEL CHIBUNDU NWANKWO

I, Daniel Chibundu Nwankwo, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a United States citizen by birth. I was born on December 17, 1997 in Texas.
2. I currently live in Houston, Texas with my brothers, sister, and mother. I am presently an undergraduate pursuing a degree in electrical engineering. My mother is 48 years of age; my two brothers are 19 and 21; and my sister is 16. My mother entered the United States in 2018, and received a green card last year based on an approved visa petition I filed for her.
3. My father, who is 58, is a Nigerian national and remains in Nigeria waiting to join us here in Houston.
4. On or around March 18, 2019, I filed the family-based visa petition Form 1-130 with United States Citizenship and Immigration Services (“USCIS”) to start the process of sponsoring my parents for immigrant visas. USCIS approved the 1-130 petition and application for adjustment of status for my mother on June 18, 2019, as she was in the United States at the time. My father's petition was approved on February 18, 2020 and sent to the National Visa Center so that consular processing could begin

since he remained in Nigeria. The NVC has sent the case to the Consulate, which means we have submitted the necessary documents to be scheduled for an immigrant interview.

5. We are now currently awaiting a consular interview for my father at the Consulate in Nigeria. We have submitted all the necessary paperwork with the online DS-260 application and there is nothing that would prevent my father from receiving an immigrant visa and entering the United State. However, in April, I learned about the Presidential Proclamation suspending the entry of most immigrants, including my father, unless they are able to show that their entry is in the national interest. When my family learned about the immigration ban, we were destroyed. I do not understand why my mother can receive her green card because she is with me, but my father is banned because he has not yet entered the United States.
6. We now know that the President extended the immigration ban through December 31, 2020, and that it could last even longer.
7. The ban makes no sense to us and has thoroughly devastated me and my family. As the eldest in my family, I filed the visa petition to sponsor my parents as soon as I turned twenty-one. It also took us a year to gather and submit all the necessary paperwork. We have already been separated from my father for four years, and the Proclamation will prolong that separation. This is especially heart-wrenching because the consulate in Lagos is open and performing consular interviews, and I am not aware of any reason, apart from the Proclamation, why my father would be unable to receive his visa and come to the United States. He is my immediate relative, which means a visa is immediately available to him.

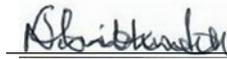
8. The negative impact of the absence of my father in our family is tremendous and it is affecting our daily lives. We have only been able to see my father in the past four years when he has made short visits to United States as a visitor. Because he is seeking to immigrate, he cannot visit us as a visitor because one of the requirements for a travel visa is that you have no intent to immigrate to the United States. As we have waited to finish the immigrant process, we have not been able to see my father very often, and our separation as a family has been extremely hard on everyone. We thought that my father would have immigrated by now.
9. My father is my role model and mentor. I am following in his footsteps by pursuing an engineering degree. He is the leader of our family and we all miss his love, care, guidance, and discipline, which are fundamentally essential for the effective nurturing of children—even adult children—into responsible citizens. It's so hard for me to describe how emotionally painful it has been to be separated from my father for so many years. It has made me feel despondent and unhappy in my country. It's also incredibly difficult to see my mother suffer. She is afraid that my father will never reunite with her in the United States.
10. I find it terribly disturbing that the President's own in-laws emigrated as the parents of the First Lady, and yet now the President has closed that same door for me and my own family. I don't understand why the President believes that my father— a seasoned engineering professional with a current Board license from the State of California— would somehow detract from the nation's economic recovery.
11. The law allows my father, as my immediate relative, to obtain a visa without waiting in any queue because I am a United State citizen. But the Proclamation makes me

feel like less than a citizen. The Proclamation means that the laws protect and benefit other people, but not me and my family.

12. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the restrictions of this Presidential Proclamation.

13. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair restrictions imposed by this Administration in regard to who is or not admitted into this country as a lawful permanent resident during this pandemic.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at 12.00pm on July 29, 2020.



Chibundu Nwankwo

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF LOIDA PHELPS

I, Loida Phelps, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a U.S. citizen, 61 years old, born in the Philippines, who became a Lawful Permanent Resident on August 28, 2002, and who naturalized on June 9, 2008, in Baltimore, Maryland. I was born with the name Loida D. Aligam. Previously, I was married to Cipriano Dolom and took his name. I am now married to Larry Phelps, a U.S. citizen, and have changed my name to reflect my current marriage. I currently live at 120 Archwood Ave, Glen Burnie, Maryland 21061, with my husband, who is 62 years old. I have three daughters: Maria Leonora Dolom, Maria Luisa Dolom, and Maria Lourdes Dolom. Each one of my daughters has children, so I am blessed with a total of 6 grandchildren.
2. Two of my daughters, Maria Leonora and Maria Luisa, immigrated and arrived in the United States in 2003. They are both married and live near me with their families: a husband and one child for Maria Leonore, and a husband and two children for Maria Luisa.

3. I had initially filed a petition for my oldest daughter, Maria Lourdes, who lives in the Philippines, for her to immigrate to the United States as the unmarried child of a United States lawful permanent resident, but she fell in love, and married, which precluded the approval of my petition. On March 18, 2009, after she divorced and I became a U.S. citizen, I filed a second petition for her to immigrate as the adult child of a United States citizen –a first preference immigrant classification (F-1). United States Citizenship and Immigration Services approved the petition on April 22, 2010, but it has taken more than 11 years for a visa to become current and available for issuance at the Embassy.
4. My daughter Maria Lourdes has lived in the Philippines for her entire life. She is 39 years old and has three children, who are included on her approved visa petition as derivative beneficiaries: Marylour Angela Dolom Reano, Sebastian Dolom Lozano, and Mary lour Andrea Dolom Lozano. Her oldest child (and my oldest granddaughter), Mary lour Angela Dolom Reano, was born on September 22, 1998.
5. Our family's lifelong ambition is to resettle together here in the United States. It has been my home for well over 20 years and the home of my two youngest children for almost as long. Now, after eleven years of waiting, a visa is current for daughter and we remain on the verge of fulfilling that lifelong goal.
6. I have patiently waited for more than a decade for the opportunity to see my daughter and grandchildren immigrate to the United States. I am heartbroken and terribly fearful that our opportunity has now ended due to Presidential Proclamations 10014 and 10052. The first proclamation stopped their immigration from April 22 to June 22. The second proclamation extends the ban until the end of the year. And the second proclamation may also be extended again, perhaps indefinitely.

7. On June 15, 2020, the State Department granted our request to expedite processing of the visa applications for my daughter and her children on the basis that her oldest child, Marylour, might “age-out” of the opportunity to immigrate due to her age. Marylour’s chronological age as of today is 21 and 10 months. However, my petition for the family took more than 13 months to be approved and visas have been available to my family for less than one year, so her age under the Child Status Protection Act (CSPA) is below 21. We understand that if DOS changed its position regarding her protection under the CSP A, she would lose the opportunity to immigrate—on October 26, 2020. My daughter and her children have already had their medical exams completed and we have taken every step necessary to have an immigrant interview.
8. My daughter has not been contacted by the U.S. Embassy in Manila. Both she and my lawyer have tried repeatedly to reach the Embassy through the U.S. Travel Docs system to confirm whether the Embassy will honor its prior grant of an expedited interview. While I am aware that the President has now declared that children about to age-out may qualify for immigration under the “national interest” exemption, this will not benefit our family because this exemption does not benefit the parents of such children. As the principal beneficiary, my daughter must receive her visa before or at the same time as Marylour. In any event, the ban on the issuance of immigrant visas has already caused a great deal of harm to me, my daughter, and my grandchildren. After eleven years of following all the rules, we have lost our ability to reunite in the United States. If the DOS determines my granddaughter, Mary lour, is not covered under the CSPA, she will lose her ability to immigrate and leave her mother and I with an awful choice of having to choose between reuniting with us in the United States and leaving Mary lour

behind in the Philippines or foregoing the opportunity to immigrate to the United States which will keep us separated indefinitely.

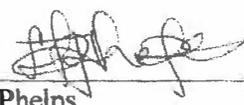
9. This harm is entirely preventable and solely the result of the Proclamation. Other than the Proclamation, I am aware of nothing that would prevent the issuance of visas and the admission of my family as immigrants to this country.
10. I am 61 years old. My husband is 62. As with most people our age, we struggle with health issues. We are insured, and we take care of our health, but my husband has heart disease and I have osteoporosis, arthritis, migraines, and benign tumor in my breast that needs to be monitored. My husband was in a serious car accident a couple of years ago and has had a painful back ever since. With all of that we both still work. He is a driver for LabCorp, delivering medical supplies and tests. This is a critical job during COVID-19. I am a housekeeper and caregiver for elderly persons. For those reasons, we can no longer simply travel to the Philippines to visit our family. If they cannot come to us in the United States, we may never see them again.
11. If my daughter is able to come to the U.S. with her children, they will not disrupt the American economy. To the contrary, they will assist the economy. Marylour is a senior in college in the Philippines studying Medical Technology. In the United States, she will enroll in and pay tuition to obtain a master's degree in Medical Technology. She will prepare herself to fill a job that is in high demand in this country.
12. Again, other than the Presidential Proclamation, I know of no other ground for inadmissibility, or any other reason why a visa could be denied to my daughter and her children.
13. I am joining this lawsuit so that I, along with other individuals who are in the same

position, can receive the visas on behalf of our family members that the U.S. laws have guaranteed.

14. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the current immigrant visa restrictions.

15. I know that if the class is certified that I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair restrictions on immigrant visas imposed by this Administration.

I swear, under penalty of perjury under the laws of the United States that the foregoing is true and correct. Signed on July 28, 2020, in Glen Burnie, Maryland.



Loida Phelps

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF CARMEN LIGIA VIDAL PIMENTEL

I, Carmen Ligia Vidal Pimentel, declare upon my personal knowledge, under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a United States lawful permanent resident, originally from the Dominican Republic. I received my green card on April 26, 2016.
2. I currently live in Houston, Texas. I am currently pregnant with my first child, a son who is due on July 31, 2020. Until the second week of July, I had lived with my sister and her family to save money until my husband is able to come to the United States. Because of my son's impending birth and the lack of space at my sister's house, I just obtained a small one-bedroom apartment for myself.
3. Since immigrating to the United States, I have had stable employment and have been able to build a life for myself, my husband, and our child. I believe that we will have a long life together here in the United States and that my husband and I will be able to provide a great future for our child. That is something we could never hope for in the Dominican Republic.
4. My husband is 26 years old and currently resides in the Dominican Republic. He is a native and citizen of the Dominican Republic.

5. I have sponsored my husband for an immigrant visa application in the F-2A family preference category so that we may reunite and reside together in the United States. On or around January 18, 2018, I submitted the I-130 family-based visa petition form. The United States Citizenship and Immigration Services (“USCIS”) then transferred his case from the California Service Center to the Nebraska Service Center on or about July 9, 2019. USCIS approved the I-130 petition on or around September 27, 2019.
6. USCIS then sent the approved visa petition to the National Visa Center to begin consular processing with the Department of State. The National Visa Center sent me a bill for the fees for consular processing on or around November 9, 2019, which I paid.
7. My husband and I worked to gather all the necessary information and documents for his visa application and submitted them with the on-line DS-260 application on or around December 23, 2019. The case was approved as documentarily qualified on or around March 16, 2020.
8. In late February 2020, I discovered that I was pregnant with our first child. My husband was thrilled and we were so happy to be able to bring our child into this world. At that time, with the assistance of my immigration attorney, I requested expedited processing from the U.S. Consulate in Santo Domingo for my husband’s visa application because it is our wish to be together when our child is born and I knew that I would need my husband’s support during the pregnancy and following the birth.
9. This request was approved on or around March 20, 2020, just as the consulates were closing and stopping routine visa processing because of the COVID-19 pandemic. If the Consulate in Santo Domingo had not closed, perhaps my husband would never have been subject to the Proclamation, since he would have been able to have his consular interview and receive

his visa prior to any of the proclamations becoming effective. I am not aware of any reason why, apart from the Proclamation, my husband is not eligible to receive a visa. He has no criminal record, no major health conditions, and no prior immigration violations.

10. In late April 2020, my husband received a phone call from the Consulate because they had received the case and were inquiring about the basis of the request for expedited processing. He explained that I am expecting our first child and that he was hoping to be here for the remainder of the pregnancy, to see the birth of his son and to provide me with the physical and emotional support that I will require. The officer who called him agreed with the basis for the expedite request, but informed him that they could not process the visa because of the Presidential Proclamation that was issued in April.
11. My immigration attorney asked a Congressional liaison to investigate the possibility of requesting a national interest exception so that my husband's visa could be processed, and he would not miss the birth of our first child. However, nothing came of that request. Our hearts were absolutely broken, but we kept hope, thinking that the April Proclamation would lapse in late June and there would still be about one month before our child would be born, during which my husband could possibly obtain his visa.
12. On June 22, though, we learned that the President had extended the ban on immigrants until at least December 31. This news was emotionally devastating. My baby is almost here and I was counting on having my husband's support during this once-in-a-lifetime moment in our family's life. Now, we are facing the prospect of my husband not only missing the pregnancy and the birth, but also the first 6 months of our son's life. There are so many firsts during those early months and those are moments that can never be repeated and my husband can never get back. I want my husband to be able to enjoy those moments with

me as we learn and grow together with our son. Even though I have my sister's support, it is not the same. I know my husband does his best to support me from the Dominican Republic, but it is emotionally wrenching for both of us not to have him in the United States for these precious moments. My husband had been about to get his visa and we were finally going to be able to begin our lives together, with our new baby. But the June Presidential Proclamation has left both of us traumatized at the prospect of not being able to raise our child together or provide him with the love of both his parents. I cannot even imagine the emotional effect on both of us if this Proclamation forces him to miss the first six months of his son's life.

13. Once the Proclamation was extended in June, I started to feel desperate and overwhelmed because my husband was not going to be here for the birth of our son. On July 10, 2020, my attorney, through Congresswoman Sylvia Garcia's office, filed a request with the Consulate in Santo Domingo for an exception to the Proclamation. In a response dated July 13, 2020, the Consulate informed the Congressional liaison that they could not process my husband's visa application until the end of the Proclamation.
14. After that response, on July 22, 2020, the Department of State published information stating that if an immigrant visa applicant believes s/he is entitled to an exemption, that the individual should contact the Consulate and request an interview so that s/he could apply for the exemption and be interviewed. In light of this new information, on July 24, 2020, my attorney renewed our request for an exemption and immigrant visa interview for my husband. This request was made via the customer support email for the U.S. Consulate in Santo Domingo. At this time, we have not received a response to that request.

15. My husband and I made the decision to have children at this time with the expectation that he would be able to immigrate to the United States this year. We made plans based on when we hoped his priority date would become current, and in fact, I took a couple months off from work to travel to the Dominican Republic to be with him in hopes that I would become pregnant. You cannot imagine the happiness that the news of the pregnancy had on both of us. Then total devastation came when we realized that the Proclamations would force my husband to miss the entire pregnancy, the birth, and now at least the first six month of his son's life. All our plans to start our family and our life together have been ruined. This has been especially hard to bear knowing that he is now current for a visa and would be able to receive one if it were not for the Proclamation. When the first Proclamation was signed in April, we contacted our attorney and expended significant money in hopes of resolving the process and securing my husband's visa before the birth of our son. We never counted on these complications due to the Proclamations.

16. I hope that there is sympathy for me. I am not trying to bring my entire extended family to the country. Rather, I am only asking that I be permitted to have my husband by my side, as I am legally entitled to have and for this important time in our lives. Please do not continue to keep us separated.

17. It is also difficult for me to understand why the President thinks my husband would harm the United States and the economic recovery. My husband has been a contributing member of society in the Dominican Republic. He has always worked. Right now, he works in internal affairs with the National Police. He certainly has skills that could be beneficial to this country. I only just stopped working at the recommendation of my doctor, but plan to

continue to work after the birth. So, he could even come and stay at home to take care of our son while I work, thereby not taking a job from anyone in the workforce.

18. I have been waiting for the day to reunite with my husband in the United States, and we have spent well over two years dedicated to this process. Apart from the Proclamation, I am not aware of any reason why he would not be eligible for a visa. The fact that my visa petition for him was approved means that we have a bona fide relationship. The subsequent fact that the National Visa Center stated that the case is documentarily qualified means that there are no documents missing for final processing of the visa application. The law allows my husband, as my spouse, to obtain a visa, and we have patiently endured the backlog so that he would be able to immigrate. We have done everything the law has required. But the President's ban deprives me, as a lawful permanent resident, of my right to sponsor my husband for a visa. The President should not be allowed to change the rules and ruin family's lives like this.

19. My husband and I had planned to care for our son on our own so that we would not have the extra costs of childcare. We thought that either one of us would work and the other would stay home, or we would work opposite shifts so that we could be the ones who provide the love and guidance to our son. It is a devastating hardship on both of us to realize that our son will be separated from his father when he is born. And now, given the COVID-19 pandemic, I cannot even fathom the idea of traveling with an infant to the Dominican Republic just so he can meet his father. It is just not fair.

20. I have already been living apart from my husband for three years and the separation has been exhausting and difficult for us. Although I can speak with my husband daily, it is not the same as having the love and support of my spouse in person. He has not been here to

provide the emotional support that I have needed throughout the pregnancy. The separation has been extremely hard, and at times I feel all alone. We have endured the difficulty through our separation and had been looking forward to the most beautiful moment of our lives with the birth of our son and being reunited in the United States, to start our lives together as a family with our baby. I simply cannot bear the thought of giving birth and raising our son on my own. It absolutely breaks my heart.

21. I understand that under the June Proclamation, I will be unable to reunite with my husband until at least January 2021—and perhaps even longer— unless he is granted an exception. But neither my lawyer nor I know what qualifies for a national interest exception. This process was not defined in the Proclamation. I would hope that it would be defined to be in the national interest to have a U.S. citizen baby have the love and support of both of his parents. I cannot explain how terrible it is to have endured so many awful moments with the hope that you will be able to finally reunite with your husband, then have those hopes crushed by the uncertainty of how much longer this process will take with the Proclamation.
22. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the June 22 Proclamation.
23. I know that if the class is certified, I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair restrictions imposed by this Administration.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at Houston Texas on July 26, 2020.

A handwritten signature in cursive script that reads "Carmen Vidal". The signature is written in black ink and is positioned above a horizontal line.

Carmen Vidal

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF MOHAMED SALEH

I, Mohamed Saleh, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a U.S. citizen. I was admitted to the United States as a Lawful Permanent Resident in or around 1975, and naturalized in or around 2000. I am originally from Yemen. My children and grandchildren were born in Yemen and are Yemeni citizens.
2. I currently live in San Francisco, California, with my wife, my two daughters, and one of my sons. My other son, Abu Bakr, lives nearby. I work as a janitor.
3. When I received my citizenship in 2000, I was excited that I finally had a way to bring my children to the United States and have my whole family together with me. I filed I-130 petitions for each of my children, and all of the petitions were approved. Now, all of my children and my children's children, except for my granddaughter R.S., live in the United States.
4. After my I-130 petition for my children were approved, my son Abu Bakr's visa application took a long time to be approved. I originally petitioned for him as a minor child, but in the meantime he married a woman in Yemen, and they had several kids there, including my granddaughter, R.S, so his visa category was changed to an adult son of a U.S. citizen.

Around 2010, we added Abu Bakr's wife and children to my petition for him. Eventually, in 2016, Abu Bakr was called for an interview with his family at the Embassy, and his visa application was approved. We asked the Embassy to issue the visa for Abu Bakr, but to hold on to the visas for his wife and kids so that he could come and establish himself in the United States before they joined him. Abu Bakr worked very hard so that he could earn enough money to afford an apartment for himself and his family. He worked two different jobs and struggled a lot. He visited his wife and children in Yemen about once a year, but he also wanted to focus on saving as much money as he could so that when they came to live with him permanently, he could give them a good life. I could see that it was hard for him to be away from his family, but he was optimistic that he would be able to bring them soon. I was and am extremely proud of how hard he worked to care for his family and ensure that they had a better life here in the United States.

5. After about three years of saving money, Abu Bakr was financially ready to bring his wife and children to live with him. He contacted the U.S. Embassy in Egypt in October 2019, and asked them to continue with processing the visas. Abu Bakr submitted all of the documents that the Embassy needed, and in February 2020 the Embassy scheduled Abu Bakr's family for their interview. My daughter-in-law and four grandchildren travelled from Yemen to Egypt to attend the interview. At the interview, the consular officer told them that they would be given a waiver from the Executive Order banning individuals from many Muslim majority countries, which would have stopped them from getting visas, because they had nobody to support them in Yemen. The whole family, except for my 10-year-old granddaughter, R.S., received their visas within a few days. The officer asked the family a few questions about R.S. during the interview, which they answered the same day.

The embassy called on the phone the next day and the person on the line asked some of the same questions. The officer at the Embassy and the person on the phone said that the Embassy would issue R.S.'s visa soon.

6. The Embassy never issued the visa to R.S. Abu Bakr emailed the Embassy many times between March 2020 and June 2020, explaining that the rest of the family's visas were about to expire, and that R.S. needed a visa right away. The rest of the family's visas were going to expire around the beginning of July, and we wanted R.S. to travel with the rest of her family. The Embassy told us that they could not issue the visa because the case was in administrative processing.
7. In April, we learned about the Proclamation the President had signed, banning most immigrants from coming to the United States. We were horrified when we heard the news because R.S. had not yet received her visa. The Proclamation, combined with the impending expiration of the family's visas, put our family in an untenable situation. We did not know what to do.
8. In desperation, Abu Bakr also contacted the office of our congressional representative, Nancy Pelosi. Nancy Pelosi's office agreed to inquire about the case, but the Embassy told them that the visa could not be issued because of the Presidential Proclamation. Abu Bakr also contacted a lawyer, who contacted the Embassy on his behalf to inquire about the visa. The lawyer asked that we be considered for an exception to the Presidential Proclamation. Again, the Embassy simply said that they could not issue the visa because of the Presidential Proclamation.
9. Our whole family was frantic. Finally, we asked if the visas for my daughter-in-law and grandchildren could be extended so that they could remain in Egypt with R.S. until she got

a visa. But the Embassy told them that there was no guarantee that their visas would be reissued if they expired. They had to decide between giving up their visas and in all likelihood being separated from Abu Bakr, me, and the rest of our family in the United States, or coming to the United States and hoping that they could find a way for R.S. to follow them as soon as possible. Because their visas were on the verge of expiring, my daughter-in-law and my three other grandchildren were forced travel to the United States—otherwise, they would lose their visas. R.S. was left behind in Egypt with some neighbors, who agreed to look after her for a while.

10. Our whole family has been devastated by this separation. R.S. in particular is inconsolable and constantly crying. My whole family —R.S.’s aunts, uncles, me, my wife, Abu Bakr, and his wife —all speak with R.S. almost every day. We all take turns checking in on her. She is distraught to be ten years old and all alone in a foreign country where she has no friends or family, especially when the world is in upheaval because of the coronavirus pandemic. She cries on every single call that we have with each other. She says that she has problems sleeping because she is scared and alone. She is also not eating very much because of the stress. All the stability and support in her life has disappeared. It is clear to me that she is traumatized from being separated from her parents and siblings, and I am overwhelmed with sorrow seeing how scared and worried she is. I fear that she will suffer emotionally and mentally for the rest of her life because of what has happened to her.

11. The separation has taken a toll on our entire family but particularly my son Abu Bakr and his wife. Before he tried to bring his family over in 2019, Abu Bakr was optimistic and happy. Even though he was away from his wife and children, he had a plan and was hopeful that he would be able to see his family soon. Now, he is extremely depressed because he

has no idea when he will be able to see his daughter again. He cannot leave his job in San Francisco to go and be with her because the whole family relies on him to provide for them. My daughter-in-law is particularly devastated. She is constantly worried about R.S., and is unable to sleep or eat properly. She is planning to go back to Egypt to take care of R.S., but she has to wait to get her green card in the mail before she can travel. Even then, because she has a green card, she is not able to stay outside of the United States for more than six months at a time and will have to come back eventually. It is painful for me to see my son and his family dealing with so much sadness and loss.

12. This situation is also creating a huge financial burden on our family. We had planned for everyone to be here in the United States at the same time, but now Abu Bakr must support his family in two locations: one in the United States and another in Egypt. Our family tries to help him, but it is difficult because we are all financially stressed—especially now, because of the pandemic. The uncertainty of how long this situation will last is particularly burdensome—both financially and emotionally.

13. R.S. is in a desperate situation. We do not have any family in Egypt who can take care of her. She cannot go back to Yemen, because we do not know anyone there who can care for her—our entire family is here in the United States. She will be unable to continue her education when school reopens in a few months. Her visa to be in Egypt is already expired, and she cannot renew that visa because her passport is at the Embassy. The Embassy has not given us any information about when her visa to the United States will be issued.

14. I am at a loss to understand why the President has banned my granddaughter from coming to the United States and separated her from the rest of her family on the basis that she would somehow threaten people's jobs. Not only does this make no sense; it is

unspeakably cruel. R.S. is only ten years old, and she cannot work or compete with other people for jobs. R.S. will be in elementary school if she is able to come to the United States, and her father and I and other family members will financially support her. She should be with her family who loves her and will provide for her.

15. I have been waiting to see R.S. for a long time. The last time I saw her was when I visited Yemen in 2012. At that time, she was only a baby. Since then, we have spoken regularly on the phone, and I have watched her grow up from far away. I was really looking forward to having my whole family, all my kids and grandchildren, here in San Francisco with me—especially now, when the coronavirus pandemic has made being together with your family is so precious. Any joy I had in finally having Abu Bakr and his family join me here in the United States has been utterly tarnished by our separation from R.S. This situation is especially hard because R.S. is all by herself and is suffering so much, and we do not know how long this situation will last. It does not make any sense to me how the government can issue visas to a whole family, except for a 10-year-old girl.

16. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the current immigrant visa restrictions.

17. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair restrictions on immigrant visas imposed by this Administration.

18. We have correctly and completely submitted all of the required paperwork to obtain a visa for my granddaughter, and I am aware of no reason why she would be inadmissible.

19. Mr. Mohamed Albadani, who is fluent in Arabic, orally translated this entire declaration for me into Arabic, which is my native language.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed in San Francisco, CA on July 29, 2020.

DocuSigned by:

88970984306147D

Mohammed Saleh

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DOMINGO ARREGUIN GOMEZ, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States of
America, et al.,

Defendants.

Civil Action No. 1:20-cv-01419

DECLARATION OF ANGELA SINON

I, Angela Sinon, upon my personal knowledge, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a United States citizen of Pilipino origin who was admitted to the United States in 1988 on a G-4 visa, which is a diplomatic visa issued to officers or employees of international organizations. I adjusted status and received my green card on the basis of my diplomatic activities in 2009, and then naturalized in 2014.
2. I currently live in White Plains, New York. After passing the entrance test in United Nations-New York, I joined the United Nations in 1988. Initially, I worked as a Public Information Assistant during the General Assembly, and thereafter I was able to work in different departments in the areas of procurement, budget, administrative, human resources, and personnel. I also had the opportunity to be assigned to different UN Peacekeeping Missions on a temporary basis, including as an Acting Contract Unit Supervisor in Baghdad in 1998, where I supervised and monitored all the contracts entered between the United Nations and the contractors in Iraq. I also worked as an Acting Supply Officer/Administrative/Invoice Processor in Khartoum, Sudan in 2007 where I supervised fuel and food ration contracts of the United Nations throughout

Sudan and ensured timely payments to contractors. It is very stressful to work in the field and peacekeeping missions, as most of the time you have to perform multiple functions to achieve the purpose of each mission, not to mention the hostile and uncomfortable environment to which you must you adapt every day. However, I never regretted working in this kind of situation, which I found to be very challenging and satisfying, as I was able to work for the goals and objectives of the United Nations. I was also able to financially support my son's college education.

3. My first few years working for the UN in New York were tough because I was all alone in the city and I missed my family, especially my son, very much. There were also times that my contract was renewed only monthly, and I had to frequently move from one apartment to another to find a cheaper and better place to live because I was sending money to my parents to support them and my son in the Philippines. I left my son when he was four years old. It was so heartbreaking to leave him because, as a mother, it was the most important time to be with a growing child. But as a single mother, it was difficult for me to raise a child in the Philippines alone. So even though it was hard to leave my son behind with my parents, my goal is to give him a better life and a future than I could provide for him in the Philippines. Luckily, I was awarded a permanent contract after working for the UN for four years. I worked there for more than 25 years until I retired in 2013.
4. Although my brother and my relatives live in the United States, most of them live in Virginia, Texas, California, and Nevada, so I was alone in New York when I first started working for the UN until my father came sometime in 1991 as a G-4 dependent relative and decided to live with me. My father became a U.S. Citizen because he joined and

fought with the U.S. Armed Forces in the Far East (USAFFE) against the Japanese occupation in the Philippines during World War II. He was also a prisoner of war.

5. In 1994, my mother joined me and my father in the United States. My mother also brought my son, Emmanuel Sinon, who was then 17 years of age, on a G-4 visa as my dependent relative. Finally, our family was complete, and we were so happy living together.
6. The United States has given our family opportunities and hope. I became independent and was able to own my first property in New York through hard work. The U.S. is a place that gives you freedom to practice whatever faith and religion you believe, whatever language you speak and whatever color your skin. Having travelled in other countries, I found the United States to be the only place I can call “home.” It is the place where my family lives. Living in the United States makes my life rich and interesting every day.
7. I have sponsored my son, Emmanuel Sinon, in the “F2B” family preference category for the unmarried adult children of lawful permanent residents.
8. Emmanuel is now 43 years old and a national of the Philippines. He normally resides with me in White Plains, NY, as a G-4 visa holder. With his G-4 work authorization, he has previously worked in some companies, including at Dalton Bookstore as inventory assistant, but he decided to stop working to continue his studies and look after my parents when they were alive. But Emmanuel is currently stranded in the Philippines, where he went to do his consular interview for his immigrant visa. He is now banned by the president’s April 22, 2020 proclamation and I do not know when he will be able to return and reunite with me.

9. We did not expect these obstacles when we began the visa process for Emmanuel so long ago. I submitted the visa petition for him on or around January 5, 2009. It was approved on January 12, 2009.
10. We then had to wait a long time for Emmanuel's priority date to become current. The Philippines is an oversubscribed country for immigrant visas, and there is always a backlog. U.S. Citizenship and Immigration Services sent the approved visa petition to the National Visa Center to begin consular processing with the Department of State on or around September 24, 2019.
11. We were thrilled when Emmanuel's priority date became current because that means a visa is available for him. We submitted all the necessary information and documents for the online application, the DS-260, on or about October 10, 2019. We are not aware of any reason why he would not be approved for his immigrant visa apart from the Presidential Proclamation. Emmanuel has been admitted to the United States and resided here for over twenty years
12. Emmanuel was scheduled for an interview at the U.S. Embassy in Manila on March 10, 2020, so he left for the Philippines in February 2020. It was hard to say goodbye; now that I am older and more frail, I need Emmanuel to help me get to doctor's appointments and to the store, and to help me get around the house and do chores. But we thought it would only take him a short time to complete his interview and receive the visa.
13. We were shocked to learn that the interview was cancelled. To receive his visa, Emmanuel had to travel from New York to the U.S. Embassy in the Philippines and complete a medical examination. Therefore, my son scheduled a medical examination at the St. Luke's Medical Center, a dedicated medical facility authorized to conduct visa-

related medical examinations, on March 2, 2020. Ordinarily, it takes only two days to complete the exam, leaving just enough time to complete the exam in advance of the March 10 interview.

14. However, Emmanuel was asked to undergo a sputum test as part of the exam. This testing overlapped with the March 10 interview date, and the interview was therefore canceled. The medical examiner assured my son that there would be no problem rescheduling the visa interview after the test results were received. On June 1, 2020, after waiting for more than 10 weeks, my son's test results came back negative and he was cleared to proceed with his visa processing.
15. After the delays caused by this testing, it was incredibly difficult for me to learn about the April Presidential Proclamation. If he had not been asked to take the sputum test, Emmanuel would have already received his visa and returned to the United States to be with me. But under the Proclamation, he was banned for two more months unless he could meet a new requirement for the immigrant visa – showing that he qualifies for a national interest exception.
16. Then the situation got even worse when the president extended the ban through the end of the year. We were devastated. We have been waiting for Emmanuel's visa to become current for more than 10 years. When he left for the Philippines for his consular interview, we were hopeful and relieved that this process was almost over for us. We thought he would be gone for perhaps a month and would come back with his green card. Now he will be separated from me for the rest of the year, and possibly indefinitely.
17. This is heartbreaking to me as a single mother. My father died in May 2009, and my mother died in March of this year. My son is the only family I have left, and he had to

leave for the Philippines just as I was mourning my mother's passing. It has been incredibly hard to be alone during this time, with the difficulties of the coronavirus pandemic and the grief that I am suffering. Having my son with me at least would ease the pain I feel from the loss of my mother.

18. Also, now that I am older and in not entirely excellent physical condition, my son accompanies me to buy groceries and to my doctor's appointments, takes care of me whenever I am sick, helps me with household chores, lifts and reaches things for me, assists me in paying bills, runs errands, and helps me with any computer and electronic issues. In short, I need him in my everyday life.

19. Furthermore, in this uncertain and critical time we have because of the pandemic, family should be together, not separated. This is an opportunity to support and bond together; to have the time to get to know each other better; and to show how much we love and care for one another.

20. Since Emmanuel left in February 2020, I have been forced to maintain two residences: one in New York and one in Manila where my son has had to stay while awaiting the completion of his immigrant visa process. As a single parent and retiree, it is very difficult and expensive to sustain two residences, and since it is unclear when the immigration ban will end, it makes me feel hopeless. In my New York residence, I have a budget for the utilities, maintenance charges, tax property, groceries, house repairs, car maintenance, and some unexpected expenses. It has taxed my limited resources to also pay the rent for an apartment in Manila and support my son's living expenses while he is there. In addition, because the health insurance we have in the U.S. is not accepted in Manila, we must pay out of our own pocket for any medical and health expenses that

arise.

21. It is my understanding that the president has banned immigrants because he thinks they are a threat to United States workers and jobs. It makes no sense to me that my son should be included in this ban. Emmanuel has been a volunteer with the American Red Cross since 2013, and he intends to continue doing volunteer work when he returns to the U.S. He also previously volunteered with the Department of Veterans Affairs (DVA) in the Bronx. I fully support his volunteer work because I can feel his satisfaction in doing good work to the community, even unpaid, as he is willing to give something back to the country that has already given a lot to him. Emmanuel and I also support each other because we are each other's only family, and when my parents were alive, Emmanuel also cared for them, running their errands, and taking care of them whenever they were sick. My son will not be taking any American jobs.
22. After patiently waiting for eleven years for my son to obtain his green card, all these obstacles at the end of the process have truly been heartbreaking for us. It is especially painful because when Emmanuel left for his interview in February, and even when he was asked to do the sputum test in March, we had no idea that the President would suddenly ban all immigrants for the rest of the year. We have followed the law and done everything required of us. But now it feels like the president has swept the rug out from under us, like the law has no meaning. There is nothing I know of that would prevent my son from getting his visa apart from the proclamation. We have no way of knowing if or when Emmanuel will be allowed to come back to the United States, and this uncertainty has been emotionally taxing on me.
23. Because I don't know what else I can do for my son's visa process, on July 13, I wrote

to the US Consulate in Manilla to request an emergency interview in order to seek a national interest exception to the Proclamation. As of the date of this declaration, I have not received a response to this request. I also wrote to the consulate on July 24 and specifically requested an interview under an exemption of the executive order. To date I have not received a response.

24. I am willing to serve as a class representative on behalf of those who are similarly situated to me and cannot have family members join them in the United States because of the current Proclamation.

25. I know that if the class is certified I will be representing more than just myself in this case. I have spoken with the lawyers who represent me about what being a class representative means. I want to help everyone in my situation because we are all suffering due to the unfair restrictions imposed by this Administration.

I declare under penalty of perjury and under the laws of the United States that the foregoing is true and correct. Executed at New York on 28 July 2020.

A handwritten signature in blue ink, appearing to read "Angelina", is written over a horizontal line.